

SHIRE OF MERREDIN



“Heart of the Wheatbelt”

MINUTES OF COUNCIL MEETING

17 MARCH 2009

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MINUTES

Minutes for the Ordinary Meeting of the Shire of Merredin held in the Council Chambers, Corner King and Barrack Streets, Merredin on Tuesday 17 February 2009 commencing at 1.00pm.

ATTENDANCE: Cr KA Hooper – Shire President
Cr RM Crees – Deputy Shire President
Crs S Elliott; P Forbes; M Hayden; A Hooper; M Morris; J Townrow (1.05pm); W Wallace; M Young

Messrs FB Ludovico, Chief Executive Officer; J Garrett, Executive Manager of Engineering Services; V Green, Executive Assistant to Chief Executive Officer; E Hooper, Executive Manager of Finance and Administration; J Mitchell, Executive Manager of Development Services and D Morris, Executive Manager of Community Services

1.0 OFFICIAL OPENING

The Presiding Person declared the meeting open at 1.04pm. Debbie Morris, Executive Manager of Community Services, was in attendance.

2.0 PUBLIC QUESTION TIME

Nil

3.0 APOLOGIES AND LEAVE OF ABSENCE

Cr Simmonds has been granted Leave of Absence for this meeting. (CMRef 29789)

4.0 DISCLOSURE OF INTEREST

Cr Morris declared a Financial Interest in Agenda Item 10.1.

5.0 PETITIONS AND PRESENTATIONS

Nil

6.0 CONFIRMATION OF MINUTES

6.1 Previous Council Meeting

Confirmation of the Minutes of the previous Council Meeting held on 17 February 2009.

Cr Townrow entered the meeting at 1.05pm.

Moved Cr Elliott Sec Cr Morris
That the minutes of the meeting of Council held on 17 February 2009 be confirmed as a true and correct record of proceedings.

AMENDMENT

29895 Moved Cr Crees Sec Cr Young
That the words “is not in favour of” be replaced with “will consider not” in CMRef 29889.

(5/5)

UNRESOLVED DUE TO AN EQUALITY OF VOTES

The Presiding Person exercised his casting vote.

CARRIED 6/5

Cr Young left the meeting at 1.29pm.

THE AMENDMENT BECAME THE MOTION

29896 Moved Cr Crees Sec Cr Young
That the minutes of the meeting of Council held on 17 February 2009 be confirmed as a true and correct record of proceedings with the amendment that the words “is not in favour of” be replaced with “will consider not” in CMRef 29889.

Cr Young entered the meeting at 1.30pm.

(5/5)

UNRESOLVED DUE TO AN EQUALITY OF VOTES

The Presiding Person exercised his casting vote.

CARRIED 6/5

Cr Morris wishes his name noted as voting against the Amendment to the Motion as it changes the context of the original Motion moved by him at the February Council meeting (CMRef 29889). It is noted that Cr Morris is fully in favour of working with surrounding regarding reviewing Local Government boundaries but is a firm believer that Merredin Shire Council should forgo the name Merredin in any title of a new Local Government formed which includes them.

Cr Young left the meeting at 1.31pm.

Cr Young entered the meeting at 1.31pm.

7.0 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

Nil

MINUTES

8.0 MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC**17.1 Chief Executive Officer's Performance Appraisal**

Refer to Page 56 for information on this Agenda Item.

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

9.1 Central Wheatbelt Visitor Centre MoU Working Group Meeting held on 9 February 2009
Attachment 9.1A

9.2 Western Australian Local Government Association Great Eastern Country Zone Meeting held on 19 February 2009
Attachment 9.2A

9.3 Merredin Regional Community and Leisure Centre Advisory Committee Meeting held on 23 February 2009
Attachment 9.3A

9.4 Wheatbelt East Regional Organisation of Councils Meeting held on 24 February 2009
Attachment 9.4A

9.5 Heritage Management Committee Meeting held on 26 February 2009
Attachment 9.5A

9.6 Merredin Local Emergency Management Committee Meeting held on 3 March 2009
Attachment 9.6A

9.7 Business and Community Development Committee Meeting held on 4 March 2009
Attachment 9.7A

29897

Moved Cr Townrow Sec Cr A Hooper

That Council receive the minutes of the Central Wheatbelt Visitor Centre MoU Working Group Meeting held on 9 February 2009, the Western Australian Local Government Association Great Eastern Country Zone Meeting held on 19 February 2009, the Merredin Regional Community and Leisure Centre Advisory Committee Meeting held on 23 February 2009, the Wheatbelt East Regional Organisation of Councils Meeting held on 24 February 2009, the Heritage Management Committee Meeting held on 26 February 2009, the Merredin Local Emergency Management Committee Meeting held on 3 March 2009 and the Business and Community Development Committee Meeting held on 4 March 2009.

CARRIED 10/0

- 9.1 Central Wheatbelt Visitor Centre MoU Working Group
Nil Recommendations to Council
- 9.2 Western Australian Local Government Association Great Eastern Country Zone
Nil Recommendations to Council
- 9.3 Merredin Regional Community and Leisure Centre Advisory Committee
Nil Recommendations to Council
- 9.4 Wheatbelt East Regional Organisation of Councils
Nil Recommendations to Council

9.5 Heritage Management Committee

6.1 Royalties for Regions Funding – Merredin Trails Plan

Moved A Parker

Sec Cr Hayden

That the Merredin Heritage Committee recommend to Council that Council consider the Merredin Trails Plan as a project to be funded from Royalties for Regions Funding 2009.

CARRIED 5/0

8.2 Heritage Week

Moved R Endersbee

Sec A Parker

- 1. That Heritage Week be rescheduled to be held in late 2009 to allow more time to organise this event.*
- 2. That the Heritage Committee recommend to Council, that Council endorse the carry over of funds for the Heritage Week Activities, \$5,000.00, and CBD Heritage Trail \$5,000.00 into the 2009/2010 Budget.*

CARRIED 5/0

9.1 Railway Museum

Moved J Rutherford

Sec R Endersbee

That the Heritage Committee recommend to Council that Council consider the crossing to crossing (Heritage Precinct) upgrade project for \$60,000.00 from the Royalties for Regions funding, with detailed costings being provided from the consultants report (Interpretation Plan) once completed.

CARRIED 5/0

29898

Moved Cr Townrow

Sec Cr Morris (*en bloc motion*)

- 1. That Council consider the Merredin Trails Plan as a project to be funded from Royalties for Regions Funding 2009.*
- 2. That Heritage Week be rescheduled to be held in late 2009 to allow more time to organise this event.*
- 3. That Council endorse the carry over of funds for the Heritage Week Activities, \$5,000.00, and CBD Heritage Trail \$5,000.00 into the 2009/2010 Budget.*
- 4. That Council consider the crossing to crossing (Heritage Precinct) upgrade project for \$60,000.00 from the Royalties for Regions funding, with detailed costings being provided from the consultants report (Interpretation Plan) once completed.*

CARRIED 7/3

9.6 Merredin Local Emergency Management Committee
Nil Recommendations to Council

9.7 Business and Community Development Committee
Nil Recommendations to Council

MINUTES

10.0 COMMUNITY SERVICES

Cr Morris declared a Financial Interest in this Agenda Item 10.1 and left the meeting at 1.43pm.

10.1 EASTERN WHEATBELT EARLY YEARS NETWORK

Reporting Department: Community Services
Reporting Officer: Debbie Morris – Executive Manager,
Community Services

Background

The Eastern Wheatbelt Early Years Program (EWEYN), covering 13 Shires including Bruce Rock, Kellerberrin, Koorda, Merredin, Mt Marshall, Mukinbudin, Narembeen, Nungarin, Tammin, Trayning, Westonia, Wyalkatchem and Yilgarn commenced in October 2006. The goal of the Program is to address issues and the needs of children aged 0-8 years, and their carers and families.

The Wheatbelt Area Consultative Committee employed an Early Years Project Coordinator to work in partnership with a Reference Group to deliver the program, with financial support from Lotterywest.

The Shire of Merredin has supported the Early Years Project since its inception and have been involved in the Reference Group and activities of the Network over the same period of time.

The importance of the early development phase of children aged between 0-8 years has been recognised by Council through the inclusion in the Shire's Strategic Plan.

Research shows that these early interventions have long term benefits on issues such as education, health and crime.

The Early Years Project has been successful in establishing networks in local towns, instrumental in ensuring relevant surveys are conducted that provide the necessary data to develop strategies that address the issues in the Eastern Wheatbelt, as well as coordinating activities, events and opportunities for the community to be made aware of the Network and interact with service providers.

Comment

Through the Executive Manager of Community Services' involvement on the EWEYN Reference Group it has been identified that the Program is addressing local Early Years issues successfully across the Eastern Wheatbelt. Some of these activities include workshop opportunities and training, providing the capacity for inter-agency action to address issues outside their individual parameters, support to and representation on the Merredin Regional Community and Leisure Centre Indoor Playground Group.

The EWEYN Project Coordinator is seeking Council's continued support for the Program including the commitment to a representative on the Reference Group (**Attachment 10.1A**).

Officer's Recommendation

That Council commit continued support for the Eastern Wheatbelt Early Years Network and the provision of a representative on the Eastern Wheatbelt Early Years Network Reference Group.

29899

Moved Cr Crees

Sec Cr Wallace

That Council commit continued support for the Eastern Wheatbelt Early Years Network and the provision of a representative on the Eastern Wheatbelt Early Years Network Reference Group.

CARRIED 8/1

John Mitchell, Executive Manager of Development Services, entered the meeting at 1.44pm.

Cr Morris entered the meeting at 1.45pm.

MINUTES

This Agenda Item 16.1 was brought forward due to the attendance of Debbie Morris, Executive Manager of Community Services.

16.1 CUMMINS THEATRE PROJECT PLAN

Reporting Department: Community Services

Reporting Officer: Debbie Morris, Executive Manager –
Community Services

Background

At its February 2009 meeting, Council endorsed (**CMRef 29864**):

That Council allocate up to \$600,000.00 from the Shire of Merredin's Royalties for Regions funding to the Cummins Theatre Conservation Works Project and employ a heritage consultant and a draughtsperson/architect to draw up the comprehensive Project Plan based on the Scope of Works, to progress the applications for other grant assistance and the completion of the Schedule of Works.

On Friday 13 March 2009 the Executive Manager of Development Services (EMDS), Executive Manager of Community Services (EMCS), Building Project Manager and Cummins Theatre Manager (CTM) met to assess the Schedule of Works (including priorities), the availability and timeframes of funding opportunities with the aim of developing a Project Plan, which would enable funding applications to be submitted accordingly.

Financial Implications

Council has allocated up to \$600,000.00 from the Shire of Merredin's Royalties for Regions funding towards the Cummins Theatre Conservation Works Project.

Comment

The EMCS and CTM had preliminary discussions with the funding bodies – Wheatbelt Development Commission (WDC), Community Cultural and Arts Facilities Fund (CCAFF) and Lotterywest prior to the meeting on 13 March 2009. This was essential as the timeframes, priorities and objectives of the funding e.g. Heritage needed to be taken into consideration when assessing the amount of funding to be applied from each funding body.

The Project Plan (**Attachment 16.1A**) includes an allocation of \$361,800.00 from the Shire's Royalties for Regions funding, which leaves a balance of up to \$238,200.00 for the employment of a draughtsperson, architect and engineer, as well as a reserve in the case that funding applications are not successful.

Summary of Funding Applications

1. Regional Grants Scheme – Wheatbelt Development Commission
Applications close 25 March 2009
Amount - \$220,300.00
2. Lotterywest – Community Facilities (Community Buildings)
No funding rounds – can apply at any time
Amount - \$173,650.00
3. Lotterywest – Conservation of Cultural Heritage
Applications close – November 2009
Amount - \$30,100.00
4. Community Cultural and Arts Facilities Fund (Forward Planning Grant – over 3 years)
Applications close – 24 April 2009 for projects commencing August 2009 onwards.
Amount - \$201,000.00

Some minor tweaking may be required to the amounts of funding listed above to enable funding applications to be submitted.

Council's formal endorsement of the proposed funding applications being submitted is necessary.

Officer's Recommendation

That Council:

1. *Endorse the Cummins Theatre Project Plan outlined in Attachment 16.1A.*
2. *Support funding applications being submitted to Wheatbelt Development Commission, Lotterywest and Community Cultural and Arts Facilities Fund in line with the Cummins Theatre Project Plan outlined in Attachment 16.1A.*

29900

Moved Cr Townrow

Sec Cr Elliott

That Council:

1. ***Endorse the Cummins Theatre Project Plan outlined in Attachment 16.1A.***
2. ***Support funding applications being submitted to Wheatbelt Development Commission, Lotterywest and Community Cultural and Arts Facilities Fund in line with the Cummins Theatre Project Plan outlined in Attachment 16.1A.***

CARRIED 10/0

Debbie Morris, Executive Manager of Community Services, left the meeting at 1.53pm.

11.0 DEVELOPMENT SERVICES

11.1 BUILDING – LOT 120, NO. 71 MITCHELL STREET, MERREDIN – PROVISION OF DISABLED RAMP – HERITAGE COUNCIL ADVICE

Reporting Department:	Development Services
Reporting Officer:	John Mitchell – Executive Manager, Development Services
Legislation:	Building Code of Australia 2008, Heritage of Western Australia Act 1990
File Reference:	A2563

Background

Since October 2008 the Administration has been trying to obtain approval for the installation of a paved ramp system to the main entry into the old Town Hall (the Hon. Brendon Grylls' local offices), 71 Mitchell Street, Merredin.

On 23 February 2009 the Administration received a response from the Heritage Council. The proposed plans and correspondence are contained in **Attachment 11.1A**. Further correspondence from the Heritage Council received through the Hon. Brendon Grylls' local office is contained within **Attachment 11.1B**.

Statutory Implications

The correspondence from the Heritage Council is unclear whether the Shire of Merredin is bound by the advice received and ends with the statement "*We would appreciate a copy of your Council's determination for our records*". Verbal advice received from the Heritage Council is that the Shire is bound.

Council appears to be bound by the Heritage Council decision through Sections 11 and 78 of the Heritage of Western Australia Act 1990. It further appears that there are actions the Heritage Council can take for damaging the building and carries fines of up to \$5,000.00 per day.

Financial Implications

The costs of the ramp system proposed by the Heritage Council are being assessed. The difficulty is that the trades do not seek to work on the building due to the heritage listing.

It is estimated that the cost will be in the vicinity of \$20,000.00 for the Heritage Council ramp and \$8,000.00 for the ramp proposed by the Administration.

No funds are provided for this proposed project. An absolute majority of Council is required to allocate funds and commence the works within this financial year.

MINUTES

Comment

In accordance with the Disability Services Act and the Building Code of Australia 2008, a compliant access ramp is provided at the rear of the building. As the building is “an existing building” the rear access ramp is deemed acceptable.

Current workloads on the Building Supervisor and Executive Manager of Development Services are such that the matter is considered low priority. Duties to date include budget preparation, railway heritage precinct, Carrington Way, Rec Centre buildings and pool, two houses under repair, swimming pool slide, Cummins Theatre upgrade and obtaining costings for future resolved projects including residential land development, town planning scheme amendments and the like.

All existing 2008/2009 maintenance budgets are currently allocated and being expended.

Officer’s Recommendation

1. *That the provision of the access ramp, in accordance with the design of the Heritage Council of WA, to Lot 120, Number 71 Mitchell Street, Merredin be deferred and re-considered for the 2009/2010 Budget.*
2. *That the tenant of Lot 120, Number 71 Mitchell Street, Merredin be advised of Council’s decision.*

29901

Moved Cr Townrow

Sec Cr Elliott

1. *That the provision of the access ramp, in accordance with the design of the Heritage Council of WA, to Lot 120, Number 71 Mitchell Street, Merredin be deferred and re-considered for the 2009/2010 Budget.*
2. *That the tenant of Lot 120, Number 71 Mitchell Street, Merredin be advised of Council’s decision.*

CARRIED 10/0

11.2 **TOWN PLANNING SCHEME NO. 1 – REQUEST FOR AMENDMENT NUMBER THREE – OMNIBUS AMENDMENT TO ADDRESS ONGOING ISSUES**

Reporting Department: Development Services
Reporting Officer: John Mitchell – Executive Manager, Development Services
Legislation: Planning & Development Act 2005
File Reference: LUP/5/6 – Amendment 3 - (New File)

Background

Advice has been received from the Western Australian Planning Commission that the expected time to process the new Local Planning Scheme No.6 is far in excess of an Omnibus Amendment to address the current issues to do with planning locally.

The Shire of Bruce Rock and the Shire of Kellerberrin are still waiting for permission to advertise approximately three years after submission to the Commission.

Statutory Implications

Pursuant to the Town Planning Regulations 1967 the approval of the Planning Commission is required prior to advertising the text and maps.

Unofficial advice from the Commission indicates that the request for an Interim Development Order to allow the Shire of Merredin to consider the buffer zones, construction on several lots and the approval of subdivisions of the proposed rural residential zone will be refused on public interest grounds.

This month, March 2009, the Executive Manager of Development Services (EMDS) and the Planning Consultant are dealing with a new Planner (Mr Daniel Stevenson) within the Commission who now advises that the advice provided by his predecessor was not complete/potentially incorrect/not the way he would have done it and will not consider the Amendment as passed by Council at its February 2009 meeting (**CMRef 29870**). Mr Stevenson's reasons are yet to be explained and the EMDS has requested the Consultant address this matter with a higher authority within the Commission.

This month the Commission has asked for the Shire of Merredin to prepare an Omnibus Amendment to the Town Planning Scheme No.1 to address the issues. Previous experience with the Commission suggests that an Amendment must be addressed more promptly.

Financial Implications

The cost of the Omnibus Amendment is estimated at \$3,500.00 plus advertising costs of \$1,000.00. There is \$6,000.00 allocated within Account *E106285* - Town Planning Scheme Review for additional attendance and Local Planning Strategy amendments. To date \$1,500.00 is allocated to the previous resolutions relating to the strategy amendments.

Comment

The following issues require urgent addressing: -

1. Rezoning of all “general farming” land within the southern side of the town-site of Merredin to “rural residential”;
2. Provision of a policy making provision within the Scheme text to permit the setting and adoption of policies relating to planning matters;
3. Rezoning of Lots 10 and 11 South Street (old Lutheran Church), Lots 815 and 816 Cunningham Street (old Watsonia building near Merredin Senior High School) and Lot 257 Bates Street (next to Merredin Squash and Fitness Centre) to “residential” to permit on-sale and development;
4. Rezoning of the southern portion Lot 13086 Gamenya Avenue to “general industry” to permit further development within the industrial area;
5. Rezoning of Reserve 44697 (near the Merredin Golf Club) from “general farming” to “tourist zone”.

The approval of Council is sought to: -

1. Prepare an Omnibus Amendment – Town Planning Scheme No.1 Amendment No.3 incorporating points 1 – 4 above;
2. Authorise the Shire President and Chief Executive Officer to sign the Amendment and submit the Amendment to the Western Australian Planning Commission;
3. Advertise the Amendment after approval is provided from the Western Australian Planning Commission.

At the completion of the above process the matter will be represented to Council for final approval/endorsement.

Officer's Recommendation

1. *That the Administration is authorised to prepare an Omnibus Amendment No. 3 to Town Planning Scheme No. 1 to:*
 - a. *Rezoning of all "general farming" land within the southern side of the town-site of Merredin to "rural residential";*
 - b. *Provision of a policy making provision within the Scheme text to permit the setting and adoption of policies relating to planning matters;*
 - c. *Rezoning of Lots 10 and 11 South Street, Lots 815 and 816 Cunningham Street and Lot 257 Bates Street to "residential" to permit on-sale and development;*
 - d. *Rezoning of the southern portion of Lot 13086 Gamenya Avenue to "general industry" to permit further development within the industrial area;*
 - e. *Rezoning of Reserve 44697 from "general farming" to "tourist zone".*
2. *That the Shire President and Chief Executive Officer be authorised to sign the Amendment No. 3 to Town Planning Scheme No. 1 and submit the Amendment to the Western Australian Planning Commission.*

ABSOLUTE MAJORITY REQUIRED

Cr Forbes left the meeting at 2.04pm.

29902

Moved Cr Townrow Sec Cr Wallace

1. *That the Administration is authorised to prepare an Omnibus Amendment No. 3 to Town Planning Scheme No. 1 to:*
 - a. *Rezoning of all "general farming" land within the southern side of the town-site of Merredin to "rural residential";*
 - b. *Provision of a policy making provision within the Scheme text to permit the setting and adoption of policies relating to planning matters;*
 - c. *Rezoning of Lots 10 and 11 South Street, Lots 815 and 816 Cunningham Street and Lot 257 Bates Street to "residential" to permit on-sale and development;*
 - d. *Rezoning of the southern portion of Lot 13086 Gamenya Avenue to "general industry" to permit further development within the industrial area;*
 - e. *Rezoning of Reserve 44697 from "general farming" to "tourist zone".*
2. *That the Shire President and Chief Executive Officer be authorised to sign the Amendment No. 3 to Town Planning Scheme No. 1 and submit the Amendment to the Western Australian Planning Commission.*

CARRIED 9/0
ABSOLUTE MAJORITY

11.3 RESERVE 13267 SUBDIVISION – MEETING WITH PUBLIC TRANSPORT AUTHORITY - DWELLINGS AND FENCING

Reporting Department:	Development Services
Reporting Officer:	John Mitchell – Executive Manager, Development Services
Legislation:	Various – Local Government Act 1995, Health Act 191 – 1979, Health Local Laws 1999, Fencing Local Laws 1999
File Reference:	R13267

Background

On Thursday 5 March 2009 the Chief Executive Officer, Executive Manager of Development Services and Executive Manager of Engineering Services met with Mr Peter Martinovich, Mr Russell Wellington and Mr Phil Rakich from the Public Transport Authority (PTA) to discuss the housing and fencing within Reserve 13267 Great Eastern Highway, Merredin.

Attachment 11.3A contains the notes of that meeting as prepared by the Chief Executive Officer.

Comment

The meeting summarised the previous actions to date, considered the resources and funding arrangements of both parties. Mr Martinovich advised that Council could remove the fence at its cost and demolish the houses on Great Eastern Highway at Council cost, however the issues of ownership were governed by the Government policies of the day – currently market valuation.

There are many options for Council however only four are discussed here: -

1. Do nothing; let the subdivision continue and rely on the new owners to repair the buildings;
2. Seek through political means to require that the PTA remove the houses and fence, and provide the land to the Shire of Merredin;
3. Remove the fence, demolish the houses on Great Eastern Highway at Council expense and either purchase the lots, seek through political means to acquire lots fronting Great Eastern Highway, or accept the loss and rely on the new owners to develop the land properly using town planning policies;
4. Remove the fence and jointly repair the existing houses on Great Eastern Highway to a standard acceptable to Council, including outbuildings and access, caveat the sales and on-sell the properties.

For discussion, the fencing could be reused at the Depot or on other jobs such as the Recreation Ground, fencing of dam sites etc.

The removal of the houses is best undertaken by a demolition contractor and an estimate of \$5,000.00 - \$7,000.00 per dwelling is suggested.

To assist the PTA in repairing the houses may jeopardise other projects such as Cummins Theatre upgrade, pool renovations or, if the grant is successful, the proposed units at Merritville.

Officer's Recommendation

That Council seek Ministerial support for the removal of the dwellings and fencing on Reserve 13267 Great Eastern Highway, Merredin at Public Transport Authority cost.

Cr Forbes entered the meeting at 2.07pm.

29903

Moved Cr Crees

Sec Cr Elliott

That Council seek Ministerial support for the removal of the dwellings and fencing on Reserve 13267 Great Eastern Highway, Merredin at Public Transport Authority cost.

CARRIED 10/0

29904

Moved Cr Morris

Sec Cr Townrow

That Council negotiate for the Title of those blocks be given to Council freehold once demolition is complete for houses fronting Great Eastern Highway between Allbuery and Pereira Streets and the three Lots fronting Allbuery Street on Reserve 13267.

CARRIED 8/2

11.4 **STRATEGIC WASTE PLAN – WHEATBELT EAST REGIONIONAL ORGANISATION OF COUNCILS – ADOPTION FOR ADVERTISING PURPOSES – DRAFT TEXT**

Reporting Department:	Development Services
Reporting Officer:	John Mitchell – Executive Manager, Development Services
Legislation:	Waste Avoidance and Resource Recovery Act 2007
File Reference:	Zero Waste Plans – Phase Two

Background

In 2007 all Local Governments were advised that they must prepare Zero Waste Plans. These later became “Towards Zero Waste Plans” and officially became Strategic Waste Management Plans pursuant to the Waste Avoidance and Resource Recovery Act 2007.

Council has been provided with a grant of \$20,000.00 to prepare and commence implementation of the Plan.

The Shire of Merredin has initiated, obtained funding and coordinates with the Shires of Bruce Rock, Kellerberrin, Merredin, Nungarin, Tammin, Westonia and Yilgarn in this project.

Statutory Implications

The Act requires that Council prepare and implement a Plan. The procedures include a public submission period as determined by the Local Government, but sufficient and suitable for the region.

Financial Implications

Council has received a grant of \$20,000.00 for the preparation and initial implementation of the Strategic Waste Plan. The Shire of Merredin is also holding \$90,000.00 on behalf of the other member Councils for the completion of the regional document.

Comment

The draft Regional plan is contained in **Attachment 11.4A**.

The document arrived at the Administration on Wednesday 11 March 2009.

In order to comply with the deadlines set by the Department of Environment and Conservation the document must be presented to the Department by 30 March 2009. It is proposed to send the draft report in immediately and advise that the public submission period is to follow.

MINUTES

If the document is not submitted by 30 March 2009, Council may not receive further funding for the implementation of the Plan. At the completion of the advertising period the matter will be presented to Council for further comment, discussion of public document and final adoption.

The final issue with the Plan is that the recent demand by State Government to amalgamate Local Governments will impact on the Shires involved. For example, if the Shire of Merredin was to cease and be replaced with a larger Council, the use of the Chandler Road Landfill Site may not be appropriate.

Officer's Recommendation

- 1. That Council receive the Draft Strategic Waste Management Plan and submit it to the Department of Environment and Conservation for compliance reasons.*
- 2. That Council advertise the Draft Strategic Waste Management Plan for public comment.*

29905

Moved Cr Crees

Sec Cr Wallace

- 1. That Council receive the Draft Strategic Waste Management Plan and submit it to the Department of Environment and Conservation for compliance reasons.*
- 2. That Council advertise the Draft Strategic Waste Management Plan for public comment.*

CARRIED 10/0

11.5 RECYCLING CENTRE – EAST BARRACK STREET, RESERVE 10359, LIONS CLUB SECOND LEASE

Reporting Department:	Development Services
Reporting Officer:	John Mitchell – Executive Manager, Development Services
Legislation:	Waste Avoidance and Resource Recovery Act 2007, Local Government Act 1995 – Section 3.58
File Reference:	Lease 5317-2 & WM/16/3

Background

The buildings in question are the eastern buildings utilised by the Lions Club of Merredin for the storage of cardboard and newspaper waste collected from the town of Merredin. A plan of the location is contained in **Attachment 11.5A**.

Verbal advice has been received from the Lions Club that the use of the buildings will lapse as the Club has resolved to discontinue the service provided.

The buildings currently contain cardboard, loose and bundled, and there is approximately 60 - 100 tonnes on site.

Correspondence has been sent to the Lions Club seeking written confirmation of the actions advised.

The Administration has been approached by a group of community members to commence a recycling venture and seek Council support. Their correspondence is contained in **Attachment 11.5B**.

Statutory Implications

The approval of the Public Transport Authority (PTA) to enter a sub lease is required. The technical issue is that unless the organisation is a community recognised group, PTA will treat the application as a private company request and apply commercial rates of lease.

Financial Implications

Council's policy (Policy 6.4) on leasing of buildings indicates that a fee of \$50.00/m² is applied to leases for non residential property. The property is 8,600m².

Council can also apply a levy of \$100.00 per week as a minimum for this site.

The land in question is the subject of a lease to the Shire of Merredin. Current outgoings include insurance of the site and annual residual circuit device inspection by an electrician. These costs are estimated at \$1,000.00 per annum.

Comment

Public comment on the decision of the Lions Club is being received by the Administration. Businesses affected are being advised that the cost of disposal by Council is in accordance with the refuse disposal fees of currently \$100.00 per 240L bin or \$450.00 for the 1,100L bin per annum.

Alternatives offered include removal to the Landfill Site by themselves or the appointment contractor pursuant to Section 56 of the Waste Avoidance and Resource Recovery Act 2007, which addresses the approval of waste collection companies.

A Council decision is sought on whether to: -

1. Support the proposal in principal and the Administration address issues including public and volunteer insurance with Council's insurer's; or
2. Decline to support.

There are no guarantees that an acceptable volunteer situation can be achieved with Council's insurers due to the nature of the business, which is inherently dangerous. Experience suggests there could be major compensation issues unless strict procedures for appointment of volunteers and work practices are introduced and complied with.

Verbal advice from the insurer suggests the insurance perspective can be resolved, however position description forms, work procedures, attendance logs etc will be required for the volunteers.

With the expected increase in use of the Landfill Site by businesses it may be timely for Council to consider the implementation of waste disposal fees at the Landfill Site. Recently there were several incidents at the Landfill Site involving disgruntled patrons and the costs of disposal of waste and the types of waste received.

Does Council seek to implement the strict enforcement of waste disposal fees? Does Council seek to introduce disposal fees for unsorted loads? Does Council seek to introduce disposal fees for trailered cardboard, uncrushed and uncompacted?

Officer's Recommendation

1. *That the Shire of Merredin agree in principle to the use of the land contained in Western Australian Government Railways Lease 5317, Reserve 10359 by volunteers under Council's insurance policies and that the Administration fully investigate the potential for the volunteer service of cardboard et al recycling and provide the report to Council at its April 2009 meeting.*
2. *That the Administration prepare a report for Council consideration at its April 2009 meeting to implement disposal fees at the Chandler Road Landfill Site from 1 July 2009.*

29906

Moved Cr Townrow Sec Cr Forbes

1. *That the Shire of Merredin agree in principle to the use of the land contained in Western Australian Government Railways Lease 5317, Reserve 10359 by volunteers under Council's insurance policies and that the Administration fully investigate the potential for the volunteer service of cardboard et al recycling and provide the report to Council at its April 2009 meeting.*

2. *That the Administration prepare a report for Council consideration at its April 2009 meeting to implement disposal fees at the Chandler Road Landfill Site from 1 July 2009.*

CARRIED 10/0

Jim Garrett, Executive Manager of Engineering Services, entered the meeting at 2.35pm.

Vanessa Green, Executive Assistant, left the meeting at 2.36pm.

Vanessa Green, Executive Assistant, entered the meeting at 2.39pm.

John Mitchell, Executive Manager of Development Services, left the meeting at 2.45pm.

12.0 ENGINEERING SERVICES

12.1 LAND ADMINISTRATION ACT 1997, LOCAL GOVERNMENT ACT 1995 – STREET NAMING – LANEWAY BETWEEN HAIG ROAD AND PEREIRA STREET, MERREDIN

Reporting Department:	Engineering Services
Reporting Officer:	Jim Garrett – Executive Manager, Engineering Services
Legislation:	Land Administration Act 1997, Local Government Act 1995
File Reference:	R13267 & R/12/2

Background

Attachment 12.1A contains the planned layout of the subdivision of Reserve 13267. Council has been requested by the Developer to provide a name for the laneway between Haig Road and Pereira Street created to service the lots created.

Under the Land Administration Act 1997, Council is required to approve a name for the road and submit the name to the Minister of Land Information for approval.

Statutory Implications

A person cannot assign a name to a road unless the name is first approved by Council and then by the Minister for Land Information (penalty \$1,000.00 and a daily penalty of \$100.00).

Comment

Verbal advice from the Geographic Names Committee suggests the use of the word “Street” is not considered appropriate. The use of the word “Lane” is acceptable.

Pereira Drive and Tomlinson Street, which are in the vicinity of the new laneway, are named after pioneering engine drivers.

If a road is to be named after a person, they are to be deceased.

Officer's Recommendation

That the Laneway shown in Attachment 12.1A be named _____ by the Shire of Merredin and be submitted to the Minister for Land Information for approval.

- 29907** Moved Cr Townrow Sec Cr Elliott
That Council advertise for public submissions for names and a brief history of persons involved in Railway history for the naming of the Laneway as shown in Attachment 12.1A.

CARRIED 10/0

REASON: Council wishes seek public input into the naming of the Laneway.

Jim Garrett, Executive Manager of Engineering Services, left the meeting at 2.52pm.

- 29908** Moved Cr Elliott Sec Cr Young
That Council adjourn the meeting at 2.52pm.

CARRIED 10/0

- 29909** Moved Cr Morris Sec Cr Townrow
That Council reconvene the meeting at 3.16pm.

CARRIED 10/0

Emma Hooper, Executive Manager of Finance and Administration, was in attendance.

13.0 FINANCE AND ADMINISTRATION

13.1 MONTHLY FINANCE REPORT – FEBRUARY 2009**Reporting Department:** Finance and Administration**Reporting Officer:** Emma Hooper – Executive Manager, Finance and Administration**Legislation:** Local Government Act 1995

Comment

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

Officer's Recommendation

That Council receive the Monthly Finance Report for February 2009.

29910

Moved Cr Morris

Sec Cr Forbes

That Council receive the Monthly Finance Report for February 2009.

CARRIED 10/0

13.2 LIST OF ACCOUNTS PAID

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

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 \$79,231.08 and amounts directly debited from Council's Municipal Fund Bank Account BSB 066-518 Account Number 000-000-10 totalling \$200,578.28 and outstanding creditors totalling \$619,821.45.

29911

Moved Cr Crees

Sec Cr Young

That Council receive the schedule of accounts as listed, covering cheques as numbered and totalling \$79,231.08 and amounts directly debited from Council's Municipal Fund Bank Account BSB 066-518 Account Number 000-000-10 totalling \$200,578.28 and outstanding creditors totalling \$619,821.45.

CARRIED 10/0

13.3 2008/2009 BUDGET REVIEW

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

Background

Local Governments are required to conduct a Budget Review in accordance with Regulation 33A of the Financial Management Regulations. These Regulations state:

1. *“Between 1 January and 31 March in each year a local government is to carry out a review of its annual budget for that year.*
2. *Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the council.*
3. *A council is to consider a review submitted to it and is to determine* whether or not to adopt the review, any parts of the review or any recommendations made in the review.*
**Absolute majority required.*
4. *Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.”*

A Budget Review for the period ending 28 February 2009 has been completed and is presented for Council’s consideration as **Attachment 13.3A**.

Comment

In March 2008, Council adopted a level of material variances for reporting purposes (**CMRef 29415**). The level of material variance reporting set by Council is \$5,000.00 for income (-) and expenditure (+). Staff have used this variance in their analysis. However we are required to determine this each year (Financial Management Regulations 34(5)).

The nature of the review is to predict estimates of material variations likely to occur as at 30 June 2009. Items of less than \$5,000.00 (whether expenditure or income) are not considered as part of the overall Budget Review. Variations where the income and expenditure directly offset each other have not been included as there is no net effect on the Budget position.

MINUTES

Summary of Review

Staff have reviewed the 2008/2009 Budget document and made the following points:

1. Transfers from Municipal Funds to Reserves will occur in June 2009.
2. Executive Management are continuing the process of reviewing employees with extensive levels of long service and annual leave entitlements with a view to encouraging them to decrease leave holdings to a manageable level.
3. Detailed review of Rates Outstanding Debtors is ongoing. Several significant debtors have been recouped due to the properties being on-sold. Several others are in various stages of legal recourse.
4. Stock on Hand as at 28 February 2009 is at reasonable levels.
5. Drawdown of Merredin Regional Community and Leisure Centre (MRC&LC) Loan will need to occur shortly. All relevant paperwork has been prepared. Consideration will need to occur regarding the amount of loan necessary to cover the expected net deficit position of the Carrington Way Subdivision.
6. Road Maintenance has been predominantly coded into *E122100*. Whilst on an individual basis this code may seem grossly over the budgeted figures, when considered as a whole (those within borders) it is predicted to be on budget.
7. Insurance considered in aggregate is as per budgeted figures.
8. Depreciation figures were best estimate during the budget preparation period. Some variances occur due to the purchase/development of assets later in the year where depreciation was budgeted for the full year.

General Income Items

I030310: Will exceed budget by approximately \$8,000.00 due to the budget figures being calculated prior to the Financial Assistance Grants being finalised.

I030320: Will exceed budget by approximately \$6,000.00 due to the budget figures being calculated prior to the Final Assistance Grants being finalised.

I032520: Interest on Restricted Assets is greater than budgeted by approximately \$18,000.00 due to conservative budgeting and due to not transferring funds into the municipal account until December 2008. Interest raised on restricted assets is required to be allocated to those assets and not used for other purposes.

MINUTES

I03A200: Interim Rates are now credited to rates income when raised therefore in future budgeting years they will also be budgeted in this way.

I03A202: Late Payment Interest is due to the higher number of outstanding rates from prior years. This is now being closely scrutinised by staff resulting in a decrease in long outstanding rates debtors.

I042445: Other Income is significantly over budget due to allocation of the Royalties for Region funds of which the first payment is expected to be received March 2009. These funds have also been allocated as an additional transfer to reserve (Cummins Theatre Reserve) in line with the intention to spend as per **CMRef 29864**.

I052430: Regional Ranger Service includes the final invoicing from 2007/2008 which was processed in July 2008. This results in Regional Ranger Services being over budget this financial year by approximately \$9,000.00.

I053041: FESA Operating Grant: Due to unexpected capital repairs being required by the Korbelka Volunteer Bush Fire Brigade (totalling \$9,300.00) an additional claim will be made to FESA to cover these cost overruns.

I072065: Practice Incentive Payment from the Merredin Medical Centre has been received in March 2009. No further receipts are expected.

I092410: Other Housing Rentals is predicted to be below budget by approximately \$22,000.00. This is due to:

1. 51 French Avenue not likely to be rented this financial year resulting in a loss of \$6,500.00;
2. 13 Cummings Crescent not likely to be rented this financial year resulting in a loss of \$5,000.00;
3. Remaining houses are rented to staff under Council Policy rather than privately rented. This has resulted in income for each unit being lower than originally budgeted. Some houses were also not tenanted for the whole year.

I105225: Grant for the Cardboard Crusher will be applied for in 2009/2010. Applications for Enviro Funds 'Flood Mitigation' of \$35,000.00 was unsuccessful.

I101420: Commercial Refuse Income is predicted to be approximately \$14,000.00 under budget. This is due to an error in the initial determination of budgeted income to be received.

I106285: Development Applications funds received are predicted to be \$10,000.00 higher than budgeted due to the additional application fees related to the Investec Windfarm project.

MINUTES

I114112: Other Income included a proposed grant of \$8,500.00 for the Conservation Plan of the 'Old Town Hall' this will not be applied for in the current financial year. The associated expenditure of \$8,500.00 will also not be incurred, leaving a nil effect upon the budget.

I11414: Old Municipal Chambers income is expected to be under budget by approximately \$9,000.00 due to the Directions lease being budgeted for the full year and only commencing in December 2008.

I112411: Pool Admissions Children will be under budget by approximately \$7,000.00. This is due to a best estimate of numbers being made to determine the budget figure.

I115220: Library Grants & Subsidies is expected to be under budget by approximately \$4,500.00 due to not being eligible to one quarters grant funding whilst there was not a qualified Regional Librarian in employ.

I116120: Heritage Trails Grant funding is currently being sourced, however funding is not expected to be received prior to 30 June 2009.

I123297 & I123299: Income and Profit on Sale are expected to be significantly under budget due to the proposed holding off on trading the Grader and Backhoe.

I132051: Community Development income is approximately \$10,000.00 under budget due to approximations being made with regards to the Adam Brand concert.

I133410: Building Permits Income is approximately \$7,500.00 higher than budgeted due to conservative budgeting with regards to this area. Higher than expected number of building permit applications have also been received.

I134129: TRANSWA ticketing income was not initially budgeted. Based upon current monthly transactional information it is expected that the TRANSWA service may make a profit of approximately \$8,000.00. **CMRef 29749** approved this additional service with a profit margin of approximately 15%. Currently the predicted figures indicate a profit margin of approximately 16%.

MINUTES

General Expenditure Items

E041030: Conference Expenses: Local Government Week expenses overran budget by approximately \$3,500.00.

E042010: Salaries is budgeted to be approximately \$25,000.00 under budget due to various staff vacancies (predominantly front counter and finance officer) in the Administration area.

E042250: Advertising is under budget by approximately \$8,500.00. Some advertising requirements have decreased due to inclusion of information within the Merredin Mercury Newsletter pages.

E051060: Bush Fire Brigade Funding is expected to overrun budgeted figures by approximately \$9,000.00 due to the re-build required for the Korbalka Fire Brigade Vehicle. An additional claim is to be made to FESA to cover these cost overruns in the acquittal process.

E053010: Community Safety Audit funds were allocated equally to implementing a Road Safety program and Recreation Activities. Road Safety program is currently being progressed however at this stage it is expected that the Recreation Activities funding will remain unspent as at 30 June 2009.

E101020: Domestic Refuse Collection is expected to run below budget by approximately \$10,000.00. This represents increased scrutiny over numbers for collection.

E101025: Commercial Refuse Collection is expected to run over budget by approximately \$10,000.00. This is due to an error in the initial calculations for the budget.

E105090: Project funding was unsuccessful therefore no significant works have occurred. Additionally, no specific projects were determined with regards to Saline Initiatives.

E105210: NRMO Salaries is approximately \$6,000.00 under budget. This is due to the pay level as budgeted not being implemented until the officer's review date, therefore resulting in lower expenditure than budgeted for the first half of the year.

E105310: Skeleton Weed funding of \$19,000.00 remains unspent and is budgeted to remain unspent as at 30 June 2009. Funds are being held awaiting direction from the committee.

E133030: Control/Office Expenses are higher than budgeted due to increased costs relating to the Investec project. Additional legal advices obtained has contributed to this overrun of approximately \$6,000.00.

MINUTES

E116014: Cummins Theatre Performance Expenses is expected to exceed budget figures by approximately \$11,000.00. A comparative increase in Income is also expected, leaving a net figure on budget.

E116120: Heritage operational expenditure is expected to be underspent by approximately \$18,000.00 due to the expected carry forward of the History Books project of \$15,000.00 and the Heritage Events and associated activities allocation of \$3,000.00.

E116131: Number 4 Pump project is expected to be proposed for carry forward into the 2009/2010 Budget as the associated feasibility study is not expected to occur until late May 2009 with funds then not expected to be expended prior to 30 June 2009.

E132310: Community & Economic Development Salaries is expected to be below budget by approximately \$15,000.00 due to the vacancies occurring throughout the year.

E134130: Regional Tourism expenditure is expected to be approximately \$7,500.00 under budget due to the Accommodation Study not expected to be completed by 30 June 2009.

E134129: TRANSWA expenditure was not initially budgeted. Service was introduced in **CMRef 29749**.

Refuse

E101033: Recycling Expenditure is predicted to be under budget by approximately \$53,000.00. This is due in part to the service being commenced in September 2008, accounting for \$30,000.00 of the decrease.

I101425: Recycling Income is under budget by approximately \$32,000.00. There is a comparative budget saving in the Recycling Expenditure which offsets this amount.

Merredin Regional Community and Leisure Centre

E114010: MRC&LC Salaries is predicted to be approximately \$23,000.00 under budget due to various vacancies over the past twelve months including MRC&LC Manager and Administration and Telecentre Officer.

E114015: Interest on Loan is lower than budgeted by \$15,000.00 due to not having drawn down the 'MRC&LC Loan 2' to date.

E114050: MRC&LC Electricity is under budget due to an estimate being made of power costs for the budget. For the 2009/2010 Budget there will be more accurate data to base budget predictions upon.

I114030: MRC&LC Stock Sales is predicted to be under budget by approximately \$86,000.00. This may be due to inaccurate initial budgeting but also would have been impacted to some extent by the decrease in bar prices.

I114040: MRC&LC Facility Hire is predicted to be approximately \$11,000.00 lower than budgeted. In setting this budget there was no significant prior year information on which to base the budget therefore a best estimation was made. In future, with accurate prior year information, budgeted data should be more accurate. It also must be noted that a significant number of uses of the centre are covered by MoU's and Sponsorship agreements which effectively waive the fees for these groups.

I114070: Telecentre Income is predicted to be approximately \$5,000.00 under budget. Staff are currently preparing grant applications for various funding available to be used to facilitate the provision of updated information technology.

Merredin Medical Centre

Minor funds have been expended across various codes in the finalisation of the Merredin Medical Centre accounts. The total of these expenses (excluding accounts such as Building Maintenance and Housing Maintenance which are ongoing) is approximately \$6,500.00 with approximately \$3,500.00 being recouped by way of invoice in the transitional period.

Practice Incentive Payment of \$4,974.00 has been received which is the final receipt from the Merredin Medical Centre.

Capital Items

I109820: Carrington Way. Auctions are expected to occur in May 2009. Conservative budgeting predicts sale income of approximately \$350,000.00 to be incurred prior to 30 June 2009. Due to the current economic climate there is a view that the selling of all blocks may take some considerable time.

E105500: Land & Buildings Capital – as the Flood Mitigation Funding was unsuccessful the clean out of Cohn Creek project is expected to be carried forward to the 2009/2010 year.

E109103: Carrington Way Subdivision is expected to be approximately \$200,000.00 under the original budget of \$1.2 million.

E119101: Heritage Precinct is currently under budget due to the current stop on funding to the Military Museum. Until the signed lease agreement is received projects cannot be advanced, **CMRef 29342**. It is expected that this account will be approximately \$23,000.00 under budget as at June 2009, with remaining funds proposed to be carried forward to the 2009/2010 Budget.

E129120: Plant & Equipment (Capital) is predicted to have approximately \$545,000.00 of capital replacement which will be carried forward to the 2009/2010 financial year. There is a corresponding decrease in Profit on Sale of Assets (*I123297*) and Proceeds on Sale of Assets (*I123299*) due to these replacements not going ahead.

E149100: Land & Buildings (Capital) amount of \$150,000.00 for the purchase of East Barrack Street is not expected to be completed this financial year.

MSC004: Has been completed approximately \$11,000.00 under budget.

Cummings Crescent, Dobson Avenue and Cummings Street have been completed approximately \$14,500.00 under budget.

Officer's Recommendation

- 1. That Council adopt the value of +/- \$5,000.00 as the minimum amount for reporting material variances for 2009/2010.*
- 2. That Council consider the 2008/2009 Budget Review.*

Moved Cr Townrow Sec

That the Shire of Merredin enquire with relevant persons to be part of the TV campaign run by retailers with up to \$2,500.00 funds from Account E042250.

WITHDRAWN

29912

Moved Cr Townrow Sec Cr Elliott

That Council delegate authority to the Chief Executive Officer to spend up to an additional \$2,500.00 from Account E042550 to advertise the sale of the Carrington Way Land Auction in order to maximize sales.

**CARRIED 9/1
ABSOLUTE MAJORITY**

Moved Cr Townrow Sec Cr A Hooper

- 1. That Council adopt the value of +/- \$5,000.00 as the minimum amount for reporting material variances for 2009/2010.*
- 2. That Council consider the 2008/2009 Budget Review.*

AMENDMENT

Moved Cr Elliott Sec Cr Forbes

That the variance value be amended to +/-5%.

LOST 1/9

29913

Moved Cr Townrow Sec Cr A Hooper

- 1. That Council adopt the value of +/- \$5,000.00 as the minimum amount for reporting material variances for 2009/2010.*
- 2. That Council receive the 2008/2009 Budget Review.*

CARRIED 8/2

Emma Hooper, Executive Manager of Finance and Administration, left the meeting at 4.07pm.

13.4 **STAFF ATTRACTION AND RETENTION POLICIES**

Reporting Department: Finance and Administration
Reporting Officer: Frank Ludovico – Chief Executive Officer
Legislation: Local Government Act 1995

Background

Identified in the Chief Executive Officer's Key Performance Indicators for 2008 was the development of Staff Attraction and Retention Policies.

The purpose of developing this Policy is to provide an attractive working environment for Council staff and to maintain a competitive position in the marketplace.

Comment

In researching this matter, staff have discovered that Council have a number of Policies and work practices which could be identified as providing attraction and incentive options for staff. These are listed below:

Incentive Attraction	Budget Amount	Reference
19 Day Fortnight		Award
Leave Loading	17.5% on 4 weeks annual leave	Award
Additional Public Holidays		Local Government Award (in lieu of day after New Year and Easter Tuesday)
Corporate Uniform/ Protective Clothing	\$10,900.00 \$15,000.00	
Smoke-free environment		
Farewell and Christmas Functions	\$4,500.00	
Paid Parental Leave		Award
Weekly rental of Council owned properties at 50% of market rental	\$30,700.00	Council Policy 2.10
Housing and Utility for Chief Executive Officer and Executive Managers 100% subsidy December 2001	\$74,500.00 (\$31,200.00 non cash)	CMRef 26526
Designated specialist staff allowance for owning their own homes – 50% of market rental December 2001	\$15,000.00	CMRef 26526

Executive Vehicles	Running costs less 35% contribution based on value of car	Contract
Staff relocation expenses 50% on commencement and 50% after 12 months satisfactory service	\$2,500.00	Council Policy 2.12
Superannuation Payment of additional 3% of gross salary on condition employee contributes 5% from their own funds	\$37,800.00	Council Policy 2.11
Attendance at Conferences, seminars, training courses	\$67,500.00	Policy 2.6
Defence Reservist Leave		Policy 2.15
Salary Sacrificing – undertaken upon individual request		
Payment of Influenza Vaccine	\$400.00	In house arrangement
Revised Performance Appraisal/ Staff Development System		
Payment of Drivers Licence for Engineering Services staff	\$1,000.00	In house arrangement
Exit Interviews – commenced in November 2008		

At Executive level, using the services of the Local Government Insurance Service, team and relationship building exercises have commenced to improve the climate and working relationships within the organisation.

A scan of Staff Attraction and Retention Strategies offered by other Local Governments include, in addition to the above:

1. Discount membership to Council managed recreation facilities;
2. Employee of the Month Awards (with financial reward);
3. Simplified job application processes;
4. Increased superannuation benefits;
5. Introduction of flexi-time / flexible roster arrangements;
6. Professional rewards program (to obtain degree qualifications or repayment of higher education contribution scheme debts).

Employee of the Quarter Award

A scheme will be developed along the following themes:

1. Award made on a quarterly basis;
2. Selection panel of Chief Executive Officer and Executive Managers;
3. A plaque on display in the Customer area of the Shire Office showing the name and photo of the employee (maybe the plaque can be named in memorial of an outstanding employee);
4. Small story and photo in the Shire of Merredin monthly newsletter;
5. Simple application process.

Cost would be minimal, say \$500.00 per annum.

Council are being informed so they are aware of other strategies staff are putting in place.

Superannuation

It is proposed to revamp Council Policy 2.11 and extend it to provide an incentive and a reward to staff at the Shire of Merredin.

Currently, Policy 2.11 indicates that Council will pay 3% of gross salary into a superannuation fund of the employee's choice if the employee contributes 5% from their own funds.

As an incentive and to reward staff at the Shire of Merredin, it is proposed to alter the Policy by enabling a matching contribution by Council to any staff contribution on a percentage to percentage basis up to a maximum of 3%.

In addition, it is proposed to create a heavy incentive to stay one year and longer at the Council by providing an additional 3% increase at the end of year one of employment with annual increments up to a maximum of 5% (2009 Scheme).

Access to the 2009 Scheme will be dependent on an employee already making a contribution to their superannuation.

In this circumstance, an employee would obtain the 9% superannuation guarantee, 3% as specified under Policy 2.11 and, if the incentive is approved, another 5% by the end of the third year of employment. This brings the total contribution of superannuation by Council to the employee of 17%.

To reward existing employees who have been employed longer than 12 months, it would be appropriate to make contributions to them as from the first pay period commencing 1 July 2009. All other employees would attract the benefit after they have completed one year of service.

MINUTES

At present, 50% of staff attract the Council's supported 3% (amounting to \$37,800.00), changing Policy 2.11 it is expected that additional contributions would be made by Council. It is assumed 80% acceptance (if the changes are approved and the 2009 Scheme is introduced) amounting to an estimated addition contribution by Council of \$22,700.00.

If the incentive scheme was introduced in July 2009, it would be expected this would cost Council \$60,500.00 in the first year and \$100,850.00 by the end of year three.

The estimated total cost to Council for superannuation incentives (excluding Superannuation Guarantee contributions) in 2009/2010 would be \$121,000.00.

It is estimated the full cost of these incentives by the end of year three would be \$60,500.00 for Policy 2.11 contributions and \$100,850.00 for the 2009 Scheme.

Note: All figures are based on 2008/2009 figures and no allowance has been made for increases such as CPI or contract negotiations.

Professional Rewards Program

This program would have a qualifying period of 2-4 years and would provide an amount of \$2,000.00 per annum for legitimate professional development or training activities directed toward obtaining formal qualifications in the field of their employment or in another field in the Council organisation.

The scheme would be available to staff on Level 6 of the Municipal Officer's Award or equivalent (currently \$44,900.00 per annum) and would only be available for significant active progress towards a tertiary qualification.

It is also suggested if the employee leaves within 3 years the amount would be reimbursed on a pro rata basis.

Support for Social Club

In order to create a cohesive team environment it is proposed to establish a social club so that social functions can be organised such as morning staff breakfasts, trips to restaurants or other recreational activities.

As an incentive to participate in these activities it is proposed that Council makes a dollar for dollar contribution up to the maximum of \$5.00 per week per employee to enable the Shire of Merredin Social Club to arrange these proposed activities. A total cost is expected to be \$13,780.00 per annum.

Financial Implications

As can be seen, Council makes a significant contribution to staff incentives and allowances.

The estimated additional cost for:

Professional Rewards Program	\$ 4,000.00	Per Annum
Support for Shire of Merredin Social Club	\$ 13,780.00	Per Annum
Additional Superannuation	\$ 75,600.00	Year One
	\$113,400.00	Year Four

Note: all figures are based on 2008/2009 figures and no allowance has been made for increases such as CPI or contract negotiations.

Comment

This may seem excessive, however there are real costs associated with staff recruitment, retention and disruption.

Advertising costs for staff are between \$2,000.00 and \$2,500.00 per advertisement.

Vacancies result in a decrease in efficiency throughout the organisation. It also places pressure on existing staff who are more prone to stress and proceed on sick leave, are less productive, incur overtime to meet demands or seek a less stressful work environment.

Officer's Recommendation

1. *That all staff incentives be consolidated into one Policy.*
2. *That effective from 1 July 2009, Council support the Shire of Merredin Social Club by making a dollar for dollar contribution up to a maximum of \$5.00 per employee per week.*
3. *The Council introduce the 2009 Superannuation Scheme comprising of:*
 - a. *That Policy 2.11 be amended to show Council will provide percentage for percentage funding to employees up to a maximum of 3%;*
 - b. *A 3% increase in superannuation contributions by Council to all staff that are members of an existing superannuation scheme that has been employed for longer than 12 months effective from the first pay period commencing in July 2009;*
 - c. *That all Staff who become members of a superannuation scheme become entitled to a 3% increase in superannuation contribution by Council once they have completed 12 months service;*
 - d. *That all staff members who become members of a superannuation scheme become entitled to a 1% annual increase in superannuation contributions by Council once they have completed 12 months service up to a maximum of 5%.*

Vanessa Green, Executive Assistant, left the meeting at 4.09pm.

Vanessa Green, Executive Assistant, entered the meeting at 4.12pm.

29914

Moved Cr Forbes Sec Cr Morris

1. *That all staff incentives be consolidated into one Policy.*
2. *That effective from 1 July 2009, Council support the Shire of Merredin Social Club by making a dollar for dollar contribution up to a maximum of \$5.00 per employee per week.*
3. *The Council introduce the 2009 Superannuation Scheme comprising of:*
 - a. *That Policy 2.11 be amended to show Council will provide percentage for percentage funding to employees up to a maximum of 3%;*
 - b. *A 3% increase in superannuation contributions by Council to all staff that are members of an existing superannuation scheme that has been employed for longer than 12 months effective from the first pay period commencing in July 2009;*
 - c. *That all staff who become members of a superannuation scheme become entitled to a 3% increase in superannuation contribution by Council once they have completed 12 months service;*
 - d. *That all staff members who become members of a superannuation scheme become entitled to a 1% annual increase in superannuation contributions by Council once they have completed 12 months service up to a maximum of 5%.*

CARRIED 9/1

Cr Young left the meeting at 4.35pm.

Cr Townrow left the meeting at 4.36pm.

13.5 LOCAL GOVERNMENT COMPLIANCE AUDIT RETURN FOR 2008

Reporting Department:	Administration
Reporting Officer:	Frank Ludovico – Chief Executive Officer
Legislation:	Local Government (Audit) Regulations 1996
File Reference:	GR/17/19

Background

The 2008 Local Government Compliance Audit Return for the Shire of Merredin is attached (**Attachment 13.5A**).

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

Please note the Chief Executive Officer and the relevant Executive Managers completed the Return manually and the Return was transcribed onto the Department of Local Government and Regional Development's electronic system by the Chief Executive Officer's Executive Assistant, Vanessa Green.

Statutory Implications

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

Comment

The Return is required to be presented to Council for adoption before its submission to the Department of Local Government and Regional Development. The audit period is 1 January 2008 to 31 December 2008.

I wish to advise Council that there are some issues identified regarding non-compliance. Staff have taken corrective measures to ensure future compliance.

Officer's Recommendation

That Council adopt the 2008 Local Government Compliance Audit Return for the Shire of Merredin and submit the certified copy to the Director General of the Department of Local Government and Regional Development.

Jim Garrett, Executive Manager of Engineering Services, Emma Hooper, Executive Manager of Finance and Administration, John Mitchell, Executive Manager of Development Services and Debbie Morris, Executive Manager of Community Services entered the meeting at 4.37pm.

29915

Moved Cr Crees

Sec Cr Morris

That Council adopt the 2008 Local Government Compliance Audit Return for the Shire of Merredin and submit the certified copy to the Director General of the Department of Local Government and Regional Development.

CARRIED 8/0

Cr Wallace left the meeting at 4.38pm.

Cr Townrow entered the meeting at 4.30pm.

Cr Young entered the meeting at 4.39pm.

MINUTES

13.6 ROYALTIES FOR REGIONS FUNDING**Reporting Department:** Administration**Reporting Officer:** Frank Ludovico – Chief Executive Officer**File Reference:** GS/2/22

Background

In December 2008 the Minister for Regional Development announced the Royalties for Regions program.

The purpose of the funding was to encourage additional expenditure by Council on planned infrastructure needs to be utilised for buildings, infrastructure such as roads, bridges, drainage, parks and gardens, footpaths, cycle ways, airports, sewerage and other.

However, Local Governments need to be aware that Local Governments Grants Commission is likely to take any Royalties for Regions expenditure on road asset preservation and renewal into account when assessing grants.

Grant funds can not be applied to expenditure on non-infrastructure items such as purchasing of plant and equipment, employing staff, engaging consultants, retiring debt or any other organisation requirements that fall outside the above asset classes.

At the February 2009 meeting (**CMRef 29864**) Council allocated up to \$600,000.00 from the Royalties for Regions funding for the Cummins Theatre Conservation Works Project. This leaves \$366,402.00 available to Council for allocation.

Staff were advised that half of Council's allocation would be provided to us in March 2009. Reports to the Department and the allocation of 2008/2009 funding is required by 29 May 2009.

Final reporting on completed 2008/2009 allocations are to be received by the Department by 30 November 2009. Future allocation will not be made until the previous years projects have been completed.

At Council's February 2009 meeting it considered a number of projects for the allocation of funds. These are detailed in **Attachment 13.6A** with an estimation of the funding requirements for each of the projects.

Executive staff have added other pertinent projects. Staff have also sorted the projects into the Strategic Plan Priority order.

MINUTES

Jim Garrett, Executive Manager of Engineering Services, Emma Hooper, Executive Manager of Finance and Administration, John Mitchell, Executive Manager of Development Services and Debbie Morris, Executive Manager of Community Services left the meeting at 5.24pm.

13.7 LOCAL GOVERNMENT REFORM STRATEGIES

Reporting Department: Administration

Reporting Officer: Frank Ludovico – Chief Executive Officer

File Reference: GR/17/11

Background

On 5 February 2009 the Minister for Local Government made an announcement “*inviting each of the 139 Councils within Western Australia to embrace the opportunity to voluntarily amalgamate and to voluntarily reduce the total number of elected members for each Council*”.

On 27 February 2009 the Local Government Reform Steering Committee issued Guidelines to assist Local Governments in their Reform processes.

Attachment 13.7A.

In the Guidelines a timeframe for making Reform submissions to the Minister has been developed (Refer Page 5 in **Attachment 13.7A**).

In respect to the checklists, work on Royalties for Regions, CBD Planning, Budget reviews, Emergency Management Plan development preclude the completion of the checklist for the March 2009 Council meeting. It will be prepared for the April 2009 Council meeting.

The Guidelines suggest that Local Governments analyse past experiences, existing reports and information to determine their current capacity gaps and the opportunities for reducing or removing these gaps via amalgamating with Local Governments. Local Governments are encouraged to consider the largest combination of Council in the first instance and once potential partners have been identified, initial exploratory meetings should be undertaken to confirm whether the proposed grouping of Local Governments for amalgamation is appropriate.

Local Governments should consider establishing a Project Team, having regard to the appropriate skills sets of potential members to coordinate the Reform process. It suggested that the Project Team consisting of two or three members including the Shire President, the Chief Executive Officer to undertake all the necessary work to develop a Reform submission.

It may be appropriate to engage consultants (funding is available from the Department of Local Government and Regional Development) to undertake some of this work.

In respect to previous reports, the Local Government Advisory Board reviewed the structure of Local Government presenting the report to the Minister in April 2006. The section dealing with the Wheatbelt is appended at **Attachment 13.7B**.

Additionally, the Western Australian Local Government Association (WALGA) commenced a process in 2004 to review the sustainability of Local Government. In December 2008, the Systemic Sustainability Report was finally adopted by WALGA. The major thrust of this report was regional cooperation and WE-ROC was working through these proposals at the time of the Ministerial announcement.

The Guidelines suggest the following Stage One actions:

1. Local Governments complete reform checklist and forward to the Local Government Reform Steering Committee by 30 April 2009;
2. Local Governments identify and meet with potential partners;
3. Local Governments undertake a preliminary assessment to confirm amalgamation grouping is appropriate;
4. Local Governments decide on the appropriate combination of Councils;
5. Local Governments to consider proposals for a reduction in the number of elected members;
6. Local Governments to consider the skill sets for establishing a project team to coordinate the reform process.

It would be appropriate for the Shire of Merredin to identify potential partners so that meetings can then be arranged to discuss the issues.

Officer's Recommendation

1. *That the Shire of Merredin elect Cr _____, Cr _____ and the Chief Executive Officer as the Shire of Merredin Local Government Structural Reform Project Team.*
2. *That Council identify the following Local Governments as potential partners in Local Government Structural Reform:
Shire's of _____*
3. *That Council meet with potential partners on an individual/group basis during March/April 2009.*

Moved Cr Elliott Sec Cr
That the Shire President contact the Minister for Local Government asking to detail his proposals for amalgamations.

LAPSED FOR WANT OF A SECONDER

29917 Moved Cr Townrow Sec Cr Elliott
That the Shire of Merredin elect Cr K Hooper, Cr Morris, Cr Wallace and the Chief Executive Officer as the Shire of Merredin Local Government Structural Reform Project Team.

CARRIED 8/2

Council determined to conduct a Workshop on Monday 23 March 2009 to further discuss this issue.

Vanessa Green, Executive Assistant, left the meeting at 5.30pm.

Vanessa Green, Executive Assistant, entered the meeting at 5.31pm.

Vanessa Green, Executive Assistant, left the meeting at 5.47pm.

Vanessa Green, Executive Assistant, entered the meeting at 5.48pm.

13.8 MERREDIN COMMUNITY TELECENTRE (COMMUNITY RESOURCE CENTRE) COORDINATOR

Reporting Department:	Recreation Services
Reporting Officer:	Peter McDonald – Acting Recreation Centre Manager
Legislation:	Local Government Act 1995
File Reference:	P/23/23

Background

The Merredin Community Telecentre is a community based organisation that encourages involvement and management by community members. It provides access to training and information technologies for the purposes of education, business and cultural advancement while encouraging pride in Merredin through increased community spirit, vitality and economic growth.

The Merredin Community Telecentre entered into a Memorandum of Understanding (MoU) with the Shire of Merredin in 2007 to co-locate to the new Merredin Regional Community and Leisure Centre. Under the terms of the agreement both parties provide \$20,000.00 towards the salary for the Administration and Telecentre Coordinator's position whose duties must be equally shared by the Shire and Telecentre. Under this agreement the Coordinator is based at the Merredin Regional Community and Leisure Centre (MRC&LC) and is managed by the Recreation Centre Manager.

The position of Administration and Telecentre Coordinator evolved into two part-time employees who share responsibility for both Administration and the Telecentre. The Telecentre has struggled to operate efficiently and effectively since co-locating. This is primarily due to the Coordinator vesting a far greater proportion of their time with administration and other issues. This has resulted in less than anticipated objectives in programs and services being met. Other problems have arisen relating to communication in handovers and the continuity of projects between the two positions.

The Telecentre Committee (**Attachment 13.8A**) and the MRC&LC are seeking to increase the Telecentre Coordinator's position from 0.5PT to 1.0FTE. With the recent resignation of Nicole Irving from the position of Administration/Telecentre Coordinator and new funding coming on board from Royalties for Regions there is an opportunity to restructure this position to allow a full time Telecentre Coordinator and 0.5 Administration Officer.

Statutory Implications

Section 5.2 of the Local Government Act 1995 indicates that "*a Local Government is to ensure that there is an appropriate structure for administering the Local Government*".

Financial Implications

The Telecentre receives funding through a variety of sources. These are:

Income	Current	Estimated
Department of Local Government & Regional Development (Including Royalties for Regions new package of funding that provides an extra \$10,000.00 available immediately for this position in the 2008/2009 financial year and so on)		\$30,000.00
Shire of Merredin		\$20,000.00
Westnet	\$6,295.00	\$10,800.00
Westlink		\$550.00
Australian Taxation Office		\$750.00
Department of Veterans Affairs		\$500.00
Sales / Programs	\$2,555.00	\$4,380.00
Meeting Room Hire	\$835.00	\$1,430.00
Exam Supervision	\$1,575.00	\$2,700.00
TOTAL INCOME		\$91,110.00
Salary		
1 FTE Salary (Proposed Telecentre Coordinator)		\$39,450.00
0.5 PT Salary (Administration Officer)		\$19,710.00
Superannuation		\$5,320.00
TOTAL SALARY		\$64,480.00

In respect to the request to allocate funding for the Volunteer Resource Officer to a full time Telecentre Coordinator position, we wish to advise Council that we have engaged consultant Solum – Wheatbelt Business Solutions to investigate how a Volunteer Resource Officer operates in other locations, funding opportunities and recommendations on how it could operate in Merredin. This consulting is valued at \$2,500.00.

Comment

A full time Coordinator will allow for the development of the Telecentre by applying valuable time for research and program implementation in line with its charter and in agreement with its MoU. By offering a more comprehensive list of programs and improved services to the community there will be a direct relation to greater income growth, which is returned to the Shire of Merredin. The flexibility of the partnership between the Shire of Merredin and the Merredin Telecentre in conjunction with the 1FTE will also allow a more professional approach to all operations conducted out of facility in the areas of Administration and Management.

Officer's Recommendation

That Council reclassify the vacant 0.5FTE Administration/Telecentre Coordinator position to 1FTE Telecentre Coordinator position and retitle the remaining 0.5FTE Administration Telecentre Coordinator position to Administration Officer.

Moved Cr Wallace Sec Cr A Hooper

That Council reclassify the vacant 0.5FTE Administration / Telecentre Coordinator position to 1FTE Telecentre Coordinator position and retitle the remaining 0.5FTE Administration Telecentre Coordinator position to Administration Officer.

29918 Moved Cr Crees Sec Cr Townrow
That the motion be put.

CARRIED 8/2

29919 Moved Cr Wallace Sec Cr A Hooper
That Council reclassify the vacant 0.5FTE Administration / Telecentre Coordinator position to 1FTE Telecentre Coordinator position and retitle the remaining 0.5FTE Administration Telecentre Coordinator position to Administration Officer.

CARRIED 8/2

Cr Young requested that her vote be recorded as voting against the motion.

**13.9 REVIEW OF MERREDIN COMMUNITY RESOURCE CENTRE
MEMORANDUM OF UNDERSTANDING**

Reporting Department: Recreation Services
Reporting Officer: Peter McDonald – Acting Recreation Centre
Manager
Legislation: Local Government Act 1995
File Reference: RCS/4/21

Background

At its 20 June 2006 meeting, Council endorsed the Memorandum of Understanding (MoU) between the Shire of Merredin and the Merredin Telecentre (CMRef 28550). This endorsement allowed the co-location of the Merredin Telecentre to the Merredin Regional Community and Leisure Centre.

The MoU indicates it is to be reviewed on an annual basis.

Comment

The changes listed below are reflected in the proposed new MoU document (Attachment 13.9A):

1. Under an addendum to their agreement with the Department of Local Government and Regional Development, the Merredin Community Telecentre is required to change their name to the Merredin Community Resource Centre;
2. The Merredin Community Telecentre has increased funding to \$30,000.00 per annum toward the Coordinators Position as 1 FTE;
3. Review and Evaluation is to be undertaken every two years on 31 March of that year.

Officer's Recommendation

That Council endorse the new Memorandum of Understanding between the Shire of Merredin and the Merredin Community Resource Centre.

29920

Moved Cr Townrow

Sec Cr A Hooper

That Council endorse the new Memorandum of Understanding between the Shire of Merredin and the Merredin Community Resource Centre with the amendments made on Page 6 and Page 7 of the Memorandum of Understanding deleting the word "Deputy" from "Deputy Chief Executive Officer" in all instances where it appears.

CARRIED 8/2

Cr Elliot and Cr Young requested that their votes be recorded as voting against the motion

29921 Moved Cr Elliott Sec Cr Forbes
That Council adjourn the meeting at 6.02pm.
CARRIED 10/0

29922 Moved Cr Elliott Sec Cr Crees
That Council reconvene the meeting at 6.17pm.
CARRIED 9/0

Cr Young was not in attendance and did not return to the meeting.

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 Cummins Theatre Project Plan

Refer to Page 12 for information on this Agenda Item.

17.0 MATTERS BEHIND CLOSED DOORS

29923 Moved Cr Elliott Sec Cr Hayden
That Council go behind closed doors to discuss a Commercial in Confidence matter in accordance with Section 5.23(2) of the Local Government Act 1995.
CARRIED 9/0

Council went behind closed doors at 6.18pm.

Frank Ludovico, Chief Executive Officer, and Vanessa Green, Executive Assistant, left the meeting at 6.19pm.

Frank Ludovico, Chief Executive Officer, and Vanessa Green, Executive Assistant entered the meeting at 6.33pm.

29924 Moved Cr Crees Sec Cr Morris
That Council come out from behind closed doors.
CARRIED 9/0

Council came out from behind closed doors at 6.34pm.

17.1 Chief Executive Officer's Performance Appraisal

29925

Moved Cr Townrow

Sec Cr Elliott

That Council adopt the Chief Executive Officer's Performance Appraisal with the amendment of withdrawing Numbers 5 & 6 from 2009 KPI's .

CARRIED 9/0

18.0 CLOSURE

There being no further business the Presiding Member declared the meeting closed at 6.43pm.