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**Minutes for the Ordinary Meeting of the Merredin Shire Council held in the Council Chambers, Cnr King/Barrack Streets, Merredin on Tuesday 21 February 2006 at 1.00pm.**

**ATTENDANCE:** Cr KA Hooper – Shire President  
Cr RM Crees – Deputy Shire President  
Crs JP Townrow; J Jones; J Simmonds; WR Wallace; SJ Marley; G Astbury; N Hooper, M Morris & D Morley.

Messrs FB Ludovico; Chief Executive Officer, JA McGovern, Deputy Chief Executive Officer; WD Bow, Manager of Development Services; AM Peters, Personal Assistant

Mr Edward (Ted) Pitt, JP, Sonya Kimbar, Merredin Mercury, Mrs Margaret Morley, Mr Will Morris, Nukarni Football Club, Mr Douglas McGinniss, Nukarni Football Club, Mr Paul Dickson, Risk Management Coordinator

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1.0 OFFICIAL OPENING

The Presiding Member declared the meeting open at 1.01pm.

2.0 SWEARING IN OF COUNCILLOR

Edward Pitt, JP performed the swearing in of Cr David Morley.

3.0 PUBLIC QUESTION TIME

Mr Douglas McGinness of the Nukarni Football Club addressed the meeting regarding the club's letter requesting permission for the club to use the existing building known as the hockey change rooms at the Merredin Recreation Ground for the 2006 football season.

Late Item 16.1 – Item brought forward for Council decision.

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16.1 PROPOSED USE OF HOCKEY CHANGEROOMS AND KITCHEN –  
NUKARNI FOOTBALL CLUB INC

**Reporting Department:** Development Services

**Reporting Officer:** Warren Bow, Manager of Development Services

**Legislation:**

**File Number:**

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**Background:**

A submission has been received from the Nukarni Football Club seeking Council permission to use the existing building known as the hockey changerooms at the Merredin Recreation Ground for the 2006 football season. This submission can be seen as **Attachment 16.1A**.

A floor plan of the proposed building alterations can be seen as **Attachment 16.1B**.

**Legal Implications:**

Nil

**Budget Implications:**

Council is currently responsible for cleaning and maintaining the hockey changerooms as part of its public facilities management program. The facilities are generally cleaned on Mondays, Wednesdays and Fridays. Council's allocation in the 2005/2006 budget for maintenance and cleaning of the facilities at the Merredin Recreation Ground is \$14,900.

In previous years Council have provided gas, water, cleaning services and building maintenance to the football changerooms in the old grandstand. The submission requests only a check of the electrical installations and the replacement of locks as an additional Council contribution to accommodate the Nukarni Football Club proposal.

**Comment:**

Consultation with the ladies and men's Merredin Hockey Club and the Burracoppin Hockey Club indicated no major objection to the proposal.

Consultation with representatives from the Merredin Volunteer Fire Brigade indicated that a "Zone Demonstration" meet was proposed for the Merredin Recreation Ground for Sunday 2 April 2006. This is the last date that the Merredin Volunteer Fire Brigade proposes to use the facilities within the hockey changerooms for the 2005/2006 "season".

The draft Eastern Districts Football League fixtures have Nukarni Football Club playing their first home game at the Merredin Recreation Ground on 23 April 2006.

The proposal represents a more satisfactory result than the previously suggested placement of sea containers and/or transportable ablution blocks at the Merredin Recreation Ground to cater for the needs of the Nukarni Football Club.

Officer's Recommendation:

*That the Merredin Shire Council grant approval to the Nukarni Football Club to amend and use the existing hockey changerooms at the Merredin Recreation Ground in accordance with their submission dated 14 February 2006, subject to the following conditions –*

- 1. Any proposed change of Eastern Districts Football League fixtures by the Nukarni Football Club to be approved by the Shire of Merredin, in consultation with the relevant hockey teams, prior to agreement;*
- 2. Any alterations to the existing hockey changerooms and fixtures to be made good, to the satisfaction of the Chief Executive Officer;*
- 3. The changerooms to be left in a clean, tidy condition and locked at the conclusion of Eastern Districts Football League fixtures, to facilitate easier cleaning by the Shire Cleaner; and*
- 4. Where Nukarni Football Club training nights occur on the same night as any hockey training, that the female changerooms remain available for the use by hockey players at all times.*

**28284**

**Moved Cr Marley sec Cr Astbury**

*That the Merredin Shire Council grant approval to the Nukarni Football Club to amend and use the existing hockey changerooms at the Merredin Recreation Ground in accordance with their submission dated 14 February 2006, subject to the following conditions –*

- 1. Any proposed change of Eastern Districts Football League fixtures by the Nukarni Football Club to be approved by the Shire of Merredin, in consultation with the relevant hockey teams, prior to agreement;*
- 2. Any alterations to the existing hockey changerooms and fixtures to be made good, to the satisfaction of the Chief Executive Officer;*
- 3. The changerooms to be left in a clean, tidy condition and locked at the conclusion of Eastern Districts Football League fixtures, to facilitate easier cleaning by the Shire Cleaner; and*
- 4. Where Nukarni Football Club training nights occur on the same night as any hockey training, that the female changerooms remain available for the use by hockey players at all times.*

**CARRIED 9/2**

Cr Crees requested that his name be recorded as voting against the motion.

Mr D McGinniss and Mr Will Morris departed the meeting at 1.20pm.

Mr W Bow departed the meeting at 1.20pm

DCEO James McGovern departed the meeting at 1.20pm.

4.0 APOLOGIES AND LEAVE OF ABSENCE

Nil

5.0 DISCLOSURE OF INTEREST

Cr D Morley – Impartiality Interest, Item 12.3

Cr N Hooper– Impartiality Interest, Item 12.8

CEO Frank Ludovico – Proximity Interest, Item 12.1

DCEO James McGovern – Proximity Interest, Item 12.1

MDS Warren Bow – Financial Interest, Item 12.8

6.0 PETITIONS & PRESENTATIONS

Paul Dickson – Risk Management Co-ordinator

Mr Dickson provided Council with a briefing on the Regional Risk Co-ordinator program.

DCEO James McGovern entered the meeting at 1.24pm.

Mr Dickson left the meeting at 1.47pm.

Cr Astbury departed the meeting at 1.49pm.

7.0 CONFIRMATION OF MINUTES

7.1 PREVIOUS COUNCIL MEETING

*Confirmation of minutes of meeting held on the 17 January 2006 with the following amendments being made:*

*Resolution 28284 seconder to be changed from Cr N Hooper to Cr Crees.*

**28285** Moved Cr Townrow sec Cr Wallace

*That the minutes of the meeting held on the 17 January 2006 with the following amendments being made:*

*Resolution 28284 seconder to be changed from Cr N Hooper to Cr Crees.*

**CARRIED 10/0**

- 7.2 Resolution Number **28213** (detailed below) at the bottom of page 3 in the 20 December 2005 minutes be amended to **28213A**.

28213 Moved Cr Townrow sec Cr Astbury

- (1) *That staff discuss the future of the old Council Chambers building with the Telecentre Committee and Wheatbelt Development Commission to ascertain long term plans post June 2006 ;*
- (2) *That Council agree to extend the lease of the Wheatbelt Development Commission in the Old Council Chambers to 30 June 2006.*

**28286**

Moved Cr Jones sec Cr N Hooper

*That Resolution Number 28213 (detailed below) at the bottom of page 3 in the 20 December 2005 minutes be amended to 28213A.*

28213 Moved Cr Townrow sec Cr Astbury

- (1) *That staff discuss the future of the old Council Chambers building with the Telecentre Committee and Wheatbelt Development Commission to ascertain long term plans post June 2006 ;*
- (2) *That Council agree to extend the lease of the Wheatbelt Development Commission in the Old Council Chambers to 30 June 2006.*

**CARRIED 10/0**

Cr G Astbury entered to the meeting at 1.51 pm.

8.0 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

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

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

10.1 COMMITTEE MINUTES

Business & Community Development Committee meeting held 08 February 2006.

**28287**

Moved Cr Townrow sec Cr Simmonds

*That the Merredin Shire Council receive the minutes of the Business & Community Development Committee meeting held on 08 February 2006.*

**CARRIED 11/0**

Item 7.1 Town Entry Signage and Information Bays

*(Note: The balance of the Townscape Budget is \$25,786.67).*

Moved Cr N Hooper sec Cr Jones

*That the Committee recommend to Council to purchase the following items from the remaining Townscape budget:*

- (1) Purchase Information Bay (Montego Bay Designed as per Signage proposal) to replace the current Lions Information Bay structure at the Eastern Entrance to Merredin;*
- (2) 5x Information Signs (design outlined in Signage proposal) to be placed in the 60 – 70km corridors of the North, South, East, West and Narembeen Road entrances to Merredin;*
- (3) Commence design of pictorial signs and purchase of signs as much as budget allows for.*

**28288**

Moved Cr Jones sec Cr Townrow

*That the Merredin Shire Council purchase the following items from the remaining Townscape Budget:*

- (1) Information Bay (Montego Bay Designed as per Signage proposal) to replace the current Lions Information Bay structure at the Eastern Entrance to Merredin; 5x Information Signs (design outlined in Signage proposal) to be placed in the 60 – 70km corridors of the North, South, East, West and Narembeen Road entrances to Merredin;*
- (2) Commence design of pictorial signs and purchase of signs as much as budget allows for.*

**CARRIED 10/1**

Item 7.2 Reinstatement of Townscape Committee

Moved Cr Jones sec Cr N Hooper

*That the BCDC Committee recommend to Council to reconsider the structure of the Townscape Committee after the Strategic Plan has been adopted and after the restructuring of the “Outside” works crew.*

**28289**

Moved Cr Jones sec Cr Townrow

*That the Merredin Shire Council reconsider the structure of the Townscape Committee after the Strategic Plan has been adopted and after the restructuring of the “Outside” works crew.*

**CARRIED 8/3**



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11.0 ADMINISTRATION, FINANCE & COMMUNITY DEVELOPMENT

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**11.1 CHIEF EXECUTIVE OFFICER'S REPORT**

**Reporting Department:** Administration  
**Reporting Officer:** Frank Ludovico, CEO  
**Legislation:** Local Government Act 1995  
**File Number:**

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I present the following report for February 2006:

Results of Extraordinary Election

I wish to formally advise Council that Mr David Morley was elected unopposed to fill the extraordinary vacancy on the Shire of Merredin. Councillor Elect Morley will be attending the 21 February 2006 Council meeting and be sworn in at that meeting.

Regional Risk Coordinator

I wish to advise Council that Mr Paul Dickson has commenced as the Regional Risk Coordinator and he will be making a presentation at the 21 February 2006 Council meeting.

Business Enterprise Centre

I wish to advise that I attended the Business Enterprise meeting on the 30 January 2006. It was the last meeting for Kerry Simpson who has now left the position. Mr David Mallory has taken over this role. I intend to ask Mr Mallory to attend Council's 21 March 2006 meeting to brief the Council on his activities.

Gamenya Avenue

I have written to the Public Transport Authority asking them whether they own the light tower on Gamenya Avenue as Council would like to remove it. Public Transport Authority have advised that it is not their property and they have requested CBH to ascertain whether the tower belongs to them.

Meeting Attendance

I wish to advise Council that effective from the February 2006 meeting Mr Warren Bow, Manager of Development Services will be entering the Council meeting at 2.00pm for items in his sphere of influence and Mr Jim Garrett, Acting Manager of Works will be entering the Council meeting at 4.00pm to discuss items within his area. I would appreciate Council's cooperation in dealing with issues of concern to these officers whilst they are in the Council meeting.

CEO Review

Reminder to the Senior Staff Review Committee that Mrs Anne Lake will be undertaking the CEO performance review on the morning of the 21 February 2006 commencing at 8am.

Lot 24 Crooks Avenue - Subdivision

The subdivisional plans have been sent to the Department of Land Information on the 21 January 2006 for the processing of the subdivision.

Lot 24 Crooks Avenue – Agistment

Following a request from the Merredin Indoor Recreation Centre Committee I inquired whether CBH had any development plans for Lot 24 Crooks Road to ascertain whether the land would be available for cropping for the Indoor Recreation project.

CBH responded indicating that they will only agree to a short term agreement requiring annual reviews. They indicated that the development of the land is programmed for 2007 Capital Works Programs however things can change fairly quickly due to carry over and seasonal conditions so there must be flexibility in any lease arrangement so that CBH can access land quickly.

WA Country Health Services - Wheatbelt Services Plan

WA Country Health Services – Wheatbelt is in the process of developing a service plan for the region. They have identified April to July 2006 where a consultant will be appointed whose aim is to develop health service delivery and service support models that recognise and respond to the demands of the rural health system.

Phase 2 between July and October 2006 will take the concepts and models developed in Phase 1 to the shareholders to test them.

In Phase 3 between October and November 2006 the outcomes of Phases 1 and 2 will be synthesised and discussions will commence with the WA Country Health Services and the Government.

Public Pay Phone – Caw Street, Merredin

I forwarded Councillors an email on the 20 January 2006 concerning Telstra's response to our letter resulting from Council's discussion at its January 2006 briefing session.

Having not received any response from Councillors I advised Telstra that no responses had been received.

Wheatbelt North Regional Road Group – Consultant to prepare submissions

At Council's 20 September 2005 meeting (CMRef 28099) Council agreed to participate in a consultancy to prepare a submission to the Minister for Planning and Infrastructure on road funding required to preserve the road asset in the Wheatbelt North and Wheatbelt South Regional road groups.

Draft specifications for the consultancy were forwarded to CEO's for review on the 3 February 2006. I have provided my comments to the Shire of Northam.

Merredin Medical Centre Practice Review

As reported at the January 2006 Council meeting, Dr Jamieson commenced his review on the 13 February 2006.

Ministerial Visit held on 31 January 2006

Report of the activities of this trip was made to the Business and Community Development Committee at its 8 February 2006 meeting.

FESA – New Fire Station

As a result of a number of phone calls the President and CEO met with Mr Terry Little, Fire Services Manager FRS – Avon Region, Mr Lloyd Bailey Regional Director – Goldfields/Midland and Mr Craig White, Captain of the Merredin Volunteer Brigade on the 6 February to discuss the location of the new FESA building at Lots 108/109 Mitchell Street, Merredin.

Points from that meeting were:

- that a business case had been submitted to Treasury in October 2005 and had not yet been approved by Treasury.
- the proposed site did not provide for expansion of services and the possibility of co-location in the future.
- subdividing reserve land to form a new reserve would save FESA a considerable amount of money which could be utilised in the building; and
- existing ablution facilities would also assist in the reducing the cost of the project.

It was indicated that the volunteers had considered eight (8) sites over a two year period and that Council was advised that this planning was commencing in January 2004.

I understand that Mr Little and Mr Bailey brought these issues to a Merredin FESA committee meeting held on the 6 February 2006. I understand that there was very little support from the meeting for relocating the new FESA building to the old basketball/netball court location.

### Bioenergy Conference

The President and I attended the Bioenergy Conference on the 10 February 2006. Prospects for the oilseed industry (canola and mustard) seems relatively bright with the economics turning in favour of the industry because the waste can be used as feedstock for animals.

Oil Mallees had a higher energy rating than oil seeds but required greater infrastructure particular turning the fuel into ethanol. The economics favour this option because it was able to reclaim arable land from salt.

BP had invested in ethanol production in Queensland as part of the Queensland and Federal Government initiative of producing ethanol from sugar cane. They also saw a future in bioenergy if manufacture warranties and government policies in respect to excise etc could be determined.

It is my impression that whilst there is a great deal of enthusiasm from biofuels proponents, major oil companies appear to have little interest based on the fact that their research indicates that there is approximately 30 to 40 years worth of oil reserves available (this statistic was disputed).

### Strategic Plan

Staff have commenced reviewing this document for presentation to Council.

Officer's Recommendation:

*That Council adopt the Chief Executive Officers report for the month of February 2006.*

MDS Warren Bow entered the meeting at 2.00pm.

AM Peters departed the meeting 2.15pm.

AM Peters entered to the meeting at 2.20pm.

Moved Cr Jones sec Cr Townrow

***That Council meet with all Emergency Service groups (Merredin Volunteer Fire and Rescue Service, SES, St John Ambulance) to discuss the long term direction for Merredin.***

**WITHDRAWN**

**28290** Moved Cr Wallace sec Cr Simmonds  
*That discussion on Merredin Volunteer Fire and Rescue Service relocation proposal and letter lay on the table pending further information to Council.*

**CARRIED 11/0**

**28291** Moved Cr Crees sec Cr Townrow  
*That Council adopt the Chief Executive Officers report for the month of February 2006.*

**CARRIED 11/0**

All Items numbered 12.1 to 12.8 under the heading of HEALTH, BUILDING, ENVIRONMENTAL SERVICES & TOWN PLANNING were brought forward.

CEO Frank Ludovico declared a proximity interest in Item 12.1  
DCEO James McGovern declared a proximity interest in Item 12.1

CEO Frank Ludovico and DCEO James McGovern departed the meeting at  
2.42pm.11.0

## 12.0 HEALTH, BUILDING, ENVIRONMENTAL SERVICES & TOWN PLANNING

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### 12.1 SUBDIVISION OF CARRINGTON WAY

**Reporting Department:** Administration  
**Reporting Officer:** Frank Ludovico, CEO  
**Legislation:** Local Government Act 1995  
**File Number:** LUP/13/5

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#### **Background**

At the Administration, Finance and Town Planning Committee meeting held on the 4 December 2001 Mr Colin Connor from Whelan Town Planning Consultants addressed the committee concerning concept plans for the Carrington Way subdivision.

Alternate designs and costings were prepared and were presented to Council at the 16 April 2002 meeting. Council “supported in principle the four staged Cummins Street subdivision” (CMRef 26624). **See Attachment 12.1A.** Also at that meeting Council asked staff to consult with the surrounding residents seeking comments and feedback on the plan (CMRef 26625).

A report was submitted to Council at its 21 May 2005 meeting detailing the response to the consultation Council decided to “support the four stage Cummins Street subdivision and lodged the subdivisional plan with the WA Planning Commission” (CMRef 26655).

At Council’s 19 August 2003 meeting “*Council endorsed the approved diagram DP31321*” (CMRef 27154) which is **Attachment 12.1B.** The difference between the two plans are the numbering of the lots in Stage 3D. As they were described as a future stage they were renumbered to show their later development.

The WA Planning Commission approved the subdivision on the 16 July 2003 for a three (3) year period.

In reviewing the Carrington Way subdivision project resulting from the discussion held at Council’s 20 December 2005 meeting (CMRef 28217) and

the discussion held at the Annual Elector's Meeting on the 20 December 2005, I determined new costings will be required to progress the project.

In the process of developing instructions to the consultant and considering that the subdivision approval would expire in July 2006 it was felt appropriate for Council to reconsider the subdivisional design of the project.

I believe Council should consider whether the lots are too big or too small, whether the public open space is too big or too small and does Council still wish to proceed with Stage 3D bearing in mind that it is a Council managed reserve (Reserve 42082) held for the purpose of parks and recreation.

**Statutory Implications:**

I am advised that the subdivisional approval process through WA Planning Commission will take approximately three months to complete. This process is not shortened by resubmitting an existing subdivisional plan.

**Financial Implications:**

That cost of reviewing the project costings is approximately \$2,100 plus gst depending on scope of the work with funding to come from Town Planning Expenses Account which has a general allocation of \$25,000.

**Comment:**

In the discussion held with Administration Finance and Town Planning Committee on the 4 December 2001 the minutes record the following points of discussion.

- Retention of large stream public open space.
- Retain current roads.
- Minimising Council costs – minimal roads.
- Establishing where there are current services
- Combining both the current concept layouts to produce another layout taking into consideration Council requirements.

I understand that under current subdivisional requirements only 10% of the area is required to be allocated to public open space. I estimate that in the current subdivisional design in the vicinity of 30% has been allocated to public open space. There is an opportunity to reduce this area and create some additional lots.

Two major advantages of this is lowering the cost per lot developed and reducing the area of public open space which will be required to be maintained by Council.

In respect to Stage 3D it may be appropriate for Council to reconsider the subdivision of this area and develop a plan concerning the subdivision of a portion of Reserve 4282 as a separate exercise for a future subdivision.

In terms of lot sizes, lots in the subdivision are approaching duplex size lots and Council, if they wish to retain the amenity of the area may need to consider whether it is appropriate to have lots sizes that would allow for development.

It is interesting to note that in the Caridi Close subdivision lots sizes vary from 993 square metres up to 2,103 square metres comprising of three lots of 1948 square metres and three lots of 1521 square metres out of the subdivision of ten lots.

**Officer's Recommendation:**

*That Council:*

1. *Seek designs for incorporating the additional subdivisional lots into a portion of the public open space in the Carrington Way subdivision.*
2. *That Council remove Stage 3D from the proposed Carrington Way subdivision .*

**28292**

Moved Cr N Hooper sec Cr Crees

*That the Merredin Shire Council seek designs for incorporating the additional subdivisional lots into a portion of the public open space in the Carrington Way subdivision.*

**CARRIED 8/3**

Cr J Simmonds departed the meeting at 3.46pm

**28293**

Moved Cr Jones seconded Cr N Hooper

*That the Merredin Shire Council remove Stage 3D from the proposed Carrington Way subdivision .*

**( 5/5 )**

**Presiding Member Cr K Hooper exercised his casting vote.**

**CARRIED 6/5**

CEO Frank Ludovico and DCEO James McGovern entered the meeting at 3.54pm.

Cr J Simmonds entered the meeting at 3.55pm.



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**12.2 PROVISION OF SERVICES TO WHITFIELD WAY – TENDER 13**  
**2005/06**

**Reporting Department:** Administration  
**Reporting Officer:** Frank Ludovico, Chief Executive Officer  
**Legislation:** Local Govt (Miscellaneous Provisions) Act  
 1960  
**File Number:** LUP/13/2 - Tender 13 05/06

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**Background:**

At Council's 15 November 2005 meeting (CMRef 28190) Council decided to proceed with the installation of all other subdivisional infrastructure (water and telephone) in the Whitfield subdivision.

As a result of that resolution tenders for the supply and laying of water services, the trenching and installing of power cables and the installation of Telstra cables was advertised on the 14 January 2006 closing at 2.30pm.

Tenders were received from the following:

| No | Tenderer                       | Price             |
|----|--------------------------------|-------------------|
| 1. | Leeway Group                   | \$132,000 inc gst |
| 2. | Underground Services Australia | \$348,348 inc gst |

**Budget Implications:**

The budgeted amount for this part of the project \$180,000.

**Comment**

Copies of the tenders were sent to David Wills & Associates (Council's Consulting Engineer and Project Manager) for evaluation based on Council's selection criteria of (adjusted price, demonstrated capability in similar projects, ability to undertake and complete works within a proposed construction program and demonstrated commitment to Occupational Safety and Health Requirements and Risk Management practices).

Council's Consulting Engineer is still clarifying a number of issues at agenda preparation. These comments will be presented at the Council meeting.

**Officer's Recommendation:**

*That Council award Tender 13 - 05/06 Provision of Services to Whitfield Way Subdivision to ..... for the tendered price of \$.....*

The CEO Frank Ludovico indicated that David Wills & Associates had evaluated the tenders on behalf of Council and produced adjusted tender price for each tenderer. These are (Attachment 12.2A):

|                                |           |
|--------------------------------|-----------|
| Leeway Group                   | \$184,500 |
| Underground Services Australia | \$316,680 |

**28294**

Moved Cr Jones sec Cr Townrow

*That Council award Tender 13 - 05/06 Provision of Services to Whitfield Way Subdivision to Leeway Group for the tendered price of \$132,000.*

**CARRIED 11/0**

Cr Morley declared an impartiality interest in Item 12.3

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**12.3 PETITION OPPOSING THE UNNECESSARY REMOVAL OF BUSHLAND ADJACENT TO THE RECREATION GROUND**

**Reporting Department:** Administration  
**Reporting Officer:** Frank Ludovico, Chief Executive Officer  
**Legislation:** Local Govt (Miscellaneous Provisions) Act 1960  
**File Number:**

---

**Background:**

At Council's 17 January 2006 meeting Mr Sam Teasdale presented a petition to Council entitled "*We are opposed to the unnecessary removal of bushland next to the Recreation Ground*". Approximately 150 signatures on the petition and that is attached (See **Attachment 12.3A**).

The Merredin Golf Club has submitted to Council a draft layout of the proposed new Golf Course that would be required to relocate the headquarters of the Golf Club to the new Merredin Indoor Recreation Centre. This is attached as Attachment **12.3B**

**Legal Implications:**

Section 5.28 of the Local Government Act indicates that a special meeting of electors is to be held on the request of not less than 100 members or 5% of the electors whichever is the lesser number. The request is specified that management discuss at the meeting and the form of content of request is to be in accordance with the regulations.

As the petition does not request an Electors Meeting Council merely needs to consider the request.

**Comment:**

To summarise the Merredin Golf Club's interest in operating from the Merredin Regional Community and Leisure Centre, the Club informed the MRCLC Management Committee of its intention to investigate this option in 2004, leading to a decision at their AGM in July 2005 to progress.

Council agreed to the Golf Club co-locating to the Merredin Recreation & Community Leisure Centre at its 21 June 2005 meeting (CMRef 27990).

Club members walked the land behind the Merredin Recreation Ground to plan placement of new fairways. An on-site meeting was arranged in October 2005 attended by representatives from the Golf Club, Shire and Department of

Environment. The purpose was to view the physical location of the new fairways and arrange to submit an Application to Clear Land with the DoE. Another benefit of this meeting was to gain understanding of the amount of land presently used by the Golf Club, that will be rehabilitated in the future. The DoE will take this portion of offset revegetation into account when assessing the clearing applications.

Given that the Merredin Golf Club has studiously planned their new layout to avoid clearing all but a few live standing trees, and that considerable portions of bush to be cleared appears not to be remnant vegetation, it is considered the Club's proposal accords with the wishes of signatories to the petition in that no unnecessary removal of bushland will occur. An additional factor in favour of the proposal not considered by petitioners is the substantial revegetation of golf course land adjacent to the Railway Dam and Shire Depot

**Officer's Recommendation:**

1. *That Council receive the petition entitled "We are opposed to the unnecessary removal of bushland next to the Recreation Ground".*
2. *That Council advise Mr Sam Teasdale that Council fully support the spirit of the petition opposing the unnecessary removal of bushland next to the Recreation Ground.*
3. *That Council advise the Merredin Golf Club that it supports in principle the development of the Golf Course and they commence processes to develop the new layout.*

**28295** Moved Cr Townrow sec Cr Simmonds

1. *That Council receive the petition entitled "We are opposed to the unnecessary removal of bushland next to the Recreation Ground".*

**CARRIED 11/0**

**28296** Moved Cr Townrow sec Cr Wallace

2. *That Council advise Mr Sam Teasdale that Council fully support the spirit of the petition opposing the unnecessary removal of bushland next to the Recreation Ground.*

**CARRIED 10/1**

**28297** Moved Cr Townrow sec Cr Wallace

3. *That Council advise the Merredin Golf Club that it supports in principle the development of the Golf Course and they commence processes to develop the new layout.*

**CARRIED 10/1**

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**12.4 AMALGAMATION OF LAND APPLICATION – LOTS 108 AND 109 MITCHELL STREET, MERREDIN – MERREDIN BOWLING AND TENNIS CLUB INC**

|                              |   |
|------------------------------|---|
| <b>Reporting Department:</b> | Development Services  |
| <b>Reporting Officer:</b>    | Warren Bow, Manager Development Services                          |
| <b>Legislation:</b>          | Local Government Act 1995, Town Planning and Development Act 1928 |
| <b>File Number:</b>          | P/2541, P/2542  |

---

**Background:**

Council has received correspondence from the West Australian Planning Commission (WAPC) who have received an application from McMullen Nolan and Partners Surveyors Pty Ltd (“the applicant”) on behalf of Merredin Bowling and Tennis Club Inc (“the owner”) for the amalgamation of Lots 108 and 109 Mitchell Street, Merredin (“the property”).

This application can be seen as **Attachment 12.4A**.

The said land is currently occupied by a concrete toilet block, iron clad outbuilding and a sea container and used in conjunction with the Merredin Bowling Club. The land is zoned “Civic and Cultural” in accordance with the Shire of Merredin’s Town Planning Scheme No.1.

The owner is proposing to amalgamate the aforementioned lots into one lot of size 1963m<sup>2</sup>. Council will be aware from its Ordinary January 2006 meeting that a proposal has been received from Fire and Emergency Services Authority (FESA) to purchase the “amalgamated” property for the purpose of constructing an emergency services volunteer station.

A property view map of the area, obtained from the Landgate System can be seen as **Attachment 12.4B**.

**Legal Implications:**

With all applications for amalgamation the WAPC seeks comments and feedback from Council in relation to –

- Local Authority zoning
- Local laws in relation to the application
- General comments, conditions that Council may wish to impose as part of the approval

*Council Policy 9.2 Amalgamation of Lots* restricts the construction of buildings where such building works extend over more than one surveyed allotment.

**Budget Implications:**

The Valuer General will reassess the GRV of the amalgamated property which may result in a change in rates for the property.

**Comment:**

The amalgamation of the two lots will create a 1963m<sup>2</sup> lot which complies with the minimum lot size (1000m<sup>2</sup>) of the civic and cultural zone in the zoning and development tables of the Scheme.

Any subsequent development on the lot will be subject to obtaining planning consent from Council.

In accordance with Council Policy 9.12 sea containers within the civic and cultural zone are a "PS" use. Accordingly, Council may wish to require the owners of Lot 108 and 109 Mitchell Streets to make application for approval to enable the sea container to remain on the property. Approval was granted to Merredin Club Inc in 2001 for the placement of a temporary sea container.

**Officer's Recommendation:**

*That the Merredin Shire Council advise the West Australian Planning Commission that it has no objection to the amalgamation of Lots 108 and 109 Mitchell Street, Merredin into one lot of size 1693<sup>2</sup> in accordance with Application No. 130397 submitted by applicant McMullen Nolan and Partners Surveyors Pty Ltd on behalf of Merredin Bowling and Tennis Club Inc.*

**28298**

Moved Cr Marley sec Cr N Hooper

*That the Merredin Shire Council advise the West Australian Planning Commission that it has no objection to the amalgamation of Lots 108 and 109 Mitchell Street, Merredin into one lot of size 1693<sup>2</sup> in accordance with Application No. 130397 submitted by applicant McMullen Nolan and Partners Surveyors Pty Ltd on behalf of Merredin Bowling and Tennis Club Inc.*

**CARRIED 6/5**

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**12.5 PROPOSED ANNUAL BUILDING MAINTENANCE INSPECTION**

**Reporting Department:** Development Services  
**Reporting Officer:** Warren Bow, Manager of Development Services  
**Legislation:** Various  
**File Number:** CP/8

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**Background:**

As part of Councils 2006/2007 budget deliberations it is proposed that Councillors undertake an inspection of all Council-owned buildings.

It is hoped that this inspection will assist Councillors in the development of the building maintenance budget. The inspection also gives Councillors the opportunity to view and familiarise themselves with both commercial and residential Council-owned property.

**Legal Implications:**

Nil

**Budget Implications:**

Various

**Comment:**

Even if the proposal for an annual inspection of Council-owned property doesn't come to fruition it is felt that a one-off inspection would be of benefit to all Councillors.

It is anticipated that the inspection could be completed on one day, prior to the commencement of budget deliberations in late March 2006.

A list of Council-owned buildings is contained as **Attachment 12.5A**. The highlighted buildings are of special interest.

**Officer's Recommendation:**

*That the Merredin Shire Council undertake a visit and/or inspection of all Council-owned buildings on \_\_\_\_\_ March 2006 as part of its 2006/2007 budget deliberations.*

**28299**

Moved Cr Simmonds sec Cr Astbury

*That the Merredin Shire Council undertake a visit and/or inspection of all Council-owned buildings on Friday 17 March 2006 at 8.00am as part of its 2006/2007 budget deliberations.*

CARRIED 11/0

**12.6 BUILDING STATISTICS REPORT**

**Reporting Department:** Development Services  
**Reporting Officer:** Warren Bow, Manager of Development Services  
**Legislation:** Building Regulations 1989,  
 Building Code of Australia 2005

**Background:**

To provide to Councillors of the Shire of Merredin details of the Building Licences issued by the Building Surveyor for the previous month.

**Legal Implications:**

Various

**Budget Implications:**

Building fees are levied for Class 1 and Class 10 (residential) buildings at 0.3182% of the construction value of the work.

Building fees are levied for Class 2 – 9 (commercial) buildings at 0.182% of the construction value of the work.

In all cases a minimum fee of \$40.00 is levied.

**Approvals:**

| <b>Building Licence No.</b> | <b>Licence issued to</b>  | <b>Address of proposed building</b>                 | <b>Owner of property</b>                           | <b>Class of Building<br/>Type of Construction</b>    |
|-----------------------------|---|---|--|--|
| BA56/05                     | Terry Horne, 61 Coronation St, Merredin WA 6415                       | Lot 535, House No 19 Throssell St, Merredin WA 6415 | Terry Horne, 61 Coronation St, Merredin WA 6415    | 1 (a) – Timber framed additions to existing dwelling |
| BA01/06                     | Paul Teasdale, 16 Priestly St, Merredin WA 6415                       | Lot 36, House No. 16 Priestly St, Merredin WA 6415  | Paul Teasdale, 16 Priestly St, Merredin WA 6415    | 10 (a) – Steel framed patio additions                |
| BA02/06                     | Peter Richards for Eastway Foods Pty Ltd, PO Box 390 Merredin WA 6415 | Lot 11 Duff St, Merredin WA 6415                    | Eastway Foods Pty Ltd, PO Box 390 Merredin WA 6415 | 7 (b) – Steel framed, commercial storage building    |
| BA03/06                     | NA and JA Tuppen, 1 Lefroy St, Merredin WA                            | Lot 1033, House No. 1 Lefroy St,                    | NA and JA Tuppen, 1 Lefroy St, Merredin WA 6415    | 10 (a) – Steel framed, iron clad outbuilding         |



|                             |  |   |  |  |
|-----------------------------|--|---|--|--|
|                             | 6415   | Merredin WA<br>6415                                 |  |  |
| <b>Building Licence No.</b> | <b>Licence issued to</b>                                 | <b>Address of proposed building</b>                 | <b>Owner of property</b>                                 | <b>Class of Building</b><br>Type of Construction   |
| BA05/06                     | AJ Willcox & LE Jarvis, 15 Cummings St, Merredin WA 6415 | Lot 100, House No. 15 Cummings St, Merredin WA 6415 | AJ Willcox & LE Jarvis, 15 Cummings St, Merredin WA 6415 | 10 (a) – Steel framed, iron clad outbuilding   |
| BA06/06                     | Cambuild, 1/5 Leeway Crt, Osborne Park WA 6017           | Lot 116, No. 26 Bates St, Merredin WA 6415          | Commonwealth Bank, 150 St Georges Tce, Perth WA 6000     | 10 (b) – New, tiled access ramp  |
| BA08/06                     | WA Wilson, 7 Queen St, Merredin WA 6415                  | Lot 57, No. 7 Queen St, Merredin WA 6415            | WA & KM Wilson, PO Box 668 Merredin WA 6415              | 6, 8 – Steel framed verandah additions to existing commercial building, internal balustrades and staircase |

**2006**

Valuation: \$34,160.00

Fees: \$240.00

**Progressive: \$34,160.00****Progressive: \$240.00****Comment:****Officers Recommendation:**

*That the Merredin Shire Council receive the February 2006 statistics for building licences issued by the Building Surveyor.*

**28300**

Moved Cr Crees sec Cr Jones

*That the Merredin Shire Council receive the February 2006 statistics for building licences issued by the Building Surveyor.*

**CARRIED 11/0**

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12.7 **MERREDIN REGIONAL COMMUNITY AND LEISURE CENTRE -  
TENDER 14 – 05/06 – DESIGN AND CONSTRUCTION OF INDOOR  
SWIMMING POOL**

**Reporting Department:** Development Services  
**Reporting Officer:** Warren Bow, Manager of Development Services  
John Gearing, Building Project Manager  
**Legislation:** Local Government Act 1995  
**File Number:** RCS/13/1

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**Background:**

To facilitate the construction of the Merredin Regional Community and Leisure Centre various components of the project were put to tender.

Shire of Merredin Tender 14 – 05/06 related to the design and construction of an indoor swimming pool.

Tender 14 – 05/06 was advertised on Wednesday 18 January 2006 in *The West Australian* newspaper.

The closing date for tenders was 4:00pm on Monday 6 February 2006.

All tenders were be required to comply with the following criteria -

- (1) Compliance with the specification contained in the Tender
- (2) Compliance with the conditions of the Tender
- (3) Compliance with the required date for the commencement of the services
- (4) Compliance and completion of the Price Schedule
- (5) Financial capacity to perform the contract
- (6) Submission of schedule of insurances

There were no Tenders received on the closing date.

**Legal Implications:**

Part 4 clause 11 (2)(c)(i) of the Local Government (Functions and General) Regulations 1996 states a local government does not have to publicly invite tenders if, within the last six months it has publicly invited tenders for the supply of goods or services, but no tender was received that met the tender specifications.

**Budget Implications:**

The budget estimate for the design and construction of the indoor pool for the Merredin Regional Community and Leisure Centre project is \$80,000.00 (plus GST).

**Comment:**

Given that no compliant tender for Tender 14 – 05/06 was received, Council is able to deal directly with suppliers of the relevant goods and services; in this instance, contractors capable of designing and constructing indoor swimming pools.

Discussions with AVP Constructions have ensued which resulted in the submission of a quote for the indoor swimming pool construction. This can be seen as **Attachment 12.7A**.

Other appropriate contractors have also been contacted, however at the time of writing this report there have been no other quotations or expressions of interest received.

**Officer's Recommendation:**

1. *That Council receive the report titled MERREDIN REGIONAL COMMUNITY AND LEISURE CENTRE - TENDER 14 – 05/06 – DESIGN AND CONSTRUCTION OF INDOOR SWIMMING POOL*
2. *That Council acknowledge that no compliant tender was received in relation to Tender 14 – 05/06 Design and Construction of Indoor Swimming Pool and endorse the actions of staff in applying Part 4 clause 11 (2) (c) (i) of the Local Government (Functions and General) Regulations 1996*
3. *That Council delegate authority to the Technical Sub-committee of the Merredin Regional Community and Leisure Centre committee to determine the supply of good and services relating to the construction of the indoor swimming pool at the Merredin Regional Community and Leisure Centre.*

*(Absolute Majority Required)*

**28301** Moved Cr Jones sec Cr N Hooper

1. *That Council receive the report titled MERREDIN REGIONAL COMMUNITY AND LEISURE CENTRE - TENDER 14 – 05/06 – DESIGN AND CONSTRUCTION OF INDOOR SWIMMING POOL.*
2. *That Council acknowledge that no compliant tender was received in relation to Tender 14 – 05/06 Design and Construction of Indoor Swimming Pool and endorse the actions of staff in applying Part 4 clause 11 (2) (c) (i) of the Local Government (Functions and General) Regulations 1996.*
3. *That Council delegate authority to the Technical Subcommittee of the Merredin Regional Community and Leisure Centre committee to determine the supply of good and services relating to the construction of the indoor swimming pool at the Merredin Regional Community and Leisure Centre.*

ENBLOC

CARRIED 11/0  
ABSOLUTE MAJORITY

**28302** Moved Cr Crees sec Cr Astbury

*That Merredin Shire Council recommend that Cr Simmonds act as proxy for Cr K Hooper on Technical Sub Committee.*

CARRIED 11/0  
ABSOLUTE MAJORITY

Cr N Hooper declared an impartiality interest in Item 12.8.

Mr W Bow, MDS declared a financial interest in Item 12.8.

Mr W Bow departed the meeting at 3.20pm and did not return.

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12.8 **BUILDING CAPITAL WORKS – 56 KITCHENER ROAD, MERREDIN**

**Reporting Department:** Development Services  
**Reporting Officer:** Warren Bow, Manager of Development Services  
**Legislation:** Local Government Act 1995  
**File Number:** CP/08/56 Kitchener Rd

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**Background:**

The reporting office has declared a financial interest in this item. In June 2003 Council purchased 56 Kitchener Road, Merredin for \$180,000. The dwelling was equipped with a diesel fired “Heatmaster” central heating and water heating system and with ducted evaporative air conditioning. The “Heatmaster” was installed circa 1978.

Problems with the “Heatmaster” and the high running costs lead to the installation of an electric hot water system in 2003/2004. The unit was still used for central heating however.

Further mechanical (malfunctioning expansion tank), plumbing and electric problems with the unit in August 2005 have rendered it irreparable.

In January 2006 the evaporative air conditioner at 56 Kitchener St also broke down. The motor to the unit was replaced at a cost of \$660.00. The control box also requires replacement at a cost of ~\$350; however this has not been undertaken. The unit is well over 20 years old and has been identified for replacement.

**Legal Implications:**

**Budget Implications:**

As part of Council’s building maintenance program each Council-owned property is inspected annually and a schedule of maintenance prepared. A copy of this schedule can be seen as **Attachment 12.8A**.

As can be seen the installation of ducted reverse cycle air conditioning was identified for the 2007/2008 financial year.

In its 2005/2006 budget Council allocated \$2500 for general building maintenance to 56 Kitchener Road, Merredin, in addition to the funds provided to replace a dividing fence on the property.

Council has a Building Maintenance Reserve with a balance of \$48,361. Costings have been obtained for the heating and cooling installation options at the property -

OPTION 1

Installation of four individual split system reverse cycle air conditioners (\$11711.71)

The installation of numerous split systems is not practical, nor efficient to run whilst also presenting on-going maintenance issues.

OPTION 2

Installation of minimum two gas space heaters and replacement of evaporative air conditioner unit and control box (\$4,750)

Whilst the evaporative air conditioner units are energy efficient, the running costs of gas heaters are high; with gas bottles costing up to \$110 and generally capable of running gas heater for up to 100 hours. Furthermore, gas heaters are room specific and are not suitable for overall dwelling heating.

OPTION 3

Installation of ducted reverse cycle air conditioning (\$9,621.60).

The running costs of properly designed and operated reverse cycle systems are relatively low, especially in comparison to running a diesel powered central heating system that consumed 1,200 litres of diesel (~\$1,200) over the winter months last year, solely on central heating.

Recently constructed Council dwellings have included the installation of reverse cycle air conditioning systems.

The installation of ducted reverse cycle air conditioning will add value to Council's asset which is a nominated "executive" dwelling for Shire management staff. Council dwellings at 9 and 13 Cummings Cr, Merredin were constructed with ducted reverse cycle air conditioning systems.

The large majority of new dwellings constructed in the Merredin Shire over the past three years have all included reverse cycle air conditioning, as opposed to evaporative air cooling and fuel heating systems.

**Voting Requirement:**

Absolute majority

**Officer's Recommendation:**

*That the Merredin Shire Council undertake the installation of ducted reverse cycle air conditioning at 56 Kitchener Road, Merredin for \$9,621.60 plus GST with funds for such works to be transferred from the Building Maintenance Reserve. ( Absolute Majority Required)*

**28303**

Moved Cr Astbury sec Cr Simmonds

*That the Merredin Shire Council undertake the installation of ducted reverse cycle air conditioning at 56 Kitchener Road, Merredin for \$9,621.60 plus GST with funds for such works to be transferred from the Building Maintenance Reserve.*

**CARRIED 11/0  
ABSOLUTE MAJORITY**

11.0 ADMINISTRATION, FINANCE & COMMUNITY DEVELOPMENT

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**11.2 ANNUAL LEAVE APPLICATION FOR CHIEF EXECUTIVE OFFICER**

**Reporting Department:** Administration  
**Reporting Officer:** Frank Ludovico, CEO  
**Legislation:** Local Government Act 1995  
**File Number:**

---

**Comment:**

I seek Council's permission to proceed on Annual Leave from Wednesday 19 April 2006 to Tuesday 25 April 2006.

I recommend that Mr James McGovern be appointed as Acting Chief Executive Officer for that period.

**Officer's Recommendation:**

1. *That Council approves the annual leave for the Chief Executive Officer from Wednesday 19 April 2006 to Tuesday 25 April 2006.*
2. *That Council appoints Mr James McGovern as Acting Chief Executive Officer for the period from Wednesday 19 April 2006 to Tuesday 25 April 2006.*

**28304** Moved Cr Townrow sec Cr Astbury

1. *That Council approves the annual leave for the Chief Executive Officer from Wednesday 19 April 2006 to Tuesday 25 April 2006.*
2. *That Council appoints Mr James McGovern as Acting Chief Executive Officer for the period from Wednesday 19 April 2006 to Tuesday 25 April 2006.*

**ENBLOC**

**CARRIED 11/0**

Cr Jones departed the meeting at 3.30pm.



The President indicated that this matter would be discussed behind closed doors at the end of the meeting (see page 52 ).

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### 11.3 APPOINTMENT OF MANAGER OF WORKS

**Reporting Department:** Administration  
**Reporting Officer:** Frank Ludovico, CEO  
**Legislation:** Local Government Act 1995  
**File Number:**

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#### **Background**

In January/February 2005 Council advertised the position of Manager of Works at the Shire of Merredin. Following review of the applicants by the Works Manager selection panel it was decided to re-advertise the position which occurred in February/March 2005.

Once again following the review of the applicants by the Works Manager Selection Panel it was decided to offer Mr Jim Garrett an acting position up until the 31 December 2005.

This six month period has passed and I have found that the efforts of Mr Jim Garrett are satisfactory and I wish to recommend his appointment to the Manager of Works position.

Council at its 15 February 2005 meeting (CMRef 27819) adopted a salary package for the Works Manager.

#### **Statutory Implications**

Under Section 5.37 of the Local Government Act 1995 Local Government may designate employees who are senior employees.

The Chief Executive Officer is to inform the Council of each proposal to employ or dismiss a senior employee and that Council may or may not receive the Chief Executive Officer's recommendation.

Council Policy 1.2 designates senior employees as a Chief Executive Officer, Deputy Chief Executive Officer, Manager of Works or Manager of Development Services.

#### **CEO Comment:**

I have negotiated a package that falls within the package approved by Council in February 2005. The rate of pay also recognises the fact that Mr Garrett is developing into this position.

#### **Officer's Recommendation:**

*That Council appoint Mr Jim Garrett to the position of Manager of Works on a five (5) year contract in accordance with the salary package negotiated with the CEO.*

**11.4 DEPUTY CHIEF EXECUTIVE OFFICER'S REPORT**

**Reporting Department:** Administration  
**Reporting Officer:** James McGovern – D/ Chief Executive Officer  
**Legislation:** Local Government Act

**Merredin Regional Community and Leisure Centre Update**

See spreadsheets – **Attachment 11.4A**

**Visitor Centre Manager's Report**

Visitor Centre Manager's report is at **Attachment 11.4B**

**Library Managers Report**

Library Manager's report is at **Attachment 11.4C**

*October Statistics:*

|                            |       |
|----------------------------|-------|
| Issues & renewals          | 2,409 |
| Interlibrary loan requests | 100   |
| OPAC searches              | 1,119 |
| New & reregistered members | 27    |
| Total current members      | 2,171 |

**Community and Economic Development Officer's Report**

Community and Economic Development Officer's report is at **Attachment 11.4D.**

**Cummins Theatre Manager's Report**

Cummins Theatre Manager's report is at **Attachment 11.4E**

**Records Management Report**

Statistics (From 11 Jan 2006 – 15 Feb 2006)

|                       |            |
|-----------------------|------------|
| <b>Total Mail In</b>  | <b>605</b> |
| Accounts Received     | 80         |
| Invoices              | 287        |
| General               | 245        |
| Appreciations         | 3          |
| Complaints            | 3          |
| <b>Total Mail Out</b> | <b>721</b> |

**IT Upgrade**

Tang Computers completed installation of leased PC's in administration, Library and relocated PC's to Visitor Centre, Cummins Theatre and Pool. Additionally, Visitor Centre and Library now have broadband internet access. These actions have greatly improved confidence in IT operations with staff all now operating on XP Professional network platform.

**Emergency Service Levy Submission**

A summary of the Shire's submission for funding in 2006/2007 follows :

|                                   |   |                                 |
|-----------------------------------|---|---------------------------------|
| Bush Fire Brigades Operating      | - | \$24,440                        |
| Bush Fire Brigade Capital         | - | \$25,000 (Hines Hill Fire Shed) |
| State Emergency Service Operating | - | \$26,714                        |
| State Emergency Service Capital   | - | \$21,000 (Comms Upgrade)        |

**Firebreak Order Compliance**

The Shire Ranger has issued a number of infringements to landowners not in compliance with the Firebreak Order. In one instance, the Ranger is arranging for firebreaks to be installed by Shire staff with costs attributed to the landowners, as permitted under Section 33 of the Bush Fires Act 1954.

**Status Report**

The Action Sheet detailing progress of Previous Council Resolutions from March 2004 is **Attachment 11.4F**.

**Officer's Recommendation**

*That the Deputy Chief Executive Officer's report for February 2006 be received.*

**28305**

Moved Cr Townrow sec Cr N Hooper

*That the Deputy Chief Executive Officer's report for February 2006 be received.*

**CARRIED 10/0**

Cr Jones entered the meeting at 3.31pm.

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**11.5 PHYSICAL ACTIVITY TASK FORCE GRANT**

**Reporting Department:** Community Services  
**Reporting Officer:** James McGovern, D/Chief Executive Officer  
**Legislation:** Local Government Act 1995  
**File Number:**

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**Background:**

As previously reported, the Shire successfully applied for Physical Activity Task Force (PATF) grant to prepare a Physical Activity Plan for the Shire of Merredin. This Plan will assess present passive and active recreational facilities, levels of use, potential future uses and desired improvements to infrastructure (i.e. dual use path and trails planning). The outcome will be a costed Plan that provides guidance on physical activity programs, land and facility improvements the community deems necessary, that will tie in with the Shire's Strategic Plan and forward planning budgets.

Jane Hannaford from the Physical Activity Task Force met with the Deputy Chief Executive Officer and Community and Economic Development Officer in November 2005 to discuss the process of preparing a Plan and informed us considerable community consultation and an understanding of physical activity needs and methods of delivery are requirements for a successful process. Ms Hannaford agreed a locally managed consultancy, performed by a person with existing networks and an understanding of the expectations and philosophy of the PATF is preferable if available, as opposed to importing a consultant without these attributes.

**Legal Implications:**

Nil

**Budget Implications:**

Financial (consultancy) expenditure fully funded from Physical Activity Task Force grant. Shire committed to in-kind support managing project and coordinating meetings.

**Comment:**

Following the meeting with PATF, a proposal was put to the Be Active Coordinators Management Committee that the Coordinator conduct the community consultation and prepare the Physical Activity Plan. The Management Committee agreed in principle and it was arranged for the Coordinator to liaise with the Deputy Chief Executive Officer to present a methodology and reassure the Committee this project would not conflict with the Coordinators existing tasks and responsibilities.

A copy of the methodology (**Attachment 11.5A**) was accepted by the Be Active Coordinators Management Committee at their meeting of 14<sup>th</sup> February 2006.

Be Active Coordinator Rodney Thornton informed this project will not conflict with his roles and the recent appointment of a trainee Administrative Assistant will ensure the Plan can be developed over a 3 month period, commencing March 2006.

Council is informed the development of a Physical Activity Plan specifically for Merredin is outside the terms of reference of a Be Active Coordinator. Whilst Council commits \$8,000 per annum to the Be Active scheme it does not permit access to a service that is not provided to other local governments within the scheme. For this reason, the quoted cost of \$4,500 - \$5,000 for the consultancy will be drawn from the PATF grant. This in turn will be received as income by the Be Active Coordinator's Management Committee for future use in Be Active programs.

There are a number of advantages to using the Be Active Coordinator's skills and experience for this purpose :

- Developed network with local recreation and community based groups
- Capacity and support in administering community consultation
- Knowledge of the expectation of the Physical Activity Task Force
- Knowledge of the Merredin Shire Council's strategic direction in relation to managing recreation and related infrastructure
- Ability to translate community needs analysis into meaningful outcomes

It is recommended Council endorse the consultancy role by the Be Active Coordinator in developing the Physical Activity Plan in line with the attached methodology.

**Officer's Recommendation:**

*That Council endorse the Be Active Coordinator's role in developing the Physical Activity Plan for the Shire of Merredin, commencing 1 March 2006.*

**28306**

Moved Cr Townrow sec Cr Morris

*That Council endorse the Be Active Coordinator's role in developing the Physical Activity Plan for the Shire of Merredin, commencing 1 March 2006.*

**CARRIED 11/0**

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**11.6 MONTHLY FINANCE REPORT**

**Reporting Department:** Finance  
**Reporting Officer:** Mr James McGovern, DCEO  
**Legislation:** Local Government Act 1995  
**File Number:**

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**Background**

Each month attached to the Agenda (Refer to **Attachment 11.6**) is the Monthly Financial Report prepared for Council.

Recent amendments to the Local Government (Financial Management) Regulations 1996, gazetted on 31 March 2005 and effective from 01 July 2005 have repealed the existing regulations (34 and 35) relating to monthly and quarterly/triannual financial reports.

The new regulation requires local government to prepare each month a statement of financial activity, as per the attached report pro forma. This statement is intended to report on the sources and applications of funds for the month in question.

**Officer's Recommendation:**

*That the Merredin Shire Council receive the Monthly Finance Report for January 2006.*

**28307**

Moved Cr Astbury sec Cr M Morris

*That the Merredin Shire Council receive the Monthly Finance Report for January 2006.*

**CARRIED 11/0**

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**11.7 LIST OF ACCOUNTS PAID**

**Reporting Department:** Finance  
**Reporting Officer:** Mr James McGovern, D/Chief Executive Officer  
**Legislation:** Local Government Act & Financial Management Regulations  
**File Number:**

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**Background:**

A list of accounts paid during the month under delegated authority is presented to Council each month. Refer to **Attachment 11.7A**

**Legal Implications:**

Local Government Act and Financial Management Regulations.

**Budget Implications:**

All liabilities settled have been in accordance with the Annual Budget provisions.

**Comment:**

The process of the accounts for payment has now been finalized with cheques being processed on a fortnightly basis and the main signatories being the Chief Executive Officer and Deputy Chief Executive Officer, with the Shire President and Deputy President also being signatories in the case of the Chief Executive or Deputy being absent.

**Officer's Recommendation:**

*That the Merredin Shire Council receive the schedule of accounts as listed, covering cheques as numbered and totalling \$194,761.07 and amount directly debited from Councils Municipal Fund Bank Account BSB 066-518 000 000 10 totalling \$126,865.23 and to endorse trust cheques totalling \$757.59 and outstanding creditors totalling \$93,913.49*

**28308**

Moved Cr Crees sec Cr Wallace

*That the Merredin Shire Council receive the schedule of accounts as listed, covering cheques as numbered and totalling \$194,761.07 and amount directly debited from Councils Municipal Fund Bank Account BSB 066-518 000 000 10 totalling \$126,865.23 and to endorse trust cheques totalling \$757.59 and outstanding creditors totalling \$93,913.49*

**CARRIED 11/0**

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**11.8 DONATION REQUEST- AUSTRALIAN BREASTFEEDING ASSOCIATION**

**Reporting Department:** Finance  
**Reporting Officer:** Miss Natalie Purdy, Senior Finance Officer  
**Legislation:** Local Government Act & Financial Management Regulations  
**File Number:** FM/21/1

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**Background:**

Jenny Doncon, Acting Regional Representative of the Wheatbelt Region Australian Breastfeeding Association has written to request financial support to fund the cost of sending two Counsellors to the 2006 Residential Conference. (See **Attachment 11.8A**)

**Budget Implications:**

Council allocated \$2,000 for community donations and sponsorship in 2005/2006 Annual Budget (a/c E041170). Expenditure to date includes \$750.00 sponsorship of Small Town Survival Conference, \$250.00 sponsorship of Mangowine Concert, \$70.00 sponsorship of High School Leavers prize and a \$250.00 gift for China Southern 10<sup>th</sup> Anniversary. Balance of account is \$680.00

**Comment:**

It is open for Council to apply sponsorship allocation to any worthy cause or activity. As previously reported, no Council policy exists to guide staff in a recommendation and sponsorship amount.

Most community organisations currently fund their own training. Donating funds to the Australian Breastfeeding Association, is not seen to be directly beneficial to Council or the community.

**Officer's Recommendation:**

*That Council decline the request of the Australian Breastfeeding Association (Wheatbelt Region), for funding towards the 2006 Residential Conference.*

**28309 Moved Cr Townrow sec Cr Simmonds**

*That Council approve the request and donate \$200.00 towards the Australian Breastfeeding Association (Wheatbelt Region), for funding towards the 2006 Residential Conference.*

**CARRIED 8/3**

REASON: Council wishes to support volunteer organisations.

**28310 Moved Cr Astbury sec Cr Wallace**

*That Council adjourn for afternoon tea at 3.40pm.*

**CARRIED 11/0**



**28311** Moved Cr Astbury sec Cr Wallace  
*That the meeting reconvene at 3.58pm.*

**CARRIED 11/0**

AMOW Jim Garrett was in attendance.

DCEO James McGovern was not present.

13.0 ENGINEERING SERVICES

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**13.1 UPGRADE OF GREAT EASTERN HIGHWAY – COMBES DRIVE INTERSECTION**

**Reporting Department:** Administration  
**Reporting Officer:** Frank Ludovico, Chief Executive Officer  
**Legislation:** Local Govt (Miscellaneous Provisions) Act  
1960  
**File Number:**

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**Background**

At Council's 20 December 2005 meeting Council was asked to consider the configurations of various intersections that should be undertaken while Great Eastern Highway was being upgraded.

In that report I mentioned that there were safety issues concerning the Combes Drive Great Eastern Highway intersection and its proximity to a bridge west of the intersection.

On the 18 January 2006 an inspection of the site was undertaken with representatives of Aline East, Main Roads WA, Western Power, Water Corporation and Councillors Townrow and Morris. As a result of that meeting two proposals were developed. The first was to move Combes Drive to the east of its present location close to the western boundary of the historic pump station No 4. The second option was to upgrade the existing access to the Water Corporation west of the No 4 pump station. Aline East were to undertake costings and a safety analysis to determine the best option.

Aline East have now submitted their proposal to upgrade roads in the area.  
**See Attachment 13.1A.**

*Aline East report “ our preferred solution is utilising the existing Water Corporation entry to the east of the pump station. The Water Corporation will still require their eastern access road and therefore this option rationalises the number of entries onto the highway improving safety. We also believe that the western option could still be too close to the bridge and its barriers. Our surveyors are currently undertaking a detailed survey of the area and we will*

*examine the alignment and other options in more detail when we have the survey.”*

They would like Council to consider the security of various installations in both the Western Power and Water Corporation sites if the pump station visitor's car park is moved to the east of the No 4 pump station.

### **Legal Implications**

Closure of Combes Road would require Council to go through the formal road closure process as described under Section 3.5 of the Local Government Act and Section 58 of the Land Administration Act 1997.

Any road closure will need to be considered in whether any “land locked” lots will be created preventing access to a public road.

### **CEO Comment:**

The land tenure in the general vicinity is shown at **Attachment 13.1B**.

I am also advised that an onsite meeting will be held at 3.00pm on Wednesday 22 February 2006 to discuss the proposal at **Attachment 13.1A**.

From Council's point of view an interpretation/picnic area to the east of No 4 pump station could provide an interpretation area for the Golden Pipeline Project, Salinity and Water Project and on the Grain Handling Facilities visible from the site. The area could be landscaped and designed for access for cars and caravans but not for trucks. Improvements requested by Council to the Crooks Road / Great Eastern Highway intersection mean that there will be no access to the evaporation ponds so an area will be required to showcase this project.

The continued siting of a truck stop at the No 4 pump station could also have safety issues and it may be appropriate to relocate it to another site further west.

Another issue that Council needs to consider is whether the new Western Power access road should become a gazetted public road or whether some other arrangement can be made between the parties. The dedication of the road will create new maintenance issues for Council. However if this can be developed to an appropriate standard as part of the Great Eastern Highway works then this may not be an issue in the short term.

I believe Council needs to develop a position on the proposal so that it can be discussed at the 22 February 2006 meeting.

I believe Council should generally support the development on the eastern side of the No 4 pump station using the Water Corporation access road. It means that the attraction of the pump station can be enhanced by interpretive signage. This may require the increase in the size of Reserve 40494. It also means that the access to this area shown on **Attachment 13.1A** may need to be further north closer to the pump station.

In respect to the dedication of the road I do not believe that the closure of Combes Road will be permitted because of the “land locking” of Reserve 33860 and so Council will need to formally dedicate the upgraded road. It will be important to ensure that the road is constructed and surveyed and dedicated during the Great Eastern Highway improvement works.

#### **Staff Recommendation**

That Council generally support the design package incorporating new access to Western Power and Water Corporation Reserves 33860 and Reserve 8228 respectively.

**28312** Moved Cr Morris sec Cr Crees  
*That Council generally support the design package incorporating new access to Western Power and Water Corporation Reserves 33860 and Reserve 8228 respectively.*

**CARRIED 11/0**

DCEO entered the meeting at 4.17pm.

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### **13.2 ACTING MANAGER OF WORKS – MONTHLY REPORT**

**Reporting Department:** Engineering  
**Reporting Officer:** James Garrett, Acting Manager of Works  
**Legislation:** Local Government Act 1995  
**File Number:**

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**Background:**

Monthly report on operations.

**Legal Implications:**

Nil

**Budget Implications:**

Nil

**Comment:**

Road Construction

- A further 150 metres of Gabo Way is under construction using the remaining funds allocated for its reconstruction in the 2005/06 budget.
- The culvert pipes on South Hill Road have been laid and construction of 50 metres of road both sides of culverts is in progress.
- The reconstruction of Bates Street will commence when the gravel has been laid on South Hill Road.
- Backfill of kerbs on Caw Street will be completed when soil dries out.

Road Maintenance

- Maintenance grading in progress on school bus routes and water damaged roads
- Bitumen patching in progress

Parks and Gardens

- Summer mowing program in progress.
- Tree pruning under power lines to comply with new Western Power regulation has commenced.

Rostered Days Off

Following concerns about no employees available on their rostered days off I have alternated 6 of the outside staff R.D.O.'s so we have staff available on all of Councils normal working hours

Robartson Road Haulage Route

Main Roads, Wheatbelt North Region has received Councils advice on an option to develop Robartson Road as a haulage route as was discussed at the Council meeting on the 16 August 2005.

The option to transfer grain haulage from South Avenue to Robartson Road is seen as desirable by Main Roads WA.

Designs in preparations at this time for the Aline East project are taking into account the Great Eastern Highway intersection with Robartson Road. The issue for lane correct access to the highway for permit vehicle haulage operations is flagged for design review.

Main Roads suggested Council may wish to formulate an upgrade strategy for Robartson Road

Robartson Road has been placed on the list for admission into 2025 regional road group currently under review.

New Bore Field Locations

Peter de Broekert senior Hydrogeologist from Rockwater P/L came to Merredin on Thursday 9 February 2006 to mark out the five new bore field locations for pumping of salt water from under the townsite of Merredin.

These locations can be seen on **Attachment 13.2A**. All but one are on land under the control of the Shire of Merredin.

Water

|             |           |                            |
|-------------|-----------|----------------------------|
| Dam #1      | 75% Full  | Capacity 74,455 kilolitres |
| Dam #2      | 65% Full  | Capacity 71,675 kilolitres |
| Dam #3      | 100% Full | Capacity 46,000 kilolitres |
| Railway Dam | 95% Full  | Capacity 23,000 kilolitres |

**Officer's Recommendation:**

*That the Merredin Shire Council receive the Acting Manager of Works report for February 2006.*

**28313**

Moved Cr Morris sec Cr Crees

*That the Merredin Shire Council receive the Acting Manager of Works report for February 2006.*

**CARRIED 11/0**

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**13.3 CUMMINGS CRESCENT CLOSURE**

**Reporting Department:** Engineering  
**Reporting Officer:** James Garrett, Acting Manager of Works  
**Legislation:** Local Government Act 1995  
**File Number:**

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**Back Ground**

In December 2005 Aline East made an enquiry regarding the configuration of intersections that should be upgraded whilst working on the Great Eastern Highway.

At the Council meeting on the 20<sup>th</sup> of December 2005, (CMRef 28254) Council moved to advise Aline East of its preferences for the upgrading of intersections on the Great Eastern Highway west of Merredin.

Council suggested the Cummings Crescent intersection be closed. With this advise Aline East have drawn up the new Great Eastern Highway design with the Cummings Crescent closure as suggested. The intersection layout can be seen on **Attachment 13.3A**.

As this road closure will impact on the residents and the Veterinary Surgery on Todd Street we need to go through a statutory process of consulting utilities, residents etc under Section 3.50 of the Local Government Act.

**Comment**

In respect to the road closure I consider road safety will improve as the intersection is on a sweeping bend of the Great Eastern Highway and sight distance may be a problem.

**Officers Recommendation**

*That Council resolve to permanently close Cummings Crescent and Great Eastern Highway intersection in accordance with Section 3.50 of the Local Government Act 1995.*

**28314**

Moved Cr Townrow sec Cr Jones

*That Council resolve to permanently close Cummings Crescent and Great Eastern Highway intersection in accordance with Section 3.50 of the Local Government Act 1995.*

**CARRIED 11/0**

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13.4 **PROPOSED AMALGAMATION OF UNALLOCATED CROWN LAND  
(DISCONTINUED RAILWAY) WITH GREAT EASTERN HIGHWAY**

**Reporting Department:** Engineering  
**Reporting Officer:** James Garrett, Acting Manager of Works  
**Legislation:** Local Government Act 1995  
**File No:**

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### **Back Ground**

Main Roads Western Australia are proposing to upgrade portions of the Great Eastern Highway between Hines Hill and Carrabin over the few the next few years .

As part of the upgrade involves utilizing portions of land within the discontinued railway reserve, Main Road Western Australia has requested the dedication of the unallocated crown land as shown in **Attachment 13.4A** and adds it to the formation of the Great Eastern Highway.

### **Comment**

The Department of Planning and Infrastructure would like advice from Council on their views on this request and any considerations they may have.

### **Officers Recommendation**

*That Council advise the Department of Infrastructure that they support the taking of land to improve the Great Eastern Highway alignment between Hines Hill and Carrabin.*

**28315**

Moved Cr Townrow sec Cr Simmonds

*That Council advise the Department of Infrastructure that they support the taking of land to improve the Great Eastern Highway alignment between Hines Hill and Carrabin.*

**CARRIED 11/0**

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**13.5 ANNUAL ROAD INSPECTION**

**Reporting Department:** Engineering  
**Reporting Officer:** James Garrett, Acting Manager of Works  
**Legislation:** Local Government Act 1995  
**File No:**

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**Comment**

Staff believe Council should undertake an Annual Road Inspection to ascertain what maintenance works need to be undertaken in the future.

This inspection should generally be undertaken in late February 2006 or early March 2006 to help in setting up the budget for the next financial year.

Council need to determine a date in which to undertake the road inspection and any particular roads they wish to inspect.

**Officers Recommendation**

*That Council conduct an annual road inspection on ..... and all interested Councillors attend.*

**28316**

Moved Cr Wallace sec Cr Simmonds

*That Council conduct an annual road inspection on Tuesday 14 March 2006 at 8am and all interested Councillors attend.*

**CARRIED 11/0**



**13.6 SOUTH AVENUE SPEED LIMIT REDUCTION**

**Reporting Department:** Engineering  
**Reporting Officer:** James Garrett, Acting Manager of Works  
**Legislation:** Local Government Act 1995  
**File No:**

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**Back Ground**

On the 12 January 2006 Council receive a fax from Main Roads Wheatbelt North detailing complaints from residents near South Avenue regarding non compliance with posted speed limits with requests for speed limit reduction.

Main Roads seek Councils response to a proposed zone modification that will reduce South Avenue to 50km/h. This would be complimented by a buffer zone reduction from 90km/h to 80 km/h

Main Roads have advised that complaints have been received from The School Bus contractor who lives near the change from 90 km/h to 60 km/h as well as the Saint Mary's Primary school ( via parents not the staff ) and similarly with the church.

They have also stated that the traffic environment recommends itself to a zone common to the surrounding residential area and that will also address the approach speed to the Town. Their intention would be to fine tune the buffer in length and to improve the buffer delineation

**Comment**

The modified zone treatment will seek to provide a more readable and regular approach to the Town through the residential area

Main Roads is always responsible for speed zones and any changes to the speed limits; however it is their practice to seek comment from both the Local Authority and the Local Police prior to seeking Commissioner of Main Roads approval for the change.

Police have indicated support for the change; however they advise they would activate a honeymoon period in which they would promote an educational programme to make the public aware of the changes.

**Officers Recommendation**

*That Council advise Main Roads WA that the speed limit south of the Merredin Cemetery be reduced to 70 km per hour to improve and address safety issues.*

- 28317** Moved Cr Townrow sec Cr Simmonds  
*That Council advise Main Roads WA that the speed limit south of the Merredin Cemetery be reduced to 70 km per hour to improve and address safety issues.*

Withdrawn with consent of seconder.

- 28318** Moved Cr Townrow sec Cr Simmonds  
*That the 90 km zone commence south of Endersbee's residence at Lot 13, Avon Location 24405 with the 110km zone commencing south of cemetery on Bruce Rock Road.*
- CARRIED 6/5**

Moved Cr Townrow  
*That Council recommend that the Police Force enforce the current speed limits on South Avenue/Bruce Rock Road.*

**LAPSED – NO SECONDER**

- 28319** Moved Cr Marley sec Cr N Hooper  
*That Council advise Main Roads that Council does not support the reduction of speed limits on the South Avenue/Bruce Road from 60km per hour to 50 km per hour as the road is an arterial road.*
- CARRIED 9/2**

14.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

15.0 QUESTIONS BY MEMBERS FOR WHICH DUE NOTICE HAS BEEN GIVEN

16.0 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

**28320**

Moved Cr Townrow sec Cr N Hooper

*That Council move Item 11.1 CEO's Report - FESA – New Fire Station onto the table.*

**CARRIED 11/0**

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16.1 MERREDIN VOLUNTEER FIRE AND RESCUE SERVICE

**Reporting Department:** Administration

**Reporting Officer:** Frank Ludovico, CEO

**Legislation:** Local Government Act 1995

**File Number:**

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A copy of the Merredin Volunteer Fire and Rescue Service letter was presented to all Councillors (copy attached).

Cr Jones departed the Chambers at 4.56pm.

Cr Jones re-entered the meeting at 5.04pm.

**28321**

Moved Cr Jones sec Cr Townrow

*That Council host a meeting with emergency service groups to discuss their long term future.*

**CARRIED 9/2**

**16.2 AUDIT COMMITTEE MINUTES – TENDER FOR AUDIT SERVICES**

**Reporting Department:** Financial Services  
**Reporting Officer:** James McGovern, D/CEO  
**Legislation:** Local Government Act 1995  
**File Number:** Tender 15 05/06

**Background**

The Audit Committee met on 20<sup>th</sup> February 2006 to assess tenders submitted for the provision of Audit Services. Minutes of the meeting are Attachment 16.2A.

Details of the Tender are described in Attachment 1, Selection Criteria is described in Attachment 16.2B and submitted tender information is described in Attachment 16.2C of the Audit Committee Minutes.

**Legal Implications**

As described in the Minutes of the Audit Committee meeting.

**Budget Implications**

Nil in 2005/2006 – audit requirements for 2004/2005 financial year reporting performed under previous contract complete.

**Voting Requirement**

Absolute Majority

**Committee Recommendation:**

Moved Cr Jones sec Cr Townrow

*That it be recommended the Merredin Shire Council appoint David Tomasi of UHY Haines Norton as Auditor for the Shire of Merredin in accordance with S7.3 of the Local Government Act as per specifications in Tender 15 05/06.*

**28322**

Moved Cr N Hooper sec Cr Astbury

*That the Merredin Shire Council appoint David Tomasi of UHY Haines Norton as Auditor for the Shire of Merredin in accordance with S7.3 of the Local Government Act as per specifications in Tender 15 – 05/06.*

**CARRIED 11/0****28323**

Moved Cr Townrow sec Cr Jones

*That the Merredin Shire Council receive the minutes of the Audit Committee meeting held on 20 February 2006 with amendment to the venue altered from “Westonia” Council Chambers to “Merredin” Council Chambers.*

**CARRIED 11/0**

17.0 MATTERS BEHIND CLOSED DOORS**28324**

Moved Cr Astbury sec Cr N Hooper

*That Council go into committee to discuss a staff matter.***CARRIED 11/0**

The Council went into Committee at 5.20pm.

DCEO James McGovern and PA Anne-Marie Peters departed the meeting at 5.20pm and did not return.

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**11.3 APPOINTMENT OF MANAGER OF WORKS**

**Reporting Department:** Administration  
**Reporting Officer:** Frank Ludovico, CEO  
**Legislation:** Local Government Act 1995  
**File Number:**

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**Background**

In January/February 2005 Council advertised the position of Manager of Works at the Shire of Merredin. Following review of the applicants by the Works Manager selection panel it was decided to re-advertise the position which occurred in February/March 2005.

Once again following the review of the applicants by the Works Manager Selection Panel it was decided to offer Mr Jim Garrett an acting position up until the 31 December 2005.

This six month period has passed and I have found that the efforts of Mr Jim Garrett are satisfactory and I wish to recommend his appointment to the Manager of Works position.

Council at its 15 February 2005 meeting (CMRef 27819) adopted a salary package for the Works Manager.

**Statutory Implications**

Under Section 5.37 of the Local Government Act 1995 Local Government may designate employees who are senior employees.

The Chief Executive Officer is to inform the Council of each proposal to employ or dismiss a senior employee and that Council may or may not receive the Chief Executive Officer's recommendation.

Council Policy 1.2 designates senior employees as a Chief Executive Officer, Deputy Chief Executive Officer, Manager of Works or Manager of Development Services.

**CEO Comment:**

I have negotiated a package that falls within the package approved by Council in February 2005.

The rate of pay also recognises the fact that Mr Garrett is developing into this position.

**Officer's Recommendation:**

*That Council appoint Mr Jim Garrett to the position of Manager of Works on a five (5) year contract in accordance with the salary package negotiated with the CEO.*

**28325** Moved Cr Wallace sec Cr Simmonds  
*That Council move out of Committee.*

**CARRIED 11/0**

Council moved out of Committee at 5.42pm.

**28326** Moved Cr Simmonds sec Cr Morley  
*That Council appoint Mr Jim Garrett to the position of Manager of Works on a three (3) year plus an option for two (2) years contract in accordance with the salary package negotiated with the CEO.*

**CARRIED 11/0**

18.0 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

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**18.1 TOWN PLANNING SCHEME NO 2 – LOT 482 – HAINES STREET.**

**Reporting Department:** Development Services  
**Reporting Officer:** Frank Ludovico, CEO  
**Legislation:** Local Government Act 1995  
**File Number:**

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The CEO tabled a letter received from Mr Gary Little earlier in the day regarding remedial work for footpaths on Haines and Bates Streets, who insisted that the matter be brought before Council (copy attached).

Council requested the Chief Executive Officer develop an agenda item on the matter for the March Council meeting.

19.0 CLOSURE

There being no further business the Presiding Member declared the meeting closed at 5.45pm.