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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 March 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; AM Peters, Personal Assistant

**OBSERVERS:** Mr David Mallory – Manager SBCNEW (departed at 2.40pm);  
Sonya Kimbar – Merredin Wheatbelt Mercury (departed at  
4.06pm); Judy Kendrick-Currell (departed at 3.01pm); Kristina  
Haggerty, Narelle Gardiner, Tara Taylor, Carla Hazelgrave, Tanya  
Lane, Natasha Caplan, Vanessa Morris, Tracey Sutherland,  
Rachael Nazzari, Di Pringle and Terri Rogers (departed at 2.30pm)

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1.0 OFFICIAL OPENING

The Presiding Member declared the meeting open at 1.02 pm

2.0 PUBLIC QUESTION TIME

In accordance with section 5.24 of the Local Government Act 1995, a 15 minute public question time is made available to allow members of the public the opportunity of questioning Council on matters concerning them.

Kristina Haggarty from Merredin Playgroup addressed Council and confirmed Merredin Playgroup's wishes to move into the former Throssell Road Pre-Primary School.

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3.0 APOLOGIES AND LEAVE OF ABSENCE

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3.1 **LEAVE OF ABSENCE REQUEST – CR S MARLEY**

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

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**Background**

Cr Marley has applied for Leave of Absence for the following Council meetings:

18 April, 2006, 16 May, 2006 and 15 August, 2006

**Statutory Implications:**

Section 2.25 of the Local Government Act allows Council to approve leave of absence for a member. Council can grant a member leave for no more than six (6) consecutive ordinary meetings of the Council without Ministerial approval.

**Comment:**

Request from Councillor Marley only involves two consecutive meetings and therefore Council has the power to approve the leave of absence.

Staff Recommendation:

*That Council approve leave of absence for Councillor Marley for the following meetings:*

*18 April, 2006, 16 May, 2006 and 15 August, 2006*

**28329**

Moved Cr Townrow sec Cr Simmonds

*That Council approve leave of absence for Councillor Marley for the following meetings:*

*18 April, 2006, 16 May, 2006 and 15 August, 2006.*

**CARRIED 11/0**

#### 4.0 DISCLOSURE OF INTEREST

Cr Morris declared an Impartiality Interest in Item 10.2  
Cr Morris declared an Impartiality Interest in Item 10.12  
Cr Ken Hooper declared a Financial Interest in Item 10.13  
Cr Astbury declared an Impartiality Interest in Item 10.13  
Cr Wallace declared an Impartiality Interest in Item 10.13  
Cr Astbury declared an Impartiality Interest in Item 11.1  
CEO F Ludovico declared a Proximity Interest in Item 11.2  
DCEO J McGovern declared a Proximity Interest in Item 11.2  
Cr Jones declared an Impartiality Interest in Item 15.1  
Cr Crees declared an Impartiality Interest in Item 15.1

#### 5.0 PETITIONS & PRESENTATIONS

David Mallory – Small Business Centre North Eastern Wheatbelt Presentation.

- Funds are available for business development
- Planning to offer MYOB training programs
- Distributing time throughout NEWBEC area, but concentrating on Merredin as a Regional centre
- Producing newsletter for distribution
- Setting up webpage – David can put people in touch with those who can help
- Executive Officer

#### 6.0 CONFIRMATION OF MINUTES

##### 6.1 PREVIOUS COUNCIL MEETING

Confirmation of minutes of meeting held on the 21 February 2006.

**28330**

Moved Cr Crees sec Cr Wallace

*That the minutes of the meeting held on the 21 February 2006 be confirmed as a true and correct record of proceedings.*

**CARRIED 11/0**

#### 7.0 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

8.0 MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC  
Nil

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

- 9.1 Merredin Regional Community Recreation & Leisure Centre Management Committee meeting held 24 January 2006;
- 9.2 Senior Staff Review Committee meeting held on Tuesday 21 February 2006;
- 9.3 WE-ROC Council meeting held 22 February 2006;
- 9.4 Merredin Heritage Management Committee meeting held on 23 February 2006;
- 9.5 Merredin Regional Community Recreation & Leisure Centre Management Committee meeting held 28 February 2006;
- 9.6 Merredin Regional Community Recreation & Leisure Centre Management Committee Technical Sub Committee meeting held 2 March 2006; and
- 9.7 Business & Community Development Committee meeting held 8 March 2006.

**28331**

Moved Cr Jones sec Cr Simmonds

*That the Merredin Shire Council receive the minutes of the Merredin Regional Community Recreation & Leisure Centre Management Committee meeting held 24 January 2006; Senior Staff Review Committee meeting held on Tuesday 21 February 2006; WE-ROC Council meeting held 22 February 2006; Merredin Heritage Management Committee meeting held on 23 February 2006; Merredin Regional Community Recreation & Leisure Centre Management Committee meeting held 28 February 2006; Merredin Regional Community Recreation & Leisure Centre Management Committee Technical Sub Committee meeting held 2 March 2006; and the Business & Community Development Committee meeting held 8 March 2006.*

**CARRIED 11/0**

The Presiding Member advised Item 9.2 – Senior Staff Review Committee Minutes would be discussed behind closed doors at the end of the meeting see Item 16.1.

9.4 Merredin Heritage Management Committee Meeting

Committee Recommendations:

*That the Merredin Heritage Management Committee recommend to Council that Council source a quote and purchase brick paving based on the most cost effective quote and install brick paving as per Heritage Management Committee's plan of Pioneer Park.*

**28332**

Moved Cr Townrow sec Cr Astbury

*That Council source a quote and purchase brick paving based on the most cost effective quote and install brick paving as per Heritage Management Committee's plan of Pioneer Park.*

**CARRIED 11/0**

Moved Cr G Astbury sec Cr J Townrow

*The Committee recommend to Council to purchase from the Heritage Management Committee budget a 2 plate bricked in BBQ to be installed in Pioneer Park at the cost of \$5442.95 and investigate installation and brickwork as a project for the Prisoner Work Camp.*

**28333**

Moved Cr Townrow sec Cr Astbury

*That Council purchase from the Heritage Management Committee budget a 2 plate bricked in BBQ to be installed in Pioneer Park at the cost of \$5442.95 and investigate installation and brickwork as a project for the Prisoner Work Camp.*

**CARRIED 11/0**

9.5 Merredin Regional Community Recreation & Leisure Centre Management Committee

Moved Cr Crees sec Cr Wallace

*That the Committee support the development of a 200m x 12m bitumen running track at the Recreation Ground with location subject to the Ground Development Master Plan.*

**28334**

Moved Cr Townrow sec Cr Astbury

*That the Council support the development of a 200m x 12m bitumen running track at the Recreation Ground with location subject to the Ground Development Master Plan.*

**CARRIED 11/0**

Moved Cr M Crees sec Cr M Morris

*That the Merredin Regional Community Recreation & Leisure Centre Management Committee recommend Council commence advertising for Recreation Centre Manager package designed to attract a Recreation Centre Manager with the appropriate skills.*

**28335**

Moved Cr Crees sec Cr Wallace

*That Council commence advertising for Recreation Centre Manager package designed to attract a Recreation Centre Manager with the appropriate skills.*

**CARRIED 11/0**

9.6 Merredin Regional Community Recreation and Leisure Centre Technical Sub Committee

*Confirmation of Minutes of the Merredin Regional Community Recreation and Leisure Centre – Technical Sub Committee meeting held on the 2 March 2006.*

**28336**

Moved Cr Crees sec Cr Jones

*Confirmation of Minutes of the Merredin Regional Community Recreation and Leisure Centre – Technical Sub Committee meeting held on the 2 March 2006.*

**CARRIED 11/0**

9.7 Business & Community Development Committee

Item 7.1 Aline East – Water Consumption

Moved Cr Morris sec Cr N Hooper

*That the Business and Community Development Committee recommend that Council contact Nathan Hurst, Lecturer with Monash University to ascertain information on Solar Oasis concepts.*

**28337**

Moved Cr Morris sec Cr Townrow

*That Council contact Nathan Hurst, Lecturer with Monash University to ascertain information on Solar Oasis concepts.*

**CARRIED 11/0**



Item 7.2 – East Barrack Street Development

Moved Cr N Hooper sec Cr Jones

*That the Business and Community Development Committee recommend to Council that Staff develop a proforma to capture Expressions of Interest for Carrington Way and East Barrack Street subdivisions.*

**28338**

Moved Cr Jones sec Cr Astbury

*That Council Staff develop a proforma to capture Expressions of Interest for Carrington Way and East Barrack Street subdivisions.*

**CARRIED 11/0**

Item 7.4 - Whitfield Way

Moved Cr Jones sec Cr Morris

*That the Business and Community Development Committee recommend to Council that Staff attain valuations for serviced blocks at Whitfield Way immediately.*

**28339**

Moved Cr N Hooper sec Cr Jones

*That Council Staff attain valuations for serviced blocks at Whitfield Way immediately.*

**CARRIED 11/0**

Moved Cr N Hooper sec Cr Morris

*That the Business and Community Development Committee recommend to Council that Staff prepare a marketing plan for Whitfield Way.*

**28340**

Moved Cr Jones sec Cr Morris

*That Council Staff prepare a marketing plan for Whitfield Way.*

**CARRIED 11/0**

Moved Cr Morris sec Cr N Hooper

*That the Business and Community Development Committee recommend that Council sell blocks in Whitfield Way by private treaty once valuations are determined.*

Moved Cr Morris sec Cr Jones

*That Council sell blocks in Whitfield Way by private treaty once valuations are determined.*

**LOST 5/6**

REASON: The Marketing Plan will consider the different land selling options.

Item 7.5 - Merredin Shire Land & Property Information

Moved Cr Jones sec Cr Townrow

*That the Business and Community Development Committee recommend that Council ascertain services to all Shire owned vacant blocks.*

**28341**

Moved Cr Townrow sec Cr Astbury

*That Council ascertain services to all Shire owned vacant blocks.*

**CARRIED 11/0**

Moved Cr Morris sec Cr Townrow

*That the Business and Community Development Committee recommend that Council develop a report of blocks that would be immediately available for sale.*

**28342**

Moved Cr Townrow sec Cr Astbury

*That Council develop a report of blocks that would be immediately available for sale.*

**CARRIED 11/0**

Item 7.6 -Accommodation and land zoning and availability

Moved Cr Morris sec Cr Townrow

*That the Business and Community Development Committee recommend that Council work with Tourism WA to identify land which addresses the criteria in the 'Designation of Land for Tourism Purposes' submission to Local Planning Strategy document by Pam Masters.*

**28343**

Moved Cr Townrow sec Cr Morris

*That Council work with Tourism WA to identify land which addresses the criteria in the 'Designation of Land for Tourism Purposes' submission to Local Planning Strategy document by Pam Masters.*

**CARRIED 9/2**

Item 15.1 Item brought forward for Council decision.

MDS W Bow entered the meeting at 1.43pm.

Cr Jones declared an Impartiality Interest in Item 15.1

Cr Crees declared an Impartiality Interest in Item 15.1

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15.1 **EXPRESSION OF INTEREST 16 – 05/6 – BUILDING FORMERLY KNOWN AND OPERATED AS THE THROSSELL ROAD PRE-PRIMARY SCHOOL AT LOT 461 ON RESERVE 22564, THROSSELL ROAD, MERREDIN**

**Reporting Department:** Development Services

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

**Legislation:** Local Government Act 1995, Health (Public Buildings) Regulations 1992, Land Administration Act 1997

**File Number:** CP/07/07; R/22564; CP/07/07

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**Background:**

At its January 2006 Ordinary meeting Council resolved (**CMRef 28271**) to call for expressions of interest for the use, demolition or removal of the building formerly known and operated as the Throssell Road Pre-Primary School at Lot 461 on Reserve 22564, Throssell Road, Merredin.

Submissions were received from the Merredin Playgroup Inc and the Merredin Fine Arts Society. These can be seen as **Attachments 15.1A and 15.1B**.

**Legal Implications:**

Section 3.58 of the Local Government Act 1995 prescribes the way in which local government property must be disposed of. Disposal includes by way of sale or lease.

Section 30 of the Local Government (Functions and General) Regulations 1996 details exemptions to the abovementioned section of the Act. This includes where land is disposed of to an organisation of a charitable, education or cultural nature.

A change in use of the reserve may require changes to the management order for the reserve incorporating approval to lease; such would need to be approved by the Department of Planning and Infrastructure Land Asset Management Services.

Council purchase of the reserve must also go through a formal process

Any private development of the property must comply with the Shire of Merredin Town Planning Scheme No.1 for Public Purpose Reserve land.

Any future use of the building must comply with the provisions of the Health (Public Buildings) Regulations 1992.

**Budget Implications:**

*The building on the property is valued at \$105,000. The land (1731m<sup>2</sup>) could be valued between \$12,500 and \$17,500 if purchased freehold by Council.*

*Council allocated \$945.00 in its 2005/2006 budget for maintenance, insurance and a termite inspection. Previously all major maintenance at the property was undertaken by the Department of Housing and Works.*

*The Department of Education previously paid rental of \$670.00 per year.*

*Estimates provided by Council's Building Project Manager indicate that over \$30,000 in improvements would need to be made if the building was to be re-occupied. The amount of expenditure will be determined by the future use of the building. The works include reconstruction of roof, replacement of glass panels with safety glass, replacement of roof plumbing and construction of an access ramp for persons with disability.*

*The operation of the building as a "public building" would require the expenditure of sufficient funds to achieve statutory compliance with the Health (Public Buildings) Regulations 1992. This would include items such as electrical compliance, emergency lighting, exit signage and exit doors. Estimates for this work are up to \$10,000.*

**Comment:**

Subsequent to the submissions, the following options and comments are presented for Council's consideration –

- 1) Demolition of building at Lot 461 Throssell Rd, Merredin; freehold purchase of Reserve 22564 and construction, at later date, of Shire dwelling(s). Estimated cost, without dwelling construction \$24,500.

If Council were to purchase Lot 461 Throssell Road, Merredin freehold it is possible that up to three grouped dwellings could be constructed subsequent to the demolition of the existing building.

- 2) Lease building to Merredin Fine Arts Society. Council undertake building upgrade. Estimated cost \$35,000 plus nominal \$2,000 per annum for minor building maintenance, insurance, fire service inspections, water consumption and termite inspection. Income \$500.00 per annum.

It is felt that use of the building by the Merredin Fine Arts Society only on a once per week basis, to the exclusion of others, may not be the optimum use of Council's asset; especially when considering that on-going maintenance and associated costs will remain relatively constant.

- 3) Lease building to Merredin Playgroup Inc. Council undertake building upgrade. Estimated cost \$35,000 plus nominal \$2,000 per annum for minor building maintenance, insurance, fire service inspections, water consumption and termite inspection. Income \$2,000 per annum.

In considering the proposal from the Merredin Playgroup Inc. Council should have regard to the overall centralisation of services strategy upon which the construction of the Merredin Regional Community and Leisure Centre is aligned.

The existing facilities within the building are ideally suited for a playgroup (kitchen facilities, vinyl flooring, children's ablutions, air conditioning). The large front yard of the property allows for the relocation of existing Merredin Playgroup-owned play equipment and provides a secure and easily supervised play area.

The relocation of the Merredin Playgroup Inc from the former Lutheran Church provides Council with the opportunity to accommodate a developing community organisation in a more suitable facility; thereby removing it from an ultimately unsuitable and ill-equipped building.

A standard, though draft, list of lessee and lessor responsibilities that are included into lease agreements between the Shire of Merredin and tenant can be seen as **Attachments 15.1C and 15.1D**.

Officer's Recommendation:

- 1) *That Council accept no submission in relation to Expression of Interest 16 – 05/06 for the use, demolition or removal of the building formerly known and operated as the Throssell Road Pre-Primary School at Lot 461 on Reserve 22564, Throssell Road, Merredin.*
- 2) *That Council offer the use of the property at Lot 461 on Reserve 22564, Throssell Road, Merredin via lease agreement to the Merredin Playgroup Inc, subject to the following conditions –*
  - a) *Merredin Playgroup Inc. undertaking repairs to the roof structure of the building to the satisfaction of the Chief Executive Officer within 24 months of occupation, with any damage arising from the existing condition of the roof structure of the building to remain the responsibility of the Merredin Playgroup Inc.;*

- b) *Merredin Playgroup Inc. undertaking the construction of an access ramp complying with Australian Standard 1428.1 to the satisfaction of the Chief Executive Officer;*
- c) *Merredin Playgroup Inc. being responsible for compliance with the Health (Public Buildings) Regulations 1992, prior to occupation of the building to the satisfaction of the Chief Executive Officer;*
- d) *Annual rental of the building to be fixed at \$520.00 for the duration of the lease;*
- e) *Lease agreement to include “lessee’s” and “lessor’s” responsibility as per standard Shire of Merredin documentation and determined by the Chief Executive Officer;*
- f) *An minimum allocation of \$1500 be made as part of Council’s annual budget to cover building insurance, water rates, fire service inspections, termite inspection and minor building maintenance items at the property for the duration of the lease;*
- g) *Lease agreement being valid for a five year period with a further five year option; and*
- h) *A one-off allocation of \$5,000 be made in Council’s 2006/2007 budget for “in-kind” contributions to the capital upgrade works as mentioned in a), b), and/or c) above.*

**28344**

Moved Cr Townrow sec Cr Morley

*That Council accept no submission in relation to Expression of Interest 16 – 05/06 for the use, demolition or removal of the building formerly known and operated as the Throssell Road Pre-Primary School at Lot 461 on Reserve 22564, Throssell Road, Merredin.*

**CARRIED 11/0**

Moved Cr N Hooper sec Cr Crees

*That Council offer the use of the property at Lot 461 on Reserve 22564, Throssell Road, Merredin via lease agreement to the Merredin Playgroup Inc, subject to the following conditions –*

- a) *Merredin Playgroup Inc. undertaking repairs to the roof structure of the building to the satisfaction of the Chief Executive Officer within 24 months of occupation, with any damage arising from the existing condition of the roof structure of the building to remain the responsibility of the Merredin Playgroup Inc.;*
- b) *Merredin Playgroup Inc. undertaking the construction of an access ramp complying with Australian Standard 1428.1 to the satisfaction of the Chief Executive Officer;*

- c) *Merredin Playgroup Inc. being responsible for compliance with the Health (Public Buildings) Regulations 1992, prior to occupation of the building to the satisfaction of the Chief Executive Officer;*
- d) *Annual rental of the building to be fixed at \$520.00 for the duration of the lease;*
- e) *Lease agreement to include “lessee’s” and “lessor’s” responsibility as per standard Shire of Merredin documentation and determined by the Chief Executive Officer;*
- f) *An minimum allocation of \$1500 be made as part of Council’s annual budget to cover building insurance, water rates, fire service inspections, termite inspection and minor building maintenance items at the property for the duration of the lease;*
- g) *Lease agreement being valid for a five year period with a further five year option; and*
- h) *A one-off allocation of \$5,000 be made in Council’s 2006/2007 budget for “in-kind” contributions to the capital upgrade works as mentioned in a), b), and/or c) above.*
- i) *Safety glass to be installed where appropriate.*

LOST 5/6

Moved Cr Simmonds sec Cr Morris

*That Council offer the use of the property at Lot 461 on Reserve 22564, Throssell Road, Merredin via lease agreement to the Merredin Playgroup Inc, subject to the following conditions –*

- a) *Merredin Playgroup Inc. undertaking the construction of an access ramp complying with Australian Standard 1428.1 to the satisfaction of the Chief Executive Officer;*
- b) *Merredin Playgroup Inc. being responsible for compliance with the Health (Public Buildings) Regulations 1992, prior to occupation of the building to the satisfaction of the Chief Executive Officer;*
- c) *Annual rental of the building to be fixed at \$520.00 for the duration of the lease;*
- d) *Lease agreement to include “lessee’s” and “lessor’s” responsibility as per standard Shire of Merredin documentation and determined by the Chief Executive Officer;*
- e) *An minimum allocation of \$1500 be made as part of Council’s annual budget to cover building insurance, water rates, fire service inspections, termite inspection and minor building maintenance items at the property for the duration of the lease;*
- f) *Lease agreement being valid for a five year period with a further five year option; and*
- g) *Safety glass to be installed where appropriate.*

**AMENDMENT****28345**

Moved Cr Wallace sec Cr Crees

*That the following Clause be inserted into the motion:**“That Council facilitate the repair of the roof and that be paid back by the way of rent”.***CARRIED 7/4****The amendment became part of the motion.**

Moved Cr Wallace sec Cr Crees

*That Council offer the use of the property at Lot 461 on Reserve 22564, Throssell Road, Merredin via lease agreement to the Merredin Playgroup Inc, subject to the following conditions –*

- a) That Council facilitate the repair of the roof and that be paid back by the way of rent.*
- b) Merredin Playgroup Inc. undertaking the construction of an access ramp complying with Australian Standard 1428.1 to the satisfaction of the Chief Executive Officer;*
- c) Merredin Playgroup Inc. being responsible for compliance with the Health (Public Buildings) Regulations 1992, prior to occupation of the building to the satisfaction of the Chief Executive Officer;*
- d) Annual rental of the building to be fixed at \$520.00 for the duration of the lease;*
- e) Lease agreement to include “lessee’s” and “lessor’s” responsibility as per standard Shire of Merredin documentation and determined by the Chief Executive Officer;*
- f) An minimum allocation of \$1500 be made as part of Council’s annual budget to cover building insurance, water rates, fire service inspections, termite inspection and minor building maintenance items at the property for the duration of the lease;*
- g) Lease agreement being valid for a five year period with a further five year option; and*
- h) Safety glass to be installed where appropriate.*



**AMENDMENT**

Moved Cr Jones sec Cr Townrow

*That the following clause replace Clause (a) in the motion:*

*“That Council facilitate repairs of the roof and that funding for the replacement of the roof be in accordance with Item 3 of the original submission of Playgroup”.*

**CARRIED 9/2**

**The amendment became part of the motion.**

**28346**

Moved Cr Jones sec Cr Townrow

*That Council offer the use of the property at Lot 461 on Reserve 22564, Throssell Road, Merredin via lease agreement to the Merredin Playgroup Inc, subject to the following conditions –*

- a) That Council facilitate repairs of the roof and that funding for the replacement of the roof be in accordance with Item 3 of the original submission of Playgroup.*
- b) Merredin Playgroup Inc. undertaking the construction of an access ramp complying with Australian Standard 1428.1 to the satisfaction of the Chief Executive Officer;*
- c) Merredin Playgroup Inc. being responsible for compliance with the Health (Public Buildings) Regulations 1992, prior to occupation of the building to the satisfaction of the Chief Executive Officer;*
- d) Annual rental of the building to be fixed at \$520.00 for the duration of the lease;*
- e) Lease agreement to include “lessee’s” and “lessor’s” responsibility as per standard Shire of Merredin documentation and determined by the Chief Executive Officer;*
- f) An minimum allocation of \$1500 be made as part of Council’s annual budget to cover building insurance, water rates, fire service inspections, termite inspection and minor building maintenance items at the property for the duration of the lease;*
- g) Lease agreement being valid for a five year period with a further five year option; and*
- h) Safety glass to be installed where appropriate.*

**CARRIED 9/2**

DCEO J McGovern departed the meeting at 2.31pm

MDS W Bow departed the meeting at 2.32pm

Kristina Haggerty, Narelle Gardiner, Tara Taylor, Carla Hazelgrave, Tanya Lane, Natasha Caplan, Vanessa Morris, Tracey Sutherland, Rachael Nazzari, Di Pringle and Terri Rogers departed the meeting at 2.32pm.

DCEO J McGovern entered the meeting at 2.33pm

W Bow entered the meeting at 2.40pm

Mr David Mallory departed the meeting at 2.40pm.

11.0 HEALTH, BUILDING, ENVIRONMENTAL SERVICES & TOWN PLANNING

Cr Astbury declared an Impartiality Interest in Item 11.1

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11.1 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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**Background**

At Council's 21 February 2006 meeting a letter dated 13 February 2006 from the Merredin Fire and Rescue Service was tabled at the meeting.  
**(Attachment 11.1A).**

Council resolved (CMRef 28321) to host a meeting with Emergency Service Groups to discuss their long term futures. Council determined to undertake this meeting at 6.00pm on Tuesday 21 March 2006. An invitation was sent to these groups on 9 March 2006.

I also wish to bring to Council's attention that at Council's 17 January 2006 meeting Council was asked to consider an application for planning consent on behalf of FESA regarding the construction of a new Fire and Emergency Services Volunteer Station at Lots 108 and 109 Mitchell Street, Merredin. Council determined (CMRef 28273) to lay the matter on the table so that a report could be prepared on discussions between Council representatives and Council Ministers

I am aware that application has been received requesting the amalgamation of Lots 108 and 109 Mitchell Street, Merredin.

**CEO Comment:**

The purpose of this item is to alert Council to the meeting that has been arranged with the emergency service groups and to allow Council an opportunity to discuss this matter.

**Staff Recommendation**

*That Council discuss the issue of the co-location of emergency services in Merredin.*

**28347**

Moved Cr Crees sec Cr Townrow

*That Council discuss the issue of the co-location of emergency services in Merredin.*

**CARRIED 11/0**

CEO Frank Ludovico and DCEO James McGovern both declared a Proximity Interest in Item 11.2.

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**11.2 CARRINGTON WAY SUBDIVISION – LOT 301 AND PT LOT 504 CUMMINGS CRESCENT MERREDIN.**

**Reporting Department:** Administration  
**Reporting Officer:** Colin Connor – Whelans and Frank Ludovico, CEO  
**Legislation:** Local Government Act 1995  
**File Number:**

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**Background**

Lots 301 and Pt Lot 504 Cummings Crescent are freehold lots owned by the Shire of Merredin with a combined area of 4.1088 hectares. They represent the balance of land holdings after creation of adjacent residential lots along Cummings Crescent and Dobson Avenue.

The Western Australian Planning Commission has approved a subdivision of Lots 301 and Pt Lot 504 into 21 lots ranging in area from 881m<sup>2</sup> to 1,221m<sup>2</sup> with a public open space (POS) area of 6,867m<sup>2</sup>.

A copy of the current subdivision plan is located in **Attachment 11.2A.**

The subdivision, however, is due to expire on 16 July 2006, and there is a need to reapply for approval.

With this in mind Council reviewed subdivisional plan at its 21 February 2006 meeting and decided to increase the number of lots, reduce the public open space area (CMRef 28292) and remove stage 3D from the subdivision. (CMRef 28293).

Whelans have prepared a new plan for the subdivision which is attached as **Attachment 11.2B.**

**Legal Implications**

Council is required to administer and abide by the Town Planning and Development Act 1928 and Shire of Merredin Town Planning Scheme No. 1 in the new subdivision design

The Shire of Merredin will be required to make a recommendation on any subdivision proposal for Lots 301 and Pt Lot 504 to the Western Australian Planning Commission (WAPC).

### **Budget Implications**

Consultancy fees of \$1,500 are payable for preparation of a new subdivision application for Lots 301 and Pt Lot 504. Subdivision application fees of \$540 are payable to the WAPC.

David Wills and Associates have quoted a fee of \$2,100 + GST to revise the development cost estimates,

### **Comments**

The new subdivision design proposes the creation of 29 lots ranging in area from 713m<sup>2</sup> to 1,223m<sup>2</sup>, eight more than in the current subdivision plan.

The major differences between the two plans are:

- Incorporating Lot 30 Dobson Avenue into the subdivision (previously not part of the subdivision);
- Reducing the Public Open Space (POS);
- Creation of four (4) lots in a portion of the old POS area; and
- Previous lots 2 – 9 (8 lots) have been reduced in size to create 12 lots (2 – 13).

The POS area has been substantially reduced to an area of 2297 m<sup>2</sup> compared to 6,867m<sup>2</sup> in the current subdivision plan. Under WAPC Policy, 10 percent of the gross subdividable area (about 4,200m<sup>2</sup>) is required as set aside for POS, however, the WAPC can consider smaller land contributions with a balance cash in lieu contribution for improvement POS in the local area. Ultimately, the WAPC will have the final say on whether they accept the POS and cash in lieu contribution.

The local area has sufficient POS, however, it is in need of improvement and any cash in lieu could be used to improve local POS. Accordingly, a reduced physical land contribution will be requested to the Western Australian Planning Commission with the balance in cash in lieu.

As discussed, additional lots should improve the potential financial returns should the subdivision proceed.

In view of the above, it is considered appropriate to adopt the new subdivision plan and authorise Whelans to lodge an application with the WAPC.

## Other Recommendations

*That the Merredin Shire Council:*

- i) Authorise Whelans (WA) Pty Ltd to make an application to the Western Australian Planning Commission for the new subdivision design.*
- ii) subject to approval of the Western Australian Planning Commission to the new subdivision application, authorise David Wills and Associates to prepare revised development costs for the subdivision.*
- iii) Adopt the plan shown as Attachment 11.2B.*

**28348**

Moved Cr Marley sec Cr Townrow

*That the Merredin Shire Council:*

- i) Authorise Whelans (WA) Pty Ltd to make an application to the Western Australian Planning Commission for the new subdivision design.*
- ii) Authorise David Wills and Associates to prepare revised development costs for the subdivision.*
- iii) Adopt the plan shown as Attachment 11.2B.*

**CARRIED 10/1**

MDS W Bow departed the meeting at 2.55pm.

MDS W Bow entered the meeting at 2.56pm.

Judy Kendrick-Currell departed the meeting at 3.01pm.

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### 11.3 **SHIRE OF MERREDIN - LOCAL PLANNING STRATEGY**

|                              |   |
|------------------------------|---|
| <b>Reporting Department:</b> | Administration                                |
| <b>Reporting Officer:</b>    | Colin Connor (Whelans) and CEO Frank Ludovico |
| <b>Legislation:</b>          | Local Government Act 1995                     |
| <b>File Number:</b>          |   |

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#### **Background**

Whelans Town Planning Consultants on behalf of the Shire of Merredin have prepared the '*Draft Shire of Merredin Local Planning Strategy*' (Draft LPS).

An LPS is a town planning document that:

- sets out the long term planning direction for the local government
- applies state and regional planning policy
- provides the rationale for zones and other provisions of the town planning scheme.

The Merredin Shire Council adopted the Draft LPS at its meeting of 21 September 2004, and forwarded to the Western Australian Planning Commission (WAPC) for certification (consent) to advertise.

A copy of the minutes of the Council meeting of September 2004 (CMRef 27628) is in **Attachment 11.3A**.

The WAPC considered the Draft LPS, and in its decision letter of 14 July 2005 certified the Draft LPS for advertising subject to modifications and consideration of further issues during the advertising period.

A copy of the WAPC decision letter of 14 July 2005 is in **Attachment 11.3B**.

In order to expedite the Draft LPS, the Department for Planning and Infrastructure (DPI) agreed that issues to be addressed during advertising could also be addressed 'upfront' before advertising along with the required modifications.

The DPI have agreed to the following generally described modifications to satisfy the requirements of the WAPC advice of 14 July 2005:

- Section 2.3 is included to discuss WAPC Policy SPP No. 3 - Urban Growth and Settlement, and additions to Section 4.2 to address SPP No. 3 requirements for Rural Residential development.
- Section 4.1 has been updated with recent DPI population projections which indicate a rise in population of 1000 to 2021.
- Section 4.2.2.2 on Sewer, has been updated to clarify sewer provision in the Merredin town site.
- Section 4.2.2.6 has been include to discuss the 'super school' initiative of the Wheatbelt Development Commission and aims, strategies and actions have been included in Section 6.4 to support the initiative.
- Section 4.4.1 has been modified to discuss the Shire of Merredin's Natural Resource Management Priorities and Strategic Plan and the Townsite Salinity Management Strategy, and aims, strategies and actions have been included in Section 6.2 to support these initiatives.
- Section 4.2.1 and 6.4 have been modified to discuss and provide for homestead lots in the Shire subject to proximity to the townsite and or commercial and community service.
- Section 4.1.2 has been modified to retain the R30/R50 split coding.

Other format and grammatical changes to the Draft LPS have been made for clarity.

Section 6.4 has been update to include aims, strategies and actions for the Hines Hill, Nangeenan and Muntadgin townsites. In short, a mixed-use zone is proposed for these townsites.

A copy of the Draft LPS as modified by the WAPC decision letter of 14 July 2005 and as agreed to by the DPI is in **Attachment 11.3C. (The amendments to the previously agreed document are identified by a notation in the margin).**

### **Legal Implications**

Council is required to administer and abide by the following town planning legislation: *Town Planning and Development Act 1928 (as amended) and the Town Planning Regulations 1967 (as amended)*

### **Budget Implications**

Consultant's fees payable for further negotiation, administration and documentation tasks associated with processing of the Draft LPS



### **Comment**

Generally, the modifications and additions to the Draft LPS required under WAPC decision letter of 14 July 2005, are to address new WAPC policy, include updated statistical information and to further clarify developmental issues and requirements.

There are no major rejections to the proposals of the Draft LPS as adopted by the Merredin Shire Council on 21 September 2004, with the exceptions that homestead lots in the General Farming are now to be considered, and the R30/50 split Residential Design Code for medium density residential areas under Scheme No. 1, is to be retained.

Under the *Town Planning Regulations 1967* Section 12B local governments are required to advertise an LPS in the following manner:

- publish a notice of the Draft LPS in a newspaper circulated in the scheme area for 2 consecutive weeks inviting submissions for a period not less than 21 days from the date of the notice.
- forward a copy of the LPS to person or public authorities which in the opinion of the local government have a direct interest in the LPS for consideration and advise for a period not less than 21 days.
- carry out other steps and consultation as the local government considers appropriate.

The WAPC decision letter of 14 July 2005 requires 14 public authorities be notified of the LPS.

Although a minimum advertising period of 21 days applies, it is considered appropriate to allow for 42 days period so that the community and public authorities have sufficient time to consider and make submission on the Draft LPS.

Once advertising is complete the Draft LPS will need to be re considered by the Council in the light of any submissions and either adopted with or without modifications and submitted to the Commission for endorsement.

In conclusion, the WAPC changes do not alter the major proposals of the Draft LPS as consider by the Council in September 2004. Accordingly, it is recommended that the Draft LPS as modified be advertised in accordance with the requirements of the Section 12B of the *Town Planning Regulations 1967*, subject to a 42 days advertising period.

## Officer's Recommendation

*That Merredin Shire Council:*

- i) *adopt the Draft LPS as modified by the WAPC decision letter of 14 July 2005 and as agreed to by the DPI, and advertise the Draft LPS in accordance with Section 12B of the Town Planning Regulations 1967 subject to a 42 days advertising period.*
- ii) *advise The Western Australian Planning Commission and the Shire's consultants Whelans (WA) Pty Ltd of the Council's decision.*

**28349**

Moved Cr Townrow sec Cr Marley

*That Merredin Shire Council:*

- i) *adopt the Draft LPS as modified by the WAPC decision letter of 14 July 2005 and as agreed to by the DPI, and advertise the Draft LPS in accordance with Section 12B of the Town Planning Regulations 1967 subject to a 42 days advertising period.*
- ii) *advise The Western Australian Planning Commission and the Shire's consultants Whelans (WA) Pty Ltd of the Council's decision.*

**CARRIED 11/0**

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11.4 **DESIGN AND CONSTRUCTION OF INDOOR SWIMMING POOL AND MERREDIN REGIONAL COMMUNITY AND LEISURE CENTRE**

**Reporting Department:** Development Services  
**Reporting Officer:** Warren Bow, Manager of Development Services  
**Legislation:** Local Government Act  
**File Number:** Tender 14 – 05/06

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**Background:**

At its February 2006 Ordinary meeting Council resolved (CMRef 28301) to delegate authority to the Technical Sub-Committee of the Merredin Regional Community and Leisure Centre Committee to determine the supply of goods and services for the design and construction of the indoor swimming pool at the Merredin Regional Community and Leisure Centre.

The Technical Sub-Committee met on 2 March 2006, with the following resolution passed –

(CMRef 28328) Moved Cr Simmonds sec CEO Frank Ludovico  
*That Council formally engage the services of Shenton Enterprises Pty Ltd/WA Vinyl Systems to design and construct the indoor swimming pool at the Merredin Regional Community and Leisure Centre based on the submitted quote of \$66,092.00 and that staff investigate the additional cost of installing a Wet-Deck and fully tiling the interior of the swimming pool bowl.*

CARRIED 3/0

The minutes of the above mentioned meeting are contained within **Item 9.6** of this agenda.

**Legal Implications:**

Various

**Budget Implications:**

As part of the overall budget for the Merredin Regional Community and Leisure Centre \$80,000 was allocated for the design and construction of an indoor swimming pool.

The specification for the indoor pool did not include items such as pool concourse finish, plant room drainage, pool surrounds drainage, filter wash down area and industrial waste water disposal facility, first aid equipment, dewatering and backfilling, utilities connections and exclusion barriers (AS1926.1) and

equipotential bonding of metallic objects (hand rails, step rails). A provisional sum of \$10,000 has been allowed for these items.

**Comment:**

Information obtained from the preferred contractor subsequent to the Technical Sub-Committee meeting is contained below –

|   |                          |
|---|--------------------------|
| Cost of constructing indoor swimming pool as a “wet deck” | Est. \$59,099 plus GST   |
| Cost of tiled finish for swimming pool shell              | \$8,918 plus GST         |
| <b>TOTAL</b>  | <b>\$68,018 plus GST</b> |

The overall cost for the design and construction of the indoor swimming pool incorporating a “wet deck” and tiled swimming pool finish, save for the items not included in the original specification, is **\$134,110.00 plus GST**

The location and construction of the balance tank, essential to a “wet deck” pool are problematic to both the contractor and Councils’ Building Project Manager; as such an exact final construction figure cannot be determined at this stage.

The construction of “wet deck” swimming pools in public facilities such as leisure and aquatic centres is seen as best practice for functionality, environmental health and aesthetic reasons. However these pool are generally much larger (50m, 25m lap pools), and receive a much greater level of patronage and accordingly bather load.

The three contractors consulted in relation to the indoor swimming pool agree, as does one pool manufacturer consulted independently, that the construction of a swimming pool the size of the one proposed at the Merredin Regional Community and Leisure Centre as a “wet deck” would be not be cost-effective and somewhat of an overkill.

Budgetary constraints and consideration of the additional finishing costs of the indoor swimming pool have lead staff to formulating the recommendation to not construct the indoor swimming pool as a “wet deck”.

**Officer’s Recommendation:**

*That Council contract the services of Shenton Enterprises Pty Ltd/WA Vinyl Systems to design and construct the indoor swimming pool at the Merredin Regional Community and Leisure Centre for the submitted price of \$66,092.00 (plus gst) plus \$8,918.00 (plus gst) for the finishing of the swimming pool shell in approved tiles.*

**28350**

Moved Cr Marley sec Cr Astbury

*That Council contract the services of Shenton Enterprises Pty Ltd/WA Vinyl Systems to design and construct the indoor swimming pool at the Merredin Regional Community and Leisure Centre for the submitted price of \$66,092.00 (plus gst) plus \$8,918.00 (plus gst) for the finishing of the swimming pool shell in approved tiles.*

**CARRIED 10/1**

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## 10.0 ADMINISTRATION, FINANCE & COMMUNITY DEVELOPMENT

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### 10.1 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 March 2006:

#### Merredin Medical Practice

Difficulty has been experienced trying to locate a full time doctor for the Merredin Medical Practice. The situation is critical as we are also unable to find a locum to cover Doctor Freeman for his period of annual leave from the 20 March to the 7 April 2006. We have contracted Doctor Caleb Chow to attend the surgery from 4pm to 8pm on a daily basis for the week 20 March to the 24 March 2006 and the week for 3 April to 7 April, 2006. AMA has been able to provide us with locum cover (international doctor) from 27<sup>th</sup> March to 31<sup>st</sup> March.

#### Merredin Abattoirs

Contacted Greg Goodchild regarding the Abattoirs project and they are still negotiating with major supermarket chain (he will be away over the next fortnight). They are still very committed to Merredin and once details are sorted out they would like to meet with Council.

#### Goomalling-Merredin Road / Goldfields Road intersection

Met with Main Roads WA regarding the Goomalling-Merredin Road and Goldfields Road intersection. A number of options were discussed to deal with the stopping distance between the railway line and the stop sign on Goldfields Road east of the Goomalling – Merredin Road.

Main Roads WA are keen for this intersection to be improved so that Council can deal with the issue of Gamenya Avenue.

I have contacted CBH to ascertain their proposed developments for the CBH Grain receival site so that this can be incorporated into any planning that occurs with this project.

#### Aline East

A meeting has been scheduled on 23 March 2006 to discuss provision of water to phase 2 of the project.

Officer's Recommendation:

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

**28351**

Moved Cr Morris sec Cr Townrow

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

**CARRIED 11/0**

Cr Morris declared an Impartiality Interest in Item 10.2

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**10.2 SMALL TOWN SURVIVAL CONFERENCE – BUILDING A STRONGER WHEATBELT**

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

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**Comment**

On the 19 October 2005 the Small Town Survival Conference was held in York, Western Australia. An outcome of that conference was to conduct subregional workshops in order to continue the momentum in shaping the future of the wheatbelt.

Staff attended the workshop held at Doodlakine on the 20 February 2006. There were four other workshops and attached to this agenda item are the outcomes from those workshops. (**Attachments 10.2A and 10.2B**).

The key actions coming out of those workshops are to host subregional forums that will look at:

- Coordinating community activities in the subregion
- Explore further the scenario planning ideas
- Develop a shared vision for the future
- Identifying communities and regions comparative advantages
- Developing subregional action plans to move the area towards a preferred future.

In respect to Council's Strategic Planning process in early February 2006 Council received a 90 page document from its Strategic Planning Consultant. This document has been reviewed by senior staff who have been reorganising the contents into a more manageable form. It is hoped that a draft can be presented to Council at its April 2006 meeting. Some of the issues contained in the "Building a Stronger Wheatbelt" forums are contained within Council's draft Strategic Plan, ie developing strong regional centres and forging links with smaller communities to ensure their survival.

The purpose of this item therefore is to provide Council with an update of this major initiative being undertaken by the Wheatbelt Area Consultative Committee and to receive any feedback that Council may have in respect to issues arising from their forums.



Officer's Recommendation:

*That Council receive the report on the Wheatbelt Area Consultative Committee "Building a Stronger Wheatbelt" forum.*

**28352**

Moved Cr Wallace sec Cr Astbury

*That Council receive the report on the Wheatbelt Area Consultative Committee "Building a Stronger Wheatbelt" forum.*

**CARRIED 11/0**

MDS W Bow and DCEO J McGovern departed the meeting at 3.16pm

DCEO James McGovern entered the meeting at 3.21pm

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### **10.3 APPOINTMENT OF COMMITTEE MEMBERS – APPOINTMENT OF COUNCILLOR DAVID MORLEY**

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

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#### **Background**

On 5 October 2005 Councillor Rob Endersbee resigned from the Shire of Merredin. The subsequent vacancy was filled by Councillor David Morley who was elected to Council on Tuesday 21 February, 2006.

Under Section 5.10 (2) of the Local Government Act at any given time each Council member is entitled to be a member of at least one committee (made up of Councillors only and Council members and employees only) and if a Council member nominates himself to be a member of such a committee the Local Government is to include the Council member in the persons appointed to those committees.

Councillor Morley therefore needs to be given the opportunity to exercise this right.

#### **CEO Comment**

Attached to this agenda item is a list of committees and their membership which Council appointed at its Special meeting on the 17 May 2005 (CM Ref 27905) **(See Attachment 10.3A)**

It may be appropriate simply to substitute Councillor Morley for Councillor Endersbee on those committee memberships. However Councillor Morley is entitled to nominate for at least one committee of his choice.

Staff Recommendation:

*That Council appoint Councillor David Morley to the following committees:*

*Council Committees*

*Engineering Services Committee*

*Merredin Medical Centre Board*

*General Community*

*Merredin Museum and Historical Society*

*ABSOLUTE MAJORITY Required*

It was noted that Cr Wallace had been absent during the Special Meeting held on the 17 May 2005 and wished to exercise his right in respect to committee appointments.

**28353**

Moved Cr Wallace sec Cr Morris

**That Council make the following appointments:**

*Cr D Morley as a member/delegate to the following committees:*

*Engineering Services Committee  
Merredin Medical Centre Board  
Merredin Heritage Management Committee  
Merredin Museum and Historical Society.*

*Cr W Wallace as a member/delegate to the following committees:*

*Engineering Services Committee  
Merredin Sports Council  
Rural Water Council*

*Cr M Crees as a member/delegate to the following committees:*

*Rural Water Council*

*Cr D Morley as a Deputy to the following committees:*

*Community, Health, Building, Town Planning and Environmental Services Committee;  
Administration and Finance Committee;  
Audit Committee;  
Senior Staff Review Committee;  
Merredin Bushfire Advisory Committee  
Eric Hind Musical Scholarship Committee  
Merredin Regional Community and Leisure Centre Committee  
Business and Community Development Committee.*

**CARRIED 11/0  
ABSOLUTE MAJORITY**

REASON: Additional appointments were required to be made.

**10.4 DAYLIGHT SAVING**

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

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**Background**

Attached to this agenda item is a report from the Western Australian Local Government Association regarding Daylight Saving.  
**(See attachment 10.4A).**

The purpose of the report is to ascertain feedback from the Local Governments so that WALGA can develop a Local Government policy position in relation to the issue.

**CEO Comment**

Council need to identify whether they support the introduction of daylight saving in Western Australia or not and provide the necessary reasons to support that view.

It is interesting to note three referendums have been held in Western Australia over the issue since 1975 with all three being rejected. This may provide a clear view to government on the issue.

My recommendation opposing daylight saving is based upon the results of the previously held referendums. However Council may have an opposing view that it may wish to communicate to WALGA.

**Staff Recommendation**

*That Council is opposed to the introduction of daylight saving time on the basis that three referendums in the last 30 years have not supported the introduction of daylight saving and this clearly indicates the will of the majority of Western Australians.*

Moved Cr Crees sec Cr Morley

*That Council is opposed to the introduction of daylight saving time on the basis that three referendums in the last 30 years have not supported the introduction of daylight saving and this clearly indicates the will of the majority of Western Australians.*

**LOST 5/6**

**28354** Moved Cr Astbury sec Cr Townrow

That the meeting adjourn for afternoon tea at 3.27pm.

**CARRIED 11/0**

**28355** Moved Cr Townrow sec Cr Astbury

That the meeting reconvene at 3.50pm.

**CARRIED 11/0**

Cr Jones was not present at the reconvened meeting.

Cr Jones entered the meeting at 3.51pm.

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## **10.5 COMPLIANCE AUDIT RETURN FOR LOCAL GOVERNMENTS**

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

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### **Background**

The 2005 Local Government Compliance Audit Return for the Shire of Merredin is attached. (**Attachment 10.5A**).

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

### **Statutory implications:**

Clause 14 and 15 of the Local Government (Audit) Regulations 1996 indicate that a Local Government is to carry out a compliance audit for the period 1<sup>st</sup> January to 31<sup>st</sup> 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<sup>st</sup> January 2005 to 31<sup>st</sup> December 2005.

I wish to advise Council that there are some issues identified regarding non – compliance. These are identified within the document in the Thoroughfares, Tenders, meeting Process, Delegation of Power, Finance, Elections, Employees.

I believe they are all relatively minor and staff have taken corrective measures to ensure future compliance.

### **Recommendation**

*That Council adopt the 2005 Local Government Compliance Audit Return for the Shire of Merredin and submit the certified copy to the Director General Department of Local Government and Regional Development.*

**28356**

Moved Cr Townrow sec Cr Crees

*That Council adopt the 2005 Local Government Compliance Audit Return for the Shire of Merredin and submit the certified copy to the Director General Department of Local Government and Regional Development.*

**CARRIED 11/0**

CEO F Ludovico departed the meeting at 3.50pm.

CEO F Ludovico entered the meeting at 3.51pm.

MW J Garrett entered the meeting at 4.52pm.

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**10.6 BETTER BEGINNINGS – A STATE WIDE FAMILY LITERACY PROGRAM**

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

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**Background**

The Department of Culture and The Arts has written to Council inviting us to participate in a Better Beginnings Program. Essentially the program is designed to improve literacy and involves giving a gift of a Better Beginnings toolkit with a free book and guidance materials for parents on developing their baby's early literacy.

The State Government and Rio Tinto WA committed over one million to the program for the next three (3) years. The Department of Culture and Arts requests Council to provide \$400 per annum for the purchase of a gift book to provide to each of the approximate fifty (50) babies expected to be born in Merredin in 2006/2007. Attached is a detailed outline of the program.

**(See Attachment 10.6A)**

The program seeks to establish partnerships with the Child Health Nurse and local Council Libraries which will attempt to mentor new mothers into the benefits of reading to children and the resources available at the local library to assist in this process.

**Financial Implications**

Funding is not required until the 2006/2007 financial year. The Council will be expected to contribute that value for the next three years.

**CEO Comment**

It is interesting to consider who will be expected to increase their share of funding for the program when the Rio Tinto WA sponsorship ends. It is also interesting to consider whether the Education Ministry should have a greater role in the program considering it is their statutory responsibility to provide education.



However \$400 per annum is a relatively small cost and perhaps other materials describing Council's services and facilities could be incorporated in the package provided to new parents. I expect that the gesture would have a positive public relations effect on the community.

Officer Recommendation

*That Council participate in the "Better Beginnings" program and allocate \$400.00 per annum for the next three financial years commencing the 2006/2007 year.*

**28357**

Moved Cr Wallace sec Cr Morris

*That Council participate in the "Better Beginnings" program and allocate \$400.00 per annum for the next three financial years commencing the 2006/2007 year.*

**CARRIED 8/3**

**10.7 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 10.7A.**

**Visitor Centre Manager's Report**

Visitor Centre Manager's report is at **Attachment 10.7B.**

**Library Managers Report**

Library Manager's report is at **Attachment 10.7C.**

*February Statistics:*

|                            |       |
|----------------------------|-------|
| Issues & renewals          | 2,269 |
| Interlibrary loan requests | 98    |
| OPAC searches              | 1,187 |
| New & reregistered members | 23    |
| Total current members      | 2,181 |

**Cummins Theatre Report**

Theatre Manager's Report is at **Attachment 10.7D**

**Records Management Report**

Statistics (From 16 Feb 2006 – 15 Mar 2006)

**Total Mail In**                   **547**  
Accounts Received               51  
Invoices                           227  
General                           263  
Appreciations                    2  
Complaints                        4  
**Total Mail Out**               **775**

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

Community and Economic Development Officer's report is at **Attachment 10.7E**.

#### **Physical Activity Plan**

In the February 2006 meeting, Council supported Be Active Coordinator Rodney Thornton developing the Physical Activity Plan for the Shire of Merredin (CMRef 28306).

Mr Thornton informs the project will commence with community consultation meetings occurring in Merredin on 10<sup>th</sup>, 12<sup>th</sup> and 18<sup>th</sup> April. This last date coincides with the April Council meeting and it is proposed that a focus group meeting with interested members of Council will be arranged to start at 9.30am for a duration of ½ hour.

Council is informed Holly Carlson will assist Mr Thornton with organisation of community consultation. Holly is presently employed in financial services, but has completed Certificates 3 and 4 in Community Work at West Coast TAFE and wishes to move into a community development role in time.

This is the first of a number of opportunities that may be extended to Ms Carlson via consultation with the Community Development Team with the intention of increasing her skills, knowledge and exposure to practical community development activities whilst providing the Shire with a potential future succession planning option.

#### **Cummins Theatre Manager – Long Service Leave**

Council is informed the Cummins Theatre Manager, Richard Salisbury-Sexton has notified his intention to take 13 weeks long service leave commencing 1 April 2006. Arrangements are under way to engage Mr John Robartson to perform the duties of relieving Theatre Manager during the period of Richard's absence on a part time basis.

Mr Robartson was originally placed at the Theatre under a Work for the Dole program in 2005, showing an interest in continuing his association with the Theatre. The Theatre Manager informs Mr Robartson is a suitable person for the role of Manager and has been involved on a voluntary basis on a number of occasions, assisting with management of Theatre activities.

Mr Robartson will be supervised on a day to day basis by the Deputy Chief Executive Officer. Mr Salisbury-Sexton has volunteered to provide assistance setting up and managing large functions that will be held during his period of leave, to ensure Mr Robartson receives practical training in the next few months.

Administration staff are aware of Council's interest in developing a succession plan for the Theatre Manager's role. With this in mind, CCI Employ Fast has been approached to develop an appropriate traineeship with modules taken from a combination of CY O'Connor TAFE certificate level courses based on event management, meetings and tourism. Should it be possible to pursue a traineeship, a further report will be developed and presented to Council for consideration of Mr Robartson's ongoing employment opportunities and subsequent budget implications.

### **Staff Vacancies and Movements**

Council is informed of a number of current vacancies in the organisation :

- Community and Economic Development Project Officer

Position recently advertised due to poor response to initial advertising period, now closing 24<sup>th</sup> March 2006.

- Natural Resource Management Officer

Similar poor response to initial advertising period, advertised and now closing 24<sup>th</sup> March 2006. Position advertised as either part-time (0.5 FTE) or fulltime in accordance with Council resolution (CMRef 28225).

- Visitor Centre Officer

Decision by Kelly Moore to resign from the Shire required re-advertising to reflect fulltime position, rather than temporary 12 month. Closing 31<sup>st</sup> March 2006.

In addition, Tanya Lee recently informed that she will not exercise her right to request maternity leave, and is resigning from her position with the Shire having permanently relocated to the metropolitan area. We will be making an appointment to this position.

### **Heritage Proposal – Railway Dam**

The Heritage Council wrote to the Shire to inform that Railway Dam is under consideration for entry in the State Register of Heritage Places. The Shire has responded to a request for feedback by informing the dam is an important working water resource, supplying water for townsite reticulation. The Heritage Council responded that one of the categories for valuing heritage sites is to recognise their continuing importance to local communities, and to ensure placement of the Register does not jeopardise the intrinsic day to day importance of a site.

The Shire also requested the heritage listing process take into account the management plan for adjoining Merredin peak, with a copy of the Management Plan sent for their information. This may provide an avenue of funding for infrastructure and equipment associated with visits to the heritage site that impact upon Merredin Peak.

**Interim Audit / Financial Management Review**

UHY Haines Norton will conduct the interim audit on 23<sup>rd</sup> March 2006. They are also engaged to conduct the Shire's Financial Management Review, a requirement under Reg 5.2 (c) of the Local Government (Financial Management) Regulations. The report from this review will be presented to Council in accordance with the Regulations.

**Officer's Recommendation**

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

**28358**

Moved Cr Morris sec Cr Simmonds

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

**CARRIED 11/0**

Sonja Kimbar – Report Wheatbelt Mercury departed the meeting at 4.06pm.

12.0 Engineering Services Items brought forward.

12.0 ENGINEERING SERVICES

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**12.1 MANAGER OF WORKS – MONTHLY REPORT**

**Reporting Department:** Engineering  
**Reporting Officer:** James Garrett, 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

- Road construction of Caughey Road has started with clearing of excess soil from drains and gravel sheeting of road pavement.
- Backfill of kerbing completed at the new cul-de-sac on Bates Street.
- The reconstruction of Bates Street to start on the 20 of March 2006.

Road Maintenance

- Maintenance grading in progress in the Muntadgin area.

Parks And Gardens

- Summer mowing program in progress.
- Spraying of caltrop on footpaths in progress.

Other

Two month trial period for closure of parking access adjacent to Visitor Centre ends 24 March 2006. A report will be prepared for the April 2006 Council meeting.

Water

|             |          |          |                   |
|-------------|----------|----------|-------------------|
| Dam #1      | 85% Full | Capacity | 74,455 kilolitres |
| Dam #2      | 50% Full | Capacity | 71,675 kilolitres |
| Dam #3      | 90% Full | Capacity | 46,000 kilolitres |
| Railway Dam | 95% Full | Capacity | 23,000 kilolitres |

Officer's Recommendation:

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

**28359** Moved Cr Morris sec Cr Morley  
*That the Merredin Shire Council receive the Manager Works report for March 2006.*

**CARRIED 11/0**

**28360** Moved Cr Townrow sec Cr Marley  
*That sandbags be taken out of the exit to the car park adjacent to the Visitor Centre and leave the sandbags in the middle island on Barrack Street for a one month trial period.*

**CARRIED 9/2**

**28361** Moved Cr Jones sec Cr Townrow  
*That the Business and Community Development Committee consider a town centre plan investigating road traffic flow, road safety and townscaping.*

**CARRIED 10/1**

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

Reporting Department: Engineering  
Reporting Officer: Frank Ludovico, Chief Executive Officer  
Legislation: Local Government Act 1995  
File Number:

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**Background**

At Council's 21 February 2006 meeting (CMRef 28312) Council generally supported the design package incorporating the new access to Western Power and Water Corporation Reserve 33860 and Reserve 8228 respectively.

An onsite meeting was held on the 22 February 2006 where the attached plan was developed. **(See Attachment 12.2A)**

**Comment**

Under this proposal a portion of the existing Combes Road will need to be formally closed under Section 3.50 of the Local Government Act.

Additionally the construction of a car park to the east of Pump Station No 4 - Reserve 40494 (Historical Site – Pump Station) should be enlarged to incorporate the new car park. **(See Attachment 12.2B).**

It may be appropriate to seek the sealing of the car park in order to provide an all weather access to the site. This is justified as the existing information infrastructure at the evaporation ponds will need to be removed as the improvements to the Great Eastern Highway and Crooks Road intersection will preclude access to the site. The car park could then be an appropriate setting to relocate this information.

Council should ensure that the new access road to the Western Power (Reserve 36359) site be sealed and at entirely at the cost of the upgrade of the Great Eastern Highway project and then dedicated to the Shire of Merredin.

It is understood from Aline East that work on the new entry road to Western Power is likely to commence in late April early May.



## Staff Recommendation

*That Council support the design package dated 7 March 2006 as shown at Attachment 12.2A on the following conditions:*

- *The new road access to Western Power site Reserve No 33860 be constructed at a cost to the Great Eastern Highway upgrade project.*
- *That the proposed car park be incorporated into Reserve 40495.*
- *That all survey costs and other costs associated with dedicating the new road be borne by the Great Eastern Highway upgrade project.*
- *That once the new road is constructed Council commence formal proceedings to close the northern portion of Combes Road.*
- *That Council seek to seal the proposed car park adjacent to Historic Pump Station No 4.*

**28362**

Moved Cr Morris sec Cr Townrow

*That Council support the design package dated 7 March 2006 as shown at Attachment 12.2A on the following conditions:*

- *The new road access to Western Power site Reserve No 33860 be constructed at a cost to the Great Eastern Highway upgrade project.*
- *That the proposed car park be incorporated into Reserve 40495.*
- *That all survey costs and other costs associated with dedicating the new road be borne by the Great Eastern Highway upgrade project.*
- *That once the new road is constructed Council commence formal proceedings to close the northern portion of Combes Road.*
- *That Council approach Aline East to seal the proposed car park at their cost adjacent to Historic Pump Station No 4.*

**CARRIED 11/0**

**12.3 OUTSIDE WORKS RESTRUCTURE**

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

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**Back Ground**

With the resignation of staff members from the outside staff Council is in the position to review the restructure of the outside workforce as can be seen in **Attachment 12.3A.**

**Financial Implication**

Council's current budget for the purchasing officer is \$39,000.00 per year. A Technical Officer depending on experience would be in the range of \$36,000 to \$41,000 per year.

A Senior Horticulturist depending on experience and qualification would be in the range of \$37,000 to \$41,000 per year.

The position made vacant by the staff member that resigned is budgeted at \$29,500 per year. As this position has been vacant for 12 weeks it should compensate for the higher wage required to fill the Senior Horticulturist position this financial year.

A first year apprentice mechanic wages are \$12,627.88 per year with subsidies of \$3,500 for the first year and \$2,500 at the completion of the apprenticeship.

**Comment**

The resignation of one of the Parks and Gardens staff members has helped in the restructure of this department to create a senior position for a Horticulturist. This position will put in place a person with the necessary qualification to supervise the parks and garden. This could also help with the employment of an apprentice Horticulturist in the future.

Our purchasing officer has resigned so this position has been restructured for a Technical Officer to be employed to help the Manager of Works with collecting of technical data for roads and other projects undertaken by Council. This person will also assist the Project Manager with the construction of the new recreation centre and other building projects.

An Apprentice Mechanic position has been added to be included in the 2006/07 budget to assist the mechanic in the workshop.  
This will free up one of the road crew who currently assist the mechanic.

#### Officers Recommendation

- 1) *That council accepts the new Engineering Staff restructure.*
- 2) *Advertise for and employ a Horticulturist to take on the new position in the restructure.*
- 3) *Advertise for and employ a Technical officer to take on the new position in the restructure.*

#### ABSOLUTE MAJORITY REQUIRED

**28363** Moved Cr Jones sec Cr Morris

- 1) *That council accepts the new Engineering Staff restructure.*
- 2) *Advertise for and employ a Horticulturist to take on the new position in the restructure.*
- 3) *Advertise for and employ a Technical officer to take on the new position in the restructure.*

**CARRIED 10/1  
ABSOLUTE MAJORITY**

MDS J Garrett departed the meeting at 4.39pm.

Cr Morris departed the meeting at 4.44pm.

Cr Jones departed the meeting at 4.46pm.

## 10.0 ADMINISTRATION, FINANCE &amp; COMMUNITY DEVELOPMENT (CONT)

Cr Jones entered the meeting at 4.48pm.

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**10.8 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 10.8A**) 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 February 2006.*

**28364** Moved Cr N Hooper sec Cr Crees

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

**CARRIED 10/0**

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**10.9 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 10.9A**.

**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 \$304,371.66 and amount directly debited from Councils Municipal Fund Bank Account BSB 066-518 000 000 10 totalling \$130,037.18 endorse trust cheques totalling \$507.99 and outstanding creditors totalling \$85,680.15.*

**28365**

Moved Cr Crees sec Cr Astbury

*That the Merredin Shire Council receive the schedule of accounts as listed, covering cheques as numbered and totalling \$304,371.66 and amount directly debited from Councils Municipal Fund Bank Account BSB 066-518 000 000 10 totalling \$130,037.18 endorse trust cheques totalling \$507.99 and outstanding creditors totalling \$85,680.15.*

**CARRIED 10/0**

Item 10.10 withdrawn from the meeting on Chief Executive officer's advice.

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#### **10.10 2005/2006 BUDGET REVIEW**

**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 new requirement was introduced in recent amendments to the Local Government Act and Regulations, that local governments are to conduct a budget review :

##### *33A. Review of budget*

- 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 2006 has been completed and is presented for Council consideration as an **(Attachment under separate cover – specific recommendations are contained in the report)**.

#### **Comment:**

In September 2005, Council adopted a level of material variances for reporting purposes (CM 28087). The level of material variance reporting set by Council is \$5,000 for income (-) and expenditure (+).

The nature of the review is to predict estimates of material variations likely to occur at the close of business on 30 June 2006. Also listed are items that have been authorised by Council for expenditure which have not been included within the current Budget. Items of less than \$5,000 (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 obviously there is no net effect on the Budget position.

Officer's Recommendation:

*That Council consider the 2005/2006 Budget Review.*

THIS ITEM WAS WITHDRAWN

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**10.11 RATES WRITE-OFF LOT 33 STATION STREET BURRACOPPIN**

|                              |   |
|------------------------------|---|
| <b>Reporting Department:</b> | Financial Services                        |
| <b>Reporting Officer:</b>    | James McGovern, D/Chief Executive Officer |
| <b>Legislation:</b>          | Local Government Act 1995                 |
| <b>File Number:</b>          | P5518                                     |

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**Background:**

Mr Marien and Mrs Helga De Waal reside at Lot 32 Station Street Burracoppin, claiming a Pensioner Rebate at this address. Mr De Waal holds title to the adjoining Lot 33 Station Street – Assessment Number 5518. For the sake of this report, both Mr and Mrs De Waal are referred to as ‘the owners’.

The owners were informed of outstanding rates debt for Lot 33 Station Street Burracoppin of \$1,600.00 in June 2004. At this point in time, the owners claimed to have approached the Shire in 2000 with an offer to surrender the land, which at that time was debt free. The owners claimed to have left their title deed with Shire staff who said the matter would be referred to Council. With no further correspondence from Council, the owners presumed the request was processed and the land surrendered to Council.

A comprehensive search of Shire records revealed no report was forwarded to Council with regard to the offer of surrender. No copy of the title documents or associated paperwork could be found in the records system. Furthermore, contact was made with former Shire staff reported to have met with the owners in 2000 but given the passage of time, they had no recollection of any such meeting or proposal.

The owners were informed of the outcome of this research in September 2004 and that a title search revealed the property remained in their name. It was presumed by staff there was a misunderstanding in relation to the claim of surrender and advice was provided to inform the owners how to clear their rates debt.

In August 2005, the title documents to Lot 33 Station Street Burracoppin were discovered in a storage compartment of the safe in the strongroom, thus supporting the owners claim at the very least, that an approach had been made to the Shire. Although it is a presumption, it is open to conclude the titles were held as a first step to progress the owners request. There is no other plausible reason why private land documents would otherwise have been accepted.

The owners were informed of the find and met with the Deputy Chief Executive Officer, informing their initial approach to surrender the land was influenced by



advice of the day that the vacant Lot 33 adjoining their home could not be used for the intended purpose of housing poultry, planting fruit trees and maintaining a water tank.

It was proposed they seek to amalgamate the land to a single title and were put in touch with the Western Australian Planning Commission. The owners reported some months later this proposal was prohibitively costly (mainly due to surveying fees) and the process convoluted. Conceding that there only option is to retain the land, the owners request that Council consider waiving a portion of the rates debt accrued during the period of uncertainty regarding ownership.

**Legal Implications:**

S 6.12 of the Local Government Act 1995 – Power to waive or write-off debts.

**Budget Implications:**

As described in the body of the report.

**Comment:**

It is open for Council to consider reducing a portion of the rates debt that has accrued since 2000. In discussion with the owners, it is agreed that some portion of fault rests with them for not responding to annual rates notification with regard to Lot 33.

It is the Administration view that a number of Shire actions compounded the situation, particularly not following up the rate debtor more promptly and first receiving then taking no action to return title documents. Rates arrears as at March 2006 follows :

|                  |   |            |
|------------------|---|------------|
| Rates arrears    | - | \$1,385.00 |
| Penalty Interest | - | \$191.00   |
| Other            | - | \$125.00   |
| Total            |   | \$1,701.00 |

It is at Council's discretion whether to write off any portion of a rates debt, however it is recommended that circumstances are warranted in this case.

It is recommended Council write off the penalty interest component of \$191.00 and a further \$500.00 of rates arrears. The balance in arrears and current rates will remain the responsibility of the owners. It is further recommended the agreed write-off amount will only be applied once the owners portion of the rates debt is fully paid, and that this must take effect within 6 months from the date of Council's decision.

Officer's Recommendation:

*That :*

- a) *Council agree to Write-off the penalty interest amount of \$191.00 and a further amount of \$500.00 in relation to the accrued rates debt for Assessment 5518 - Lot 33 Station Street, Burracoppin owned by ; and*
- b) *Council make this offer on the proviso the balance of outstanding rates are fully paid by the owners of Lot 33 Station Street, Burracoppin within a period of six (6) months from the date of the resolution, failing which this agreement lapses and all rates debt will revert to the owner's responsibility.*

**ABSOLUTE MAJORITY REQUIRED.**

**28366**

Moved Cr Jones sec Cr Townrow

*That :*

- a) *Council agree to Write-off the penalty interest amount of \$191.00 and a further amount of \$500.00 in relation to the accrued rates debt for Assessment 5518 - Lot 33 Station Street, Burracoppin owned by ; and*
- b) *Council make this offer on the proviso the balance of outstanding rates are fully paid by the owners of Lot 33 Station Street, Burracoppin within a period of six (6) months from the date of the resolution, failing which this agreement lapses and all rates debt will revert to the owner's responsibility.*

**CARRIED 9/1  
ABSOLUTE MAJORITY.**

Cr Morris declared an impartiality interest in Item 10.12.

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**10.12 YMCA MOBILE YOUTH BUS FUNDING**

**Reporting Department:** Administration  
**Reporting Officer:** Samantha Barnett  
**Legislation:** Local Government Act 1995  
**File Number:**

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**Background:**

The YMCA mobile youth bus has been visiting the Merredin Shire once a month throughout 2006 along with 15 other Shires in the Wheatbelt. The service provides a quality safe environment for young people to experience a range of youth activities each time the mobile youth bus is in town. Most visits were hosted at Apex Park next to the Skate Park to combine the two activities, the bus was also positioned at the pool during summer, in front of Visitors Centre and at the Merredin Show.

The YMCA mobile youth bus not only offers recreation activities it also provides young people access to two qualified youth workers which encourage development of life and interpersonal skills and provide information on available youth services and can offer referrals to agencies if required.

The target group is 10 – 17 years of age with older youth encouraged to be youth leaders or volunteers. The mobile youth service is an excellent opportunity to target youth who often indicate a lack of things to do in town, tackle the anti social behaviour associated with boredom and provide an alternative place to “hang out” and allow young people to access youth information not currently available in Merredin.

An Information Sheet about the service provided by YMCA is **Attachment 10.12A.**

**Comment:**

The project was fully funded in 2006 by Lotteries and Regional Partnerships. In 2006/2007 and beyond the YMCA are seeking financial funding, accommodation or billet housing support for the workers. Administration recognises that billeting/accommodation are not an option for the Merredin Shire but possible options for Council to consider are:

1. A direct financial contribution from the 2006/2007 budget, with Council having the option to allocate an amount or consider an amount

2. A direct financial contribution plus the option of providing fuel to a specified dollar value
3. Advise the YMCA that the Shire will decline to fund the service.

The Shire Administration acknowledges that during the setup phase of the project there was little consultation with Local Government regarding the future funding of the project.

Feedback received regarding the program is very positive from both parents and young people and it is felt that the bus is very beneficial to Merredin young people. Whenever the bus was in town it was well supported by the young people with Merredin attracting 20 – 30 youths to the bus each time it visited. The service is very self sufficient and requires little organisation by the Shire to host the bus.

**Financial Implications:**

The YMCA are requesting a financial contribution from Council and have indicated that it costs approximately \$550.00 to bring this service to Merredin each month.

*Officer's Recommendation:*

*That the Merredin Shire Council allocate \$ 2500 in the 2006/2007 budget to assist the YMCA to fund the service in Merredin.*

**28367**

Moved Cr Astbury sec Cr N Hooper

*That this item lay on the table pending further information to the April 2006 Council meeting regarding the funding becomes available.*

**CARRIED 10/0**

Cr Astbury declared an Impartiality Interest in Item 10.13

Cr Wallace declared an Impartiality Interest in Item 10.13

Presiding Member K Hooper declared a Financial Interest in Item 10.13 and departed the Chambers at 5.01pm.

Deputy President Cr M Crees took the Chair at 5.02pm.

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10.13 **COMMUNITY DONATION – CIVIC BOWLING CLUB PATRONS DAY**

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

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**Background:**

The Civic Bowling Club hosts a Patrons Day to mark the commencement of the bowling season, most recently in October 2005. Since 2001/2002, the Shire has contributed \$100.00 as a donation toward trophies for this occasion. The Civic Bowling Club request a donation of \$100.00 as a contribution toward the 2005 Patrons Day.

It is brought to Council's attention that no specific budget allocation for this purpose is provided in the 2005/2006 Annual Budget.

**Legal Implications:**

Nil

**Budget Implications:**

The 2005/2006 Annual Budget includes a \$2,000 allocation in a/c E041170 'Public Relations – Community Donations and Sponsorship'. Council has expended \$1,250 to date in sponsorship.

**Comment:**

The purpose of this item is to obtain Council approval for expenditure from the relevant account for the requested sponsorship amount of \$100.00. No administrative objections are raised.

Officer's Recommendation:

*That Council provide Patrons Day sponsorship to the value of \$100.00 to the Civic Bowling Club, funded from a/c E041170 'Public Relations and Donations'.*

ABSOLUTE MAJORITY REQUIRED

**28368**

Moved Cr Jones sec Cr Simmonds

*That Council provide Patrons Day sponsorship to the value of \$100.00 to the Civic Bowling Club, funded from a/c E041170 'Public Relations and Donations'.*

**CARRIED 8/1**

**ABSOLUTE MAJORITY**

Cr M Crees vacated the Chair at 5.04pm.

Cr Ken Hooper entered the meeting at 5.05pm and took the Chair

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**10.14 MERREDIN REGIONAL COMMUNITY AND LEISURE CENTRE  
MANAGER**

**Reporting Department:** Administration  
**Reporting Officer:** James McGovern-D/Chief Executive Officer  
**Legislation:** Local Government Act 1995  
**File Number:**

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**Background:**

The Merredin Regional Community and Leisure Centre Management Committee recommended that Council consider immediately commencing the process of employing a Recreation Centre Manager. This report will be relevant should Council accept the recommendation of the Committee under Item 9.4.

The Merredin Regional Community and Leisure Centre Management Committee considers it timely to commence the process of engaging a Recreation Centre Manager, principally on the advice of an experienced Recreation Centre Manager (see Attachment 9.4 to Management Committee Minutes of 28 February 2006).

The Management Committee does not wish the Shire to find itself in the position of making an appointment close to the time of the Centre opening, given advice there is a great deal of work required of the Centre Manager to prepare the facility for community use.

It is an industry preference that a Recreation Manager is involved in the preparation of a Business Plan, staff recruitment, marketing and risk management planning with sufficient time to ensure these are completed and endorsed by Council and the Recreation Centre Management Committee prior to start-up. The Committee was influenced by description of an experience where insufficient lead time was allowed for in the instance of a new facility opening in a main regional centre, and it is believed to be a risk management strategy within itself, to appoint a Manager with some months remaining prior to start-up.

**Legal Implications:**

Nil

**Budget Implications:**

Council will be aware there is no employment cost provision within the 2005/2006 Annual Budget for such an appointment. Budget implications are

expected to be equivalent to one twelfth of the approved salary package, on the basis of the appointee commencing in June 2006.



**Comment:**Leisure Industry Background

Research into the leisure industry indicates a highly competitive market place for appointments to a Centre with the type of use and standard of facilities planned. The following information is provided to guide Council in its decision making process.

Generally, leisure industry staff gain a tertiary qualification in a recreation or equivalent field and commence employment with a local government or private company managing a public facility, as a Programme Coordinator or Programme Development Officer, within a Level 3 / 5 range (\$33,221 – \$41,765).

As experience is gained, leisure industry staff may move into the role of a Facility Manager or Recreation Services Manager, with remuneration within a Level 6 / 8 range (\$42,393 - \$52,112).

The Department of Sport and Recreation informs that presently the industry is highly competitive for placement of experienced staff and suggests a Centre such as ours will require the services of an experienced Manager, with Facility Management or Recreation Services Management experience. Engaging a Manager with a sound background as Programme Coordinator but little facility management experience may be a risk given the nature of existing arrangements with sporting clubs and the community. Evidence of a sound track record in facility management is regarded as essential.

A Position Description has been created (**Attachment 10.14A**) to reflect the role of the inaugural Recreation Centre Manager with a focus on the principle activities associated with establishing the Merredin Regional Community and Leisure Centre.

Salary Package

Attracting an established Facility Manager is unlikely to succeed by simply matching existing levels of remuneration and employment benefits. Most involved in the industry are career-oriented and will be attracted as much by the challenge of establishing this Centre for the career advancement opportunity it presents.

With this in mind, it is recommended the position of Recreation Centre Manager be created as a 3 year performance based contract. This recommendation is supported by advice that a start-up management position is likely to attract a Manager for a period of 2 to 3 years, after which time they are likely to seek further career advancement.

To negotiate a suitable salary package, it is recommended the Chief Executive Officer be provided with a range of benefits to offer additional to base salary. These include \$60 per week subsidies housing allowance, utilities allowance and

a professional development which may be used to attend training seminars and conferences, or as a contribution to further studies. Sufficient Shire housing stock exists for this offer to be made.

It is also recommended the Chief Executive Officer be given delegated authority to offer a motor vehicle with full private use. Discretion will be exercised in this case, as a sound response to the initial advertising period may indicate this further benefit is not necessary to attract a suitable Manager. Should a motor vehicle become a requirement for recruitment, allocation will be made in the 2006/2007 Annual Budget.

On the basis of the above recommendations, the following salary package is proposed :

|   |                            |                     |
|---|----------------------------|---------------------|
| <b>Recreation Centre Manager Salary Package – 3 Year Contract :</b> |                            |                     |
| Salary  |                            | (Level 8)           |
|   | :                          | \$49,596 - \$52,112 |
| Housing Subsidy   |                            | :                   |
|   | \$3,120                    |                     |
| Utilities   |                            |                     |
|   | :                          | \$2,150             |
| Professional Development  | :                          | \$2,000             |
| <b>Package Value :</b>  |                            |                     |
|   | <b>\$56,866 - \$59,382</b> |                     |
| <u>Optional</u>   |                            |                     |
| Vehicle   |                            |                     |
|   | :                          | \$9,000             |
| (Vehicle tax implication applies)                                   |                            |                     |

Adopting this recommendation will provide the Shire of Merredin with a number of points of difference to use in marketing the position :

- Established Facility Managers will have the opportunity to gain unique experiences establishing a new Centre
- The salary package recognises the challenge associated with establishing a new Centre, providing a salary advancement bonus incentive
- Council recognises the career advancement opportunity that exists for the right candidate, and will enhance their prospects by allocating funds for professional development purposes
- Council recognises the issues associated with attracting professional staff to a regional location and will make provision for suitable housing and utilities allowance.
- The Chief Executive Officer will be provided with the delegated authority to negotiate availability of a motor vehicle for private use to provide flexibility within the salary package to attract the most suitable candidate

As a footnote to the research, Council is advised the succeeding Manager is less likely to require the same set of skills and experiences as the initial Manager, and

it will be open to consider whether a person with Programme Coordinator experience may be more suitable, with a level of remuneration to match their comparatively limited experience. A reduced future salary package would apply in this case.

**Voting Requirement:**

With the intention of the Recreation Centre Manager commencing by June 2006, a Council decision to incur unbudgeted expenditure in 2005/2006 requires an Absolute Majority.

Officer's Recommendation:

*That Council receive the report entitled 'Merredin Regional Community and Leisure Centre Manager' and instruct the Chief Executive Officer to commence the process of advertising the position of Recreation Centre Manager on the basis of the salary package as detailed.*

ABSOLUTE MAJORITY REQUIRED

**28369**

Moved Cr Crees sec Cr Astbury

*That Council receive the report entitled 'Merredin Regional Community and Leisure Centre Manager' and instruct the Chief Executive Officer to commence the process of advertising the position of Recreation Centre Manager on the basis of the salary package as detailed.*

**CARRIED 10/0  
ABSOLUTE MAJORITY**

13.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

14.0 QUESTIONS BY MEMBERS FOR WHICH DUE NOTICE HAS BEEN GIVEN

15.0 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY  
DECISION

Item 15.1 moved forward to follow Item 9.0 - Receiving of Minutes of Committee meetings.

16.0 MATTERS BEHIND CLOSED DOORS

- 16.1 Senior Staff Review Committee  
This document to be retained on CEO Personal File.

**28370** Moved Cr Astbury sec Cr Simmonds  
*That Council move behind closed doors to discuss Chief Executive Officer's Review.*

**CARRIED 10/0**

The Council went behind closed doors at 5.37pm.

**28371** Moved Cr Simmonds sec Cr N Hooper  
*That Council move out from behind closed doors.*

**CARRIED 10/0**

The Council moved out from behind closed doors at 5.54pm.

Committee Recommendations:

Moved Cr Crees sec Cr Simmonds  
*That the collective documentation of the Chief Executive Officer's performance review be accepted by Council.*

**CARRIED 4/0**

Moved Cr Simmonds sec Cr Crees  
*That overall the Council rate the Chief Executive Officer's performance as competent and that we are happy with his progression at this time and we look forward to his continued progress.*

**CARRIED 4/0**

Moved Cr Crees sec Cr Simmonds  
*That the Chief Executive Officer's remuneration package be adjusted in accordance with his contract.*

**CARRIED 4/0**

**28372**

Moved Cr Simmonds sec Cr Wallace

1. *That the collective documentation of the Chief Executive Officer's performance review be accepted by Council.*
2. *That overall the Council rate the Chief Executive Officer's performance as competent and that we are happy with his progression at this time and we look forward to his continued progress.*
3. *That the Chief Executive Officer's package be altered to be adjusted in line with Consumer Price Index as December quarter from anniversary.*

**CARRIED 10/0**17.0 CLOSURE

There being no further business the Presiding Member declared the meeting closed at 5.56pm.