

SHIRE OF MERREDIN



“Heart of the Wheatbelt”

MINUTES OF ORDINARY COUNCIL MEETING

16 April 2013

INDEX

1.0	OFFICIAL OPENING	3
2.0	PUBLIC QUESTION TIME	3
3.0	APOLOGIES AND LEAVE OF ABSENCE	3
4.0	DISCLOSURE OF INTEREST	3
5.0	PETITIONS AND PRESENTATIONS.....	3
6.0	CONFIRMATION OF MINUTES.....	4
6.1	Ordinary Council Meeting	4
7.0	ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION	4
8.0	MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC.....	4
9.0	RECEIVAL OF MINUTES OF COMMITTEE MEETINGS HELD SINCE THE PREVIOUS MEETING OF COUNCIL.....	4
10.0	DEVELOPMENT SERVICES	5
10.1	Directional Sign On The Great Eastern Highway Merredin, Near The Junction Of The Merredin Naremben Road, For The Naremben Grain Discovery Centre.	5
10.2	Lot 175 Hawker Way, Merredin 6415 - Over Height Fence.....	8
11.0	ENGINEERING SERVICES	10
12.0	CORPORATE AND COMMUNITY SERVICES.....	11
12.1	List Of Accounts Paid.....	11
12.2	Monthly Finance Report	12
12.3	Small Business Centre - Sponsorship Request.....	13
13.0	ADMINISTRATION	15
13.1	MRC&LC – Fees & Charges Regarding New Synthetic Hockey/Tennis Surface	15
13.2	Review Of Memorandums Of Understanding	17
14.0	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN.....	19
15.0	QUESTIONS BY MEMBERS FOR WHICH DUE NOTICE HAS BEEN GIVEN	19
16.0	URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION	19
16.1	Regional Road Group Projects - Budget Amendment	19
17.0	MATTERS BEHIND CLOSED DOORS.....	20
18.0	CLOSURE.....	20

Minutes of the Ordinary Meeting of the Shire of Merredin held in the Council Chambers, Corner King and Barrack Streets, Merredin on Tuesday 16 April 2013 commencing at 3.11pm.

ATTENDANCE:

Councillors: D Crook Shire President
 M Morris Deputy Shire President
 BJ Anderson
 RM Crees
 DN Hayes-Thompson
 KA Hooper
 D Morris
 W Wallace (from 3.30pm)

Leave of Absence: T McFarlane

Staff: G Powell Chief Executive Officer
 M Ioppolo Executive Manager of Developmental Services
 L Wyatt Executive Assistant to Chief Executive Officer

1.0 OFFICIAL OPENING

The Shire President declared the meeting open at 3.11pm. Mario Ioppolo was present.

2.0 PUBLIC QUESTION TIME

Nil

3.0 APOLOGIES AND LEAVE OF ABSENCE

Councillor McFarlane has a leave of absence for this meeting.

4.0 DISCLOSURE OF INTEREST

Councillor Hooper declared a proximity interest in item 13.1.
Councillor D Morris declared an interest affecting impartiality in item 13.2.

5.0 PETITIONS AND PRESENTATIONS

Nil

6.0 CONFIRMATION OF MINUTES

6.1 Ordinary Council Meeting
[Attachment 6.1A](#)

Confirmation of the minutes of the Ordinary Council Meeting held on 19 March 2013.

- 31108** Moved: Cr Anderson Seconded: Cr M Morris
Officer's Recommendation
That the minutes of the Ordinary Council Meeting held on 19 March 2013 be confirmed as a true and correct record of proceedings.
CARRIED 7/0

7.0 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

Nil

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

Nil

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

Nil

10.0 DEVELOPMENT SERVICES

10.1 **DIRECTIONAL SIGN ON THE GREAT EASTERN HIGHWAY MERREDIN, NEAR THE JUNCTION OF THE MERREDIN NAREMBEEN ROAD, FOR THE NAREMBEEN GRAIN DISCOVERY CENTRE.**

Reporting Department:	Development Services
Reporting Officer:	Mario Ioppolo - Executive Manager of Development Services.
Legislation:	Main Roads Western Australia – Signs on Main Roads.
File Reference:	
Disclosure of Interest:	Nil
Attachments:	Aerial Locality Plan; (Attachment 10.1A) Elevation of proposed sign; (Attachment 10.1B) 2 Photos of approximate sign location (Attachment 10.1C)

Background

<i>Property Location:</i>	One location on the north side of the Great Eastern Highway, Merredin – Approximately 400 metres west from the T junction from the Merredin Narembeen Road; and The second location on the south side of the Great Eastern Highway, Merredin – Approximately 500 metres east from the T junction of the Merredin Narembeen Road.
<i>Owner/s:</i>	The Crown
<i>Applicant:</i>	Caroline Robinson of the Go Narembeen Progress Association.
<i>Zoning:</i>	N/A
<i>Lot Size:</i>	N/A

An application has been received from the Applicant to erect two directional signs, mirror image of each other to advise passing motorists of their “Grain Discovery Centre” at Narembeen.

One sign to be located on the northern side of the Great Eastern Highway, Merredin, approximately 400 metres west from the T junction of the Merredin Narembeen Road, Merredin; and

The second sign to be located on the southern side of the Great Eastern Highway, Merredin approximately 500 metres east from the T junction of the Merredin Narembeen Road, Merredin.

The proposed locations are approximately 200 metres west and 300 metres east of the existing Main Roads of Western Australia "Narembeen Muntadgin Hyden - 500 metres" directional signs.

The proposed signs have shades brown for the script and logo on a 3000mm wide by 1200mm high white background metal panel supported on 50mm nominal bore galvanised poles with a height clearance from ground level to the underside of the sign of 2700mm.

Comment

Main Roads Western Australia, who have jurisdiction over signage on the Great Eastern Highway road reserve, require the Applicant to make a request for a letter of no objection form Council before they will consider the application.

Statutory/Policy Implications

Nil

Financial Implications

Nil

Officer's Recommendation

- 1. That the request for a letter of "no objection" to locate signs with dimensions of 3000mm wide x 1200mm high on a 50mm nominal bore galvanised poles and struts and a clear head height from ground level to the underside of the sign of 2700mm, one on the northern side of the Great Eastern Highway, Merredin, approximately 400 metres west and the second sign on the southern side of the Great Eastern Highway, Merredin approximately 500 metres east from the intersection of the Merredin Narembeen Road, Merredin, be granted.***
- 2. That the Applicant be advised that they are to obtain approval for the signs, its structural capacity and specific site locations from Main Roads Western Australia prior to erecting the signs.***

31109

Moved: Cr D Morris

Seconded: Cr M Morris

Resolution

- 1. That the request for a letter of "no objection" to locate signs with dimensions of 3000mm wide x 1200mm high on a 50mm nominal bore galvanised poles and struts and a clear head height from ground level to the underside of the sign of 2700mm, one on the northern side of the Great Eastern Highway, Merredin, approximately 400 metres west and the second sign on the southern side of the Great Eastern Highway, Merredin sufficient distance from the intersection to allow adequate sightlines from heavy haulage vehicles, be granted.**
- 2. That the Applicant be advised that they are to obtain approval for the signs, its structural capacity and specific site locations from Main Roads Western Australia prior to erecting the signs.**

CARRIED 5/2

10.2 LOT 175 HAWKER WAY, MERREDIN 6415 - OVER HEIGHT FENCE

Reporting Department:	Development Services
Reporting Officer:	Mario Ioppolo - Executive Manager of Development Services.
Legislation:	Residential Design Codes; Shire of Merredin's Local Law No 7 – Fencing.
File Reference:	A3392
Disclosure of Interest:	Nil
Attachments:	Adjoining neighbour comment; Site plan; (Attachments 10.2A) Elevation view of colorbond panel; (Attachments 10.2B) East side elevation view; (Attachments 10.2C)

Background

<i>Property Location:</i>	Lot 175 Hawker Way, Merredin 6415.
<i>Owner/s:</i>	T and DC Corunna.
<i>Applicant:</i>	DC Corunna.
<i>Zoning:</i>	Residential R10.
<i>Lot Size:</i>	1619 square metres.

An application has been received from the Applicant to erect

- a) A 1.5 metre high colorbond fence within the front setback area (for R10 zoned properties is 7.5 metres); and
- b) A 1.8 metre high colorbond fence on top of a proposed 800mm high panel and post retaining wall along the eastern boundary - overall height of 2.6 metres. This is due to the house constructed on a sandpad, 2.4 metres from that the side boundary which needs stabilisation.

The Applicant has provided the "Adjoining property owner comment on discretionary approval application form" from the eastern side neighbour at lot 82 Hawker Way, Merredin who have no objection. Please refer to the attached "Adjoining neighbour comment".

The property on the western side – lot 79 Hawker Way, Merredin is owned by the Shire of Merredin.

From a 2.4 metres setback from the front boundary and commencing on the western side, 7 colorbond panels at 1.5 metres high by 2.4 metres long and a pair of gates are proposed with a two panel return at both ends.

The two panel return on the western boundary is between the Applicants property and the Shire owned land.

Along the eastern boundary from a setback of 2.4 metres off the front boundary, two colorbond panels of 1.5 metres high by 2.4 metres long followed by the retaining wall with its 1.8 metres high colorbond fence above, is proposed to be erected to the end of the existing residence.

The Applicant has noted that a 1.8 metres high fence is proposed for the rest of the property boundaries.

Please refer to the attached site plan.

Comment

The Residential Design Codes allow for a maximum of 1.2 metres high solid fence within the primary street setback, but also provides for Council to Exercise Discretion.

The Shire of Merredin's Local Law No 7 – Fencing requires a sufficient fence, other than a primary street fence to be 1.8 metres high, but contains clause *10 General Discretion of the Local Government*, which provides for, in part, that "the local government may consent to the erection or repair of a fence which does not comply with the requirements of these Local Laws".

The proposed 1.8 metre fence to be erected along the remaining property boundaries at ground level is compliant with the Shire of Merredin's Local Law No 7 – Fencing.

The proposed front fence within the setback area should have no adverse effect on the street scape.

Statutory/Policy Implications

Nil

Financial Implications

Nil.

31110

Moved: Cr M Morris

Seconded: Cr Hooper

Officer's Recommendation

That the application for the proposed 1.5 metres high colorbond fence within the front setback area and the 1.8 metres high colorbond fence above the 800mm high panel and post retaining wall as showing on the site plan, be granted subject to:

- 1. The Applicant obtaining a Building Permit prior to the commencement of any works associated with the retaining wall.***

CARRIED 7/0

Mario Ioppolo left the meeting at 3.25pm.

11.0 ENGINEERING SERVICES

Nil recommendations to Council.

12.0 CORPORATE AND COMMUNITY SERVICES

12.1 LIST OF ACCOUNTS PAID

Reporting Department:	Finance & Administration
Reporting Officer:	Evelyn Arnold
	Finance and Administration
Legislation:	Local Government Act 1995 & Financial Management Regulations
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	List of Accounts Paid

Background

The attached List of Accounts Paid ([Attachment 12.1A](#)) during the month under Delegated Authority is provided for Council's information.

Statutory/Policy Implications

Local Government Act 1995 and Financial Management Regulations.

Financial Implications

All liabilities settled have been in accordance with the Annual Budget provisions. It should be noted that outstanding creditors total \$59,675.65.

Councillor Wallace entered the meeting at 3.30pm.

31112 Moved: Cr Anderson Seconded: Cr Crees

Officer's Recommendation

That Council receive the schedule of accounts as listed, covering cheques, EFT's, bank charges, directly debited payments and wages, as numbered and totalling \$896,000.82 from Council's Municipal Fund Bank Account and \$1,297.86 from Council's Trust Account.

CARRIED 8/0

12.2 **MONTHLY FINANCE REPORT**

Reporting Department:	Finance and Administration
Reporting Officer:	Evelyn Arnold
Legislation:	Local Government Act 1995
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	Monthly Finance Report

Background

The Monthly Finance Report is attached for Council's information.
[\(Attachment 12.2A\)](#)

Statutory/Policy Implications

Local Government Act 1995 and Financial Management Regulations.

Financial Implications

As outlined in [Attachment 12.2A](#).

31113

Moved: Cr Wallace

Seconded: Cr Anderson

Officer's Recommendation

That Council receive the Monthly Finance Report for March 2013.

CARRIED 6/2

12.3 **SMALL BUSINESS CENTRE - SPONSORSHIP REQUEST**

Reporting Department:	Finance & Administration
Reporting Officer:	Evelyn Arnold
Legislation:	Local Government Act 1995
File Reference:	Nil
Disclosure of Interest:	Nil
Attachment:	Correspondence

Background

On the 12th March 2013 Council received a letter from the Small Business Centre Central Wheatbelt (SBCCW) requesting sponsorship for their upcoming Central Wheatbelt Small Business Awards 2013 to be held on 22 June 2013 ([Attachment 12.3A](#)).

Comment

The SBCCW's request comprise of a number of sponsorship levels:

1. Gold - \$5,500
2. Silver - \$2,200
3. Bronze - \$1,100
4. Other – a smaller amount or an in kind contribution

Council normally addresses requests from community groups for funding in one of two ways:

1. Community Funding Applications (Policy 3.19)
2. Specific Donations, for example Eastern District Display (\$400)
3. CEO discretionary donations budget – small amounts (2012/13 budget \$2,000)

This process allows Council to consider all requests together and ensure that the financial implications are covered in the annual budget. Unfortunately, this request was not received last year and the timing of the event means that it falls into the current financial year when no contribution has been budgeted for.

In fairness to other community groups and in light of the current strategic and financial planning process, this report recommends that the request be declined. In doing this the SBCCW should be invited to apply for community funding when the applications are invited.

Statutory/Policy Implications

Nil

Financial Implications

Nil

Officer's Recommendation

That the Small Business Centre Central Wheatbelt be advised that it's request for funding is declined and that they be advised to apply for next year's sponsorship when the community funding applications open.

31114

Moved: Cr Crees

Seconded: Cr Anderson

That the Small Business Centre Central Wheatbelt be advised that it's request for funding is declined.

LOST 3/5

31115

Moved: Cr D Morris

Seconded: Cr M Morris

Resolution

That Council provide support for the Small Business Centre Central Wheatbelt by way of venue hire up to the value of a bronze sponsorship package with appropriate recognition of the support being given by the Centre.

CARRIED 5/3

Councillor Hooper declared a proximity interest in this item.

13.0 ADMINISTRATION

13.1 MRC&LC – FEES & CHARGES REGARDING NEW SYNTHETIC HOCKEY/TENNIS SURFACE

Reporting Department: MRC&LC
Reporting Officer: Rebecca Hutton
Legislation: Local Government Act 1995
File Number:
Disclosure of Interest: Nil
Attachments: Nil

Background

In March Council resolved to defer the new 'user pays' methodology for the MRC&LC until the commencement of the summer season.

31101 Moved: Cr McFarlane Seconded:

- 1. That the "user pays" methodology adopted at the December 2012 Council meeting remain in place.**
- 2. That Council offers individual sporting clubs extended terms in which to pay fees should they request but subject to reasonable grounds supporting the request.**
- 3. That reimbursement of membership fees be granted on a pro-rata basis being if a summer sport was played there be no reimbursement but if not then 50% of the fee be offered.**

MOTION LAPSED FOR WANT OF A SECONDER

31102 Moved: Cr Debbie Morris Seconded: Cr Anderson

Resolution

That Council defer the implementation of the "user pays" methodology until October as recommended by Sports Council.

CARRIED 7/2

Reason:

The feedback that Councillors had received (from the Sports) felt that the new charges were confusing and lack uniformity. By implementing them later in the year, it gives time to get it right. The Sports Council have given an undertaking to assist with this.

By deferring the formerly endorsed 'user pays' methodology, it now means Council no longer have any adopted 'Fees and Charges' associated with the use of the new synthetic surface.

Comment

The previously endorsed 'user pays' structure outlined the following facility charges as;

Hockey

Full Pitch with Lights - \$120 per game/training

Full Pitch no lights – \$90 per game/training

½ Pitch with lights - \$60 per game/training

½ Pitch no lights - \$45 per game/training

Tennis

Full Pitch with Lights - \$120 per game

Full Pitch no lights – \$90 per game

2/3 Pitch with lights - \$80 per game

2/3 Pitch no lights - \$60 per game

1/3 Pitch with lights - \$40 per game

1/3 no lights - \$30 per game

Currently the endorsed fees and charges for the MRC&LC include a casual hire for individuals as;

- Indoor Courts – \$3.50 (child) , \$5.00 (adult)
- Bowling Green - \$10 (per person)
- Hydrotherapy Pool - \$4 (senior), \$5 (adult)

Statutory Implications

Nil

Financial Implications

There would be a financial benefit in charging a casual hire fee for the use of of the surface to clubs and individuals that do not fall into the MoU agreements where individual memberships are in place.

31116

Moved: Cr Anderson

Seconded: Cr Crees

Officer's Recommendation

1. ***That Council endorse a fee structure for the Hockey/Tennis Synthetic surface for casual users as;***

Hockey

Full Pitch with Lights - \$120 per game/training

Full Pitch no lights – \$90 per game/training

½ Pitch with lights - \$60 per game/training

½ Pitch no lights - \$45 per game/training

Tennis

Full Pitch with Lights - \$120 per game

Full Pitch no lights – \$90 per game

2/3 Pitch with lights - \$80 per game

2/3 Pitch no lights - \$60 per game

1/3 Pitch with lights - \$40 per game

1/3 no lights - \$30 per game

Individual (outside of fixtured MoU use) - \$5 per adult, \$3.50 per student

CARRIED 7/1

Councillor D Morris declared an interest affecting impartiality in this item.

13.2 **REVIEW OF MEMORANDUMS OF UNDERSTANDING**

Reporting Department:	MRC&LC
Reporting Officer:	Rebecca Hutton
Legislation:	Local Government Act 1995
File Reference:	
Disclosure of Interest:	Nil
Attachments:	Memoranda of Understanding (Attachment 13.2A)

Background

On completion of the Merredin Regional Community and Leisure Centre collocating clubs and organizations entered into Memorandums of Understanding with the Shire of Merredin with Council endorsing these Memorandums. The M'soU outlined the responsibilities of both parties in the Centres use.

Part of the agreement between the two parties is that the Memorandum of Understanding be reviewed every two years.

It was hoped that with the implementation of a 'user pays' fee structure a revised 'blanket' MOU could be instigated in March 2013 with all user clubs and this would replace the current MoU agreements. Given that the implementation of the fee structure has now been delayed, it is necessary to review any M'soU that have expired.

Comment

It is anticipated that the new agreements will be in place only for a short period of time until the 'user pays' fee structure is implemented, and that any future requirements (from both parties) will be addressed on this occasion in the 'blanket' MoU.

The changes listed below (in red) are reflected in the new Memorandum of Understanding Document between the Shire of Merredin and the:

1. Burracoppin Hockey Club
2. Burracoppin Football Club
3. Merredin Netball Association
4. Merredin Junior Football Association
5. Merredin Junior Hockey Club
6. Merredin Women's Hockey Association
7. Nukarni Football Club

Dispute Resolution

The Parties agree to use their best endeavours to abide by the terms in this MoU. In the event of any dispute arising relating to any of the conditions set out in this MoU, the Parties shall use their best endeavours to resolve the dispute. The dispute resolution procedure will proceed as indicated below:

1st Stage Recreation Centre Manager and the (insert sporting club/association name here) President;

~~2nd Stage Merredin Regional Community and Leisure Centre Advisory Committee and (insert sporting club/association name here)~~

2nd Stage Merredin Sports Council and (insert sporting club/association name here) Executive;

Final Arbiter Merredin Shire Council.

Statutory Implications

Nil

Financial Implications

Nil

31117 Moved: Cr M Morris Seconded: Cr Crees

Officer's Recommendation

That Merredin Shire Council:

Endorse the reviewed Memorandums of Understanding between the Shire of Merredin and the:

- 1. Burracoppin Hockey Club***
- 2. Burracoppin Football Club***
- 3. Merredin Netball Association***
- 4. Merredin Junior Football Association***
- 5. Merredin Junior Hockey Club***
- 6. Merredin Women's Hockey Association***
- 7. Nukarni Football Club***

CARRIED 8/0

14.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

15.0 QUESTIONS BY MEMBERS FOR WHICH DUE NOTICE HAS BEEN GIVEN

Nil

16.0 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

16.1 REGIONAL ROAD GROUP PROJECTS - BUDGET AMENDMENT

Reporting Department: Finance & Administration
Reporting Officer: Evelyn Arnold
Legislation: Local Government Act 1995
File Reference: Nil
Disclosure of Interest: Nil
Attachment:

Background

In reviewing of the Regional Road group projects the Executive Manager of Engineering Services identified that the budget adopted by Council did not correctly reflect the funds allocated to the road projects by Main Roads.

Comment

Road projects funded under the Regional Road Group program are typically only partly funded, with Council also required to allocate resources to complete the project. In reviewing the road projects affected the funding allocation approved by Main Roads is:

Road	Total	Regional Group	Road	Shire of Merredin
Chandler Road	\$516,253	\$344,169		\$172,084
Robartson Road	\$163,120	\$108,746		\$54,374
Totals	\$679,373	\$452,915		\$226,458

However, these costs are not correctly reflected in the adopted budget. Robartson Road is over budgeted and Chandler Road had been under budgeted for resulting in a short fall of \$45,000 (round figures). Whilst changes in personnel make it difficult to investigate how this error occurred, budgeting procedures have been reviewed to ensure there is no repetition.

In summary the budgetary changes required are outlined below:

Road Project	Adopted Budget 12/13	Amended Budget	Difference
Chandler Road	\$401,636	\$516,253	\$(114,617)
Robartson Road	\$234,528	\$163,120	\$71,408
Total	\$636,164	\$679,373	\$(43,209)

Policy Implications

Nil

Financial Implications

Increased expenditure on road construction of \$45,000.

31118 Moved: Cr Crees Seconded: Cr Hooper

Officer's Recommendation

That Council approve the budget for Regional Road Group Roads be amended to reflect an additional \$45,000 to be spent in the 12/13 budget year.

CARRIED BY ABSOLUTE MAJORITY 8/0

17.0 MATTERS BEHIND CLOSED DOORS

Nil

18.0 CLOSURE

There being no further business the President declared the meeting closed at 4.11pm.