

Shire of Lake Grace



# ***Minutes***

Ordinary Council Meeting

28 July 2010

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## **SHIRE OF LAKE GRACE**

Minutes of the Ordinary Meeting of Council held at Council Chambers, 1 Bishop St Lake Grace on Wednesday 28 July 2010.

### **1.0 OPENING & ANNOUNCEMENT OF VISITORS**

The Chairperson (Shire President) opened the meeting at 1.02 pm and welcomed visitors to the meeting – Mr Tim Free and Ms Jacki Vose of WA Country Health Service, and Mr Geoff McDonald.

### **2.0 ATTENDANCE RECORD**

#### **2.1 PRESENT**

Cr AJ Walker	Shire President
Cr IG Chamberlain	Deputy Shire President
Cr LW Armstrong	
Cr R Chappell	
Cr Al Milton	
Cr WA Newman	
Cr OP Farrelly	
Cr DP Sinclair	
Mr SK Fletcher	Chief Executive Officer
Mr PW Dittrich	Manager Corporate Services
Mrs NY Owen	Manager Community Services
Mrs J Bennett	Executive Assistant
Mr Tim Free	WA Wheatbelt Country Health Service
Ms Jacki Vose	WA Wheatbelt Country Health Service
Mr Geoff McDonald	Observer

#### **2.2 APOLOGIES**

None

#### **2.3 LEAVE OF ABSENCE PREVIOUSLY GRANTED**

##### **Motion 10938 24 February 2010**

Cr De Landgraft granted leave of absence – 25 July to 31 July 2010.

### **3.0 PUBLIC QUESTION TIME**

#### **3.1 RESPONSES TO QUESTIONS FROM JUNE 2010 COUNCIL MEETING**

Questions were raised by members of the public at the June 2010 Ordinary Meeting which were taken on notice.

The members of the public and the subject of their questions are as follows:

- Mrs Helen McDonald, Mrs Alana Bartley, Mrs Mary Naisbitt, Mrs Shirley Duckworth and Mrs Jill Duckworth - Community Housing
- Mrs Jill Duckworth – GP Services to the Shire under the current contract with Gemini Medical.

In regards to the questions on Community Housing letters of reply were sent out together with a copy of the presentation made to Council by Jeanette Barrington, Sector Development Officer for the Department of Housing and Works, advising that:

- The Department of Housing and the Great Southern Housing Association were invited to the meeting to inform Council of the new requirements regarding eligibility for community housing.
- This invitation was in response to concerns the Shire had regarding the community housing process including the level of compliance that is now required.
- It was clear from the presentation at the Council Meeting that the Shire now needs to go through the review process which will determine the level of compliance required. The Shire can then consider its options. A report will be presented to Council on the matter in due course.

Mrs Jill Duckworth was also advised as follows with regard to her question on the non supply of a doctor to our community under the current contract with Gemini Medical:

- As locums are in short supply state wide at this point in time, Gemini is unable to fill the occasional vacant periods.

#### **4.0 APPLICATIONS FOR LEAVE OF ABSENCE**

None

#### **5.0 MINUTES OF PREVIOUS COUNCIL MEETINGS**

##### **5.1 ORDINARY MEETING – 23 JUNE 2010**

Resolution

##### **MOTION 11048**

Moved Cr Milton  
Seconded Cr Chappell

That the minutes of the Ordinary Meeting of Council held on the 23 June 2010 be confirmed as a true and accurate record.

**MOTION CARRIED 8/0**

##### **5.2 SPECIAL MEETING – 8 JULY 2010**

Resolution

##### **MOTION 11049**

Moved Cr Chappell  
Seconded Cr Farrelly

That the minutes of the Special Meeting of Council held on the 8 July 2010 be confirmed as a true and accurate record.

**MOTION CARRIED 8/0**

**6.0 DECLARATIONS OF INTEREST****6.1 DECLARATIONS OF FINANCIAL INTEREST – LOCAL GOVERNMENT ACT SECTION 5.60A****6.2 DECLARATIONS OF PROXIMITY INTEREST – LOCAL GOVERNMENT ACT 1995 SECTION 5.60B**

Cr Milton – Item 11.1

**6.3 DECLARATIONS OF IMPARTIALITY INTEREST – ADMINISTRATION REGULATION SECTION 34C****7.0 NOTICES OF URGENT BUSINESS**

None

**8.0 MOTIONS OF WHICH NOTICE HAS BEEN RECEIVED**

None

**9.0 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS****9.1 Mr GEOFF MCDONALD**

Mr McDonald addressed Council on his application to the WAPC to subdivide his property at Lake Bidy – refer Item 12.1, page 301.

He advised his application relates to subdividing his home block into two blocks of approximately 451ha & 570ha which equals the average block size around the area. He is aware his application is not recommended for approval at today's meeting and has written to the WAPC and Councillors requesting support for his application on compassionate grounds.

On the issue of the fragmentation of rural land and the breaking up a farm, Mr McDonald advised the land will be used for agricultural purposes and will be farmed for wheat and sheep, in the same way as it has always been. He advised his intention to sell one of the blocks for financial reasons.

Councillors then queried Mr McDonald on issues relating to his application.

The President thanked Mr McDonald for his attendance and presentation to the meeting.

**9.2 WA COUNTRY HEALTH SERVICE**

The President introduced Mr Tim Free, Regional Director, Wheatbelt Country Health Service and his Personal Assistant Ms Jacki Vose.

1.22pm *Mr Free, Ms Vose and Mr McDonald left the meeting.*

**MOTION 11050**

Moved Cr Milton  
Seconded Cr Chamberlain

That the meeting be closed to the public at this time, being 1.23pm, to allow discussion with Mr Tim regarding the GP situation in the Wheatbelt.

**MOTION CARRIED 8/0**

1.24pm Mr Free & Ms Vose re-entered the meeting  
1.57pm Mrs Owen left the meeting and returned at 1.59pm  
2.25pm Mr Free, Ms Vose, CEO & Cr Newman left the meeting  
2.29pm CEO re-entered the meeting  
2.31pm Cr Newman re-entered the meeting

**MOTION 11051**

Moved Cr Milton  
Seconded Cr Chappell

That the meeting be re-opened to the public at this time being 2.40 pm.

**MOTION CARRIED 8/0**

**10.0 MEMBERS' REPORTS****10.1 CR MILTON**

Reported attendance at:

- Lake Grace Development Association on 5 July 2010 – members were encouraged to submit their own stories regarding the GP situation to Nicola Roxon's website.
- Living Communities Seminar at the Lake Grace Sportsmans Club on 9 July 2010 – as a follow on from this all Progress/Development Associations within the Shire are getting together regarding a whole of Shire proposal.
- Special Meeting of St John Ambulance regarding the new St John regions.

**10.2 CR FARRELLY**

Following on from Cr Milton's report, also attended the St John's Meeting and advised of the changes in the Government's budget to St John's in that now funds are required to be spent in specific areas.

**10.3 CR CHAPPELL**

Reported attendance at:

- Lake Grace Development Association Meeting on 5 July 2010
- Living Communities Seminar at the Lake Grace Sportsmans Club on 9 July 2010 – as a result the Lake Grace Development Association called a special meeting and have now contacted other Development & Progress Associations within the Shire, a meeting will be held in Newdegate on Friday 30 July, 6.30pm at the Newdegate Telecentre.

**10.4**

**CR WALKER**

Cr Walker reported attendance:

- 6 July 2010 – Lakes VROC Meeting in Nyabing to determine priorities for the Country Local Government Fund (CLGF) Royalties for Regions 2010/11 financial year. Business plans need to be submitted by December and we will find out in February 2011 if the project is successful. The first priority is for multi village style housing across the region, second priority is a solar power project and third priority, a longer term project is mobile phone towers.
- 23 July 2010 – Lakes VROC met with the Wheatbelt Development Commission (WDC) at a day forum, Alison Dalziel of Morrison Low was the facilitator – regarding the CLGF Royalties for Regions funding for the \$670,000 regional project – the project requires approval from the WDC.



## 11.0 MATTERS FOR CONSIDERATION – WORKS & SERVICES

2.55pm *Cr Milton declared a proximity interest in Item 11.1, in that she is the adjoining landowner to the Lake Grace Tip Site, and left the meeting.*

3.05pm *Mr Dittrich left the meeting and returned at 3.12pm.*

### 11.1 WASTE COLLECTION LEVY - INTRODUCTION

**Applicant:** Environmental Health Officer  
**File No.** 0662  
**Attachments:** Attachments 1 & 2 – Waste Management Costs & Comparisons  
**Author:** Mr Maurice Walsh  
 Environmental Health Officer  
**Disclosure of Interest:** Nil  
**Date of Report:** 15 July 2010  
**Senior Officer:** Mrs Nadene Owen  
 Manager Community Services

#### Summary

This report seeks clarification from Council regarding unfinished business from the June 2010 Ordinary Meeting concerning the operation of the Lake Grace Rubbish Tip and the disposal of tyres.

#### Report

Motions 10124 and 10125 concerned the reporting Officer's following recommendations:

1. *Council adopt a sanitary waste disposal rate of \$40.00 on all improved properties in the Shire for 2010-2011, with subsequent increases of \$40.00 per financial year for 2011-2012, 2012-2013 and 2013-2014 to cover the costs incurred in providing and managing waste disposal sites (rubbish tips) within the Shire of Lake Grace.*
2. *Require the Lake Grace rubbish tip be manned and open 3 days a week from 9.00 am to 3.00 pm commencing on 1<sup>st</sup> September 2010.*
3. *Endorse the Chief Executive Officer to seek comment from Lake Grace residents regarding their preferred opening hours of the Lake Grace rubbish tip.*
4. *Council authorise staff to recover the full costs of the disposal of tyres at any of the Shire's rubbish tips from any person disposing of such waste.*

In regard to Recommendation 1, Council resolved that the waste management costs for the Shire of Lake Grace for 2010-2011 be included in the General Rate – Motion 10124 was carried 8/0.

In regard to Recommendations 2, 3 and 4, Motion 10125 was moved to not accept recommendations 2, 3 and 4 and that the Shire implement a stricter enforcement and education regime – the motion was lost 2/6.

As a result of the above the Chief Executive Officer requires direction from Council regarding Motion 10125.

Legal Implications

Environmental Protection Act 1986 (as amended).  
Environmental (Country Landfill) Regulations 2002.  
Health Act 1911 (as amended).  
Contaminated Sites Act 2003.  
Waste Avoidance and Resource Recovery Act 2007.  
Local Government Act 1995.  
Shire of Lake Grace Standing Orders Local Law.

Policy Implications

Nil

Financial Implications

In accordance with 2010/11 Draft Budget

Strategic Implications

Shire of Lake Grace Strategic Plan – Goal 5 Infrastructure (other than Roads)  
Strategy 5.4 – Strive for excellence in the management of the environment and natural resource infrastructure.

Officers Recommendation

That Council:

1. Require the Lake Grace rubbish tip be manned and open 3 days a week from 9.00 am to 3.00 pm commencing on 1<sup>st</sup> September 2010.
2. Endorse the Chief Executive Officer to seek comment from Lake Grace residents regarding their preferred opening hours of the Lake Grace rubbish tip.
3. Authorise staff to recover the full costs of the disposal of tyres at any of the Shire's rubbish tips from any person disposing of such waste.

Voting Requirements

Simple majority required.

Council Resolution

**MOTION 11052**

Moved Cr Farrelly  
Seconded Cr Chappell

That Council:

1. Require the Lake Grace rubbish tip be manned for a trial period of six months, and open 3 days a week from 9.00 am to 3.00 pm commencing on 1<sup>st</sup> September 2010.
2. Endorse the Chief Executive Officer to seek comment from Lake Grace residents regarding their preferred opening hours of the Lake Grace rubbish tip.

**MOTION 11052 continued**

3. Authorise staff to recover the full costs of the disposal of tyres at any of the Shire's rubbish tips from any person disposing of such waste.

**MOTION CARRIED 4/3**

***Reason for Change***

***Council elected to trial the manning of the tip for a six month period.***

3.29pm            *Meeting adjourned for afternoon tea.*

3.49 pm            *Meeting reconvened with all those previously in attendance present, and including Cr Milton.*

<b>12.0 MATTERS FOR CONSIDERATION – PLANNING</b>
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3.52pm      *Cr Farrelly left the meeting and returned at 3.53pm.*

**12.1      PROPOSED SUBDIVISION – LOT 966 DRAGON ROCKS RD & LOT 1259  
NEWDEGATE NORTH RD LAKE BIDDY –**

**Applicant:** PH & KE Gow (Licensed Surveyors) on behalf of  
Oakalona Pty Ltd (Landowner)

**File No.** 0455

**Attachments:** Plans 1 to 5

**Authors:** Mr Joe Douglas & Mr Carlo Famiano – Urban & Rural  
Perspectives Town Planning Consultants

**Disclosure of Interest:** Nil

**Date of Report:** 19 July 2010

**Senior Officer:** Mr Sean Fletcher  
Chief Executive Officer

Summary

This report recommends that a subdivision application submitted to the Western Australian Planning Commission (WAPC) by PH & KE Gow (Licensed Surveyors) on behalf of Oakalona Pty Ltd (landowner) and referred to the Shire for review and comment not be supported by Council.

Background

At its Ordinary Meeting held on 24 February 2010 the Lake Grace Shire Council considered an application for the proposed subdivision of Lots 966 Dragon Rocks Road and Lots 1259 & 2 Newdegate Road North, Lake Bidy for the purpose of realigning the common boundaries between three (3) existing agricultural lots (WAPC Ref: 141424). Council resolved to unconditionally support this original subdivision proposal as it was considered to be consistent with the criteria contained in the Western Australian Planning Commission's Policy No.DC 3.4 (see Plan 4).

The current landowner is now seeking approval to further subdivide proposed Lot 1 Dragon Rocks Road (created from WAPC Ref: 141424) to create two (2) new separately titled lots (see Plan 5).

It should be noted that the applicant has not submitted any written justification in support of the proposed subdivision. Subsequent telephone discussions with the landowner have however indicated that the intention of the proposed subdivision is to allow for the sale of a 429.3 hectare portion of the property (i.e. Proposed Lot C) for financial reasons.

Specific details of the proposed subdivision are summarised in the following table:

Lot Particulars	Existing Land Area(Approx.)	Proposed Land Area(Approx.)
Proposed Lot 1 (created from WAPC Ref: 141424)	993.79 ha	-
Proposed Lot C	-	429.3 ha
Proposed Lot D	-	564.4 ha

#### Comment

In considering the subdivision application Council is required to have due regard for provisions contained in the following planning documents prior to formulating its response to the WAPC:

- Shire of Lake Grace Local Planning Scheme No.4;
- Shire of Lake Grace Local Planning Strategy; and
- WAPC Development Control Policy No.DC 3.4 – ‘Subdivision of Rural Land’.

The following is an assessment of the subdivision proposal in the context of the specific requirements of these planning documents to determine its general suitability.

#### **Shire of Lake Grace Local Planning Scheme No.4 & Local Planning Strategy**

The subject land is currently classified ‘General Agriculture’ zone in the Shire of Lake Grace Local Planning Scheme No.4 (LPS No.4).

Under the terms of the Shire of Lake Grace Local Planning Strategy all land classified ‘General Agriculture’ zone is required to be preserved for agricultural purposes to accommodate the establishment of new agricultural uses and the protection of existing agricultural activities. As such the further subdivision of land classified ‘General Agriculture’ zone is generally not supported by the Local Planning Strategy.

As previously mentioned, this application proposes to further subdivide proposed Lot 1 Dragon Rocks Road (created from WAPC Ref: 141424) to create two (2) new separately titled lots. As such the proposal, if approved, will result in the creation of one (1) additional lot from the original subdivision application previously considered by Council at its meeting on 24 February 2010.

Clause 5.11.12 of LPS No.4 states that Council will only recommend support for the subdivision of land within the ‘General Agriculture’ zone where it accords with the provisions of the Scheme, Local Planning Strategy, Local Planning Policies and any relevant Commission policies applicable at the time. In this case the proposal does not accord with any of the criteria contained in the abovementioned planning documents. As such there is limited scope for Council to support this new subdivision proposal for the subject land.

#### **WAPC Development Control Policy No.DC 3.4 – ‘Subdivision of Rural Land’**

The Western Australian Planning Commission’s (WAPC’s) Development Control Policy No. DC3.4 provides guidance on the matters to be considered by the Commission when determining applications for the subdivision of rural land

throughout Western Australia. A key objective of Policy No.DC 3.4 is to minimise the ad-hoc fragmentation of rural land throughout the State.

An assessment of the proposal to further subdivide proposed Lot 1 (created from WAPC Ref: 141424) in the context of the provisions contained in Policy No.DC3.4 has revealed that subdivision of the subject land in the manner proposed:

- i. is inconsistent with the criteria contained in section 4 of WAPC Policy No.DC 3.4;
- ii. will result in the ad-hoc fragmentation of prime agricultural land; and
- iii. will create an undesirable precedent for the further subdivision of other rural lots classified 'General Agriculture' zone in the immediate locality.

Given the above findings, there is again limited scope for Council to support this new subdivision proposal for the subject land.

### **Conclusion**

The application to further subdivide proposed Lot 1 Dragon Rocks Road, Lake Bidy (currently known as Lots 966 & 1259) into two (2) new separately titled lots is considered to be contrary to the stated objectives and criteria contained in WAPC Policy No.DC3.4 – Subdivision of Rural Land and the Shire of Lake Grace's current operative Local Planning Scheme No.4 and Local Planning Strategy. As such the proposal has been deemed by the reporting officers to be inconsistent with the requirements of the relevant planning framework and the principles of proper and orderly planning.

Accordingly it is recommended that Council not support the further subdivision of the land as proposed.

### Legal Implications

Planning and Development Act 2005

Shire of Lake Grace Local Planning Scheme No.4

### Policy Implications

WAPC Development Control Policy No. DC 3.4 – Subdivision of Rural Land  
State Planning Policy No.2.5 – Agriculture and Rural Land Use Planning

### Consultation

Community consultation not required.

### Financial Implications

Nil

### Strategic Implications

Shire of Lake Grace Local Planning Strategy – The proposal is not consistent with the strategic planning direction provided by the Shire's Local Planning Strategy as this applies specifically to the subdivision of productive agricultural land.

### Recommendation

That Council resolve to advise the Western Australian Planning Commission that it does not support the application submitted by PH & KE Gow (Licensed Surveyors) on behalf of Oakalona Pty Ltd (landowner) to further subdivide

proposed Lot 1 created from WAPC Ref: 141424 comprising Lot 966 Dragon Rocks Road & Lot 1259 Newdegate Road, Lake Bidy into two (2) new separately titled lots for the following reasons:

1. The proposed subdivision is inconsistent with the objectives for and provisions applicable to land classified 'General Agriculture' zone in the Shire of Lake Grace Local Planning Scheme No.4.
2. The proposed subdivision does not comply with the criteria contained in the Western Australian Planning Commission's Development Control Policy No. DC 3.4 – Subdivision of Rural Land.
3. The proposed subdivision will result in the fragmentation of agricultural land and have an adverse impact on the broadacre farming character of the immediate area.
4. Subdivision of the subject landholdings in the manner proposed will create an undesirable precedent for the further subdivision of similarly zoned land in the immediate locality.

Voting Requirements

Simple majority required.

Resolution

**MOTION 11053**

Moved Cr Newman  
Seconded Cr Milton

That Item 12.1 be tabled until the CEO has had the opportunity to speak with the Shire's Town Planning Consultant.

**MOTION CARRIED 8/0**

Note: Refer to page 515 for resolution.

3.59pm *The CEO left the meeting.*

<b>13.0 MATTERS FOR CONSIDERATION – HEALTH &amp; BUILDING</b>
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**13.1 WASTE COLLECTION CONTRACT – CALLING OF TENDERS**

**Applicant:** Environmental Health Officer  
**File No.** 0329  
**Attachments:** Nil  
**Author:** Mr Maurice Walsh  
 Environmental Health Officer

**Disclosure of Interest:** Nil  
**Date of Report:** 15 July 2010  
**Senior Officer:** Mrs Nadene Owen  
 Manager Community Services

Summary

This report is for Council to consider calling tenders for waste collection services within the Lake Grace, Newdegate, Lake King and Lake Varley town sites as a new contract for Waste Collection Services is required.

Background

The current contract for the weekly kerbside waste collections in all town sites in the Shire of Lake Grace held by Great Southern Waste Disposals has expired.

The previous contract period commenced on the 1st August 2005 and expired on the 30th June 2010. The three year contract included the option of two one year extensions being exercised.

Comment

The proposed new contract period is for three 3 years commencing on 1 October 2010 and expiring on 30 September 2013 with the Shire retaining the option to extend the agreement for a further two (2) one (1) year options, subject to annual review of performance.

It is proposed tenders be evaluated using the following selection criteria:

<b>Criteria</b>	<b>Percentage Weighting</b>
Price	40%
Ability to carry out conditions of contract	30%
Condition of plant	15%
Previous experience	10%
References	5%

The tender will be advertised in the 'The West Australian' newspaper on 31 July 2010 and close at 10.00am on Monday 16 August 2010.



Legal Implications

Environmental Protection Act 1986.

Health Act 1911.

Local Government Act 1995 53.57

Waste Avoidance and Resource Recovery Act 2007.

Policy Implications

N/A

Consultation

Internal: Manager Corporate Services, Peter Dittrich  
Manager of Works, Keith Dickerson  
Works Overseer, Bill McKenna

External: Great Southern Waste Disposals, Kevin Timms

Financial Implications

The 2010/11 Draft Budget allows for the collection of waste.

The current contractor has agreed to continue to provide the service until a new contract is put in place.

Strategic Implications

Shire of Lake Grace Strategic Plan

5. Infrastructure (Other than Roads)

5.4 Waste Management

Recommendation

That Council authorise the Chief Executive Officer to call tenders for the weekly collection of kerbside waste for all town sites within the Shire of Lake Grace.

Voting Requirements

Simple majority required.

Resolution

**MOTION 11054**

Moved Cr Farrelly  
Seconded Cr Chamberlain

That Council authorise the Chief Executive Officer to call tenders for the weekly collection of kerbside waste for all town sites within the Shire of Lake Grace.

**MOTION CARRIED 8/0**

**13.2 RECRUITMENT OF GENERAL PRACTITIONER – SHIRE OF LAKE GRACE**

*A Media Release from Federal Member for O'Connor, Hon Wilson Tuckey regarding a proposal for a change in the access arrangements for overseas trained doctors was handed out to Elected Members.*

The President advised the meeting would come back to this item of business upon the CEO's return to the room.

Note: Refer page 513 for Agenda Item 13.2

<b>14.0 MATTERS FOR CONSIDERATION – FINANCE</b>
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**14.1 ACCOUNTS FOR PAYMENT – JUNE 2010**

<b>Applicant:</b>	Shire of Lake Grace
<b>File No.</b>	0277
<b>Attachments:</b>	List of Creditors
<b>Author:</b>	Miss Jessica de Burgh Finance Officer
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	05 July 2010
<b>Senior Officer:</b>	Mr Peter Dittrich Manager Corporate Services

Summary

For Council to ratify expenditures incurred for the month of June 2010.

Background

List of payments for the month June 2010 through the Municipal and Trust accounts are attached.

Comment

In accordance with the requirements of the Local Government Act 1995, a list of creditors is to be completed for each month showing:

- (a) The payee's name
- (b) The amount of the payment
- (c) Sufficient information to identify the transaction
- (d) The date of payment

The attached list meets the requirements of the Financial Management Regulations.

Legal Implications

Local Government (Financial Management) Regulations 1996 – Reg 12  
Local Government (Financial Management) Regulations 1996 – Reg 13

Policy Implications

N/A

Consultation

N/A

Financial Implications

The list of creditors paid for the month of June 2010 from the Municipal Account totals \$629,056.76. The list of creditors paid for the month of June 2010 from the Trust Account totals \$200.00.

Strategic Implications**7. Organisational Excellence**

7.1 Develop systems compliant with various statutes, regulations and policies.

Voting Requirements

Simple majority required.

Recommendation/Resolution

**MOTION 11055**

Moved Cr Chappell  
Seconded Cr Newman

That Municipal Account Cheques 34010 to 34040, Trust Account Cheque 588, Electronic Funds Transfers EFT6658 to EFT6783, and direct debits to the Municipal Account totalling \$629,256.76, having been checked and certified in accordance with the Financial Management Regulation 12, be confirmed, and passed for payment against the respective accounts as shown on the summary of Accounts for Payment schedule.

**MOTION CARRIED 8/0**

## 14.2 **INTERIM FINANCIAL STATEMENTS – JUNE 2010**

**Applicant:** Shire of Lake Grace  
**File No.** 0275  
**Attachments:** Financial Reports  
**Author:** Danielle Robertson  
Senior Finance Officer

**Disclosure of Interest:** Nil  
**Date of Report:** 20 July 2010  
**Senior Officer:** Peter Dittrich  
Manager Corporate Services

### Summary

Consideration of the interim financial statements for the month ending 30 June 2010.

### Background

The following financial reports are included for your information:

- Monthly Statement of Financial Activity
- Summary of Net Current Assets
- Operating Statement by Programme
- Balance Sheet
- Assets Purchased and Sold
- Capital Road Works, Operating Revenue & Expenditure Graphs
- Bank Reconciliations
- Rates Summary Chart

### Legal Implications

Local Government Act 1995 – section 6.4  
Local Government (Financial Management) Regulations 1996

### Policy Implications

N/A

### Consultation

Nil

### Financial Implications

Nil

### Strategic Implications

#### **Shire of Lake Grace Strategic Plan**

Goal 7 - Organisational Excellence

Strategy 7.1 - Develop systems to ensure compliance with various statutes, regulations and policies.

Voting Requirements

Simple majority required.

Recommendation/Resolution

**MOTION 11056**

Moved Cr Armstrong  
Seconded Cr Chappell

That the interim financial reports for the month ending 30 June 2010 as attached be received

**MOTION CARRIED 8/0**

### 14.3 **REGIONAL AND LOCAL COMMUNITY INFRASTRUCTURE PROGRAM (RLCIP) FUNDING ROUND THREE – APPLICATION FOR PROJECTS**

**Applicant:** Environmental Health Officer  
**File No.** 0658  
**Attachments:** Nil  
**Author:** Mr Maurice Walsh  
 Environmental Health Officer

**Disclosure of Interest:** Nil  
**Date of Report:** 15 July 2010  
**Senior Officer:** Mrs Nadene Owen  
 Manager Community Services

#### Summary

For Council to support an application for community based projects in the Regional and Local Community Infrastructure Programs (RLCIP) Round Three of funding.

#### Background

Through Round One of the RLCIP funding the following project applications were successful:

- Newdegate Town Dam - repairs and improvements to the town dam and road catchment - \$75,000.
- Varley Dam projects – installation of pump, standpipes and hardstand areas at Varley collection and holding dam - \$25,000.

Through Round Two of the RLCIP funding the following project applications were successful:

- Installation of refrigerated water fountains at Lake Grace Sporting Precinct - \$2,000.
- Relocation and new surface for Lake Grace Skate Park within the Lake Grace Sporting Precinct - \$10,000.
- Upgrade of soft fall areas and playground facilities at Lake Grace CWA community playground and Lake Grace Sporting Precinct playground - \$10,000.
- Supply and installation of air conditioning at Lake Grace Childcare/Early Childhood building - \$8,000.

Round Three of RCLIP funding deadline is 30 July 2010 and the Shire of Lake Grace has been allocated \$30,000 towards eligible projects. Eligible projects are those that provide clear and direct benefit to the local community.

#### Comment

The following project has been identified by staff.

1. *Installation of three (3) new control boxes fitted with remote wireless monitoring capability to the three (3) remaining pumping stations within the Lake Grace Sewerage Scheme \$34,500. This project would be*

*considered to be upgrading and not maintenance and therefore be eligible for RLCIP funding.*

The main pumping station within the Lake Grace sewerage scheme has already been provided with a new control box with remote wireless monitoring capability due to the old control having to be replaced in 2009.

This facility enables the pumps to be monitored constantly from ITT Flygt's Office (Shire's Sewerage Service Engineers/Contractor) in Perth and any faults are automatically relayed via text messaging to mobile phones of three (3) designated staff members/electrical contractor.

The system also allows ITT Flygt's staff to be able to monitor the working condition of the sewerage pumps at all times and determine how well they are functioning indicating when servicing is required and reducing overall pump replacement costs.

The total replacement cost of all sewerage pumps is currently in the vicinity of \$70,000.

Legal Implications

Water Service Licensing Act 1996 (WA)

Policy Implications

Nil

Consultation

Internal: Senior Management Team

External: Joe Trevenen – Plumbing Contractor  
Allan Stubberfield – Electrical Contractor  
ITT Flygt – Sewerage Service Engineers/Contractor

Financial Implications

The upgrade of the Lake Grace Sewerage Scheme is contained within the 2010/11 Draft Budget and is funded from Reserve and Round Three - Regional and Local Community Infrastructure Program (RLCIP).

Strategic Implications

Shire of Lake Grace Strategic Plan

5. Infrastructure (other than Roads) Develop, maintain and rationalize key infrastructure in the best interests of the community.

5.1 In conjunction with key stakeholders undertake the development and implementation of suitable utility services infrastructure: Sewerage.

Voting Requirements

Simple majority required.



Recommendation/Resolution

**MOTION 11057**

Moved Cr Newman  
Seconded Cr Armstrong

That Council endorse the Regional and Local Community Infrastructure Program Round Three funding of \$30,000 for the following project:

Installation of three (3) new control boxes fitted with remote wireless monitoring capability to the three (3) remaining pumping stations within the Lake Grace Sewerage Scheme.

**MOTION CARRIED 8/0**

4.10pm        *The CEO re-entered the meeting.*

#### **14.4        2010/11 BUDGET ADOPTION**

*The Manager Community Services handed out feedback summaries to Elected Members regarding the Aquatics & Recreation Program and the Tourism budget.*

**Applicant:**                      Shire of Lake Grace  
**File No.**                            0273  
**Attachments:**                  Under separate cover  
**Author:**                            Mr Peter Dittrich  
     Manager Corporate Services  
**Disclosure of Interest:**      Nil  
**Date of Report:**                21 July 2010  
**Senior Officer:**                Mr Sean Fletcher  
     Chief Executive Officer

##### Summary

The purpose of this item is for Council to adopt the 2010/11 Budget in accordance with the requirements of the Local Government Act 1995.

##### Background

The Act requires Council, by 31 August each financial year, to prepare and adopt in the form and manner prescribed, a financial budget for the financial year ending 30 June.

##### Comment

Following several staff budget planning sessions, two draft budget sessions have subsequently been held with Councillors on 23 June and 8 July 2010.

The 2010/11 Budget has been prepared on the basis of a General Rate increase of approximately 5.6% (6.5% in 2009/10, 5.5% in 2008/09) and an overall Specified Area Rate increase of approximately 14.9% (9.0% decrease in 2009/10, 15.6% increase in 2008/09).

The 2010/11 budget is presented for adoption in the Statutory Format as required by regulation and is made up of the following statements:

- Income Statement by Nature or Type
- Income Statement by Program
- Cash Flow Statement
- Rate Setting Statement
- Notes to and forming part of the Budget:
  - Significant Accounting Policies
  - Revenue and Expenses
  - Acquisition of Assets
  - Disposal of Assets
  - Information on Borrowings
  - Reserves
  - Net Current Assets
  - Rating Information
  - Specified Area Rates
  - Service Charges

- Fees & Charges Revenue
- Discounts, Incentives, Concessions & Write-offs
- Interest Charges and Instalments
- Councillor's Remuneration
- Notes to the Cash Flow Statement
- Trust Funds
- Trading Undertakings and Major Trading Undertakings

The following supporting information is also presented as part of the 2010/11 Budget:

- Summary of Accounts (Programs 3 to 14)
- Rate calculations for the Specified Areas of Lake Grace, Newdegate, Lake King and Varley
- 2010/11 Capital and Maintenance Road Program
- Schedule of Fees and Charges

**Note:** In accordance with the Waste and Resource Recovery Act 2007, waste collection charges for Lake Grace, Newdegate, Lake King and Varley and recycling charges for Lake Grace and Newdegate have been included in the 2010/11 Schedule of Fees and Charges.

#### Legal Implications

Local Government Act 1995 – section 6.2

Local Government (Financial Management) Regulations – Part 3

#### Policy Implications

N/A

#### Community Consultation

Community groups and Councillors have had the opportunity to submit budget requests.

#### Financial Implications

The Budget document establishes activities which Council will pursue during the 2010/11 financial year.

#### Strategic Implications

Nil.

#### Voting Requirements

Absolute majority (5) required.

Recommendation/Resolution**MOTION 11058**

Moved Cr Milton  
 Seconded Cr Farrelly

**1. Budget Adoption**

That Council, in accordance with the requirements of section 6.2 of the Local Government Act 1995, adopt it's 2010/11 Budget as presented.

**2. Adoption of Valuations**

That the Gross Rental Values of \$3,488,443 excluding exempt properties valued at \$168,232 and Unimproved Values of \$258,185,729 excluding exempt properties valued at \$220,600, as advised by the Valuer General applicable as from 1 July 2010 be adopted by Council for the purpose of levying rates and charges

**3. Minimum Rates**

That the minimum rate for Gross Rental Value Assessments be \$330.30 (\$315.00 for 2009/10) and for Unimproved Value Assessments be \$210.10 (\$200.00 2009/10) for the 2010/11 rateable year.

**4. Rate in the Dollar Gross Rental Value and Unimproved Value**

That the rate in the dollar for the 2010/11 rateable year be set at:  
 Gross Rental Value properties – 8.0066 cents in the dollar (7.7320 for 2009/10).  
 Unimproved Value properties – 0.7037 cents in the dollar (0.6670 for 2009/10)

**5. Discount**

That no discount be offered to the 2010/11 rating year in respect to rates paid within the 35 days after the date of issue of the rates notice.

**6. Penalty on Rates**

## a) Rates by Instalment

Rate instalments not paid by the due date of the instalment be subject to a simple interest penalty calculation of 10% per annum calculated daily.

b) All Other Rates and Charges All rates and charges outstanding (with the exception of rates being paid by instalments) to incur a 10% penalty after the expiration of 70 days from the date of issue of the rate notice.

**7. Instalment Dates**

That Council offer the options of one (1) payment due in full by 3 September 2010 or 35 days after the date of service appearing on the rate notice, whichever is the later, or two (2) or four (4) equal or nearly equal instalments.

That the following instalments dates be set:

For two (2) instalments:

1 <sup>st</sup> instalment	3 September 2010
2 <sup>nd</sup> instalment	7 January 2011

For four (4) instalments:

1 <sup>st</sup> instalment	3 September 2010
2 <sup>nd</sup> instalment	5 November 2010
3 <sup>rd</sup> instalment	7 January 2011
4 <sup>th</sup> instalment	11 March 2011

**MOTION 11058 continued**

The administration charge imposed where payment is made by instalments be set at \$11.00 per instalment.

The interest rate imposed where payment is made by instalments be set at 6.0%pa, calculated from the date the instalment is due.

**8. Specified Area Rate – Recreation & Culture Operating Costs**

That in accordance with section 6.37 of the Local Government Act 1995 the specified area rates to recoup costs of recreation and culture operating expenses for the Lake Grace, Newdegate, Lake King and Varley area being \$527,077, \$227,646, \$127,580 and \$54,535 respectively for the 2010/11 rating year be raised on those properties identified as being within the specified area as follows:

Lake Grace Gross Rental Valuation properties 6.6864 cents in the dollar (6.3053 cents in 2009/10);

Lake Grace Unimproved Valuation properties 0.4283 cents in the dollar (0.3928 cents in 2009/10);

Newdegate Gross Rental Valuation properties 4.8695 cents in the dollar (3.8391 cents in 2009/10);

Newdegate Unimproved Valuation properties 0.2036 cents in the dollar (0.1601 cents in 2009/10);

Lake King Gross Rental Valuation properties 3.4037 cents in the dollar (2.5226 cents in 2009/10);

Lake King Unimproved Valuation properties .2505 cents in the dollar (0.1748 cents in 2009/10)

Varley Gross Rental Valuation properties 3.5026 cents in the dollar (3.2915 cents in 2009/10) and;

Varley Unimproved Valuation properties 0.1691 cents in the dollar (0.1589 cents in 2009/10).

**9. Television Service Charges**

That in accordance with section 6.32 and 6.38 of the Local Government Act 1995, Council levy a television service charge for the 2010/11 rating year of \$53.50 per service (\$53.50 in 2009/10) on properties within the Lake Grace townsite;

\$62.50 per service (\$62.50 in 2009/10) on properties within the Newdegate townsite and;

\$215.00 per service (\$215.00 in 2009/10) within the Lake King townsite.

**10. That the rates for the Lake Grace Sewerage Scheme for 2010/11 rating year be based on the schedule of rates approved by Cabinet in respect to subsidised sewerage schemes, being:**

Sewerage Rate to be 2.10 cents (2.00 cents in 2009/10) in the dollar on rateable properties within the Lake Grace Townsite;

Minimum rates to be:

Residential properties	\$293.50 (\$287.50 in 2009/10)
Commercial properties	\$658.50 (\$633.40 in 2009/10)
Vacant Land properties	\$193.20 (\$189.20 in 2009/10)

Maximum rate: \$731.40 (\$716.40 in 2009/10)

**MOTION 11058 continued**

Non rateable properties connected to the sewer:

Class 1 – Institutional, Recreational, Cultural, Education, Religious or Public Amenities: For each property:

First major fixture \$176.90 per annum

Each additional fixture \$77.80 per annum.

**11. Setting of President Allowance, Deputy President Allowance and Sitting Fees**

President Allowance \$12,500

Deputy President Allowance \$2,750

Council Meeting Sitting Fee: President \$280.00 per meeting

Councillors \$140.00 per meeting

Committee Meeting Sitting Fee: Elected Members \$70.00 per meeting

**Note:** The Committee Meeting Sitting Fee only applies if the committee is a committee of Council.

**12. Schedule of Fees and Charges**

That the 2010/11 Schedule of Fees and Charges be adopted.

**13. Materiality Variance**

That Council adopts the percentage of plus or minus 10%, subject to a minimum value threshold of \$5,000, to be used for the reporting of variances of actual expenditure and revenue to budgeted expenditure and revenue, in the Monthly Statement of Financial Activity.

**MOTION CARRIED BY ABSOLUTE MAJORITY 7/1**

**Voting for the Motion: Crs Farrelly, Chappell, Milton, Walker, Chamberlain, Armstrong & Sinclair**

**Voting against the Motion: Cr Newman**

4.33pm *Manager Corporate Services left the meeting.*

The President advised the meeting would now resolve Item 12.1 (refer report page 304)

**Item 12.1 – Proposed Subdivision**

**Lot 966 Dragon Rocks Rd & Lot 1259 Newdegate North Road Lake Biddy**

Council Resolution – Agenda Item 12.1

**MOTION 11059**

Moved Cr Newman

Seconded Cr Chamberlain

That Council advise the Western Australian Planning Commission that it supports the application submitted by PH & KE Gow (Licensed Surveyors) on behalf of Oakalona Pty Ltd (landowner) to further subdivide proposed Lot 1 created from WAPC Ref: 141424 comprising Lot 966 Dragon Rocks Road & Lot 1259 Newdegate Road, Lake Biddy into two (2) new separately titled lots for the following reasons:

**MOTION 11059 continued**

1. The proposed subdivision will not alter the applicable land classified 'General Agriculture' zone in the Shire of Lake Grace Local Planning Scheme No.4
2. The proposed subdivision will not have any adverse impact on agricultural land or the broadacre farming character of the immediate area and will retain a desperately needed family unit in the community. Retaining population in small communities is critical for their survival and viability.
3. This matter should be considered on compassionate grounds.

**MOTION CARRIED 8/0**

***Reason for Change: Council wished to support the proponent's application to the WAPC on compassionate grounds.***

4.50pm Cr Chamberlain left the meeting.

The President advised Item 13.2 will now be considered -

**13.2 Recruitment of General Practitioner – Shire of Lake Grace**

**Applicant:** Chief Executive Officer  
**File No.** 0299  
**Attachments:** Nil  
**Author:** Mr Sean Fletcher  
 Chief Executive Officer

**Disclosure of Interest:** Nil  
**Date of Report:** 20 July 2010  
**Senior Officer:** Mr Sean Fletcher  
 Chief Executive Officer

Summary

The purpose of this report is to keep Council informed on the recruitment of a general practitioner (GP) for the Shire of Lake Grace.

Please note that Mr Tim Free the Regional Director for WA Country Health Service - Wheatbelt is attending the Council meeting.

Background

Since the June Council meeting the author has continued to seek a resolution to the issue regarding finding a GP for the Shire of Lake Grace.

Comment

**Meeting with Southern Regional Medical Group**

The author met with Chris Swarts the Business Manager from the Southern Regional Medical Group (SRMG) on Friday 4 July 2010. As mentioned previously, the SRMG is a private practice based in Albany and has expressed interest in assisting the Shire with providing GP consulting services.

- o The SRMG currently has:

- 9 Senior GPs;
- 3 trainees including 2 registrars. This will increase to 5 registrars next year;
- The Senior GPs are also specialists in a number of areas including obstetrics.

The author also discussed the level of support that the Shire currently provides to Gemini including the financial contribution, a house, a vehicle, the medical centre and the construction of a new medical centre at Newdegate.

Other matters discussed included the needs of locally trained GPs that are coming through and what this will be in the future. This included the fact that 70% of graduates will be women. Other concerns include that it will be 4 — 5 years before the increased numbers in trainees come through. Also GPs now like to have another GP in the practice to consult with.

Mr Swarts reviewed what services could be expanded or implemented e.g. long term health plans for each patient.

The matter of dispensing practices and whether SRMG can accommodate this or whether the author would need to find a pharmacist was also discussed.

The Executive Assistant and the author also showed Mr Swarts through the Lake Grace Medical Centre. He was very impressed with what he saw.

Overall Mr Swarts was pleased with what was discussed and will now prepare a business case and proposal for consideration. This includes the number of consulting sessions that the Shire would need each week and how these would be covered by SRMG.

Mr Swarts subsequently confirmed in discussions with the author on 20 July that SRMG would definitely like further discussions with the Shire and that he will draw up a detailed and thoroughly costed proposal for consideration.

In the meantime he will have a preliminary proposal drafted on an initial way forward by the end of Monday 26 July 2010.

#### **Discussions with Tim Free and Eddie Piper**

Mr Free has arranged for on-call GP services out of Narrogin (Earl Street Practice) to be provided during 19/07/10 — 6/08/10.

Essentially, this means that the hospital is covered for emergencies and after hour requirements by way of phone consultation in the first instance.

Mr Free also advised that the Shire of Yilgarn is in the process of entering into an agreement with the Royal Flying Doctor Service and the Wheatbelt GP Network.

The author subsequently spoke to Eddie Piper the Acting CEO at the Shire of Yilgarn who has advised that the RFDS will provide doctors on a rotational basis until a permanent doctor is found. The Wheatbelt GP Network will assist with this arrangement in the first instance and then provide a GP and run the Shire of Yilgarn Practice on a permanent basis. The cost to the Shire will be a cash component similar to that paid by the Shire of Lake Grace to Gemini Medical Services, the provision of a house, car, medical centre, underwriting of the losses and sharing in any profits.

The Shire of Yilgarn, like the Shire of Lake Grace is outside the area of the Wheatbelt GP Network, but Paul West the CEO of the Network has advised previously that his Division does not have a problem in assisting with solutions outside its area.



The author has requested further discussions with Mr West regarding the latest development with this model. However Mr West is in New Zealand at this point in time.

### **Feedback from the Shire of Ravensthorpe**

Mr Durtanovitch has advised that the Ravensthorpe Doctor has responded that he is no position to do anything at this point in time.

However, he is prepared to receive advice in future on how to find additional GPs and locums to expand his practice.

The author will now talk to Dr Manis direct regarding working up a possible solution.

### **Discussions with Gemini Medical Services**

In the interim Gemini has advised the Manager Community Services that locums arranged by the Shire can fill in during the vacant periods. However, such arrangements must be processed through Gemini as this organisation will be responsible for the paying of these locums.

As already stated there are no available locums at this point in time, but the author has asked Rural Health West to keep on trying.

### **Discussions with Avron Moffson**

The author has also spoken to Dr Moffson and will meet in the near future to discuss options.

### **Update from Cr Steve Martin**

Cr Steve Martin (Shire President Wickepin) as the WALGA Deputy President sent through an update acknowledging the work that was done at the recent ALGA Conference in Canberra by the Shire of Lake Grace and others on the GP attraction and retention issue.

### **Follow-up with Commonwealth Ministers and Opposition**

The author has written to the Minister for Health, the Minister for Ageing, the Shadow Minister for Health and Hon. Wilson Tuckey confirming the outcomes of the meeting between the Shire President and the Minister for Ageing. A response is yet to be received.

### **Local Government GP Forum**

WALGA has scheduled the Local Government GP Forum for 4 August 2010 which is the day before Local Government Week.

All key stakeholders will speak at the forum including the Minister for Health and key departmental officials.

#### Legal Implications

Nil

#### Policy Implications

Nil

#### Consultation

##### **External**

Belinda Bailey – CEO Rural Health West

Susie Leavesley – CEO Great Southern Division (GP Network)

Paul West – CEO Wheatbelt Division (GP Network)

Steve Sant – CEO Rural Doctors Association

Chris Swarts – Business Manager - Southern Regional Medical Group

Tim Free – Regional Director WA Country Health Service – Wheatbelt  
Eddie Piper – Acting CEO Shire of Yilgarn  
Peter Webster – CEO Shire of Kondinin  
Tony Brown – Executive Manager Governance & Strategy WALGA  
BHW Consulting  
Gemini Medical Services  
Hon Minister Waldron  
Hon Minister Grylls  
Hon Minister for Health Nicola Roxon  
Hon Minister for Ageing Katherine Elliot  
Hon Shadow Minister for Health Peter Dutton  
Hon Wilson Tuckey

**Internal**

Shire President  
Council  
Senior Management Team

Financial Implications

Unknown at this point in time

Strategic Implications

**Shire of Lake Grace Strategic Plan**

Focus 2 Social and Community Well Being

Strategy 2.1 Retain, promote and develop health, education, recreational provision and access within the Shire.

Voting Requirements

Simple majority required.

Recommendation/Resolution

**MOTION 11060**

Moved Cr Chappell  
Seconded Cr Milton

That Council receive the Chief Executive Officer's report on updating the recruitment of a general practitioner for the Shire of Lake Grace.

**MOTION CARRIED 7/0**

4.53pm

*Cr Chamberlain re-entered the meeting.*

## 15.0 MATTERS FOR CONSIDERATION – ADMINISTRATION

### 15.1 PROPOSED POLICY 5.11 – RABBIT CONTROL INITIATIVE

<b>Applicant:</b>	Community services
<b>File No.</b>	0062/0050
<b>Attachments:</b>	Letter from Mr Adrian Chesson DAFWA LG, Warren location maps and photographs Information on Rabbit Haemorrhage Disease(RHD)
<b>Author:</b>	Mr Marcus Owen Natural Resource Management Officer
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	12 July, 2010
<b>Senior Officer:</b>	Mrs Nadene Owen Manager Community Services

#### Summary

For Council to consider adopting a policy allowing adjoining landholders' access to Shire land for control of rabbit populations.

#### Background

A letter was received from Mr Chesson from the Department of Agriculture & Food WA (DAFWA) Lake Grace dated 24<sup>th</sup> May, 2010 informing us of recent inspections for rabbits carried out on a sample of roads within the shire – see attached.

The sample roads included Beenong North Rd, Milton Rd, Duckworth Rd, Burngup Rd, Macnamara Rd, Burngup South Rd, Fisher Rd and McGlenn Rd.

#### Comment

The inspections returned escalating numbers. It was also found that on the roads surveyed there were rabbit warrens that stretched for up to several hundred metres along the road reserve.

Mr Chesson requested the Shire look at ways of allowing adjoining landowners access to Shire land to control rabbit numbers and meet their obligation under the Agriculture and Related Resources Protection Act 1976 (ARRPA) to control declared species.

The author has since visited some of these sites with Mr Chesson and has drawn up the proposed policy and guidelines.

#### **Policy**

To control declared species, in this case rabbits, and in meeting with its obligation as a land owner under the Agriculture and Related Resources Protection Act 1976 (ARRPA), the Shire shall endeavour to work with adjoining land owners and users to help combat this issue. This will be carried out by allowing restricted

access to shire land to carry out harbourage and warren destruction.

**Guidelines**

1. Mechanical methods – use of back hoe or front-end loader to collapse warrens.
2. Restricted access – in some instances small amounts of native bush may be damaged/cleared to allow for ease of access. Land owners to seek Shire approval before bush is damaged or removed to prevent excessive clearing.
3. The Shire to adopt the practice of removing or burning excessive amounts of debris pushed up during roadside maintenance on stretches of road that are conducive to rabbit habitat, e.g. sandy soils.
4. The Shire shall endeavour to carry out warren destruction at opportune times when working in the vicinity of warrens.

Legal Implications

Agriculture and Related Resources Protection Act 1976

Policy Implications

Proposed Shire policy 5.11

Consultation

Internal: Cr Andrew Walker, Shire President  
Mr Sean Fletcher, CEO

External: Mr Adrian Chesson, Senior Biosecurity Officer, DAFWA

Financial Implications

Extra man hours time will need to be allocated for the completion of these additional tasks.

Strategic Implications

Shire of Lake Grace

Focus - 5 Infrastructure other than roads

Strategy - 5.4 Strive for excellence in the management of environmental and natural resource infrastructure

Voting Requirements

Simple majority required

Recommendation/Resolution

**MOTION 11061**

Moved Cr Milton  
Seconded Cr Farrelly

1. That Council establish Policy 5.11 for rabbit control as follows:

**Policy**

To control declared species, in this case rabbits, and in meeting with its obligation as a land owner under the Agriculture and Related Resources Protection Act 1976 (ARRPA), the Shire shall endeavour to work with adjoining land owners and users to help combat this issue. This will be carried out by allowing restricted access to shire land to carry out harbourage and warren destruction.

**Guidelines**

i) Mechanical methods – use of back hoe or front-end loader to collapse warrens.

ii) Restricted access – in some instances small amounts of native bush may be damaged/cleared to allow for ease of access. Land owners to seek Shire approval before bush is damaged or removed to prevent excessive clearing.

iii) The Shire to adopt the practice of removing or burning excessive amounts of debris pushed up during roadside maintenance on stretches of road that are conducive to rabbit habitat, e.g. sandy soils.

iv) The Shire shall endeavour to carry out warren destruction at opportune times when working in the vicinity of warrens.

2. That the policy manual be updated.

**MOTION CARRIED 8/0**

**15.2 CENTRAL COUNTRY ZONE**

<b>Applicant:</b>	Central Country Zone
<b>File No.</b>	0030
<b>Attachments:</b>	Minutes/Agendas available at the Shire Office Letter Fitzgerald Strategies – Western Australian Country Shire Councils Representation Update – Cr Steve Martin, President WALGA CCZ
<b>Author:</b>	Mr Sean Fletcher Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	20 July 2010
<b>Senior Officer:</b>	Mr Sean Fletcher Chief Executive Officer

Summary

The purpose of this report is for Council to consider issues raised through the Central Country Zone.

Background

The Shire of Lake Grace is a member of the Central Country Zone. The purpose of the Zone is to provide feedback to WALGA (Local Government's peak body in Western Australia) and other stakeholders on key issues faced by Local Government. Members of WALGA State Council are also selected from each of the Zones.

Members of the group include:

- Beverly
- Brookton
- Corrigin
- Cuballing
- Dumbleyung
- Kulin
- Lake Grace
- Narrogin Shire
- Narrogin Town
- Pingelly
- Quairading
- Wagin
- Wandering
- West Arthur
- Wickepin
- Williams

Under the List of Committees, the Shire of Lake Grace Zone representatives are the Shire President and Deputy Shire President. The CEO also attends these meetings and has voting rights in the absence of one or both representatives.

The Zone also considers matters before State Council and a copy of the agenda/minutes of these meetings is available at the Shire Office should you wish to review them at any time.

The Executive Officer is Bruce Wittber of BHW Consulting and can be contacted on 9313 5761 should you have further queries regarding matters under discussion by the Zone.

Comment

The next meeting of the Central Country Zone is 4 August 2010 at the Perth Convention Centre which is the day before Local Government Week and after the Local Government GP Forum in the morning. It is suggested for those elected members that are available to pop along and have a look at the Zone meeting process in action.

Please note that the Zone Golf Day is on 17 September 2010 in Wandering. Please let the Executive Assistant know if you are interested in participating.

Fitzgerald Strategies has sent follow up correspondence to the Shire regarding a meeting for the formation of a new Association to advocate and lobby on behalf of Country Shire Councils. The meeting will be held on 4 August at 7:30PM. The cost to attend this meeting is \$150 per head. The Shire President and the author advised Fitzgerald Strategies previously that the Shire is satisfied with the advocacy and services provided by WALGA.

**Next Meeting**

The next meeting of the Central Country Zone is:

Teleconference:	To be advised
In Person:	4 August 2010 - Perth Convention Centre @ 3:30PM
	1 October 2010 - Shire of Wandering @ 10:00AM
Golf Day:	17 September 2010 - Shire of Wandering

Legal Implications

Nil

Policy Implications

Nil

Consultation

Bruce Wittber – Executive Officer Central Country Zone

Financial Implications

Nil

Strategic Implications

**Shire of Lake Grace Strategic Plan**

Focus 6 Provide a visionary and proactive approach to leadership at an operational and strategic level

Voting Requirements

Simple majority required.

Recommendation/Resolution

**MOTION 11062**

Moved Cr Farrelly  
Seconded Cr Armstrong

That Council receive the Chief Executive Officer's report regarding the Central Country Zone.

**MOTION CARRIED 8/0**



### 15.3 LAKES VOLUNTARY REGIONAL ORGANISATION OF COUNCILS (LAKES VROC)

<b>Applicant:</b>	Lakes Voluntary Regional Organisation of Councils
<b>File No.</b>	0031
<b>Attachments:</b>	Minutes 5 May 2010 Agenda 7 July 2010 Minutes 7 July 2010 (Have yet to be released) 4WD Regional Workshop Priorities Letter Paul Rosair Director General Regional Development and Lands
<b>Author:</b>	Mr Sean Fletcher Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	20 July 2010
<b>Senior Officer:</b>	Mr Sean Fletcher Chief Executive Officer

#### Summary

The purpose of this report is to keep Council abreast of matters regarding the Lakes Voluntary Regional Organisation of Councils (Lakes VROC) that consists of the Shires of Lake Grace, Dumbleyung and Kent.

#### Background

The Lakes VROC met on 7 July 2010 to discuss its future and to look at the regional component of the Country Local Government Fund.

At the April 2010 Council meeting, it was suggested that the following be given priority as potential regional projects by the Lakes VROC:

- Communications - mobile phone towers, a footprint of the area would be required to determine the 'regional' aspect.
- Aged housing
- Water
- GP Services & Primary Health Care

The Wheatbelt Development Commission is looking to hold a workshop with the Lakes VROC on 23 July 2010 in Dumbleyung to establish priorities for the region.

## Comment

### **Regional Projects**

The Lakes VROC is supported by both the Wheatbelt Development Commission (Shires of Dumbleyung and Lake Grace) and the Great Southern Development Commission (Shire of Kent).

As advised previously, the regional projects under the Country Local Fund must have a business plan that is supported by both Development Commissions and endorsed by the Regional Development Council.

Peter Bentley the CEO of Kent has already addressed this issue with the Great Southern Development Commission as the Shire of Kent is in the Great Southern Region. The Shire of Kent will receive a proportion of business plan funding from the GSDC towards a Great Southern project which in this case will be the establishment of a regional waste facility and the other part of its funding will go towards the Wheatbelt Development Commission.

The Wheatbelt Development Commission is yet to release how it will fund the required business plans for the Wheatbelt. At this point in time the Wheatbelt Development Commission will meet with the Lakes VROC on 23 July 2010 to discuss the business plan process that is required for funding.

To date the WDC has met with the 4WD VROC as part of the regional business planning process. A copy of the outcomes worked up with the 4WD VROC is attached. Indications are that these outcomes are similar to those identified by NEWROC, WEROC and a number of other ROCs.

Taking on board previous discussions, the Lakes VROC at its meeting on 7 July 2010 discussed the need to develop three or four business cases to meet the requirements of the new funding guidelines:

- Project business cases must be approved by the end of December 2010;
- Projects that are common across the whole region;
- Projects must be underway or achievable by 30 June 2011;
- By 2013/14, regional projects will be 100% funded by the CLGF. Local Governments will lose their individual allocations at this point.

Discussion was had on the Lakes VROC list to date including that for 2010 – 2011 the funding available to the VROC is \$669,495. Concern was raised on how to expend this funding by 30 June 2011. Consensus was that this would be nearly impossible to achieve. Also, the subsequent funding would increase until it reached 100% of the total allocation for the Country Local Government Fund by 2013/14 or approximately \$2M per year.

The author suggested the VROC should look at how a project can be funded over a number of years to accommodate the costs associated with such projects. The VROC felt that the mobile tower project although important would not meet the now tight funding timeline in the first instance. It was felt that projects that might achieve quicker outcomes were water security based on the installation of tanks at key locations, multi purpose

housing and a green or environmental project such as a solar power strategy across the region.

### **Changes to Administration of the Lakes VROC**

As previously agreed, the Shire of Lake Grace has taken over from the Shire of Kent the administrative function of the Lakes VROC for the next six months.

The Lakes VROC did discuss the need to find professional support during this time that can also assist with the management of the regional projects. The author will have discussions with potential candidates at Local Government Week.

### **Future of the Lakes VROC**

At this point the Shire of Dumbleyung is involved with the Lakes VROC and 4WD. However, it is in the process of deciding whether to stay with the Lakes VROC. As for the Shire of Kent, it is its preference to stay put with the Lakes VROC, but will reassess its options should the Shire of Dumbleyung pull out.

### **Next Meeting**

The next meeting of the Lakes VROC is:

In Person: 8 September 2010 in Lake Grace

### Legal Implications

Nil

### Policy Implications

Nil

### Consultation

External: CEO Dumbleyung  
CEO Kent

Internal: Manager Corporate Services  
Shire President  
Elected Member Updates

### Financial Implications

Nil

### Strategic Implications

#### **Shire of Lake Grace Strategic Plan - Item 6 Leadership**

6.1 Develop and implement through collaboration with other local state and federal government agencies resource sharing and regional service delivery.

Voting Requirements

Simple majority required.

Recommendation/Resolution

**MOTION 11063**

Moved Cr Chappell  
Seconded Cr Armstrong

That Council receive the Chief Executive Officer's report on the latest developments regarding the Lakes VROC.

**MOTION CARRIED 8/0**

## 15.4 **LOCAL GOVERNMENT REFORM UPDATE – IMPLEMENTATION COMMITTEE**

<b>Applicant:</b>	Local Government Reform Update
<b>File No.</b>	0552
<b>Attachments:</b>	Department of Local Government Reform Update 03 Ministerial Media Statement 30 June 2010
<b>Author:</b>	Mr Sean Fletcher Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	20 July 2010
<b>Senior Officer:</b>	Mr Sean Fletcher Chief Executive Officer

### Summary

The purpose of this report is to keep Council abreast of matters regarding Local Government Reform. This includes outcomes from the Minister's briefing to Local Government CEOs on Forward Capital Works Plans, the Regional Business Planning Framework, legislation and guidelines for Integrated Strategic Planning and the provision of services to remote indigenous communities.

### Background

The prior history to this item can be found in the report submitted to Council at the ordinary meeting held on 24 March 2010.

### **March 2010**

In response to a request from the Shadow Minister for Local Government, the following information was provided regarding the cost of the Local Government Reform process to the Shire of Lake Grace:

Consultants:	\$11,000
In-kind:	\$24,000
Other:	<u>\$ 4,000</u>
Total:	<b>\$37,000</b>

Mr Papalia's media statement regarding the cost to Local Government was tabled at the March Ordinary meeting. An infopage from WALGA's Deputy CEO was also tabled saying if a Local Government was not genuinely committed to pursuing an amalgamation, then do not participate in the RTG process.

### **April 2010**

The matter regarding Forward Capital Works plans was reviewed at the April meeting.

### **May 2010**

Council considered a report on Integrated Strategic Planning.

### **June 2010**

Alison Dalziel gave a presentation to Council on Integrated Strategic Planning.

Comment

As part of the next step in the Reform Process, the Minister for Local Government established the Local Government Reform Implementation Committee in June 2010 to oversee and progress the implementation of the State Government's local government reform agenda. Its aims are to:

- Determine the resources and support required to progress the implementation of local government reform
- Develop implementation principles as necessary for effective reform initiatives
- Liaise with working groups and local transition teams as required
- Coordinate and monitor the progress of the implementation of local government reform
- Provide progress reports to the Minister for Local Government, and
- Consider any other matters that may enhance local government reform if requested to do so by the Minister, or as agreed to by the Committee itself.

The Implementation Committee is assisted by five Working Groups focused on each of the following issues and others as required:

- Governance and Legal
- Strategic Planning and Community Engagement
- Human Resources and Change Management
- Finance, and
- Information Management and Technology.

The implementation committee is made up of the following members:

Jennifer Mathews	Director General, Department of Local Government (Chair)
Wendy Murray	Executive Director Strategic Policy and Local Government Reform, Department of Local Government
Ricky Burges	CEO, Western Australian Local Government Association
Andrew Hammond	State President, Local Government Managers Australia (WA)
Alex Scherini	Director, Intergovernmental Relations Economic Business Unit, Department of Treasury and Finance
Tim Shanahan	Director, Energy and Minerals Initiative, UWA
Eric Lumsden	Director General, Department of Planning
Mike Rowe	Acting Director, Regional Policy Development and Operations, Department of Regional Development and Lands

The Local Government Reform Steering Committee Report is still under consideration by the State Government.

WALGA has written to the Minister seeking opening up of the regional collaboration group model to all local governments instead of the regional transition group model.

Legal Implications

Nil

Policy Implications

Nil

Consultation

External: Department of Local Government

Internal: Senior Management Team

Financial Implications

Nil

Strategic Implications

**Shire of Lake Grace Strategic Plan**

Goal 3 Financial Sustainability

3.2.6 Investigate sources of funding that could support resource sharing.

Goal 6 Leadership

6.1 Develop and implement through collaboration with other local state and federal government agencies resource sharing and regional service delivery.

Voting Requirements

Simple majority required.

Recommendation/Resolution

**MOTION 11064**

Moved Cr Farrelly

Seconded Cr Milton

That Council receive the Chief Executive Officer's report regarding the current update on the Local Government Reform Process

**MOTION CARRIED 8/0**

## 15.5 REVIEW OF THE REGIONAL DEVELOPMENT COMMISSIONS

**Applicant:** Minister for Regional Development and Lands Hon.  
Brendon Grylls MLA  
WALGA

**File No.** 0032

**Attachments:** Letter Hon Wendy Duncan MLC (Chair)  
WALGA Infopage  
Issues Paper  
Shire of Lake Grace Submission

**Author:** Mr Sean Fletcher  
Chief Executive Officer

**Disclosure of Interest:** Nil

**Date of Report:** 6 July 2010

**Senior Officer:** Mr Sean Fletcher  
Chief Executive Officer

### Summary

The purpose of this report is to advise Council on the Shire submission to the Committee for the Review of Regional Development Commissions. This included specific comments regarding the Wheatbelt Development Commission (WDC).

The submission includes the need to keep in place the current regional governance model with enhancements to the development commissions on a whole of government basis. There is also a need to better align with local government in terms of delivering funding and services with a view to removing cost shifting. So this means reducing the impacts on local government and thus supporting each region by allowing it to compete and hence survive.

### Background

The Minister for Regional Development and Lands recently announced a review of regional development commissions in Western Australia. The review is being undertaken by the Committee for the Review of Regional Development Commissions.

The author responded accordingly within the tight timelines required.

### Comment

Since the election of the Liberal National Government in 2008 there has been an increase in focus on regional development. This has been as a result of the implementation of the Royalties for Regions program and in particular for Local Government through the Country Local Government Fund.

The review of the regional development commissions is about ensuring that as a result of the significant increase in funding to the regions that the best regional governance structure is in place.



### **Overview of Shire's Submission**

The author addressed the four questions asked. In summary, the submission included:

- The need for the State Government to have bold vision and mobilising the imagination to come up with solutions. There is no doubt Minister Grylls has the imagination and vision. The issue is then one of whether to centralise the regional development process or to devolve it to the local level;
- Noting that if the paradigm is about local engagement then a centralist approach that includes the strengthening of the decision making role within the Department of Regional Development and Lands will not lead to worthwhile outcomes. A central department with no outlying support would destroy local engagement and empowerment. So dismantling the development commissions would fly in the face of local decision making and involvement. Each region needs localised support and representation to become competitive in its own right;
- **Suggesting** local governments in each region pull together as one group as outlined in WALGA's Systemic Sustainability Study. This grouping with the respective regional development body would look at and resolve development issues on the basis of broad regional cooperation based on the groupings on the Regional Road Group model. In this instance due to the number of local governments involved in the Wheatbelt, it would mean splitting the region into two parts: Wheatbelt North and Wheatbelt South;
- Commenting it would be prudent to repackage the development commissions to include a broadening of the services that are currently provided to encompass more of a whole of government approach e.g. a first point of contact for businesses and communities seeking access to government services and expertise;
- Noting the need to retain the development commission boards;
- Stating there is no one size fits all regarding the provision of service delivery and support. The matter of optimal size comes down to what allows the most flexible and quick delivery of outcomes balanced against the desire for best practice or quality. It would appear the main reason for the lack in translation to on ground outcomes by the WDC is due in part to a shortage of resources. For instance, it has become apparent through the Shire's dealings with the WDC that its staff are spread very thinly on the ground.
- In terms of how well RDCs work with local stakeholders, the Shire of Lake Grace has a good relationship with the Wheatbelt Development Commission. Staff have a very good understanding of the issues facing local government and local communities. However, follow-up and timing on projects has not always been the best.
- Making it very clear that there is no such thing as an overlap with Local Government, the issue is more about alignment of the Commonwealth and State spheres and the cost shifting that has resulted to date. In short this has meant Local Government picking up the pieces or covering the holes left through the withdrawal of Commonwealth and State commitments e.g. health including primary health care i.e. finding and even employing GPs and providing aged services. The question should really be who is best placed to deliver a particular service and how this will be resourced by the respective sphere of government. It is

not all about infrastructure, although many services cannot be achieved without it.

The submission has been sent to WALGA in line with the request from Tony Brown Executive Manager Governance and Strategy on 16 June 2010. At that time feedback was due on 2 July 2010. However an extension of time was subsequently granted until 23 July 2010. The submission to the Committee for the Review of Regional Development Commissions was due on 9 July 2010 but has been put back to 30 July 2010.

Legal Implications

Nil

Policy Implications

Nil

Consultation

External: Mr Bruce Wittber – Executive Officer Central Country Zone  
Mr Tony Brown - Executive Manager Governance & Strategy  
WALGA  
Ms Wendy Newman – CEO Wheatbelt Development  
Commission

Internal: Shire President  
Elected Member Update  
Senior Management Team

Financial Implications

Nil

Strategic Implications

Shire of Lake Grace Strategic Plan – Focus 6 Leadership  
Provide a visionary and proactive approach to leadership at an operational and strategic level.

6.1 Develop and implement through collaboration with other local, state and federal government agencies, resource sharing and regional service delivery.

Voting Requirements

Simple majority required.

Recommendation/Resolution

**MOTION 11065**

Moved Cr Farrelly  
Seconded Cr Sinclair

That Council endorse the submission prepared by the Chief Executive Officer on the review of the Regional Development Commissions

**MOTION CARRIED 8/0**

**15.6 WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION (WALGA) – 2010 ANNUAL GENERAL MEETING**

**Applicant:** WA Local Government Association  
**File No.** 0029  
**Attachments:** 2010 WALGA AGM Agenda  
**Author:** Mr Sean Fletcher  
 Chief Executive Officer

**Disclosure of Interest:** Nil  
**Date of Report:** 20 July 2010  
**Senior Officer:** Mr Sean Fletcher  
 Chief Executive Officer

Summary

This report has been prepared to provide direction to Council’s voting delegates for the Annual General Meeting of the WA Local Government Association (WALGA) to be held on 7<sup>th</sup> August 2010 at the Perth Convention Centre.

Background

WALGA has released its agenda for the Annual General Meeting to be held on 8<sup>th</sup> August 2009.

There are nine items on the agenda for decision at the Annual General Meeting.

The registered voting delegates for the Shire of Lake Grace are:

**Voting Delegates** Cr Walker Shire President  
 Ct Chamberlain Deputy Shire President

**Voting Proxies** Cr De Landgrafft  
 Mr Sean Fletcher Chief Executive Officer

Comment

The background information on each item is contained within the attachment and comments are as follows:

<b>Item</b>	<b>Motion</b>	<b>In Brief</b>	<b>Recommendation</b>
3.1	That the meeting endorse the WALGA initiative on climate change, and request that the latest information on cost effective mitigation measures be communicated to all councils for their consideration	<ul style="list-style-type: none"> <li>• Actions to mitigate costs to local governments not progressed</li> <li>• Extreme climatic events impact heavily on communities</li> <li>• Time to adopt energy saving and carbon neutral activities</li> </ul>	This motion seeks for local government to take the lead on climate change  <b>Support</b>
3.2	1. That WALGA, with the support of appropriate policy forums and reference groups, lobby the State Government to improve its performance in the policy, funding and operational management of climate change in Western Australia.	<ul style="list-style-type: none"> <li>• Climate change represents threats to Local Government which cannot be ignored</li> <li>• As a Risk Management issue these threats should be assessed and responded to.</li> </ul>	WALGA states that it is addressing the matter of climate change however the current State and Federal political spheres are making this difficult to achieve.

	<p>2. That WALGA endorse the Climate Change Councillor's Group as a formalised Policy Forum to consider and advocate on climate change in Western Australia and communicate findings to Local Governments, State Government and the Commonwealth Government.</p> <p>That WALGA continue to lobby for direct involvement from the Commonwealth Government on climate change in Local Government through a regional delivery process and appropriate funding and support.</p>		<p>Any additional support or advocacy is appreciated</p> <p><b>Support</b></p>
3.3	<p>That WALGA lobby the State Government to recognize and permanently compensate Local Governments in Western Australia for the loss of rate income where rateable assessments become non-rateable as a result of any State Government policy or decision that transfers responsibility for public housing from the Department of Housing (Homeswest) to a not-for-profit, charitable organisation.</p>	<ul style="list-style-type: none"> <li>• State Government Housing 2020 document outlines increased public housing partnerships with the not for profit sector.</li> <li>• Concern at loss of rating income which will arise from the implementation of these partnerships.</li> </ul>	<p>It is imperative that Local Government protects its revenue stream as much as possible</p> <p><b>Support</b></p>
3.4	<p>That WALGA oppose any change to the <i>State Records Act 2000</i> that may lead to increased responsibility for Elected Member record keeping requirements.</p>	<ul style="list-style-type: none"> <li>• State Records Commission recently updated the Elected Member Record Keeping Policy.</li> <li>• The State Records Office issued an Information Sheet in March 2010 that inferred Elected Members record-keeping obligations may be greater than what is mandated by the <i>State Records Act 2000</i>.</li> </ul>	<p>WALGA supports the Shire of Kulin's view that elected members make a record of activities associated with the decision making process and not trivial or incidental matters</p> <p><b>Support</b></p>
3.5	<p>That the Western Australian Local Government Association instigate, as a matter of urgency, discussions with key stakeholders on the development of a local government platform or framework that can be used to address the general practitioner shortage in regional Western Australia.</p>	<p>The development of a new service delivery platform or framework is urgently required to address the critical shortage of General Practitioners to rural and remote Local Governments across Western Australia.</p>	<p>This item was brought forward and supported by Council at the June Council Meeting</p> <p><b>Support</b></p>
3.6	<p>That WALGA escalate its campaign for increased road funding from the State Government</p>	<ul style="list-style-type: none"> <li>• Funding has not kept up with the rising costs of maintaining road networks.</li> <li>• Further erosion of funding has occurred due to cost shifting</li> </ul>	<p>The total quantum of State Government Funds for roads needs to be increased. The increase in funding for State roads should not be at the expense of local roads</p> <p><b>Support</b></p>

<p>3.7</p>	<p>That WALGA in its deliberations do not agree to any amendments to the <i>Emergency Management Act 2005</i> or the <i>Emergency Management Regulations 2006</i> that would transfer the authority invested in Local Government relating to Hazard Management from Local Government to FESA.</p> <p>Further, that WALGA engages elected Local Government representatives from Country Fire Advisory Committees and / or Local Emergency Management Committee (LEMC) to be voting members on any decision making body between WALGA and FESA on the issue.</p>	<ul style="list-style-type: none"> <li>• A review of the <i>Emergency Management Act</i> is to be undertaken.</li> <li>• The Act/Regulations currently do not prescribe the Hazard Management Agency for bushfire.</li> <li>• State Solicitors Office has advised this should be addressed.</li> </ul>	<p>The Shire of Boyup Brook states that any proposed changes will see local bush fire brigades abandoned</p> <p><b>Support</b></p>
<p>3.8</p>	<p>That WALGA raise with the State Government that unless there is sufficient residential land released to meet the objectives of the Industrial Land Strategy, the State Government will be facing a critical housing and land supply shortage that is not capable of meeting the future population needs of the Perth Metropolitan and Peel region.</p>	<ul style="list-style-type: none"> <li>• The Shire of Murray concerned with the issue of land release in Perth and the Peel</li> <li>• Draft Industrial Land Strategy indicated a marked shortfall of industrial land both in Perth and Peel</li> <li>• In its submission on Directions 2031 and the South Metropolitan and Peel Subregional Structure Plan, Murray Shire Council raised major concerns that these planning documents have seriously underestimated future urban land requirements, dwelling requirements and population growth forecasts</li> <li>• Over the years, local governments have undertaken their own population forecasts which have frequently exceeded Department of Planning forecasts</li> <li>• The Shire of Murray is seeking support from State Council, for the Western Australian Planning Commission to adopt a more flexible approach to urban and industrial land supply which is responsive to variations in future population, housing demand, infill yields and gross density yields in new developments.</li> </ul>	<p>The heart of the issue is that unless there is sufficient residential land released to meet the objectives of the Industrial Land Strategy then the State Government will be facing a critical housing and land supply shortage</p> <p><b>Support</b></p>

<p>3.9</p>	<p>The ALGA call on the Federal and State governments to develop a plan to deal with the 35-45 million people predicted to be residing in Australia by 2050 in recognising the role of local government in funding the provision of Services and Infrastructure.</p>	<ul style="list-style-type: none"> <li>• In future cost of providing infrastructure will be greater than it is today.</li> <li>• Cost of maintaining/ replacing existing infrastructure will place burden on Local Government.</li> </ul>	<p>It is clear that WA's population is growing at a faster rate than the national average</p> <p>The WDC has already recognized that there will be a spill over in population back to the Wheatbelt</p> <p>Although there is an increasing reliance on Commonwealth funding, the current level of funding will not always be there</p> <p>Perhaps the motion should include "in conjunction with local government"</p> <p><b>Support</b></p>
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Legal Implications

Voting on the proposed motions will be in accordance with WALGA's Constitution.

Policy Implications

Nil

Consultation

Nil

Financial Implications

There is allocation in the 2010/11 budget for attendance at the AGM by elected members and staff.

Strategic Implications

**Shire of Lake Grace Strategic Plan – Focus 6 Leadership**

Provide a visionary and proactive approach to leadership at an operational and strategic level.

6.1 Develop and implement through collaboration with other local, state and federal government agencies, resource sharing and regional service delivery.

Voting Requirements

Simple majority required.

Recommendation/Resolution

**MOTION 11066**

Moved Cr Armstrong  
Seconded Cr Sinclair

That Council:

1. Supports the motions put forward for items 1 to 9.
2. Endorses as the voting delegates at the 2010 WALGA AGM the Shire President Cr Walker and the Deputy President Cr Chamberlain.
3. Endorses as the voting delegate proxies Cr De Landgraft and the Chief Executive Officer.

**MOTION CARRIED 8/0**

**15.7 WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION –  
PROPOSED LOCAL GOVERNMENT TRADING ENTITY**

<b>Applicant:</b>	Western Australian Local Government Association
<b>File No.</b>	0029
<b>Attachments:</b>	WALGA Info Page WALGA Draft Discussion Paper
<b>Author:</b>	Mr Sean Fletcher Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	21 July 2010
<b>Senior Officer:</b>	Mr Sean Fletcher Chief Executive Officer

Summary

That report seeks Councils approval to support the introduction of Local Government Enterprises on the basis of the comprehensive approach outlined in the Draft Discussion Paper: Local Government Enterprises as a Means of Improving Local Government.

Background

WALGA is seeking feedback on the ability of local governments to form a corporate entity such as a company, partnership or joint venture known as a Local Government Enterprise or LGE that operate at arms length to the normal process.

This ability to form an LGE is a key action out of WALGA's Systemic Sustainability Study (SSS Report) and is strongly advocated by WALGA as a genuine part of the Local Government Reform process.

Comment

The 2008 WALGA SSS Report recognised that local government in Western Australia has very limited means in which to raise levels of finance to provide the ever increasing level of services that a local government such as Lake Grace is expected to provide. The main revenue streams are:

- Rates (ideally 40% of all revenue);
- Financial Assistance Grants (from the Commonwealth);
- Other Grant funding including Roads to Recovery;
- Loans; and
- Fees and Charges.

A local government has the capacity to enter into a major trading undertaking or major land transaction, but these do not guarantee a positive level of income.

The SSS Report identified that the implementation of a Local Government Enterprise (LGE) would provide an excellent opportunity for either individual or joint local governments to diversify their income stream. Western Australia is the only state that has a barrier to this opportunity. Queensland (along with New Zealand) has the most open model. It is common practice



for local governments to place their commercial activities in wholly-owned corporate subsidiaries under the control of external boards.

South Australia also has the subsidiary model subject to Ministerial approval. In this instance it is mandatory that the regulatory functions of a local government must be separate from its commercial functions, and is the premise that SEAVROC was trying to pursue with the State Government during last years Reform process.

The draft discussion paper proposes that local governments should be empowered, with consent from their communities through detailed consultation processes, to establish LGEs, governed by directors appointed for their relevant expertise, to manage and develop assets using normal commercial arrangements.

The implementation will require a change to the *Local Government Act 1995*. WALGA advocates that the role of local government in general has changed in the 15 years since the Act came into force. The Act was framed with the need for local governments to be more strategic and policy driven, but only in the context of its traditional “core” values. There has been rapid change regarding “core” services in response to a broader range of expectations in communities now that require sustainable and social outcomes to be addressed at the local level. In other words what is considered core business has changed.

WALGA sees that LGEs based on a comprehensive business plan will assist both urban and rural local governments address a range of issues without the need to defer to another authority and thus waste time and resources. For the urban areas it is having the capacity to ensure suitable developments handling an expanding population are in place. For rural areas it is about addressing underperforming commercial areas as a result of falling population or hollowing out (removal of) local services. This is about avoiding the trigger point regarding social decline.

An example of an LGE in a rural environment is a group of rural local governments combining their roadworks operations under a single stand alone jointly owned entity. Also there is the matter of whether these same local governments want to pick up private sector enterprises such as a medical centre, pharmacy or service station that would otherwise disappear.

In terms of an appropriate governance model, there are three options:

#### **Minimalist Approach**

This is the introduction of regulations that would allow the Minister on a case by case basis to approve an LGE for a specific purpose. In this situation the Minister is involved in the decision making process.

#### **A Broader Approach**

This approach would require amendments to the Act and relevant regulations that allows the distinction between “core” and “non core” functions but on the basis of significant (core) functions and assets as the default setting. In this situation the process becomes descriptive and creates the tendency of becoming bogged down.

### **A Comprehensive Approach**

Again changes to the Act and regulations are required. In this approach the LGE does not differentiate between “core” and “non core” functions nor can it deal with regulatory functions. It is about the process including accountability and transparency. Here the highest level of consultation with the communities and the strictest standards of corporate governance are applied.

The Draft Discussion Paper on LGEs provides an exciting way forward for local government. Here is a real opportunity for a group of local governments to get together and establish a commercial enterprise or incorporated entity in its own right to deliver a range of services without the need to form a regional organisation of councils or even a voluntary regional organisation of councils.

#### Legal Implications

Nil

#### Policy Implications

Nil

#### Consultation

External: Tony Brown – Executive Manager Governance & Strategy  
WALGA

Internal: Senior Management Team

#### Financial Implications

Nil

Strategic Implications

**Shire of Lake Grace Strategic Plan – Focus 6 Leadership**

Provide a visionary and proactive approach to leadership at an operational and strategic level.

6.1 Develop and implement through collaboration with other local, state and federal government agencies, resource sharing and regional service delivery.

6.2 Actively monitor the outcomes of the SSS report and its probable effects on the operations of Council.

Voting Requirements

Simple majority required.

Recommendation/Resolution

**MOTION 11067**

Moved Cr Milton  
Seconded Cr Chappell

That Council advises WALGA the Shire of Lake Grace supports the introduction of Local Government Enterprises on the basis of the comprehensive approach outlined in the Draft Discussion Paper: Local Government Enterprises as a Means of Improving Local Government.

**MOTION CARRIED 8/0**

## **16.0 URGENT BUSINESS BY DECISION OF THE MEETING**

None

## **17.0 SCHEDULING OF MEETING**

### **17.1 JULY 2010 ORDINARY MEETING**

#### **Motion 10913 November 2009 states:**

An Ordinary Meeting of Council will be held on Wednesday 25 August 2010, commencing at 1:00pm at Council Chambers, 1 Bishop St Lake Grace.

## **18.0 CONFIDENTIAL BUSINESS – As per Local Government Act s5.23 (2)**

*5.09pm Cr Milton and Cr Farrelly left the meeting and returned at 5.11pm.*

### **MOTION 11068**

Moved Cr Chappell  
Seconded Cr Armstrong

That Council close the meeting to the public at this time, being 5.11pm, to discuss Item 18.1 Chief Executive Officer – 2010 Performance Review.

**MOTION CARRIED 8/0**

*5.11pm The Chief Executive Officer, Manager Community Services and the Executive Assistant left the meeting.*

### **18.1 CHIEF EXECUTIVE OFFICER – 2010 PERFORMANCE REVIEW**

*Item forwarded under separate cover.*

### **MOTION 11069**

Moved Cr Chamberlain  
Seconded Cr Newman

That Council:

1. In accordance with section 4.4.7 of the Chief Executive Officer's contract Consider all four (4) expressions of interest received in conjunction with the Chief Executive Officer and engage Anne Lake Consultancy to assist carry out the 2010 CEO Performance Review.

**MOTION 11069 continued**

2. Appoints the 2010 Chief Executive Officer Performance Review Committee consisting of the Shire President Cr Walker and Cr Chamberlain, Cr Milton, Cr Armstrong and Anne Lake (Consultant).
3. That the 2010 Chief Executive Officer Performance Review Committee terms of reference in accordance with the CEO's contract is as follows:
  - i) Direct the performance review consultant in assisting with the 2010 Chief Executive Officer performance review process including:
    - a. The provision of a set of questions for the Chief Executive Officer based on the Key Result Areas (performance indicators).
    - b. Establishment of suitable key result areas (performance indicators) for the next 12 months that the standard of the CEO's performance can be measured against.
    - c. Preparation of a report for consideration by Council and the Chief Executive Officer.
    - d. Conducting a review of the level of the Chief Executive Officer's remuneration for Council's consideration.
  - ii) That the work of the Committee will be disbanded at the end of the 2010 Chief Executive Officer performance review process.

**MOTION CARRIED 8/0**

5.42pm      *The Chief Executive Officer re-entered the meeting and was informed of the outcome.*

**MOTION 11070**

Moved Cr Chappell  
Seconded Cr Farrelly

That Council re-open the meeting to the public at this time, being 5.43 pm.

**MOTION CARRIED 8/0**

**19.0 CLOSURE**

There being no further business, the Chairperson closed the meeting at 5.44 pm.

**20.0 CERTIFICATION**

I Andrew James Walker certify that the minutes of the meeting held on the 28 July 2010 as shown were confirmed as a true record at the meeting held on the 25 August 2010.

\_\_\_\_\_

Chairman

\_\_\_\_\_

Date