

Shire of Lake Grace



Minutes

Ordinary Council Meeting

23 June 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 23 June 2010.

1.0 OPENING & ANNOUNCEMENT OF VISITORS

The Chairperson (Shire President) opened the meeting at 1.03pm and welcomed the twenty two members of the public who were present and also Jeanette Barrington, Sector Development Officer from the WA Government's Department of Housing & Works and Kaz Sternberg, CEO of the Great Southern Community Housing Association to make a presentation to Council on the regulations and management of its community housing stocks.

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 JF De Landgraft	
Cr AI 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
Mr M Walsh	Environmental Health Officer
Mrs J Bennett	Executive Assistant

Visitors

Ms J Barrington	Sector Development Officer, Department of Housing and Works
Ms K Sternberg	Chief Executive Officer, Great Southern Housing Association

Observers

Mrs Karen Rosenthal	Mr Murray Stanton
Mr Stephen Crook	Mr Brad Boyce
Ms Alison Spencer	Ms Alan Bartley
Mr Mark Watters	Mrs Jill Duckworth
Mrs Paula Carruthers	Mrs Mary Naisbitt
Mrs Pearl Green	Mrs Helen McDonald
Ms Jane Richards	Mrs Audrey Evans
Mrs Dorothy Reid	Mrs Sandra Richter
Mrs Edith Trevenen	Mr William (Bill) Jenks
Mrs Shirley Duckworth	Mr Henk Doelman
Mr Christopher Webster	Mrs Elisebeth (Ann) Webster

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 MRS HELEN MCDONALD

Question – What is happening to the Newdegate Units?

My concern is if Homeswest take these over we will have people in them Homeswest do not want in the metropolitan area who fit the criteria. We would suggest the Shire take them over and people who want to live and work in the area can pay rent. Out Telecentre Co-ordinator does not fit the criteria and is ineligible, and we may lose her which will be a great loss.

Reply – The President advised the question will be taken on notice as Council was not yet aware of any of the facts relating to its community housing and that today's presentation by the Department of Housing and Works and the Great Southern Community Housing Association was a fact finding mission for Councillors.

The President then asked if there were any further questions from the public gallery.

NOTE: It must be noted the following written questions surfaced after the Housing presentation (at Item 9.1), the President acknowledged them and that they would be taken on notice the same as Mrs McDonald's question i.e. Council are unable to answer the questions at this point.

3.2 MRS ALANA BARTLEY

Question 1 – What process was carried out in order to ascertain the Newdegate community's concerns and perspective on the proposal?

Question 2 – How was the information communicated to the community?

3.3 MRS JILL DUCKWORTH

Question 1 – Why is River able to have extended periods without supplying a Doctor to our community i.e. 2 weeks now, 3 weeks later?

Isn't this a breach of contract with the Shire?

Question 2 – What consultation happened with the community re hand over of housing i.e. Lakes Village? What about priority for our seniors?

3.4 MRS MARY NAISBITT

Question – Re Lakes Village takeover by Great Southern Housing Albany?

3.5 MRS SHIRLEY DUCKWORTH

Question 1 – Is the Great Southern Housing Commission a government or private company?

Question 2 - Why is the Shire giving the running of the Seniors Village over to them?

Question 3 – Will ratepayers benefit in any way?

Question 4 – Do we have an assurance that no one will be evicted and that in future only people from our Shire or district will be eligible to come into the units?

Question 5 – Who will be responsible for gardening or cleaning of the Hall etc (HACC has always done this) if the Hall is included in this deal?

Question 6 – The Shire has built two houses and has one other nearly finished – why build more if you can't manage what you have?

The Shire of Lake Grace Standing Orders Local Law states:

2.4 Public Question Time

(1) A member of the public who raises a question during question time is to state his or her name and address.

(2) A question may be taken on notice by the Council or committee for later response.

(3) When a question is taken on notice under sub-clause (2) a response is to be given to the member of the public in writing by the CEO, and a copy is to be included in the agenda of the next meeting of the Council or committee as the case requires.

4.0 APPLICATIONS FOR LEAVE OF ABSENCE

None

5.0 MINUTES OF PREVIOUS COUNCIL MEETINGS

5.1 ORDINARY MEETING – 26 MAY 2010

Resolution

MOTION 10115

Moved Cr Milton

Seconded Cr De Landgraftt

That the minutes of the Ordinary Meeting of Council held on the 26 May 2010 be confirmed as a true and accurate record.

MOTION CARRIED 9/0

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

8.1 CR DE LANDGRAFFT

Notice of Motion regarding funding of the Lake Grace Childcare Centre – refer Item 13.1 p401.

9.0 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

9.1 COMMUNITY HOUSING PRESENTATIONS – DEPARTMENT OF HOUSING & GREAT SOUTHERN COMMUNITY HOUSING

Ms Jeanette Barrington, Sector Development Officer with the Government of WA's Department of Housing gave a presentation titled – *Regulation for the Future* which told the story of the history of community housing within the Department of Housing and Works and spelled out why and how the regulation process is being undertaken.

Ms Barrington went on to explain the requirements for registration as a housing provider i.e. the need for an organisation to have 100 houses to enable it to be registered with the Department as a 'Registered Provider'. For the Shire of Lake Grace it means reviewing the legal agreements we have with the Department for our twenty six Joint Venture and LOGCHOP housing stocks and making sure we are compliant, a formal Compliance Review will be undertaken in the near future.

Ms Barrington invited questions from Councillors and the President allowed a few from the floor. The questions covered:

- Rights of the current tenants
- Would they be dismissed from the units
- What other Shires are doing
- What the Compliance Review means for us
- Protection of tenancies under the Residential Tenancy Agreements
- The Shire's equity in the housing stocks
- Possibility of the sale of the houses
- Income eligibility and the fact that the Department cannot move on that score but the Great Southern Community Housing Association can.

Ms Kaz Sternberg, Chief Executive Officer of the Great Southern Community Housing Association introduced herself and gave an outline of their 'not for profit' organisation:

- The Association is based in Albany and is the largest housing provider in the Great Southern
- They currently manage 160 houses
- They are a Registered Provider with the Department of Housing and Works
- Are able to allocate 20% of their housing stock to moderate income earners however they are obliged to use the joint wait list.

Ms Sternberg also took questions from Councillors and the floor which discussed:

- Existing units being strata titled
- Units being available for purchase by tenants
- Growth of stocks

- Key worker program and aged housing needs throughout the region
- Does the Shire get to retain the land
- Will the GSHA assist in putting more units on available land
- Government funding is targeted to the two top tier providers with an expectation of growth
- Departmental budget is set for at least 18 months, after that is a crystal ball situation.

2.05pm *The following people left the meeting:*

<i>Ms Barrington</i>	<i>Ms Sternberg</i>
<i>Mrs Karen Rosenthal</i>	<i>Mr Stephen Crook</i>
<i>Ms Alison Spencer</i>	<i>Ms Alan Bartley</i>
<i>Mr Mark Watters</i>	<i>Mrs Jill Duckworth</i>
<i>Mrs Paula Carruthers</i>	<i>Mrs Mary Naisbitt</i>
<i>Mrs Pearl Green</i>	<i>Mrs Helen McDonald</i>
<i>Ms Jane Richards</i>	<i>Mrs Audrey Evans</i>
<i>Mrs Dorothy Reid</i>	<i>Mrs Sandra Richter</i>
<i>Mrs Edith Trevenen</i>	<i>Mr William (Bill) Jenks</i>
<i>Mrs Shirley Duckworth</i>	<i>Mr Henk Doelman</i>
<i>Mr Christopher Webster</i>	<i>Mrs Elisebeth (Ann) Webster</i>

10.0 MEMBERS' REPORTS

10.1 CR CHAMBERLAIN

- Attended the Newdegate Community Development Association meeting last week. Various issues have been brought to staff attention including the Newdegate town gardener and the dumping of waste.
- Also attended a very informative WA Country Health Service 'think tank' meeting in Narrogin last week regarding the issue of Doctors in the Wheatbelt.

10.2 CR SINCLAIR

- Wished to pass on thanks from the Varley community for the work on the Varley Hall.

10.3 CR CHAPPELL

- Attended the Lake Grace Development Association Meeting which included a presentation on RV Friendly Towns by a representative from Campervan & Motorhome Club of Australia.

10.4 CR FARRELLY

- Attended a Lake Grace Library & Community Resource Centre Meeting.

10.5 CR WALKER

- Attended the National General Assembly of Local Government in Canberra with the Chief Executive Officer. The visit also included attending the second meeting of the Australian Rural Road Group and various meetings with Federal Parliamentarians alongside other WA Local Government Representatives.
- The whole Canberra experience proved productive and worthwhile and opened ears and doors in Canberra. It also re-enforced the very good relationship we have with the WA Local Government Association. A full report on the Assembly will be published in the Councillors Information Bulletin.

11.0 MATTERS FOR CONSIDERATION – WORKS & SERVICES

11.1 WASTE COLLECTION LEVY – INTRODUCTION

2.20pm *Cr Milton declared an Interest of Impartiality in that she is an adjacent landowner to the Lake Grace Rubbish Tip site and left the meeting.*

2.20pm *Mrs Owen left the meeting and returned at 2.21pm.*

Applicant: Works and Infrastructure Services
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: 10 June 2010
Senior Officer: Mr Sean Fletcher
 Chief Executive Officer

Summary

This report recommends the introduction of a waste collection levy on all improved properties within the Shire of Lake Grace to cover the ongoing costs incurred by the Shire in providing and managing its waste disposal sites (rubbish tips) designated for the disposal of rubbish - as per Council Resolution 10927 in December 2009.

Report

Attachment 1 outlines the anticipated costs of waste management operations for the Shire in 2010-2011. The end result when comparing income versus expenses is a shortfall of approximately \$169,013 for the financial year.

The major portion of the shortfall is due to the cost of operating the Shire's 4 rubbish tips, is not off-set by any income. This has been the case for many years and the looming dilemma is that the State Government largely via the Department of Environment and Conservation has been putting greater expectations on local government to adopt and implement better waste management practices, particularly the manner in which rubbish tips are operated.

The above issue and combined with the fact that general landfill site maintenance and dealing with the proper disposal of specific waste items such as tyres and waste oil will only increase costs of compliance in the future, i.e., the estimated cost of disposing of the tyre stockpile at the Lake Grace and Newdegate (old) rubbish tips is in the vicinity \$20,000 and \$8,000 respectively.

In addition concrete containment reservoirs for waste oil have been constructed at the Lake Grace and Newdegate (Whurr Road) rubbish tips in 2009-2010 at a cost of approximately \$22,000.

The main reason why the issue is such a problem is the fact that apart from the new Newdegate rubbish tip the other 3 rubbish tips are not manned due to management costs.

The Lake Grace rubbish tip is the major priority as it is larger than the other 3 landfill sites combined. Currently Lake Grace, Lake King and Varley landfill sites are open to the public 24 hours a day 7 days a week.

As previously reported to Council, staff believe that one of the ways that the Shire's landfill sites could be better managed in the future would be to have more control over the disposal of waste at the landfill sites, i.e. stockpiles of tyres and waste oil containers. A reminder is the fact that Council was fined \$1,000 in 2008 by the Department of Environment and Conservation for improper waste oil containment at the Shire's landfill sites.

To enhance the process further of achieving the above it is believed that the Lake Grace rubbish tip should be operated in the same manner as the new Newdegate rubbish tip.

It is therefore recommended that Council reduce the opening hours of the Lake Grace rubbish tip and require it to be manned when open to the public. It is believed that this will allow staff to be able to manage the landfill sites much better and reduce operating costs. It is suggested that the Lake Grace rubbish tip be manned and open only 3 days a week from 9.00 am to 3.00 pm commencing on 1st September 2010. The future of the Lake King and Varley rubbish tips operating hours should also be reviewed prior to the adoption of the 2011-2012 budget.

How to Fund Better Waste Management Practices in the Future

As previously reported to Council it is believed that the costs involved in manning the Whurr Road rubbish tip annually will be in the vicinity of \$40,000, rehabilitation of the old site will in the vicinity of \$100,000 and the cost of removal of used tyres at all 4 rubbish tips in the Shire is probably now in excess of \$40,000.

All of these costs need to be funded somehow in the future. The fairest way to do this is to adopt a waste collection levy on all improved properties in the Shire of Lake Grace as every property generates rubbish in some way or form that ends up being buried at one of our rubbish tips. Any property receiving a waste pickup service should naturally still incur an additional waste collection rate to recover the costs of collection. To implement such a rate charge is fairly straightforward.

Attachment 2 outlines a comparison of some local government's waste collection disposal rates for 2010-2011. The current waste disposal annual equivalent fee for the local governments listed are based on ratepayers having to take their own waste to the rubbish tips, i.e. there is no collection service. Hence, the fees are for the disposal of waste.

The individual disposal rates of the listed local governments have been multiplied by the total number of improved properties [GRV (448) and UV (627)] in the Shire of Lake Grace, to give an example and comparison of potential rates/income to fund the annual operating of the Shire's 4 rubbish tips.

Legal Implications

- Section 66 of the Waste Avoidance and Resource Recovery Act 2007 states:

66. Local government may impose waste collection rate

(1) A local government may impose on rateable land within its district, and cause to be collected, an annual rate for the purpose of providing for the proper performance of all or any of the waste services it provides.

(2) The annual rate must not exceed —

(a) 12 cents in the dollar on the gross rental value; or

(b) where the system of valuation on the basis of the unimproved value is adopted, 3 cents in the dollar on the unimproved value of the land in fee simple.

(3) The provisions of the Local Government Act 1995 relating to the making, payment and recovery of general rates apply with respect to rates referred to in subsection (1).

- Environmental Protection Act 1986 (as amended).
- Environmental (Country Landfill) Regulations 2002.
- Health Act 1911 (as amended).
- Contaminated Sites Act 2003.
- Local Government Act 1995.

Introducing the waste collection rate does not require amendments to be made to the Shire of Lake Grace's Local Health Laws.

Strategic Implications

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

Policy Implications

Nil.

Financial Implications

The levy will provide additional income of \$43,000 for the 2010/11 financial year.

Recommendation

That Council:

1. Adopt a waste collection levy 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 to be manned and open 3 days per week from 9.00 am to 3.00 pm, commencing on 1st September 2010.
3. Endorse that the Chief Executive Officer seek comment from Lake Grace residents regarding their preferred opening hours of the Lake Grace rubbish tip.

4. 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.

Resolution

MOTION 10116

Moved Cr Chamberlain
Seconded Cr Newman

That Standing Orders be suspended to discuss the imposition of a fair and equitable waste rate.

MOTION CARRIED 8/0

2.31pm Cr Milton re-entered the meeting
2.43pm Cr Farrelly left the meeting and returned at 2.44pm
2.47pm Cr Walker left the meeting and returned at 2.48pm
2.55pm Mr Dittrich left the meeting and returned at 2.57pm

MOTION 10117

Moved Cr Farrelly
Seconded Cr Newman

That Standing Orders resume.

MOTION CARRIED 9/0

3.00pm Cr Milton left the meeting.

MOTION 10118

Moved Cr Farrelly
Seconded Cr De Landgraft

That, in the order of business for this meeting, Item 11.1 be deferred until after Item 13.2.

MOTION CARRIED 8/0

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3.01pm Cr Milton re-entered the meeting.

12.0 MATTERS FOR CONSIDERATION – PLANNING
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12.1 PLANNING APPLICATION – LOT 218 EGGERS PLACE LAKE GRACE

Applicant:	Mr Clinton Earnshaw
File No.	0454
Attachments:	Plans 1 to 4
Authors:	Mr Joe Douglas & Ms Elle O'Connor – Urban & Rural Perspectives Town Planning Consultants
Disclosure of Interest:	Nil
Date of Report:	14 June 2010
Senior Officer:	Mr Sean Fletcher Chief Executive Officer

Summary

This report provides details and recommendations in respect of an application for Council's planning consent submitted by Mr Clinton Earnshaw to construct a new steel framed, colorbond open carport at the front of an existing dwelling on Lot 218 (No.6) Eggers Place, Lake Grace.

Background

Lot 218 (No.6) Eggers Place, Lake Grace is located in the central-southern portion of the Lake Grace townsite south of Bennett Street, east of Dunham Street and west of Pingrup-Lake Grace Road (see Plan 1 – Location Plan).

Lot 218 comprises a total area of approximately 1,065m² and has direct frontage to Eggers Place along its southern boundary and a laneway (constructed to a gravel standard) along its rear (northern) boundary (see Plan 2 – Existing Lot Configuration).

The subject land has been developed for residential purposes and comprises a single storey detached dwelling constructed on the central (southern) portion of the property and a small storage shed at the rear. All immediately adjoining lots have also been developed and are currently used for low density residential purposes (see Plan 3 – Aerial Photograph).

The landowner is seeking Council's planning consent to construct a new open carport at the front of the existing dwelling on Lot 218. The following details have been submitted in support of the application:

- i. The proposed carport will be 8 metres long, 6.5 metres wide and 4.5 metres high;
- ii. The carport will comprise a total area of 52m² and will be sited to align with an existing vehicle crossover and driveway from Eggers Place; and
- iii. The carport will be of steel frame construction with a colorbond roof and gable cladding to provide an attractive appearance from the street (see Plan 4 – Site Development Plan)

Comment

The plans submitted by the applicant are quite broad and do not provide all of the information typically required in support of planning applications (i.e. boundary setbacks, elevations & stormwater drainage management).

Despite the absence of sufficient detailed information Council can still consider the application and grant planning approval subject to a range of conditions which ensure compliance with the specific requirements of the Shire of Lake Grace's current operative Local Planning Scheme No.4 and the Residential Design Codes of Western Australia. The following is an assessment of the proposal in the context of these relevant planning documents.

Shire of Lake Grace Local Planning Scheme No.4

Lot 218 (No.6) Eggers Place is currently classified 'Residential' zone in the Shire of Lake Grace Local Planning Scheme No.4 (LPS No.4) with an applicable residential density coding of 'R20'.

Council's stated objectives for all land classified 'Residential' zone under LPS No.4 are:

To achieve a high standard of residential development in accordance with contemporary planning and development practice for the benefit of the community of the Shire of Lake Grace.

- To enhance the character and amenity of residential areas.
- To provide for residential development at a range of densities with a variety of housing types to meet the needs of the community.
- To provide an opportunity for residents to undertake occupations ancillary to the use of their dwelling that are compatible in character, scale and operation with the residential use and which will not have an adverse affect upon the existing character and amenity of these areas.

It is considered that the proposed carport is capable of satisfying the above zoning objectives subject to compliance with conditions which seek to ensure that the carport is constructed of materials which serve to enhance the visual appearance of the property and the locality in general.

Residential Design Codes of Western Australia (R-Codes)

Under clause 3.31 A1 and Table 2 of the R-Codes all open carports of the type proposed are required to be setback no less than 1 metre from a side boundary and 3 metres from the front boundary of any residential property.

The plans submitted in support of the application provide a very general indication of the proposed boundary setbacks. Despite the lack of detailed information it is concluded from the information provided that there is sufficient area at the front of the property to accommodate a new carport of the size proposed (i.e. the setback requirements of clause 3.31 A1 and Table 2 of the R-Codes are capable of being satisfied).

It is therefore recommended that Council impose a suitable condition on any planning approval issued which ensures that the proposed carport has a minimum setback of one (1) metre from the eastern side boundary of Lot 218 and three (3) metres from the land's front boundary.

Conclusion

It is concluded from a detailed assessment of the application in the context of the Shire's current LPS No.4 and the R-Codes that the proposal to construct a new carport at the front of Lot 218 (No.6) Eggers Place, Lake Grace is capable of being implemented in a proper and orderly manner subject to compliance with a number of conditions to ensure that the proposed development proceeds generally in accordance with the details of the plans submitted in support of the application and does not have a negative impact upon the general amenity, character, functionality and safety of the immediate locality.

Legal Implications

Planning and Development Act 2005
Shire of Lake Grace Local Planning Scheme No.4

Policy Implications

Nil

Consultation

Community consultation not required

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Simple majority required.

Recommendation/Resolution

MOTION 10119

Moved Cr Newman
Seconded Cr Armstrong

That Council approve the application for planning consent submitted by Mr Clinton Earnshaw to construct a new carport at the front of Lot 218 (No.6) Eggers Place, Lake Grace generally in accordance with the details of the plans submitted in support of the application subject to compliance with the following conditions:

1. The development is to be substantially commenced within a period of two (2) years from the date of this approval. If the development is not substantially commenced within this period the approval will lapse and be of no further effect. Where an approval has lapsed, no development shall be carried out without the further approval of the Shire of Lake Grace having first been sought and obtained.
2. A completed demolition license for the removal of any existing structures on the land and a completed building licence application for the proposed new carport must be submitted to and approved by the Shire's Building Surveyor prior to the commencement of any demolition, earthworks or construction on the land.

MOTION 10119 continued

3. The proposed carport shall be of steel and colorbond construction and have a total floor area not exceeding 52m².
4. The proposed carport shall be setback no less than one (1) metre to the eastern side boundary of Lot 218.
5. The proposed carport shall be setback no less than three (3) metre from the front (i.e. southern) boundary of Lot 218.
6. The proposed carport shall have a maximum ceiling height of 4 metres and a maximum ridge height of 4.5 metres above the natural ground level.
7. The proposed carport shall be an open structure and shall not therefore be enclosed by any walls or doors at any point in the future, without Council's formal planning approval.
8. The proposed carport shall have a colorbond roof and enclosed front gable also of colorbond construction.
9. Any exposed steel used in constructing the carport that is visible from the street shall be painted using colours which match the colorbond roof and front gable.
- 10 All stormwater drainage discharge generated by the new carport shall be managed to the specifications and satisfaction of the Shire.

MOTION CARRIED 9/0

3.02pm

Meeting adjourned for afternoon tea.

13.0 MATTERS FOR CONSIDERATION – HEALTH & BUILDING

3.25pm Meeting reconvened with all those previously in attendance present.

13.1 NOTICE OF MOTION – LAKE GRACE CHILDCARE CENTRE

Applicant:	Cr Jeanette De Landgraft
File No.	0668
Attachments:	Email Cr Jeanette De Landgraft Extract Local Government Act 1995 Specified Area Rating Policy
Author:	Mr Sean Fletcher Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	15 June 2010
Senior Officer:	Mr Sean Fletcher Chief Executive Officer

Summary

This report contains the Notice of Motion by Cr De Landgraft submitted to the Chief Executive Officer with email copies to all elected members by way of email on 15 June 2010.

Background

Cr De Landgraft sent an email to the Chief Executive Officer with a copy sent to all elected members regarding a notice of motion concerning the Lake Grace Day Care Centre project on 15 June 2010.

The Notice of Motion reads:

“I move that:

- 1. All Childcare Centres’ within the Lake Grace Shire be funded and maintained as per councils Specified Area Rating Policy.*
- 2. The proposed Lake Grace Childcare Centre be funded by allocating;*

*Royalties for Regions (R4R CLGF) **\$200,000***

*Other grants (RLCIP) **\$8,000***

*Additional funds of up to **\$100,000** required to complete the project to be funded as per Councils Specified Area Rating Policy and the CEO implement the necessary procedures to expedite this action.”*

Comment**Cr De Landgraft's Comments**

Cr De Landgraft makes the following comments:

"Please find attached my motion in respect to the proposed Lake Grace Childcare Centre project funding.

I have some real concerns with this being completely funded by CLGF and feel that the generous 67% funding is enough rather than 100% as there are other projects that could use this money within our shire.

I have also attached the Local Govt Act 1995 re: Specified Area Rating and feel this is a project that fits comfortably within the criteria.

Another issue I have is the ongoing funding of the centre - will it be SAR's for the maintenance and the management/ staffing?

How will the Federal funding issue play out with this centre being less than 5 days per week?

If the people of Lake Grace truly want this to go ahead they have the opportunity with the \$200,000 from CLGF and \$8000 grant from RLCIP."

Chief Executive Officer's Comments

The author's advice to Council is that this matter is referred to the Administration so that a comprehensive report can be prepared regarding the Notice of Motion in time for the next meeting.

Legal Implications

Shire of Lake Grace Local Law – Standing Orders – section 2.9 states:

2.9 Motions of which Previous Notice has been Given

- (1) Unless the Act, Regulations or these Standing Orders otherwise provide, a member may raise at a meeting such business as he or she considers appropriate, in the form of a motion, of which notice has been given in writing to the CEO.*
- (2) A notice of motion under subclause (1) is to be given at least four (4) clear working days before the meeting at which the motion is moved.*
- (3) A notice of motion is to relate to the good government of persons in the district.*
- (4) The CEO -*
 - (a) with the concurrence of the President, may exclude from the notice paper any notice of motion deemed to be out of order; or*
 - (b) may on his or her own initiative make such amendments to the form but not the substance thereof as will bring the notice of motion into due form; and*
 - (c) may under his or her name provide relevant and material facts and circumstances pertaining to the notice of motion on such matters as policy, budget and law.*
- (5) No notice of motion is to be out of order because the policy involved is considered to be objectionable.*
- (6) A motion of which notice has been given is to lapse unless -*
 - (a) the member who gave notice thereof, or some other member authorised by him or her in writing moves the motion when called on; or*
 - (b) the Council on a motion agrees to defer consideration of the motion to a later stage or date.*
- (7) If a notice of motion is given and lapses in the circumstances referred to in subclause (6)(a), notice of motion in the same terms or the same effect is not to be given again for at least 3 months from the date of such lapse.*

Policy Implications

Shire of Lake Grace Policy 3.3 – Specified Area Rate

Consultation

Nil.

Financial Implications

Nil.

Strategic Implications

Shire of Lake Grace Strategic Plan - Social and Community Well Being
2.1.4 Lake Grace Childcare Facility - Priority 2

Voting Requirements

Simple majority required.

Officer's Recommendation

That Council defers the Notice of Motion until the next Council meeting and refers this matter to the Chief Executive Officer so that a comprehensive report can be prepared in time for the Ordinary Meeting of Council on 28 July 2010.

Resolution

MOTION 10120

Moved Cr Farrelly
Seconded Cr Sinclair

That Council defers the Notice of Motion until the next Council meeting and refers this matter to the Chief Executive Officer so that a comprehensive report can be prepared in time for the Ordinary Meeting of Council on 28 July 2010.

MOTION LOST 4/5

Discussion took place on whether Cr De Landgraft's Notice of Motion would now automatically be considered – there was doubt as to the correct procedure in this instance.

MOTION 10121

Moved Cr Newman
Seconded Cr Milton

The meeting proceed to the next item of business until advice is sought.

MOTION CARRIED 9/0

Go to Page 407 for continuation of Item 13.1

3.42pm

The Chief Executive Officer left the meeting.

13.2 PERMIT TO TRADE IN PUBLIC PLACES – ANNUAL FEE

Applicant:	Environmental Health Officer
File No.	0395
Attachments:	Complaint from Lake Grace Supermarket, and Complaint from Newdegate General Store
Author:	Mr Maurice Walsh Environmental Health Officer
Disclosure of Interest:	Nil
Date of Report:	11 th June 2010
Senior Officer:	Mr Sean Fletcher Chief Executive Officer

Summary

This report recommends that Council require any person wishing to sell food from a vehicle or stall for commercial gain in the Shire be required to obtain a permit and pay an appropriate fee determined by Council to the Shire of Lake Grace.

Background

In July-August 2009 an application for a trading permit was received from a person for approval to be able to sell frozen seafood in the Shire of Lake Grace. At the time the proprietor of the Lake Grace Supermarket voiced concerns about the competition being unfair as his business had much higher operational costs associated with it, however the issue was not formally resolved by Council and a permit was issued which expires in August 2010. The applicant was not required to pay a fee and still trades within the Shire of Lake Grace.

More recently both the proprietor of the Lake Grace Supermarket and the Newdegate General Store have voiced concerns to the Shire because another person from Albany has been selling groceries and advertising within the Shire – refer attachments. An application for a permit has not been received nor has a permit been issued.

Shire of Lake Grace Local Law**“Trading in Thoroughfares and Public Places”**

The Shire of Lake Grace’s Local Law – “Trading in Thoroughfares and Public Places” prohibits a person from conducting a stall or trading in a public place without a stall holders or traders permit. The penalty for breach is \$5,000.

Under the existing “Trading in Thoroughfares and Public Places” Local Law, Council may approve an application for a permit and determine an appropriate fee for the permit.

On the other hand, Council may refuse to approve an application for a permit if it believes that the needs of the district are already adequately catered for by established shops.

A trader is prohibited from trading within 300 metres from any shop or permanent place of business that has the same type of goods or services being offered for sale by the trader.

Comment

The proprietors of both the Lake Grace Supermarket and the Newdegate General Store have advised that the unauthorised traders pay no rates, do not employ local people and do not sponsor local community groups.

The electricity bill for the Lake Grace Supermarket and the Newdegate General Store over the last 12 months is approximately \$42,000 and \$32,000 respectively, largely because their refrigeration units have to run 24 hours a day, 7 days a week in order to be able to offer a variety of safe foods to the community 6 days a week.

Both proprietors would prefer that the Shire not issue trading permits at all, but have indicated that should Council decide otherwise that an appropriate fee be charged for the permits.

It is suggested that the reason why the traders produce is cheaper is largely due to the fact that they do not incur anywhere near the costs of those indicated above nor do they provide a 6 day a week 52 weeks a year service to the community.

The recommendation of the \$1,500.00 fee is based on the author's previous experience with this issue some 20 years ago in a larger Shire – for which the fee was set at \$300.00 at the time. The fee is also considered reasonable in terms of a comparison to the costs upon local business owners as indicated above.

Legal Implications

Environmental Protection Act 1986 (as amended).

Health Act 1911 (as amended).

Local Government Act 1995.

Shire of Lake Grace's Local Laws – Trading in Thoroughfares and Public Places.

Policy Implications

N/A

Financial Implications

Potential additional fee income to the Shire.

Strategic Implications

Shire of Lake Grace Strategic Plan – 7. Organisational Excellence

Provide sound and effective leadership in physical and financial management; to maintain a strong and flexible workforce that is well resourced to deliver infrastructure and services to businesses and communities within the Shire.

Recommendation

That Council require all traders who wish to operate within the Shire of Lake Grace to obtain a trading permit and pay an annual fee of \$1,500.00.

Voting Requirements

Simple majority required.

Resolution

MOTION 10122

Moved Cr Armstrong
Seconded Cr Newman

1. That Council may require all traders who wish to operate within the Shire of Lake Grace to obtain a trading permit and pay an annual fee as determined by Council up to an amount of \$6,000.00 per year.
2. The amount to be paid depends on the type of trading to be undertaken with an exemption being for the duration of the Newdegate Field Days.

MOTION CARRIED 9/0

Reason for change:

- ***To support the local law,***
- ***Recommendation of \$1500 is not adequate***
- ***\$6,000 equates to \$150 per week – more***
- ***A sliding scale of fees as determined by Council will cover the different type of traders applying for permits.***

4.00pm Mr Stanton & Mr Boyce left the meeting.

4.00pm *The Chief Executive Officer re-entered the meeting.*

**ITEM 13.1 NOTICE OF MOTION – LAKE GRACE CHILDCARE CENTRE –
CONTINUED FROM PAGE 403**

MOTION 10123

Moved Cr Milton
Seconded Cr De Landgraft

That this be tabled item until a Special Meeting can be called at the discretion of the President

MOTION CARRIED 9/0

4.05pm *Cr Milton left the meeting.*

**ITEM 11.1 – WASTE COLLECTION LEVY – INTRODUCTION – CONTINUED
FROM PAGE 204**

Officer Recommendation

That Council:

1. Adopt a waste collection levy 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 to be manned and open 3 days per week from 9.00 am to 3.00 pm, commencing on 1st September 2010.
3. Endorse that the Chief Executive Officer seek comment from Lake Grace residents regarding their preferred opening hours of the Lake Grace rubbish tip.
4. 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 10124

Moved Cr Chamberlain
Seconded Cr Newman

That the waste management costs for the Shire of Lake Grace for 2010/11 be included in the General Rate.

MOTION CARRIED 8/0

Reason for Change: Makes it more fair and equitable for all ratepayers.

4.08pm *Cr Milton returned and left again at 4.09pm.*

4.15pm *The Chief Executive Officer left the meeting.*

MOTION 10125

Moved Cr Newman
Seconded Cr Chamberlain

That we do not accept points 2, 3 & 4 of the recommendation and that we implement a stricter enforcement and education regime.

MOTION LOST 2/6

4.23pm *Cr Milton re-entered the meeting.*

13.3 RECRUITMENT OF GENERAL PRACTITIONER – SHIRE OF LAKE GRACE

4.35pm *The Chief Executive Officer re-entered the meeting.*

Applicant: Chief Executive Officer
File No. 0299
Attachments: Notice of Termination Gemini Medical Services
 GP Recruitment: A Proposal to Key Stakeholders
 Draft WALGA AGM Notice of Motion – Shire of Kondinin
 Email to Hon. Minister Terry Waldron
Author: Mr Sean Fletcher
 Chief Executive Officer
Disclosure of Interest: Nil
Date of Report: 10 June 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.

Background

Gemini Medical Services advised the author on the evening of 24 May 2010 that it was confirming its intention to terminate the service agreement with the Shire.

Gemini states in its letter that with the departure of Dr Sam Irekpolo the permanent doctor position to Lake Grace became vacant. Gemini has been actively recruiting for this vacant position, without success.

General Practitioner candidates for the position are few and of those applicants applying for rural positions and passing through the Australian assessment process most are being assigned to group practices with an onsite medical supervisor. This development in an already difficult recruitment environment has led Gemini to believe that placement of doctors to solo practices without the equivalent Fellows of the Royal Australian College of General Practitioners [FRACGP] qualification has become unachievable.

Without general practitioners in the recruitment portfolio to fill this position, Gemini is unable to perform its obligations set out in the Service Provider Agreement, and has therefore reluctantly given notice of its intention to withdraw services from Lake Grace as at 5pm 24 November 2010. Gemini will need access to the clinic on Thursday 25 November 2010 to 6pm to remove any Gemini specific property. Gemini will work with the Shire to determine a time on or before the 25 November 2010 to handover the doctor's house, car and medical premises.

Gemini will endeavor to maintain doctor services to Lake Grace and Newdegate General Practices during this period subject to doctor and staff availability.

Comment

Gemini has provided a service to Lake Grace for the best part of 12 years. The issue for the Shire now, and indeed Council, is finding a replacement primary health care medical service against a backdrop of changes that has seen the solo GP practice in the bush for the most part come to an end.

It should be noted that the restrictions faced by Gemini in terms of recruiting a GP are exactly the same for Shire. The reason for this restriction is due to the recent changes to the 457 Visa process and the reluctance by the Western Australian Country Health Service to provide admitting rights to overseas trained doctors. The access to overseas doctors has almost dried up – down 80% in the last 18 months. Locally trained GPs are thin on the ground. Anecdotal evidence suggests only 1% of graduates from UWA will become GPs despite the significant increase in students from the rural area (28%). Although the University of Notre Dame will appear to produce more GPs, it will take 12 years to achieve solo practice status.

In conjunction with the above, individual local governments have been asking the Commonwealth Government and the Western Australian State Government for some time to deal with their respective level of responsibilities regarding the provision of GPs to regional Western Australia.

In a nutshell, cost shifting by the other two spheres of Government has seen Local Government become responsible for finding GPs, providing medical centres, supplying housing and vehicles, purchasing medical equipment and even paying the practice support staff. On top of this, there are a number of local governments offering salaries of \$300,000pa without any luck.

As discussed at the information session with Council on 28 May 2010 there are a range of options:

1. Find another service provider that may be willing to incorporate the Shire into its client base. This may be:
 - a. An organisation similar to Gemini whether existing or in the process of incorporation; or
 - b. A group practice in the region willing to accommodate the Shire's needs e.g. Earl St Practice Narrogin, Southern Medical Practice Albany;
 - c. An existing solo practice in the region that is seeking to expand e.g. the doctor based in the Shire of Ravensthorpe.
2. Recruit a GP from somewhere else. This would entail the Shire holding a contract with the GP and therefore being responsible for paying the doctor and underwriting all costs or alternatively paying a salary top up as the Shire has done in the past;
3. Set up and be part of a local government group medical scheme.

Information on Options to Date

Similar Service Provider

The author is not aware of another existing service provider at this point in time. However, anecdotal evidence suggests that there may be someone prepared to develop such a replacement service. The author is seeking further information.

Existing Group Practice in the Region

Mr Tim Free the Regional Director for WA Country Health Service has suggested the Earl St Practice as an option.

The Great Southern GP Network suggested that the author speak to Chris Swarts from the Southern Medical Group. The outcome of the discussions was that Mr Swarts confirmed that his Medical Group was looking to expand its service provision. A meeting has been arranged for Mr Swarts to meet with the author on 2 July 2010 to look at options.

Ravensthorpe Model

The author has confirmed that the Doctor in Ravensthorpe is looking to expand his medical practice. In discussions with the Shire CEO the author mentioned that Gnowangerup was also seeking a solution and was happy to work something up with Lake Grace. Mr Durtanovich mentioned that the Doctor was seeking to expand due to the Galaxy Mine having moved 75 workers into town and that the Ravensthorpe mine taken over by First Quantum would come on stream with 600 workers after Christmas. There will also be another gold mine opening up in the next 12 months.

On that basis the author said the group would need three doctors to service Ravensthorpe, Lake Grace and Gnowangerup.

Mr Durtanovich said he would discuss the above at the next doctor's meeting.

Jerramungup Model

The CEO at the Shire of Jerramungup, Mr Bill Parker said that the Shire was happy with their doctor in that he will be with them for the next three to five years and did not want to jeopardize this.

Wheatbelt GP Network Model

Mr Paul West, the CEO of the Wheatbelt GP Network said that he was happy to assist the Shire find a solution to its GP problem. He suggested that the GP model that the Wheatbelt GP Network had developed may be transferable.

In effect this is a virtual model operating out of a key centre underpinned by the Wheatbelt GP Network. In this model, doctors come out to the community from a central point as opposed to the hub and spoke model where patients would travel to the central location. The Great Southern GP Network said it was happy to support the Shire implement the Wheatbelt GP Network model.

Wendy Newman, CEO of the Wheatbelt Development Commission has advised that the WDC has allocated funding to the Wheatbelt GP Network as part of a pilot program for this model. Ms Newman also agrees that individual local governments can no longer recruit doctors on a case by case basis.

It may be feasible to use this model based around the Ravensthorpe doctor.

Recruitment of a GP direct

Rural Health West is currently undertaking all advertising regarding the Shire seeking a GP. This is a continuation of the advertising undertaken by Gemini in the first instance.

Setting up of a Group Scheme

The group scheme has been suggested by the CEOs at the Shire's of Kulin and Nungarin. This would be a scheme tendered for and run by Local Government. In essence each member local government would make a contribution.

Local Government Platform

Minister Waldron and Mr Tuckey have been very supportive throughout the process to date. The Minister for Regional Development and Lands has also become involved in this issue. Minister Waldron has spoken to the AMA and the Minister for Health. Minister Grylls is meeting with the WA Country Health Service next week. In the meantime Mr Tuckey has provided further advice and is giving some thought on a policy position regarding the difficulty local government is facing concerning the cost shifting that has been experienced by Local Government to date on what is really a Commonwealth issue.

In the meantime, it has become evident that with the withdrawal of Gemini from the Shires of Kondinin, Lake Grace and Yilgarn and with more to follow that there is also a need to deal with the matter of GP recruitment and retention on an industry wide basis.

The author has spoken to both the key stakeholders and numerous local governments regarding the establishment of a Local Government Platform for the very first time that will allow local governments to effectively deal with the GP recruitment issue.

Such a platform would include a number of solutions supported by a funding model along with a review of the changes implemented regarding the entry level requirements for GPs into Australia.

The funding model may consist of a scheme between Local Government, State Government, the Commonwealth Government and Private industry. Up to \$12.5m in total would be required per annum from the partners that affected local governments could tap into to support GPs in their district. The maximum allocation available to each local government would be \$250,000.

Belinda Bailey the CEO of Rural Health West is keen to not only develop a solution for Lake Grace but also assist develop the Local Government Platform.

WALGA is also keen to develop a policy position regarding GPs in regional WA.

A copy of the author's draft proposal issued to key stakeholders is attached.

Mr Free has now called a meeting of Local Governments to attend a meeting at the Narrogin Hospital on 17 June 2010 to discuss short term and long term solutions regarding the GP problem in the Wheatbelt.

Motion at Local Government Week

Peter Webster the CEO at Kondinin asked the author to assist develop a motion at Local Government Week for WALGA to act on the issue of doctor recruitment. This has resulted in the proposal to establish the Local Government Platform by lobbying the Commonwealth and State Governments.

Meetings with Minister for Health and Shadow Minister for Health

The Shire President has registered to speak with the Minister for Health at the Australian Local Council of Governments meeting in Canberra on 18 June 2010.

The Hon. Wilson Tuckey is also arranging for the Shire President and the Author to meet with the Shadow Minister for Health during the National Congress. The author is also scheduled to meet with Mr Tuckey to discuss matters further.

Media Coverage

To date the author has been interviewed by ABC radio, WIN News and the Narrogin Observer regarding Gemini's decision.

Gemini released the media statement without consultation as discussed at the information session

Conclusion

Finding a replacement GP for the Shire of Lake Grace is going to take every bit of the notice period given by Gemini Medical Services.

It is clear that there will be a solution for the Shire. What is also abundantly clear is that the issue regarding GP recruitment has become even more difficult than before and that there is now a need to develop a Local Government Platform to assist local governments in regional WA help their communities attract and retain a GP.

The Shire of Lake Grace is at the forefront of helping Local Government come up with a pathway forward.

Legal Implications

Nil

Policy Implications

Nil

Consultation

Discussions and Meetings with Stakeholders

At this point the author has spoken to and or met with Hon. Minister Terry Waldron, the Hon. Wilson Tuckey Federal Member for O'Connor, the Wheatbelt GP Network, the Great Southern GP Network, Rural Health West, WA Country Health Service, the Wheatbelt Health MOU, WALGA and the Wheatbelt Development Commission. The author has asked this group to not

only look at a solution for Lake Grace but for local government as a whole that includes lobbying the Commonwealth and State governments.

Discussions with other Local Governments

At this point the author has discussed and sought agreement on a Local Government Platform with the Shires of Ravensthorpe, Jerramungup, Gnowangerup, Kulin, Dumbleyung, Nungarin, Wagin, Williams, Yilgarn, Wyalkatchem, Narrogin, Narrogin Town, Kondinin, Pingelly, Brookton, West Arthur, Wandering, Wickepin and Kent.

Wagin has suggested lobbying for changes to the Country Local Government Guidelines so that part of this funding can be used for GPs.

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.

Officer Recommendation

That Council:

1. Acknowledges receipt of the letter from Gemini Medical Services terminating the Service Provider Agreement with the Shire of Lake Grace.
2. Endorses the recruitment strategy initiated by the Chief Executive Officer to find a replacement general practitioner (doctor) for the Shire of Lake Grace so far.
3. Authorises the Chief Executive Officer to continue the recruitment strategy for a replacement general practitioner for the Shire of Lake Grace.
4. Supports the development of a Local Government Platform to deal with the attraction and retention of general practitioners in regional Western Australia including the Chief Executive Officer in this process.
5. Supports the Shire of Kondinin and other key stakeholders regarding the development of a motion for the 2010 WALGA AGM concerning the attraction and retention of general practitioners in regional Western Australia.

Voting Requirements

Simple majority required.

Resolution

MOTION 10126

Moved Cr Chamberlain
Seconded Cr Newman

That Standing Orders be suspended to allow discussion.

MOTION CARRIED 9/0

Resolution

MOTION 10127

Moved Cr Newman
Seconded Cr Chappell

That Standing Orders resume.

MOTION CARRIED 9/0

Resolution

MOTION 10128

Moved Cr Chappell
Seconded Cr Armstrong

That Council:

1. Acknowledges receipt of the letter from Gemini Medical Services terminating the Service Provider Agreement with the Shire of Lake Grace.
2. Endorses the recruitment strategy initiated by the Chief Executive Officer to find a replacement general practitioner (doctor) for the Shire of Lake Grace so far.
3. Authorises the Chief Executive Officer to continue the recruitment strategy for a replacement general practitioner for the Shire of Lake Grace.
4. Supports the development of a Local Government Platform to deal with the attraction and retention of general practitioners in regional Western Australia including the Chief Executive Officer in this process.
5. Supports the Shire of Kondinin and other key stakeholders regarding the development of a motion for the 2010 WALGA AGM concerning the attraction and retention of general practitioners in regional Western Australia.

MOTION CARRIED 9/0

14.0 MATTERS FOR CONSIDERATION – FINANCE**14.1 ACCOUNTS FOR PAYMENT – MAY 2010**

Applicant: Corporate Services Section
File No. 0277
Attachments: List of Creditors
Author: Miss Jessica de Burgh
Finance Officer
Disclosure of Interest: Nil
Date of Report: 14 June 2010
Senior Officer: Mr Peter Dittrich
Manager Corporate Services

Summary

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

Background

List of payments for the month of May 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 May 2010 from the Municipal Account totals \$1,001,735.69.

The list of creditors paid for the month of May 2010 from the Trust Account totals \$4,009.30.

Strategic Implications

7. Organisational Excellence

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

Voting Requirements

Simple majority required.

Recommendation/Resolution

MOTION 10129

Moved Cr De Landgraft
Seconded Cr Farrelly

That Municipal Account Cheques 33987 to 34009, Trust Account Cheques 579 to 587, Electronic Funds Transfers EFT6473 to EFT6657, and direct debits to the Municipal Account totalling \$1,005,744.99, 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 9/0

14.2 FINANCIAL STATEMENTS – MAY 2010

Applicant: Corporate Services Section
File No. 0275
Attachments: Financial Reports
Author: Mrs Danielle Robertson
Senior Finance Officer
Disclosure of Interest: Nil
Date of Report: 14 June 2010
Senior Officer: Mr Peter Dittrich
Manager Corporate Services

Summary

Consideration of the financial statements for the month ending 31 May 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 - Focus 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 10130

Moved Cr Farrelly

Seconded Cr Chappell

That the financial reports for the months ending 31 May 2010 as attached be received

MOTION CARRIED 9/0

15.0 MATTERS FOR CONSIDERATION – ADMINISTRATION
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15.1 YEAR 11 & 12 COURSES – WITHDRAWAL FROM DISTRICT HIGH SCHOOLS

Applicant:	Upper House Standing Committee on Estimates and Financial Operations
File No.	0247
Attachments:	Legislative Council Media Release Letter to Shire President seeking comments Shire of Lake Grace Submission
Author:	Mr Sean Fletcher Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	10 June 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 Legislative Council Standing Committee on Estimates and Financial Operations regarding the withdrawal of Year 11 and 12 courses from district high schools. This includes the Lake Grace District High School.

Minister Waldron has since advised that the Lake Grace District High School will maintain its ability to provide Year 11 and 12 courses.

Background

The Legislative Council Standing Committee on Estimates and Financial Operations wrote to the Shire President seeking a submission on the decision by the State Government to close Year 11 and 12 courses in district high schools.

The author responded accordingly within the tight timelines required.

Comment

The Hon. Minister for Education in her comments to the media on 16 March 2010 indicated that the basis for the decision regarding the removal of Year 11 and 12 courses started back in 2006. This included targeting those district high schools that had single students in Years 11 and 12 and at the end of the day, the provision of Year 11 and 12 in a district high school was originally a transitional arrangement. She stated that this change is about providing quality education. To assist with this change there are substantial subsidies available to families to assist with the costs of accommodation and education. At the end of the day, the affected children can also access buses if they need to.

Overview of Shire's Submission

The author stated in the Shire's submission that Shire of Lake Grace does not believe that the proposed educational alternatives are adequate and cost effective. They will certainly have a major social impact. The Lake Grace District High School has 16 Philippine students who belong to families brought in by Cooperative Bulk Handling (CBH) to solve an employment issue at one of the State's key primary grain receival points. CBH is now picking this up as a major employment initiative that includes further increases for Lake Grace. These people are on 457 visas and as such are not entitled to the subsidies offered by the Government for isolated students. Apart from this situation, provision of bus services to the regional centres is not a viable option. Lake Grace students would need to attend either Narrogin or Katanning which are 134km and 130km further away respectively.

The author also stated that the Shire is concerned that the changes proposed by the State Government are rationalistic in nature rather than based on a sustainable community approach. Such a change would see the Shire's young families move on and thus commence the spiral of decline evident in many other rural communities.

As a result of discussions with Mr John Boyland, the Principal at the Lake Grace District High School, the author suggested in the submission that one solution would be to increase the use of SIDE, an excellent system. The existing resources at the school could be diverted into this program. The school has a dedicated room, computing equipment and other facilities in this regard. Technology is improving all the time and the students will still have the social contact that they need regarding their development and continued integration into the community.

The submission was subsequently sent to the Standing Committee on 21 May 2010 and to all National Party members as well as the Wheatbelt Development Commission.

Minister Waldron subsequently contacted the author on 28 May 2010 to advise that the Lake Grace District High School will not be affected by the proposed changes.

Legal Implications

Nil

Policy Implications

Nil

Consultation

External: Mr John Boyland - Principal Lake Grace District High School
Hon. Minister Terry Waldron
Hon. Philip Gardiner MLC – Member for the Agricultural Region
Mr Bruce Wittber – Executive Officer Central Country Zone
Ms Pip Shields – Senior Policy Officer Wheatbelt Development Commission

Mrs Helen Bennett – Board Member Wheatbelt Development Commission
Ms Renae Jewell – Parliamentary Committee Clerk

Internal: Shire President
Note to Council Information Session 28 May 2010
Elected Member Update
Senior Management Team

Financial Implications

Nil

Strategic Implications

*Shire of Lake Grace Strategic Plan - Goal 2 Social and Community Well Being
Enhance the quality of life for residents within the Shire of Lake Grace*
2.1 Retain, promote and develop health, education, recreational provision and access within the Shire

Recommendation

That Council receive the Chief Executive Officer's report on the removal of Year 11 and 12 courses from district high schools.

Voting Requirements

Simple majority required.

Resolution

MOTION 10131

Moved Cr Chappell
Seconded Cr Farrelly

That Council receive the Chief Executive Officer's report on the removal of Year 11 and 12 courses from district high schools.

MOTION CARRIED 9/0

Cr Chappell acknowledged the excellent work of the Chief Executive Officer in this matter.

15.2 LAKES VOLUNTARY REGIONAL ORGANISATION OF COUNCILS (LAKES VROC)

Applicant:	Lakes Voluntary Regional Organisation of Councils
File No.	0031
Attachments:	Minutes (Have yet to be released)
Author:	Mr Sean Fletcher Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	10 June 2010
Senior Officer:	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

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

Comment

New CEO Shire of Kent

Peter Bentley has started as the CEO at the Shire of Kent. Both Mr Bentley and the author have discussed future administrative support for the VROC including a part funded Executive Officer.

Country Local Government Fund – Business Plan

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

Mr Bentley 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 the project.

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 7 July 2010 to discuss the business plan process that is required funding for the mobile tower with self correction signal project.

Next Meeting

The next meeting of the Lakes VROC is:

In Person: 7 July 2010 in Nyabing

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 10132

Moved Cr De Landgraft
Seconded Cr Milton

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

MOTION CARRIED 9/0

15.3 **CENTRAL COUNTRY ZONE (WALGA)**

5.12pm *Cr Newman left the meeting.*

Applicant: Central Country Zone
File No. 0030
Attachments: Minutes/Agendas available at the Shire Office
WA Harvest Management Scheme Discussion
Paper
WALGA Interim Submission
Author: Mr Sean Fletcher
Chief Executive Officer
Disclosure of Interest: Nil
Date of Report: 10 June 2010
Senior Officer: 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 author and the Shire President were apologies for the Teleconference held on 26 May 2010 @ 10:30AM.

In summary the issues considered by the Zone included:

Local Government Reform

The Zone resolved:

That the Minister for Local Government be requested to make the Regional Collaborative Group process available to all Councils, who wish to pursue a formal collaborative approach, as an alternative to the Regional Transitional Group process.

Implications of Australia's Future Tax System (Henry Review) for Local Government

The Zone resolved:

1. the wide range of findings / recommendations in the AFTS Report and their potential implications on the funding and operation of Local Governments along with the impacts on local communities be noted; and
2. WALGA seek a meeting with the Premier, Treasurer and Minister for Local Government to discuss the findings and recommendations of the Henry Tax Review and the associated Commonwealth response and the implications for Local Government.

Proposed New Mass Management Scheme for WA

The interim submission in response to the WA Mass Management Scheme Discussion Paper released by the Ministerial Heavy Vehicles Advisory Panel was endorsed.

The discussion paper proposed that the current Certified Weighbridge Mass Management Scheme (CWMS) and the Concessional Loading Bulk Products Scheme (CLS) be rolled into a new framework and the current mass levels and permit conditions are reviewed. The new arrangements will be known as the Mass Management Scheme (MMS). The Mass Management Scheme will operate as a new mass management module under an expanded WA Heavy Vehicle Accreditation system. The discussion paper outlines the framework of the proposed MMS and seeks comments from the transport industry and the broader community.

The discussion paper also proposed that Industry Specific Schemes, such as the Harvest Mass Management Scheme, Livestock Concessional Loading Scheme and the Import and Export Container Scheme will continue to operate under the current arrangements.

WALGA's response was a series of recommendations to the State Government outlining the significant impact that the new scheme will have on local government roads regarding the proposed increase to mass limits. WALGA was also critical on the lack of research or analysis in the discussion paper. In essence WALGA is seeking that the required research be undertaken before the new scheme is introduced.

Neighbourhood Model Occasional Care

The Commonwealth Government will cease funding assistance provided to State and Territory governments to support Neighbourhood Model Occasional Care (NMOC). This measure will produce savings of \$12.6 million to the Federal Government over four years. Current NMOC funding is not tied to service delivery and services are not subject to quality controls, standards or learning outcomes.

Please note that this will have no impact on the Shire of Lake Grace and the Gnowangerup Family Association service.

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

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 10133

Moved Cr Milton
Seconded Cr Farrelly

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

MOTION CARRIED 8/0

15.4 SHIRE OF LAKE GRACE STRATEGIC PLAN 2009 – 2011 – WRAP UP

5.15pm Cr Newman re-entered the meeting.

Applicant: Chief Executive Officer
File No. 0552
Attachments: Strategic Action Plan Update 3
Author: Mr Sean Fletcher
 Chief Executive Officer
Disclosure of Interest: Nil
Date of Report: 11 June 2010
Senior Officer: Mr Sean Fletcher
 Chief Executive Officer

Summary

The purpose of this report is to advise Council on the final wrap up of the Strategic Plan 2009 – 2011 and the underpinning Strategic Action Plan.

Background

The author gave the first update of the Strategic Plan developed in the first half of 2009 at the Ordinary Meeting of Council on 28 October 2009. The author reported that the Strategic Action Plan had been updated to reflect resources required and that many of the actions were underway. The author also commented that he would complete the full strategic planning document in due course.

A subsequent update was presented at the Ordinary Meeting of Council on 24 March 2010.

A workshop was then held on 9-10 April 2010 to allow Council to revisit and update the Strategic Plan in time for the 2010/11 Budget. This included identifying which projects were completed, those that were due for completion by 30 June 2010 and those that were required to be carried forward.

Comment

The workshop held on 9-10 April 2010 confirmed that there were 50 actions listed for completion during 2009 - 2011. Substantial progress was noted as having been made against many of the actions. A snapshot of the key projects or the first and second priorities for each goal is shown as follows:

ACTION	PROJECT	STATUS	COMMENT
1.1.1	Lake Grace Residential Land	Carry forward	Project poised to go to tender
1.1.2	Lake King Residential Land	For discussion & decision	Water Corporation will not extend water supply
1.1.3	Lake Grace Sports Ground Residential Subdivision (Old Tennis Courts)	For discussion & decision	
1.1.4	Lake Grace Industrial Subdivision	Carry forward	Submission to Landcorp being prepared
1.1.5	Newdegate Industrial Land	Carry forward	Awaiting WAPC approval

1.1.6	Establishment of Lifestyle Blocks	Retain	Nothing concrete as yet - pending
2.1.1	Newdegate Hall Redevelopment	For discussion & decision	Alternative proposal requested from architect
2.1.2	Newdegate Medical Centre	Carry forward	EOI's from Project Managers closing mid April
2.1.3	Lake Grace Sports Ground Development	Carry forward	Planning proceeding
2.1.4	Lake Grace Childcare Facility	Carry forward	Project on hold due to funding – progressing
2.1.5	Lake Grace Men's Shed	Carry forward	Planning underway
2.1.6	Lake King Hockey Oval Redevelopment	Carry forward	Not yet researched – need big picture funding plan
2.1.7	Newdegate Hockey Oval Lighting	Not Carried forward	Funding application unsuccessful
2.1.8	Varley Hall	Completed	
2.1.9	Lake Grace Swimming Pool Plant Upgrade	Carry forward	
3.2.1	Investigate Federal Funding/Grants	Completed	
3.2.2		Completed	
3.2.3	Lotterywest Funding	Carry forward	Funding measures to be developed
3.2.4	Expansion of SAR	Carry forward	Up for SMT discussion
3.2.5	Community cropping	Carry forward	As Ngt Research Station Project
3.2.6		Completed	
4.1.1	ROMAN 11 program	Carry forward	Managers up to speed – needs to be funded
4.1.2 & 4.1.4	Asset Management	Carry forward	Repackaged under new plan as one project
4.1.3, 4.3.1& 4.3.2	Road Expenditure	Completed	Repackaged under new plan as one project
4.2.1	Undertake capacity audit of outside staff	Completed	
4.3.3		Completed	
5.1.1	Breakdown Existing Asset Program into WAAMI Format	Completed	
5.1.2 & 5.1.3	Asset Management Plan	Carry forward	One project - 3 year timeline
5.1.4	Implement new Newdegate Landfill Facility	Completed	
5.1.5 & 5.1.7	Recycling	Carry forward	
5.1.6	Lake Grace Sewerage Upgrade	Carry forward	
6.1.1	Seek Resources to develop LG Reform Plan	Completed	
6.1.2		Completed	
6.1.3	VROC	Carry forward	
6.1.4		Completed	
6.1.5	Develop LG Reform position	Completed	
6.3.1	Recruitment of CEO	Completed	
6.3.2		Completed	
6.3.3		Completed	
6.3.4		Completed	
7.1.1	Compliance Audit to be carried out	Completed	
7.2.1	Policy Development & Review	Carry over	One off review
7.4.1	Develop Staff retention objectives	Completed	
7.4.2		Completed	
7.5.1	Organisational Excellence	Completed	

Table One – Summary of Progress for Key Projects

As can be seen from the above table, the final result was:

- 25 projects completed;

- 7 projects rationalised into 3 projects, thus representing 4 further actions completed;
- 23 projects to be carried forward or kept thus representing actions that in the main will take more than one year to complete;
- The overall completion rate was 54% (actions completed/total actions) ;
- The completion rate for 2009 – 2010 was 69% (actions completed over actions for 2009/10).

It should be remembered that teething problems were experienced regarding the development and implementation of the Strategic Action Plan 2009 - 2010. Then there was a delay during July/August whilst Council selected a new Chief Executive Officer. The end result is that the new strategic plan has been developed with more realistic timelines on projects for completion.

A number of elected members at the workshop requested that performance indicators were developed for future projects. This has now been done and forms part of the new Corporate Plan (Strategic Action Plan).

Legal Implications

Nil

Policy Implications

Nil

Consultation

External:

Alan Bandt of Bandt, Gatter and Associates
Jo Burgess Regional Cooperation Manager WALGA
Dr Barbara Maidment

Internal:

Elected Members – Strategic Planning Workshop
Senior Management Team
Development Officer

Financial Implications

Nil

Strategic Implications

Shire of Lake Grace Strategic Plan

Voting Requirements

Simple majority required.

Officer's Recommendation/Resolution

MOTION 10134

Moved Cr Milton
Seconded Cr Armstrong

That Council receive the Strategic Action Plan 2009 – 2011 as updated.

MOTION CARRIED 9/0

Cr Milton thanked the Chief Executive Officer & Staff for their work in light of the upcoming statutory requirement for local government Strategic Plans.

15.5 SHIRE OF LAKE GRACE STRATEGIC PLAN 2010-2015 - ADOPTION

Applicant:	Chief Executive Officer
File No.	0552
Attachments:	Strategic Action Plan Update
Author:	Mr Sean Fletcher Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	11 June 2010
Senior Officer:	Mr Sean Fletcher Chief Executive Officer

Summary

Presented for adoption to Council is the Shire of Lake Grace Strategic Plan 2010 - 2015. The Corporate Plan (which contains the performance indicators) is also presented for endorsement.

Background

The Strategic Planning workshop was held on 9-10 April 2010 at the Lakes Village Hall in Lake Grace. The workshop was attended by all elected members except for Crs Chamberlain and Sinclair who unfortunately could not attend due to personal circumstances. Senior staff also attended the workshop.

The workshop was facilitated by Alan Bandt of Bandt, Gatter and Associates. A number of other presenters also attended the workshop including Jo Burgess, WALGA's Regional Cooperation Manager and Dr Barbara Maidment regarding the Shire's customer survey. The Development Officer also gave a presentation on the demographic impacts on the Shire.

Throughout the workshop, the participants met collectively and in groups to review and confirm:

- ✓ The Shire's vision;
- ✓ The Shire's mission statement;
- ✓ The Shire's values;
- ✓ The seven focus areas;
- ✓ The seven goals and the strategies underpinning the goals;
- ✓ Key actions for each of the strategies.

As a result a new strategic plan was developed. The vision, mission, values, focus areas and goals remained the same. However, many of the strategies either changed or were redefined. Actions completed were confirmed. Those actions not completed were brought forward and new ones created.

The draft corporate plan (strategic action plan) was then issued for comment to elected members on 7 May 2010. Feedback was due at the information session in Newdegate on 26 May 2010.

Comment

Attached for information and consideration are the following documents:

Shire of Lake Grace Strategic Plan 2010 - 2015

This is the final version of the strategic plan in a glossy format for public distribution. This document contains an opening address by the Shire President, the key components of the plan regarding the vision, mission, and values as well as the detailed list of actions or projects due for completion during the next five years.

This document clearly shows the key works to be undertaken by the Shire that are over and above the normal day to day service delivery that the Shire provides regarding its roads, parks and gardens, recreational facilities, health, dam infrastructure and tourism.

Strategic Plan – Priority Strategies 2010 – 2011

This document is a one page snapshot of the strategies for 2010 -2011. Although encapsulated within the final version of the plan, they are reviewed on an annual basis.

Corporate Plan 2010 - 2015

The Corporate Plan is the strategic plan in action and is used by the Senior Management Team and other staff to achieve the desired outcomes. As such, the Corporate Plan contains the following:

- A detailed breakdown on each action identified during the workshop and where it allocated during the next five years;
- Which staff member is responsible for each of the actions;
- A timeline for each action where appropriate;
- The resources required to complete the action including financial (budget);
- A progress column; and
- The performance indicators for actions during the next 12 months. The performance indicators consist of the measure used and the target to be achieved.

Overview on the Country Local Government Fund

This is a one page snapshot on possible uses of the Country Local Government Fund during the next four years. The fund has been confirmed until then.

This snapshot was presented at the information session on 26 May 2010.

2010 – 2011 Action Plan Report

This document is presented in two parts and is a summary of the Corporate Plan for 2010 – 2011. This document will be used to report quarterly to Council on the status of the actions during the year.

This format may change slightly once the Interplan software is produced because this document will be encapsulated within the Interplan report.

Feedback to Date

The Deputy President at the information session commented that the planned works for the Newdegate Industrial Land was too far out. The author responded that the order in which the land projects are to be done has been maintained. As can be seen from the strategic plan it is not possible to have these projects coming through at the same time. Ultimately it is up to Council on the priority of any project whilst taking into account the resources available to do the project.

As with any strategic process, some projects will change from year to year taking into account the resource requirements. Once the Shire's new financial management plan (10 Year Financial Plan) is developed, this will confirm the Shire's capacity to undertake projects over the longer term.

Final Changes to the Draft Strategic Plan

A number of final changes to the draft strategic plan have been made including those discussed at the Information Session on 26 May 2010 as well as those that have been affected due to recent grant outcomes.

The strategic action regarding the Newdegate Hockey Oval lights was removed as this project was unsuccessful with CSRFF funding. The Shire's obligation to this project was \$200. Should the hockey club be successful with CSRFF funding in future, then the Shire could easily provide in kind works such as the provision of sand out of existing resources.

Lotterywest funding of \$20,880 for the Hainsworth building was successful. Accordingly, this project has been brought forward and replaced the Newdegate Hockey Oval lights as a strategic action.

As per the previous discussion at the Council meeting on 26 May 2010 regarding the Lakes VROC, the specific action regarding the 4WD VROC was removed. This has now been replaced by a strategic action regarding the recruitment of a GP for Lake Grace.

Also as discussed at the information session on 26 May 2010, the Lake Grace Day Care Centre is reduced from \$350,000 to \$300,000 in line with savings identified by staff on an owner builder basis and that it is funded as follows: \$200,000 CLGF1 and \$100,000 CLGF3. However, Cr De Landrafft's notice of Motion suggests otherwise. Cr Chamberlain has also raised with the Manager Corporate Services in the author's absence that perhaps the \$100,000 CLGF3 is used on the Lake King Town Hall and possibly on the Newdegate Industrial Land project for 10/11 (\$10,000).

The author has also suggested that the balance of \$70,170 for Country Local Government Fund 6 (2013/14) is allocated to the Varley Recreation Centre.

Legal Implications

Nil

Policy Implications

Nil

Consultation

External: Alan Bandt of Bandt, Gatter and Associates

Internal: Shire President
Council at the Information Sessions
Senior Management Team

Financial Implications

All items are fully costed within the 2010 - 11 Draft Budget

Strategic Implications

Shire of Lake Grace Strategic Plan

Voting Requirements

Simple majority required.

Officer's Recommendation

That Council:

1. Adopt the Shire of Lake Grace Strategic Plan 2010 – 2015.
2. Endorse the Shire of Lake Grace Corporate Plan 2010 – 2015.

Resolution

MOTION 10135

Moved Cr Milton
Seconded Cr De Landgraft

That Council table this item until the issues that are laying on the table have been dealt with.

MOTION CARRIED 9/0

REASON FOR CHANGE

The matter regarding the funding of the Lake Grace Childcare Centre Project and its impact on the Shire's Royalties for Regions (Round 3, Country Local Government Fund) allocations requires finalising.

15.6 DELEGATION OF POWERS TO THE CHIEF EXECUTIVE OFFICER AND THE DELEGATION REGISTER

Applicant: Executive Services
File No. 0052
Attachments: Register of Delegations
Author: Mrs Jeanette Bennett
 Executive Assistant
Disclosure of Interest: Nil
Date of Report: 11 June 2010
Senior Officer: Mr Sean Fletcher
 Chief Executive Officer

Summary

The purpose of this report is for Council to review its delegation of powers and duties performed by the Chief Executive Officer and other staff.

Background

In accordance with the requirements of section 5.46 of the Local Government Act 1995 each local government is to review its delegations to the Chief Executive Officer each financial year. The previous review was undertaken in May 2009.

The Delegation Register is a requirement and subject to the annual external audit process.

Comment

The attached Delegation Register where the Chief Executive Officer has delegated powers and duties, is presented to Council with no changes recommended since the previous review in May 2009.

Legal Implications

Local Government Act, 1995 - s5.16 Delegations to committees
 - s5.42 Delegations to the CEO
 - s5.43 Limits on delegations
 - s5.44 CEO may delegate

Town Planning and Development Act 2005

Bush Fires Act 1954

Dog Act 1976

Health Act 1911

Local Government (Miscellaneous Provisions) Act 1960

Policy Implications

Shire of Lake Grace Policy Manual.

Consultation

N/A

Financial Implications

N/A

Strategic Implications

Shire of Lake Grace Strategic Plan - 7. Organisational Excellence

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

Voting Requirements

Absolute majority (5) required.

Recommendation/Resolution

MOTION 10136

Moved Cr Farrelly
Seconded Cr Armstrong

That Council, in accordance with s5.42 of the *Local Government Act 1995*, delegate to the Chief Executive Officer the discharge of duties and powers as detailed in the attached Register of Delegations (June 2010) noting that the Chief Executive Officer has on-delegated some of his powers and duties to other staff..

MOTION CARRIED BY ABSOLUTE MAJORITY 9/0

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 28 July 2010, commencing at 1:00pm at Council Chambers, 1 Bishop St Lake Grace.

5.26 pm *The President adjourned the meeting for short a break.*

5.35 pm *Meeting re-convened with all those previously in attendance present.*

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

MOTION 10137

Moved Cr Chappell
Seconded Cr Farrelly

That Council close the meeting to the public at this time, being 5.36pm, to discuss:

1. Shire of Lake Grace Workforce Succession Plan
2. Shire of Lake Grace Attraction & Retention Strategy
3. Chief Executive Officer - Annual Performance Review

MOTION CARRIED 9/0

18.1 SHIRE OF LAKE GRACE WORKFORCE & SUCCESSION PLANS

Item forwarded under separate cover.

MOTION 10138

Moved Cr Chamberlain
Seconded Cr De Landgraft

That Council accept the:

1. Shire of Lake Grace Workforce Plan 2010-13; and,
2. Shire of Lake Grace Succession Plan.

And consider them at the Budget Meeting.

MOTION CARRIED 9/0

18.2 SHIRE OF LAKE GRACE ATTRACTION & RETENTION STRATEGY

Item forwarded under separate cover.

MOTION 10139

Moved Cr Milton
Seconded Cr De Landgraft

That Council endorse the Shire of Lake Grace Attraction and Retention Strategy.

MOTION CARRIED 9/0

18.3 CHIEF EXECUTIVE OFFICER - ANNUAL PERFORMANCE REVIEW

Item forwarded under separate cover.

MOTION 10140

Moved Cr Milton
Seconded Cr Farrelly

That Council endorse the commencement of the 12 month performance review process of the Chief Executive Officer.

MOTION CARRIED 9/0

MOTION 10141

Moved Cr Milton
Seconded Cr De Landgraft

That Council re-open the meeting to the public at this time, being 6.15pm.

MOTION CARRIED 9/0

19.0 CLOSURE

There being no further business, the Chairperson closed the meeting at 6.16pm.

20.0 CERTIFICATION

I Andrew James Walker certify that the minutes of the meeting held on the 23 June 2010 as shown were confirmed as a true record at the meeting held on the 28 July 2010.

Chairman

Date