

SHIRE OF WAGIN



MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON TUESDAY 19th August 2003

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Shire of Wagin

Minutes of the Ordinary Meeting of the Council held in the Council Chambers on Tuesday 19th August 2003.

1. Declaration of Opening

The Shire President, Cr Brockway declared the meeting open at 7.03 pm.

2. Attendance, Apologies and Leave of Absence (Previously Approved)

Present:

Cr M J Brockway	President
Cr R P Johnson	Deputy Shire President
Cr I C Cumming	Member
Cr E N Pugh	Member
Cr A C Hansen	Member
Cr G J Riseborough	Member
Cr H D Rowell	Member
Cr P J Blight	Member
Cr K M Draper	Member
Cr P I Piesse	Member

Staff:

Mr B K Fisher	Acting Chief Executive Officer
Mr D A Archer	Principal Environmental Health Officer/ Building Surveyor
Mr B A Roderick	Finance Officer

Visitors:

I Fitzgerald	Chief Executive Officer Elect
R Daventry	
P Jeff's	
E Jeff's	
R O'Brien	
K Duffy	
T Osborne	
S Benck	
J Thompson	
K Rowell	

Apologies:

3. Response to Previous Public Questions taken on notice

Nil

4. Public Question Time

Nil

5. Application for Leave of Absence

Nil

6. Public Forum (Petitions/Deputations/Presentations)

Mr Roger Daventry, KEEDAC consultant/mentor addressed Council regarding his role with KEEDAC and issues concerning the proposed Youth Centre at 68 Upland Street Wagin. Mr Daventry was employed by KEEDAC to address severe social and economic problems facing indigenous people across seven wards. Mr Daventry explained that a youth centre had been proposed to address some of these social problems. The Bojanning building at 68 Upland Street had been chosen as they owned the building and a residential location made the youths more respectful. Thirty thousand dollars has been spent on the building to bring it up to standard for a youth centre. The Youth Centre Programme will be a first for any town in Australia. He acknowledged that previous programmes had failed, however this programme is unique and had the support of a large network of dedicated people. The youth centre will provide children with educational and fun activities within the centre and other sites such as the bush and field trips. The centre would also provide food supplements for children, however families must learn to take control and look after themselves. Mr Daventry made it clear that this was a not a centre exclusively for Aboriginal youths, it was a multicultural centre for all youths. There would be total supervision at all times at the centre with a minimum of two supervisors. He explained if the Centre caused problems for near by residents they could contact either KEEDAC or the Shire of Wagin.

Mr Rodney O'Brien of 26 Stubbs Street addressed Council regarding his concerns and opposition to the proposed youth centre. He questioned KEEDAC and the Shire on issues such as unruly behaviour, alcohol, drugs, financial responsibility, opening hours and food supplements. He stated that the centre will only cater for Aboriginals which was racist. He suggested the Recreation Centre upgrade would provide a far better alternative site for this centre. Mr O'Brien concluded by voicing his concerns over possible retribution for his address to Council.

Mrs Elaine Jeff's of 60 Upland Street addressed Council regarding her opposition to the proposed youth centre as she believes it is wrong to have the centre in a residential area. She also had concerns of youths dispersing late at night by foot. Mrs Jeff's also stated that it was very important to promote integration between all people in the community.

Mr Richard Patterson addressed Council stating the aspirations of KEEDAC was admirable, however he endorsed all the concerns that had been stated tonight. His main concern is who is responsible when the project goes wrong.

Mr Daventry responded to some of the questions and concerns that were raised by Mr O'Brien, Mrs Jeff's and Mr Patterson. He stated if there are problems we have to work at solving them. Aboriginal people were the most disadvantaged and abused people in Australia. He reiterated his point on the centre being totally multicultural and integrated and there will not be a mass influx of youths from surrounding towns. He concluded by defending criticism over the fact that there was no local Aboriginals at the meeting by stating that they are a timid group who have asked Mr Daventry to represent them, however, they are all very interested in making this youth centre a success.

Mr Keith Rowell, President of the Wagin Golf Club, addressed Council over the Golf Club lease. On behalf of the Wagin Golf Club Committee he has requested Council reconsider its decision to renew the Golf Club lease for a term of only 21 years.

7. Confirmation of Previous Meeting Minutes

10652 HANSEN/JOHNSON

That the minutes of the

- (a) Ordinary Council Meeting held on 15th July 2003,
- (b) Special Council Meeting held on 16th July 2003,
- (c) Special Council Meeting held on 26th July 2003,
- (d) Special Council Meeting held on 31st July 2003,
- (e) Special Council Meeting held on 6th August 2003 be confirmed as a true and correct record.

CARRIED
Vote 10/0

8. Disclosure of Financial and other Interests

Cr Hansen declared an impartiality interest in item 9.1.1.

Cr Johnson declared a proximity interest in item 9.1.4. being an adjacent landowner to the proposal.

Cr Brockway declared a proximity interest in item 9.1.5 being an adjacent landowner to the proposal.

Cr Rowell declared an impartiality interest in item 9.2.3.

9.1 Reports of Committees and Officer

Cr Hansen left the meeting at 7.45pm having declared an impartiality interest in this item.

Mr R O'Brien and Mr K Duffy left the meeting at 7.45pm.

9.1.1 Youth Centre
Location: Lot 881 (No 68) Upland Street Wagin – zoned Residential R17.5
Proponent: KEEDAC
Reporting Officer: Principal Environmental Health Officer/Building Surveyor
File: A912

Summary

The proponent wishes to utilise the building on Lot 881 (No 68) Upland Street as a Youth Centre.

Background

This item was presented to Council on 15th July 2003 and Council resolved to notify adjoining properties and give public notice before further considering. Such action has been undertaken.

Comment

Nine letters were received of which one had twenty two different signatures, however three of these people also submitted a separate submission, therefore I consider we have received twenty seven responses.

Only one was supportive. The others are mostly concerned with noise and inappropriate behaviour.

The proponents on response to concerns expressed have provided additional information;



**Kaata-Koorliny Employment & Enterprise Development
 Aboriginal Corporation**
 ABN: 48274627975
 PO Box 490
 Narrogin WA 6312

11th August 2003

Denis Archer Esq
 Planner
 Shire of Wagin
 PO Box 200 Wagin
 Email: shire@wagin.wa.gov.au

Subject: Bojanning Building 68 Upland Street – **RE: yours 5/8/03**

Dear Denis,

In answer to your facsimile we provide the following information.

1. Charlie Williams is the Social Programme Coordinator for KEEDAC in Wagin. There will be a programme of activities created with responsible persons assigned for good governance. Until the programme is created the assignments cannot be identified, but you can rest assured that the people chosen will act in accord with good practice. We mention that this facility is for all youth of Wagin not just Noongar children. It is important that any youth requiring support can attend the Centre without prejudice of neither race nor creed.
2. We expect the operations of the Youth Centre to focus on weekdays with a possible preschool session and after school activities. We are exploring a Saturday evening session but any such session would be finished by 10pm.
3. We do not subscribe to the idea that the activities will be noisy. Children having fun undertaking activities aimed at developing responsible social awareness are of their nature not noisy. Good management is the key to our success.
4. Since the activities are of a family nature the sound levels are expected to be in the range of normal family activity. The dB rating depends on the place of reading and we intend that the building will contain sound adequately. It is far better to have the children off the streets where they make disruptive noise and rather bring them to a centre where their activities are joyous. We trust no one will object to the sounds of joy.

Yours sincerely

Electronically forwarded

Arthur Slater
CEO KEEDAC

149 Federal Street Narrogin
Phone (08) 9881 6666
Fax (08) 9881 3666
Email. keedac@westnet.com.au

ADM-DOC-09-05-105 issued 6/1/03

As previously mentioned the Youth Centre is not a use specifically mentioned in our Town Planning Scheme and for further guidance I have spoken with an Officer from the Western Australian Planning Commission. He was of the opinion the Youth Centre could be considered as similar to a sporting club or school and those type of activities are often within residential areas.

The Officer suggested if inappropriate behaviour occurs off site it should be considered separately to the Youth Centre proposal.

MATTERS TO BE CONSIDERED BY COUNCIL

The Council in considering an application for planning shall have the regard to the following;

- (a) the provisions of this Scheme and any other relevant town planning scheme operating within the district including the Metropolitan Region Scheme;
- (b) any relevant proposed new town planning scheme of the Council or amendment insofar as they can be regarded as seriously entertained planning proposals;
- (c) any approved Statement of Planning Policy of the Commission;
- (d) any other policy of the Commission or any planning adopted by the Government of the State of Western Australia;
- (e) any planning policy, strategy or plan adopted by the Council under the provisions of clause 8.6 of the Scheme;
- (f) the preservation of any object or place of heritage significance;
- (g) the requirements of orderly and proper planning;
- (h) the preservation of the amenities of locality;
- (i) any other planning considerations which the Council considers relevant;
- (j) any relevant submissions or objectives received on the application;

In determining an application for planning approval the Council may:

- (a) grant its approval with or without conditions;
- (b) refuse to grant its approval.

I believe the pertinent points are (g) – (j).

From the advice of the Western Australian Planning Commission it is reasonable to consider a Youth Centre in the Residential Zone represents orderly planning then similarly the amenity is preserved.

Traffic movement or demand on services are unlikely to be significant therefore the major issue is submissions received.

Noise will be generated mostly by speaking which may have a disturbing effect, particularly when participants are arriving or leaving the premises however this is usual where ever groups congregate.

Some submissions suggest using existing recreational facilities but for the project outlined it is unlikely this could be accommodated as their needs are quite specific.

Statutory Environment: Town Planning Scheme No2.
Policy Implications: Nil
Budget Implications: Nil

Officers' Recommendation

Council approve the establishment of a Youth Centre on Lot 881 (No 68) Upland Street Wagin consistent with the information provided on the 9th July 2003 and the 11th August 2003 subject to;

- 1) Obtaining building approvals for any construction
- 2) Approval will lapse if not substantially completed within two years from the date of Council Planning approval.

Council Resolution

10653 RISEBOROUGH/PIESSE

That Council approve the establishment of a Youth Centre on Lot 881 (No 68) Upland Street Wagin consistent with the information provided on 9th July 2003 and 11th August 2003 subject to;

- 1) Obtaining building approvals for any construction.
- 2) Approval will lapse if not substantially completed within two (2) years from the date of Council planning approval.
- 3) A twelve month trial period commencing from the date the centre becomes operative.

CARRIED

Vote 6/3

Cr Hansen returned to the meeting at 8.07pm.

Mr and Mrs Jeffs, Mrs Shelly Benck and Mr T Osborne left the meeting at 8.09pm.

9.1.2	DrumMuster
Location:	Shire of Wagin
Proponent:	Staff
Reporting Officer:	Principal Environmental Health Officer/Building
Surveyor	
File:	HLT13/3

Summary

Council conducts an annual drummuster collection.

Background

Council has undertaken to conduct the program in accordance with the “Agreement” between the Shire of Wagin and Agsafe.

Comment

Council has traditionally conducted this collection in early October and I suggest, Monday 6th, Tuesday 7th and Wednesday 8th October 2003 be designated as the collection period.

Statutory Environment: Nil

Policy Implications: Council Services Agreement – Agsafe

Budget Implications: Provision to conduct the program is provided with most costs being reimbursed by drummuster.

Officer’s Recommendation

Council resolve to conduct the annual chemical drum collection on the 6th, 7th and 8th October 2003.

Council Resolution

10654 CUMMING/ROWELL

That the Officer’s Recommendation be adopted.

CARRIED
Vote 10/0

9.1.3	Food Sampling Scheme
Location:	Shire of Wagin
Proponent:	Local Health Authorities Analytical Committee
Reporting Officer:	Principal Environmental Health Officer/Building
Surveyor	
File:	HLT 2/1

Summary

It is considered that the new Food Standard Code demands a new strategy to effectively monitor labelling, additives, contaminants, residues and microbiological quality.

Background

The current scheme allocates “entitled units” based on population to which all Councils contribute whether they use their units or not.

The objective of the scheme was to ensure Local Governments regularly sampled foods but participation is declining.

Comment

The proponent suggests food tends to be manufactured centrally, then distributed therefore more intensive sampling at the point of manufacture by the host Local Authority funded by all Local Authorities would be more effective and no more expensive.

I have consistently maintained our food sampling program and the products of concern to us are unlikely to be monitored with this centralised scheme, while retailers are able to be given guidance on requirements during the food sampling process

The proponent mentions the success of the broad based food sampling surveys occasionally undertaken, usually directed at consumer concerns, in which we participate but to the best of my memory the perceived shortcomings are generally of a food handling (at the point of sale) nature and would not be detected by this new scheme. I believe the current scheme is appropriate for our needs and the major shortcoming currently is that many Local Authorities are not undertaking any food sampling.

Statutory Environment	Health Act 1911
Policy Implications:	Nil
Budget Implications:	A budget allowance is provided for routine food sampling which exceeds the statutory minimum requirement.

Officer’s Recommendation

Council Advise the Local Health Authorities Analytical Committee that the current scheme is appropriate for our requirements and suggests that all Local Authorities be required to undertake regular routine food sampling.

Council Resolution

10655 PIESSE/PUGH

That the Officer’s Recommendation be adopted.

CARRIED
Vote 10/0

Cr Johnson left the meeting at 8.11pm having declared a proximity interest in this item.

9.1.4	Proposed Subdivision and Amalgamation
Location:	Location 5109 & 4431 Walkers Road Piesseville
Proponent:	P H & K E Gow on behalf of Philos Farm Pty Ltd
Reporting Officer:	Principal Environmental Health Officer/Building Surveyor
File:	A1850, A1751

Summary

The proposal is to subdivide Location 5109 so as to create one portion containing the house and sheds and amalgamate the remaining portion with Location 4431 which adjoins.

Background

Location 5109 was purchased as part of a farm expansion and the house and sheds are surplus to the purchasers needs.

Comment

The Department for Planning and Infrastructure has policy objectives with regard to rural land use and may be summarised as;

OVERALL OBJECTIVES

- To provide a simple, flexible and effective framework for planning in rural areas.
- To enable rural land to be so managed to maximise opportunities and provide for the needs of the community.
- To maintain environmental quality.
- To provide a framework for resolving conflict between different land users and between the allocation of resources.
- To accommodate and plan for desirable land use changes.

SPECIFIC OBJECTIVES

- To discourage the removal of prime agricultural land from agricultural production and to prevent adverse effects on the viability of established or potential agricultural industries.
- To provide for the establishment of appropriate uses ancillary to the rural use of land.
- To facilitate the introduction of new rural economic activities.
- To provide for a range of lifestyles and activities in rural areas.
- To provide satisfactory services and infrastructure to rural areas at reasonable cost to the community.
- To provide for the protection of life and property within and around rural communities.
- To minimise the extent to which development has an adverse impact on the environment and maximise the extent to which development enhances the environment.

- To conserve the key natural resources such as water, land, soils, minerals, timber and areas of ecological significance and protect them from land use or land management practices which lead to their degradation or destruction.
- To protect key cultural resources (places of heritage value) from land use or management practices which will lead to their degradation or destruction.

Prime Agricultural Land includes land which;

- Has most utility for agricultural purposes,
- Has soils with no physical and chemical limitations for agricultural use,
- Has a reliable water supply for irrigation,
- Is not subject to extremes of climate,
- Has little potential for degradation, or has been/is subject to significant public investment for service facilities such as dams, irrigation schemes, drainage, factories, handling centres, or
- Has physical or locational characteristics essential for a specific crop for the domestic or export market or to support a processing industry. In some circumstances land which has prime physical characteristics may have a higher community value for an alternative use and may therefore be excluded from the prime agricultural land classification.

Location 5109, which adjoins the Piesseville townsite is relatively large and the proposal creates a 49.9ha Lot which is similar to other Lots surrounding the townsite.

The applicant suggests the remaining portion of Location 5109 be amalgamated with Location 4431 but orderly planning would suggest the creation of a new Lot of 110.09ha.

I consider the proposed subdivision meets the specific objectives of the Department of Planning and Infrastructure Rural Land use Policy and accordingly should be supported whether creating an additional Lot or amalgamating with an adjoining Lot.

Statutory Environment: Town Planning Scheme No 2
Policy Implications: Department of Planning and Infrastructure Development Control Policy Manual DC 3.4
Budget Implications: Nil

Officer's Recommendation

Council support the proposal to subdivide Location 5109 Walkers Road Piesseville to create two Lots one being 49.9ha and the other 110.9ha considering the proposed subdivision satisfies the objectives of the Department of Planning and Infrastructure policy on rural subdivision.

Council Resolution

10656 PIESSE/PUGH

That the Officer's Recommendation be adopted.

CARRIED
Vote 9/0

Cr Johnson returned to the meeting at 8.15pm.

Cr Brockway left the meeting at 8.15 having declared a proximity interest in this item. Deputy President Cr Johnson chaired the meeting in the absence of the Shire President.

9.1.5 Contract Pesticide Operator
Location: Location 12299 Riseborough Road – Lime Lake – zoned Rural
Proponent: R E Ball & Son
Reporting Officer: Principal Environmental Health Officer/Building Surveyor
File: A1179

Summary

The proponent wishes to operate a commercial pesticide business within the Shire of Wagin.

Background

The Department of Health (Environmental Health) has granted the proponent a pesticide license in broadhectare spraying.

Comment

The proponent states spraying will be primarily fungicides with operators having completed a Chemcert course.

Machinery will be self propelled specifically designed for incrop spraying and chemicals will be provided by the client. The proposal does not include storage or sale of chemicals.

Although such activity is not specifically mentioned in the Town Planning Scheme Text it would be reasonable to designate it as an activity that would normally occur throughout the Rural Zone and therefore should not require any special provisions apart from compliance with the Health Act (Pesticide Regulations) 1956.

Statutory Environment: Health Act (Pesticide Regulations) 1956
Policy Implications: Nil
Budget Implications: Nil

Officer's Recommendation

Council approve the establishment of a Broadhectare Pesticide Spraying business by R E Ball & Son to be based at Location 12299 Riseborough Road Lime Lake.

Council Resolution

10657 PIESSE/CUMMING

That the Officer's Recommendation be adopted.

CARRIED
Vote 9/0

Cr Johnson vacated the chair at 8.17pm.

Cr Brockway returned to the meeting at 8.18pm and resumed the chair.

9.1.6	Expressions of Interest - Toms Building
Redevelopment	
Location:	Reserve 6985 Wagin Townsite
Proponent:	Staff
Reporting Officer:	Principal Environmental Health Officer/Building
Surveyor	
File:	PRO13

Summary

Expressions of Interest in tendering for the Toms Building Redevelopment closed on Monday 28th July 2003.

Background

Council on 31st July 2003 resolved to invite the five listed contractors to tender.

Comment

In going through my papers recently I discovered one other company also expressed interest and their submission was received in our office on the 24th July 2003.

I apologise to Council for this omission and suggest this company, being Millennium Equity also be invited to tender. We expect to receive the drawings for the project on Friday 15th August 2003 and they will be immediately distributed.

Statutory Environment: Local Government Act 1995 Local Government (Functions and General) Regulations 1996 Clauses 21, 22, 23 and 24.

Policy Implications: Nil

Budget Implications: Council has budgeted for this project.

Officer's Recommendation

Council endorse the action of including Millennium Equity as a selected tendered for the Toms Building Redevelopment.

Council Resolution

10658 BLIGHT/ROWELL

That the Officer's Recommendation be adopted.

CARRIED
Vote 10/0

9.2. Administration and Finance

9.2.1 Extraordinary Election

Proponent: Acting Chief Executive Officer

Location: Shire of Wagin

Reporting Officer: Acting Chief Executive Officer

File:

Summary

An extraordinary election is required following the resignation of Mr Len Kirk from Council.

Background

As the next ordinary election is not until May 2005, Council is required to fill the vacant position on Council via an extraordinary election. I have attached to this item a breakdown of the statutory requirements to be completed and a proposed timetable including dates.

Comment

The election is scheduled for Saturday 8th November 2003 which will require Council to decide no later than on 19th August 2003 (Council Meeting day) if it will a postal or voting in person election. Should a decision not be made then a voting in person election will occur in accordance with section 4.61 (7) on the LG Act 1995.

Council has previously conducted voting in person elections and due to no budget provision being made for an election this financial year, the cheaper option available to Council is a voting in person election.

Section 4.20 (1) of the LG Act 1995 identifies the CEO as the Returning Officer of a Local Government Election. Council may having first obtained the written agreement of the person concerned and the written approval of the Electoral Commissioner, appoint a person other than the CEO to be the returning officer. This would require an absolute majority.

Statutory Environment: Local Government Act 1995

Budget Implications:

No budget provision has been made for an extraordinary election. The May 2003 election cost \$1,550 of which \$865 related to group advertising. As this is an extraordinary election Council may not receive the same advertising discount.

Officer's Recommendation

That Council agree to the proposed timetable for the extraordinary election with the election to be voting in person, and the election day be set as Saturday 8th November 2003.

**ABSOLUTE MAJORITY
REQUIRED**

Note: If Council resolves to conduct the election as a postal election then a special majority is required.

Council Resolution

10659 CUMMING/DRAPER

That the Officer's Recommendation be adopted.

**CARRIED BY AN
ABSOLUTE MAJORITY
Vote 10/0**

Shire of Wagin

Extraordinary Election Timetable

BEFORE ELECTION DAY	80 days 19 th August 2003	Last day for local governments to decide whether election will be a postal voting election (cannot be rescinded after this day). If no decision to this effect, to be a voting in person election. s. 4.20, s. 4.61(5)
	70 days 29 th August 2003	First day the returning officer can give Statewide public notice of time and date of close of enrolment for owners and occupiers. s. 4.39
	56 days 12 th September 2003	Last day the returning officer can give Statewide public notice of time and date of close of enrolment for owners and occupiers. s. 4.39, s. 4.40, s. 4.47 Last Day for the CEO to advise Electoral Commissioner of need to prepare residents enroll for the election. First day the returning office can give Statewide public notice calling for nominations of candidates. NOTE: 56 days before the election is Saturday 13 th September 2003.
	50 days 19 th September 2003	Enrolments must be in and accepted by 5.00pm. s. 4.39
	45 days 24 th September 2003	Last day the returning officer can give Statewide public notice calling for nominations of candidates. s. 4.47
	44 days 25 th September 2003	Candidate nominations commence. s. 4.47, s. 4.49
	36 days 3 rd October 2003	Last day for electoral Commissioner to have prepared residents roll and forwarded copy to CEO. Last day for CEO to prepare owners and occupiers roll. s. 4.40, s. 4.41
	30 days 9 th October 2003	Candidate nominations to be in by 4.00pm. s. 4.49
	22 days 17 th October 2003	On or before this day the returning officer is to delete from the owners and occupiers roll the name of any person whose name also appears on the residents roll (not necessary if rolls consolidated). If a roll is altered after it has been supplied to members of the council and candidates, the returning officer is to supply details of the alteration to those members and candidates in accordance with regulations. s. 4.63
	19 days 20 th October 2003	Last day that the returning officer can give Statewide public notice about election. s. 4.64

BEFORE ELECTION DAY (CONT')	4 days 4 th November 2003	Casting of an absent vote in a voting in person election closes at 4.00pm s. 4.68
	1 day 7 th November 2003	Casting of an early vote in a voting in person election closes at 4.00pm. s. 4.68
ELECTION DAY	8 th November 2003	Voting in person at polling places, counting of votes and declaration of result. s. 4.7
POST ELECTION	14 days 24 th November 2003	Returning officer to provide the Minister for Local Government with a report on result of election. Note that 14 days after the election is a Saturday. Therefore this deadline can fall on the next working day. s. 4.79, reg. 81
	28 days	Invalidity complaints are to be made within 28 days following local public notice of the result of the election. This notice is to be given as soon as is practicable. s. 4.77, 4.81, reg. 80

9.2.2	Deed of Agreement – Community Aged Care Packages
Proponent:	Acting Chief Executive Officer
Location:	Wagin Community Aged Care Packages Program
Reporting Officer:	Acting Chief Executive Officer File:

Summary

Correspondence has been received from the Commonwealth Department of Health and Ageing advising that our existing Deed of Agreement for the Community Aged Care Packages Program does not make any reference to the West Arthur statistical area.

Background

The Senior Project Officer of Community Care has advised that following discussions with our Hacc Coordinator it has revealed that the statistical local area of West Arthur had been omitted in error.

Comment

The Department of Health and Ageing had forwarded two amended agreements for signing. I have perused the agreement and note that it now makes reference to West Arthur as well as Wagin for the Statistical Local Area.

The purpose of the agreement is to clearly identify the obligations of the Secretary (Commonwealth Department of Health and Ageing) and also the Provider (Shire of Wagin) in delivering the Community Aged Care Packages service to the Wagin and West Arthur residents. The term of the agreement is open and continues until terminated by either party.

Statutory Environment: Deed of Agreement

Budget Implications: Nil

Officer's Recommendation

That Council authorise the Shire President and Acting Chief Executive Officer to sign and affix the common seal to the amended Deed of Agreement with the Commonwealth Department of Health and Ageing for the provision of the Community Aged Care Package Program.

Council Resolution

10660 PIESSE/JOHNSON

That the Officer's Recommendation be adopted.

CARRIED
Vote 10/0

Statutory Environment: Vesting Order 1227/33 section 3.58 deals with the disposal of property by a Local Government and clause 30 of the Local Government Function and General Regulations 1996 exempts the application of Section 3.58 where the disposition of land is to a body where the objectives are of a sporting or other like nature.

Budget Implications: Nil

Officer's Recommendation

(Prior to considering revoking or changing the decision of 17th June 2003 such a motion to change must be supported by at least 1/3 of the Council.)

That Council advise the Wagin Golf Club that it currently only has the power to lease portion of reserve 30444 for a period no greater than 21years and that our preferred option is not to lease this reserve for any greater term.

Council Resolution

10661 PIESSE/DRAPER

That Council agree to Rescind resolution #10578 passed at the June Council Meeting

CARRIED

Vote 9/0

10662 PIESSE/DRAPER

That,

- 1) Council to negotiate the drawing up of a new lease agreement with the Wagin Golf Club Inc over portion of Reserve 30444 included in the current lease on a similar basis with a term of 42 years, rent of \$10 per anum with a rental review every seven years.
- 2) That the cost preparation, execution and stamping of the lease to be at the cost of the lessee.
- 3) Standard clauses as deemed appropriate by Council's lawyer to protect Councils interests may be included.

CARRIED

Vote 9/0

Cr Rowell returned to the meeting at 8.29.

Mr Keith Rowell and Mr John Thompson left the meeting at 8.30pm.

9.2.4 Administration Resources – Wagin Medical Centre
Proponent: Acting Chief Executive Officer
Location:
Reporting Officer: Acting Chief Executive Officer File:

Summary

On Tuesday 29th July 2003, I met with Dr Lewis to discuss the proposal of employing a Practice Nurse and the need to provide additional Administration hours.

Background

The issue of employing an additional administration employee has previously been discussed with both the AMA and Dr Lewis.

Currently there are two administration staff that maintain the front counter of the Wagin Medical Centre and attend to the administration requirements of Dr Lewis. The Medical Centre is open from 8.30am weekdays until 5pm minimum or whenever the last patient has been seen.

The main issue for requiring an additional administration employee is to cover periods of Annual and sick leave and to work every second Saturday morning that Dr Lewis is practicing to catch up on seeing his backlog of patients.

Comment

Currently the existing two administration staff are working extra hours to cover the administration service required by Dr Lewis. By employing a third person this will allow the existing two employees to reduce their hours to accommodate a third person to receive regular weekly employment at the practice. During periods of annual and sick leave there will be an additional cost to the practice, however by employing a third person will result in the services to the customers being maintained at all times as compared to only one employee being required to work 8-9 with no break. Currently in the event that one employee is on annual leave and the other required sick leave this would result in no administration support at the practice.

Statutory Environment:

Nil

Budget Implications:

Taking into account Annual and Sick Leave periods to be covered the cost to the Wagin Medical Centre would be approximately \$4,000 - \$5,000 per annum.

Officer's Recommendation

That Council;

1. agree to the proposal of employing a third administration employee at the Wagin Medical Centre for the primary purpose of providing relief support during periods of annual and sick leave.
2. utilise the third administration employee as required to fulfil the administration requirements at the Wagin Medical Centre on a weekly basis as determined by Dr Lewis and the Chief Executive Officer.

Council Resolution

10663 CUMMING/PUGH

That the Officer's Recommendation be adopted.

CARRIED
Vote 9/0

9.2.5 Financial Statements – July 2003
Reporting Officer: Acting Chief Executive Officer

Summary

In accordance with the Local Government (Financial Management) Regulations 1996, regulation 34 stipulates that a local authority is to prepare monthly financial reports in such a form as the local authority considers appropriate.

Background

The form of the monthly financial statements presented to Council has been an Operating Statement by function / activity, Statement of Financial Position, and an Operating Statement by Nature / Type. Council is also required to receive a list of payments made from all of Councils bank during the period from the last ordinary Council meeting onwards.

Comment

A copy of all three reports for the month ending 31st July 2003 have been included in the agenda along with a listing of all payments made from each of Councils bank accounts for this corresponding period.

Statutory Requirement: Local Government (Financial Management) Regulation 34(1)(a).
Budget Implications: Nil

Officer's Recommendation

That Council;

1. Receive the Operating Statement by Function / Activity, Statement of Financial Position, and Operating Statement by Nature / Type for the period ending 31st July 2003.
2. Approve for payment the following list of vouchers;

Municipal Account	from 17383 to 17493	total	\$302,640.83
Trust Account	from 1280 to 1282	total	\$ 400.00
Municipal Account	(Direct Debit)	total	<u>\$223,516.80</u>

\$526,557.63

Council Resolution

10664 ROWELL/JOHNSON

That the Officer's Recommendation be adopted.

CARRIED
Vote 10/0

9.2.6 Wagin Medical Centre Financial Statements**Reporting Officer: Acting Chief Executive Officer**

Summary

In accordance with the Local Government (Financial Management) Regulations 1996, regulation 34 stipulates that a local authority is to prepare monthly financial reports in such a form as the local authority considers appropriate.

Background

The Wagin Medical Centre has been running under the control of Council since 1st March 2003. Like the monthly financial reports Council already receives relating to the Municipal fund and list of payments made from the Municipal, Trust and Reserve accounts, Council is required to disclose the same information regarding the Wagin Medical Centre.

Comment

A Profit and Loss statement and Balance Sheet have been prepared for the period ending 14th August 2003, and a list of payments made from the cheque account are attached to this item.

Statutory Requirement: Local Government (Financial Management) Regulation 34(1)(a).

Budget Implications: Nil

Officer's Recommendation

That Council;

1. Receive the Profit and Loss Statement and Balance Sheet for the period ending 14th August 2003.
2. Approve for payment the following list of vouchers;

Wagin Medical Centre Account from 000049 to 000062 \$28,059.06

Council Resolution

10665 RISEBOROUGH/HANSEN

That the Officer's Recommendation be adopted.

CARRIED
Vote 10/0

9.2.7	Wheatbelt Development Commission Board Election	
Proponent:	Acting Chief Executive Officer	
Location:	Wheatbelt Development Commission	
Reporting Officer:	Acting Chief Executive Officer	File:

Summary

I received an email from the WALGA on Monday 18th August 2003 containing an election package for the Wheatbelt Development Commission Board.

Background

One vacancy exists on the Wheatbelt Development Commission Board for a Local Government Representative of which six nominations have been received resulting in an election.

Details of the candidates are; (in the order on the ballot paper)

1. Mayor Ray Head – Town of Northam
2. Cr Alan Genoni – Shire of York
3. Cr Barrie Leslie – Shire of Tammin
4. Mr Frank Peczka – Shire of Tammin
5. Cr Michael Bates – Shire of Moora
6. Cr Laurie Don – Shire of Chittering

Comment

If Council would like to cast a vote in this election it must complete the ballot paper and return it to WALGA by no later than Friday 29th August 2003.

Copies of the nomination forms and additional information on each candidate have been provided and may be obtained from myself.

Statutory Environment: Election conducted in accordance with the Local Government Act 1995.

Budget Implications: Nil

Officer's Recommendation

That Council delegate authority to the Shire President, Deputy Shire President and the Acting Chief Executive Officer to complete the ballot paper for the Wheatbelt Development Commission Board Election, and provide the details of our vote in the September 2003 Information Bulletin.

Council Resolution

10666 CUMMING/PUGH

That the Officer's Recommendation be adopted.

CARRIED
Vote 10/0

9.4 Other Committees and Reports

9.4.1 Minutes of a Finance and General Purposes Committee meeting held in Council's Committee Room on Tuesday 15th July 2003.

10667 BLIGHT/ROWELL

That the minutes of the Finance and General Purposes Committee meeting held on 15th July 2003.

CARRIED

Vote 10/0

10 ANNOUNCEMENT BY THE PRESIDENT AND COUNCILLORS

The Shire President advised;

- On 22nd July she attended the official opening of the ABC Great Southern.
- On 23rd July she attended the Draft Budget meeting.
- On 24th July 2003 she attended Roadwise LEEMAC meeting.
- On 25th July 2003 she attended the APEX changeover dinner.
- On 26th July 2003 she attended the CEO interviews.
- On 31st July 2003 she attended the Budget adoption meeting.
- On 1st August she attended Local Government Week 2003.
- On 6th August 2003 she attended Special meeting regarding CEO.
- On 7th August with Councillor's Johnson and Pugh attended Colin Batt's farewell at the Shire depot.
- On 12th February 2003 she attended the Telecentre AGM.

On 14th August she met with Councillor's Blight, Rowell and Shire EHO to discuss disabled facilities at the Wagin Telecentre.

Cr Rowell advised;

- On 5th August she attended the Southern Ag Care AGM in Dumbleyung. Mental Health week starts on 1st October 2003.

Cr Blight advised;

- On 4th August Settlement took place on the Telecentre building.

Cr Draper advised;

- He attended a Wagin Frail Aged Committee meeting.

Cr Cumming advised;

- Along with Shire Works Manager he attended two fence line inspections at Farrow Road for John Farrow and the widening of Dale Jefferis's driveway.

11. Elected Members Motions of which previous notice has been given.

Nil

12 Urgent Business introduced by decisions of the meeting.

a) Elected Members

Senior Leading Hand Vacancy

10668 RISEBOROUGH/JOHNSON

That Council agree to discuss vacant Leading Hand's position.

CARRIED

Vote 10/0

Cr Piesse expressed concern as to who was supervising the Works Crew in the absence of the Works Manager on sick leave and the Senior Leading Hand position still being vacant. The Acting Chief Executive Officer advised Council that there were two other leading hand employees on the work crew to provide supervision and if required the Acting Chief Executive Officer would also provide assistance.

The Acting Chief Executive Officer advised Council that limited interest had been shown in the Senior Leading Hand position and if necessary the position would be re-advertised.

b) Officers

Nil

13. Confidential Business as per Local Government Act s5.23 (2)

Nil

14. Closure

The Shire President closed the meeting at 9.03pm.