

Shire of Lake Grace

Ordinary Council Meeting



## NOTICE PAPER

### To the President and Councillors

In accordance with the provisions of Section 5.5 of the Local Government Act 1995, you are hereby notified that an Ordinary Meeting of Council has been convened:

**Date:** Wednesday 23 July 2014

**At:** Council Chambers, 1 Bishop St, Lake Grace WA

**Commencing:** 2.00 pm

To discuss the items of business in the agenda as set out on the following pages.

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Neville Hale  
Chief Executive Officer

17 July 2014  
Date

Shire of Lake Grace

Ordinary Council Meeting

# Agenda

23 July 2014

Meeting Commencing at 2.00 pm

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## Disclaimer

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## **SHIRE OF LAKE GRACE**

Agenda for the Ordinary Meeting of Council to be held at Council Chambers, 1 Bishop St Lake Grace WA on Wednesday 23 July 2014.

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

The Shire President opened the meeting at \_\_\_ pm.

### **2.0 ATTENDANCE RECORD**

#### **2.1 PRESENT**

Cr AJ Walker	Shire President
Cr JF De Landgrafft	Deputy Shire President
Cr LW Armstrong	
Cr R Chappell	
Cr DS Clarke	
Cr SG Hunt	
Cr AD Marshall	
Cr DP Sinclair	
Cr MG Stanton	
Mr N Hale	Chief Executive Officer
Mr J Bingham	Manager Corporate Services
Mr M Harrop	Manager Infrastructure Services
Ms L Holben	Manager Community Services
Mrs J Bennett	Executive Assistant
_____	Observer

#### **2.2 APOLOGIES**

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

##### **CR MARSHALL**

Motion 11836 June 2014 – Cr Marshall is granted leave of absence from 20 July to 4 August 2014.

### **3.0 PUBLIC QUESTION TIME**

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

**5.0 MINUTES OF PREVIOUS COUNCIL MEETINGS**

**5.1 ORDINARY MEETING – 25 JUNE 2014**

Resolution

**MOTION 11851**

Moved Cr  
Seconded Cr

That the minutes of the Ordinary Meeting of Council held on the 25 June 2014 be confirmed as a true and accurate record.

**MOTION CARRIED**

**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**

**6.3 DECLARATIONS OF IMPARTIALITY INTEREST – ADMINISTRATION REGULATION SECTION 34C**

**7.0 NOTICES OF URGENT BUSINESS**

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

**9.0 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS**

**10.0 MEMBERS' REPORTS**

**11.0 MATTERS FOR CONSIDERATION – WORKS & SERVICES**

*No items for consideration*

<b>12.0 MATTERS FOR CONSIDERATION – PLANNING</b>
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**12.1 PROPOSED AMENDMENT NO.3 – SHIRE OF LAKE GRACE LOCAL PLANNING SCHEME NO.4 – REZONING OF PORTION OF CROWN RESERVE 20531 NEWDEGATE RAVENSTHORPE ROAD, NEWDEGATE FOR LIGHT INDUSTRIAL PURPOSES**

<b>Applicant:</b>	Shire of Lake Grace
<b>File No.</b>	0370 & 0726
<b>Attachments:</b>	Plans 1 to 7 & Attachments 1& 2
<b>Author:</b>	Mr Joe Douglas & Mr Carlo Famiano Urban & Rural Perspectives -Town Planning Consultants
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	14 July 2014
<b>Senior Officer:</b>	Mr Neville Hale

\_\_\_\_\_  
Chief Executive Officer

Summary

This report recommends that Council resolve to finally adopt proposed Amendment No.3 to the Shire of Lake Grace Local Planning Scheme No.4 without modification, execute the scheme amendment documents as required under the *Town Planning Regulations 1967* and submit the documentation to the Western Australian Planning Commission (WAPC) seeking the Hon. Minister for Planning's final approval.

Background & Comment

The Shire of Lake Grace has been undertaking various tasks to progress the rezoning and subdivision development of portion of Reserve 20531 Newdegate-Ravensthorpe Road, Newdegate for light and service industry type purposes to address the current shortage of land of this type in the Newdegate townsite.

The latest Subdivision Guide Plan prepared in support of the project proposes the creation of six (6) new industrial lots ranging in size from 2,650m<sup>2</sup> to 3,744m<sup>2</sup> along the land's frontage to Newdegate-Ravensthorpe Road with all vehicle access to be facilitated by a new ten (10) metre wide controlled accessway (see Plans 1 to 5).

At its Ordinary Meeting held on 18 December 2013 Council resolved, pursuant to section 75 of the *Planning and Development Act 2005*, to amend Local Planning Scheme No.4 (LPS No.4) by:

1. Reclassifying the northern portion of Reserve 20531 Newdegate-Ravensthorpe Road, Newdegate comprising an area of approximately 20,967m<sup>2</sup> from 'Conservation' reserve to 'General Industry' zone; and
2. Modifying the Scheme Map accordingly.

In accordance with the specific requirements of Section 81 of the *Planning and Development Act 2005* the Shire's administration referred the proposed



amendment to the Environmental Protection Authority (EPA) for processing and environmental clearance under Section 48A of the *Environmental Protection Act 1986*. The EPA, following internal review of the proposal, subsequently advised that the overall environmental impact of the scheme amendment proposal would not be severe enough to warrant assessment and confirmed the issuance of environmental clearance.

Following environmental clearance by the EPA the proposed amendment was advertised for public comment for the minimum required period of forty two (42) days concluding on 27 June 2014. This process included appropriate notices in the West Australian Newspaper, correspondence to all relevant service authorities and public display of the amendment documentation at the Shire's administration centre and the Perth office of the Western Australian Planning Commission (WAPC).

Under the terms of the *Town Planning Regulations 1967* Council is now required to consider all submissions received in respect of the proposed amendment and determine whether or not the amendment should be adopted with or without modification.

At the conclusion of public advertising a total of six (6) submissions had been received by the Shire, all of which were from government agencies. A summary of the submissions received is provided in the attached Schedule of Submissions (see Attachment 1).

A detailed review of the submissions received during public advertising has revealed that the government agencies that provided a response are all generally supportive of and have no objections to the scheme amendment proposal.

Notwithstanding the broad level of support, Main Roads Western Australia (MRWA) and Western Power have identified a number of matters that will require consideration as part of the future proposed subdivision development of the land. These matters are briefly discussed below:

### **Main Roads WA**

MRWA has confirmed that while it is generally supportive of the scheme amendment proposal and future subdivision of the subject land for light industrial purposes, it provided the following advice regarding the design layout shown on the latest Subdivision Guide Plan prepared in support of the project:

- i) MRWA is keen to preserve the Newdegate-Ravensthorpe Road road reserve area immediately abutting the subject land to allow for construction of the proposed Newdegate bypass road at some point in the future; and
- ii) MRWA does not therefore support construction of a new 10 metre wide controlled accessway within the Newdegate-Ravensthorpe Road road reserve area as proposed to provide vehicular access to all new lots within the subdivision (see Plan 4).

In light of the above advice the reporting offices prepared an amended Subdivision Guide Plan by deleting the controlled accessway in its entirety and formulated two (2) alternative access scenarios for consideration by MRWA. The details of each option are shown on the attached Plans 6 & 7 and summarised as follows:

**Access Option 1** - The construction of six (6) new individual driveway crossovers from the front boundary of the subdivision area to the Newdegate–Ravensthorpe Road road carriageway to provide practical access to each lot with each crossover comprising a maximum width of six (6) metres; or

**Access Option 2** - The construction of three (3) new centrally located ten (10) metre wide shared driveway crossovers from the front boundary of the subdivision area to the Newdegate–Ravensthorpe Road road carriageway to keep the total number of crossovers required to service the proposed subdivision to a bare minimum.

Details and plans of the alternative proposed access options outlined above were forwarded to MRWA's Wheatbelt Region Office in Narrogin for review and comment. By written correspondence dated 26<sup>th</sup> June 2014 MRWA advised as follows:

- i) MRWA would prefer to limit the number of crossovers onto its road networks. As such Option 1 proposing individual crossovers for each lot (i.e. six crossovers) is not supported; and
- ii) The Option 2 plan indicating the provision of shared crossovers (i.e. a total of 3 crossovers shared between 6 lots) is supported subject to MRWA being consulted during the civil design stage of the subdivision development works.

### **Western Power**

Whilst Western Power raised no objection to the scheme amendment proposal it did confirm the presence of electricity supply infrastructure within Reserve 20531 and advised as follows:

- i) Any development and subdivision of the land shall be designed and constructed to protect the existing infrastructure from potential land use conflicts; and
- ii) No subdivision or development including drainage, filling, fencing, storage or parking will be permitted within any Western Power easements across the land without the prior approval of Western Power.

In light of the above advice the reporting officers recently prepared and submitted a 'Dial Before You Dig' enquiry with the relevant authority. The results of that enquiry confirmed there is no above or below ground electricity supply infrastructure located within that portion of Reserve 20531 proposed to be rezoned and subdivided for industrial purposes. As such it is concluded that the proposed rezoning and subdivision of the relevant portion of Reserve 20531 will not have any adverse impacts on any existing Western Power infrastructure.

## **Conclusion**

Given the outcomes from public advertising it is recommended that Council now resolve to finally adopt the proposed amendment without modification and submit the relevant documentation to the WAPC seeking the Honourable Minister for Planning's final approval.

## Legal Implications

- Shire of Lake Grace Local Planning Scheme No.4
- Planning and Development Act 2005 (as amended)
- Town Planning Regulations 1967 (as amended)
- Environmental Protection Act 1986
- Land Administration Act 1997
- Land Administration Regulations 1998

## Policy Implications

Nil

## Consultation

Community consultation completed in accordance with the specific requirements of the *Town Planning Regulations 1967*.

## Financial Implications

The total cost to rezone portion of Reserve 20531 for industrial purposes as proposed is estimated to be in the order of \$8,000 to \$10,000 excluding GST. It is understood that a suitable allowance has been made in Council's current and forthcoming budgets to progress a suitable rezoning amendment to Local Planning Scheme No.4.

## Strategic Implications

The need for suitably located and serviced land in the Newdegate townsite for light/service industry type land uses has been well documented in previous reports considered by Council over the last 17 years. The proposed amendment will assist in providing much needed light/service industrial lots for the Newdegate townsite and is consistent with the strategic direction for future development in the Newdegate townsite prescribed in the Shire's current Local Planning Strategy.

## Recommendations

That Council resolve to:

1. Note all of the submissions received in respect of Amendment No.3 to the Shire of Lake Grace Local Planning Scheme No.4 as this relates to the proposed rezoning of a 20,967m<sup>2</sup> portion of Reserve 20531 Newdegate-Ravensthorpe Road, Newdegate from 'Conservation' reserve to 'General Industry' zone.
2. Adopt Amendment No.3 to the Shire of Lake Grace Local Planning Scheme No.4 without modification and advise the Western Australian Planning Commission that no modifications to the scheme amendment proposal are recommended or required to reflect the content of the submissions received during public advertising.
3. Endorse three (3) copies of the documentation prepared in respect of Amendment

No.3 by affixing the Shire's common seal and authorising the Shire President and Chief Executive Officer to sign the amendment documentation accordingly; and

4. Authorise the Shire Administration to submit the endorsed documentation prepared in respect of Amendment No.3 to the Western Australian Planning Commission seeking the Hon. Minister for Planning's final approval.

Voting Requirements

Simple majority required.

Resolution

Moved Cr

Seconded Cr

**13.0 MATTERS FOR CONSIDERATION – HEALTH & BUILDING**

*No items for consideration.*

<b>14.0 MATTERS FOR CONSIDERATION – FINANCE</b>
---

**14.1 ACCOUNTS FOR PAYMENT – JUNE 2014**

**Applicant:** Shire of Lake Grace  
**File No.** 0277  
**Attachments:** List of Creditors  
**Author:** Mrs Lynda Trawinski

\_\_\_\_\_  
 Finance Officer

**Disclosure of Interest:** Nil  
**Date of Report:** 10 July 2014  
**Senior Officer:** Mr John Bingham

\_\_\_\_\_  
 Manager Corporate Services

Summary

For Council to ratify expenditures incurred for the month of June 2014.

Background

List of payments for the month June 2014 through the Municipal and Trust accounts are attached.

Comment

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

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

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

Legal Implications

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

Policy Implications

N/A

Consultation

N/A

Financial Implications

The list of creditors paid for the month of June 2014 from the Municipal and Trust Account Total \$782,861.78.

Strategic Implications

*Shire of Lake Grace Strategic Community Plan*

- EC1.3 Ensure the Shire's capital investment program is cost effective and financially sustainable.

Recommendation

That Council ratify the list of payments totalling \$782,861.78 as presented for the month of June 2014 incorporating:

- Trust Account Cheques:	778	\$ 150.00
- Electronic Funds Transfer:	EFT 12633 to EFT 12825	\$643,753.10
- Municipal Account Cheques:	35502 to 35535	\$115,781.20
- Direct Debits:	DD5127.1 to DD5127.11	\$ 23,177.48

Voting Requirements

Simple majority required.

Resolution

Moved Cr

Seconded Cr

## 14.2 **INTERIM FINANCIAL STATEMENTS – JUNE 2014**

**Applicant:** Shire of Lake Grace  
**File No.** 0275  
**Attachments:** Interim Financial Reports  
**Author:** Mrs Lee-Anne Trevenen

\_\_\_\_\_  
Coordinator Finance & Administration

**Disclosure of Interest:** Nil  
**Date of Report:** 8 July 2014  
**Senior Officer:** Mr John Bingham

\_\_\_\_\_  
Manager Corporate Services

### Summary

Consideration of the interim financial statements for the month ending 30 June 2014.

### Background

Presented are the financial statements for the month ending 30 June 2014.

Note the figures reported are interim only and do not represent end of year figures.

The full year figures for 2013/14 will be finalised upon completion of the annual audit.

The following interim financial reports are included for your information:

- Monthly Statement of Financial Activity
- Financial Activity Variances
- Significant Accounting Policies
- Statement of Objective
- Acquisition of Assets
- Disposal of Assets
- Information on Borrowings
- Reserves
- Net Current Assets
- Rating Information
- Trust Funds
- Operating Statement by Programme
- Balance Sheet
- Financial Ratios
- Bank Reconciliation
- Capital Road Works
- Operating Revenue & Expenditure Graphs



Comment

Nil

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 Community Plan*

- EC1.3 Ensure the Shire's capital investment program is cost effective and financially sustainable.

Recommendation

That Council in accordance with Regulation 34 of the *Local Government (Financial Management) Regulations 1996* receives the Interim Statement of Financial activity for the period ended 30 June 2014 as attached.

Voting Requirements

Simple majority required.

Resolution

Moved Cr

Seconded Cr

### 14.3 WA TREASURY CORPORATION – LOCAL GOVERNMENT MASTER LOAN AGREEMENT

**Applicant:** Western Australian Treasury Corporation  
**File No.** 0283  
**Attachments:** Master Lending Agreement  
**Author:** Mr John Bingham  
 Manager of Corporate Services

\_\_\_\_\_  
 Manager of Corporate Services

**Disclosure of Interest:** Nil  
**Date of Report:** 15 July 2014  
**Senior Officer:** Mr Neville Hale

\_\_\_\_\_  
 Chief Executive Officer

#### Summary

This report is a recommendation to Council that the Shire of Lake Grace enters into a Master Lending Agreement with the Western Australian Treasury Corporation (WATC) and to approve the affixation of the Common Seal of the Shire of Lake Grace to the WATC Master Lending Agreement.

#### Background

When previously borrowing funds from the Western Australian Treasury Corporation, the Shire of Lake Grace has been required to enter into individual loan agreements. These individual agreements would then require execution of the common seal each time borrowings were sought and approved.

The Master Lending Agreement will facilitate future borrowings under this one Agreement thereby removing the need for individual loan agreements being executed each time under seal.

#### Comment

Any borrowing under the Local Government Master Lending Agreement will be subject to WATC's credit approval policy at the time of the application, and the release of funds will be subject to the issuance of a firm rate quote by WATC and its acceptance by an authorised signatory of the Shire of Lake Grace.

The General Financial Management obligations imposed on Chief Executive Officers under the Local Government Act 1995 and the Local Government (Financial Management) Regulations 1996 are to be complied with at all times.

Future borrowings to be subject to all necessary approvals, authorisations and consents that are necessary in respect to each advance/loan.

#### Legal Implications

*Local Government Act 1995*

Part 6 Subdivision 3 – Borrowings 6.20(1) Power to Borrow

Local Government (Financial Management) Regulations 1996

Policy Implications

Shire Policy 1.11 - Use of the Common Seal

Consultation

Internal – Senior Management

External – Western Australian Treasury Corporation

Financial Implications

Nil

Strategic Implications

Shire of Lake Grace Strategic Community Plan 2023

- EC1.3 Ensure the Shire's capital investment program is cost effective and financially sustainable.

Recommendation

That Council:

1. Enters into a Master Lending Agreement with Western Australian Treasury Corporation as per the document tabled at this meeting;
2. Approves the affixation of the Common Seal of the Shire of Lake Grace to the said Master Lending Agreement in the presence of the President and the Chief Executive Officer, each of whom shall sign the document to attest the affixation of the Common Seal thereto; and,
3. Authorises the Chief Executive Officer to sign schedule documents under the Master Lending Agreement and/or to give instructions thereunder on behalf of the Shire of Lake Grace.

Voting Requirements

Absolute majority (5) required.

Resolution

Moved Cr

Seconded Cr

<b>15.0 MATTERS FOR CONSIDERATION – COMMUNITY SERVICES</b>
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**15.1 SHIRE OF LAKE GRACE 2014-2019 DISABILITY INCLUSION PLAN**

**Applicant:** Shire of Lake Grace  
**File No.** 0217  
**Attachments:** 2014-2019 Disability Access and Inclusion Plan  
**Author:** Ms Lee Holben

\_\_\_\_\_  
 Manager Community Services

**Disclosure of Interest:** Nil  
**Date of Report:** 07 July 2014  
**Senior Officer:** Mr Neville Hale

\_\_\_\_\_  
 Chief Executive Officer

Summary

For Council to adopt its 2014-2019 Disability Access and Inclusion Plan (DAIP) as required under the *Disability Services Act 1993*, and the *Disability Services Regulations 2004*, as amended.

Background

The Shire of Lake Grace Disability Access and Inclusion Plan was first adopted in 1995.

The Disability Services Act and associated Regulations require the plan to be reviewed every five years and that a current DAIP to be made available on the website.

Council, at its May 2014 Ordinary Meeting was informed of the amendments as required by the *Disability Services Amendment Regulations 2013* and its impact on the Shire's DAIP. Council agreed (Motion 11827) to advertise the Shire's amended 2014-2019 DAIP inviting residents to make comment.

The Plan was advertised during May and June 2014 through the Community News in Lake Grace, Newdegate and Varley as well as being available on the Shire of Lake Grace website.

Comment

The Plan ensures that the needs of persons with disability, their families and carers are addressed with respect to the facilities, functions and services provided by Council.

In accordance with the Disability Services Amendment Regulations 2013, the plan has been reviewed and meets the new *Disability Service Act Regulations 2004*.

Legal Implications

*Disability Services Act 1993*

*Disability Services Regulations 2004*.

The Disability Services Amendment Regulations 2013.

Policy Implications

N/A

Consultation

Internal: Senior Management Team.

Financial Implications

The 2014-2019 Disability Access and Inclusion Plan will have financial implications to Council for each year until the expiration of the plan.

Costs are varied depending on the work carried out yearly by Council.

Strategic Implications

*Shire of Lake Grace Strategic Community Plan*

- S3 Maintain and improve social/community infrastructure to support community wellbeing.

Recommendation

That Council adopt the Shire of Lake Grace 2014-2019 Disability Access and Inclusion Plan and lodges the DAIP with the Disability Services Commission.

Voting Requirements

Simple majority required

Resolution

Moved Cr

Seconded Cr

**15.2 BUSHFIRE ADVISORY COMMITTEE – APPOINTMENT OF FIRE CONTROL OFFICERS**

**Applicant:** Shire of Lake Grace Bushfire Advisory Committee  
**File No.** 0177  
**Attachments:** Nil  
**Author:** Mr Marcus Owen

\_\_\_\_\_  
Community Emergency Services Manager

**Disclosure of Interest:** Nil  
**Date of Report:** 16 July 2014  
**Senior Officer:** Mr Neville Hale

\_\_\_\_\_  
Chief Executive Officer

Summary

The purpose of this report is for Council to appoint the nominated Bushfire Control Officers for the 2014/2015 season.

Background

At the Annual General Meeting of the Shire of Lake Grace Bushfire Advisory Committee, held on 8 April 2014, the Fire Control Officers as listed in the Recommendation were nominated as Fire Control Officers for the 2014/2015 fire season.

These nominations are now required to be endorsed by Council.

Comment

It is a requirement that the Shire's Bushfire Control Officers are gazetted through the Government Gazette publication once Council has ratified the appointments for the 2014/2015 season.

Legal Implications

Bush Fire Act 1954  
Shire of Lake Grace Bush Fire Local Laws

Policy Implications

Nil

Consultation

Shire of Lake Grace Bushfire Advisory Committee

Financial Implications

Gazettal of Fire Control Officers

Strategic Implications

Shire of Lake Grace Strategic Community Plan  
Environment 3. Manage and protect the natural environment,  
3.4 Maintain effective bushfire control and management through support and resourcing of bushfire brigades and volunteers.

Recommendation

That Council:

1. Appoints the following Bushfire Control Officers for the 2014/2015 season.

<b>Chief Fire Control Officer</b>	Brad Watson
<b>Deputy Chief Fire Control Officer – Lake Grace</b>	Doug Dunham
<b>Deputy Chief Fire Control Officer – Newdegate</b>	Wes Hall
<b>Deputy Chief Fire Control Officer – Lake King</b>	Richard Metcalf

Fire Weather Officers

<b>Lake Grace</b>	Doug Dunham
<b>Newdegate</b>	Wes Hall
<b>Varley</b>	Steven Davies
<b>Mt Madden</b>	Lindsay Brownley
<b>Lake King</b>	Richard Metcalf

Deputy Fire Weather Officers

<b>Lake Grace</b>	Brad Watson
<b>Newdegate</b>	Ian Lloyd Bill Lloyd
<b>Varley</b>	Craig Newman
<b>Lake King</b>	Hugh Roberts
<b>Mt Madden</b>	Bernie Giles

Harvest Ban – CBH Advisory Officers

<b>Mt Madden</b>	Lindsay Brownley
<b>Lake King</b>	Jason Sugg
<b>Varley</b>	Steven Davies
<b>Newdegate</b>	Bill Lloyd
<b>Buniche</b>	Tim Lloyd
<b>Lake Grace</b>	Scott Strevett
<b>Kuender</b>	Terry Smith
<b>Dunn Rock</b>	Bernie Giles

Fire Control Officers

<b>Brigade</b>	<b>Permit issuing FCO's with two way radios</b>	<b>Non permit issuing FCO's without two way radios</b>
North Lake Grace	Doug Dunham (Base) Brad Watson Leon Morgan Glen Willcocks Evan Wyatt Greg Carruthers	Ross Chappell
South Lake Grace	Scott Strevett (Base) Kevin Naisbitt Cameron Slarke	

North Newdegate	Barry Ness (Base) Ron Shalders Craig Shalders Ian Lloyd Bill Lloyd John Dunkeld Tim Lloyd Greg Dunkeld Pete Walker
South Newdegate	Geoff Cugley Matt Cugley Simon Cugley Wes Hall Peter Kennedy Syd Walker Geoff Richardson
Lake King/Varley	Stephen (Ben) Hyde Jason Sugg Arthur Sugg (Base) Jorg Brinkmann Craig Newman Steven Davies Richard Metcalf (Base) Hugh Roberts
Mt Madden/Dunn Rock	Bernie Giles David Roberts Lindsay Brownley Peter Newman Rhys De Landgraft
Newdegate Town	David Tonkin
Lake Grace Town	Marcus Owen
Lake King Town	Ross Dunkeld
Varley Town	Stephen (Ben) Hyde & Brent Hyde

**DUAL FIRE CONTROL OFFICERS FOR THE SHIRE OF LAKE GRACE**

Representatives from the Shire of Lake Grace to be appointed as Dual Fire Control Officers for the following Shires for the 2014/2015 Bush Fire Season:

**Ravensthorpe & Jerramungup**

Bernie Giles

**Kondinin**

Hugh Roberts

**Kulin**

Doug Dunham  
Evan Wyatt  
Steven Davies

**Dumbleyung**

Kevin Naisbitt  
Leon Morgan

**Kent**

Leon Morgan

**Esperance**

Richard Metcalf



2. Authorise the following persons to issue clover and proclaimed plant burning permits during the 2014/2015 season in conjunction with the closest available Fire Control Officer to the person making the application.
  - Chief Fire Control Officer
  - Deputy Chief Fire Control Officers
  - Chief Executive Officer
  - Manager Corporate Services
  
3. Authorise the following persons to supply information relating to harvest bans for general radio broadcasting during the 2014/2015 season.
  - Chief Executive Officer
  - Chief Bush Fire Control Officer
  - Manager Corporate Services
  - Deputy Chief Bush Fire Control Officers
  - Base Radio Operators and their Spouses
  - Community Emergency Services Manager

Voting Requirements

Simple majority required.

Resolution

Moved Cr

Seconded Cr

<b>16.0 MATTERS FOR CONSIDERATION - ADMINISTRATION</b>
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**16.1 BROOKFIELD RAIL INTERFACE AGREEMENT – PUBLIC ROAD AND RAIL CROSSING AT GRADE INTERSECTIONS**

**Applicant:** Brookfield Rail Pty Ltd  
**File No.** 0448  
**Attachments:** Interface Agreement  
**Author:** Mr Neville Hale

\_\_\_\_\_  
 Chief Executive Officer

**Disclosure of Interest:** Nil  
**Date of Report:** 14 July 2014  
**Senior Officer:** Mr Neville Hale

\_\_\_\_\_  
 Chief Executive Officer

Summary

The purpose of this report is for Council to endorse an Interface Agreement V2.1 between the Shire, Main Roads Western Australia and Brookfield Rail Pty Ltd.

Background

The Interface Agreement outlines the responsibilities of the parties in relation to the identification and assessment of risk to safety associated with road and rail interfaces as required by the Rail Safety Act 2010.

The document lists twenty six (26) rail and road interfaces within the Shire that are covered by this agreement

Over the past twelve months, with the assistance of WALGA, local governments within this region have sought clarification and advice on the Interface Agreement. A meeting convened by WALGA was held on 11 April 2014 between local governments within the Wheatbelt South region, Brookfield Rail Pty Ltd and MRWA that resulted in a number of clarifications and minor changes to the document particularly in regard to procedures and maintenance cost.

Comment

The new Interface Agreement clearly outlines the Shire's responsibilities in relation to any works required in and around railway lines and road crossovers as shown on Appendix B – Areas of demarcation.

The Shire is responsible for the cost of all maintenance on its managed roads that intersect with rail crossings.

The area of 3 metres either side of the railway track is the responsibility of local government but the work must be undertaken by Brookfield Rail employees or person(s) with appropriate track access licence.

Whilst this arrangement could result in higher than usual cost, works cannot be carried out on the interface area until an agreement on cost of works is approved by all parties concerned.

Legal Implications

Rail Safety Act 2010  
Rail Safety Regulations 2011  
Road Traffic Act 1974

Policy Implications

N/A

Consultation

External: Brookfield Rail Pty Ltd  
WALGA  
Main Roads WA  
Local Governments within Wheatbelt South Region

Financial Implications

No direct cost over and above maintenance works as required from time to time.

Strategic Implications

*Shire of Lake Grace Strategic Community Plan*

- Civic Leadership – CI 1 – leadership, good governance,

Recommendation

That Council:

1. Endorse the Interface Agreement (Rail Safety Act) V2.1 of 20 June 2014 – Public Road and Rail Crossing at Grade Interfaces between Brookfield Rail Pty Ltd, the Commissioner of Main Roads and the Shire of Lake Grace; and,
2. Authorise the Chief Executive Officer to execute the document on its behalf.

Voting Requirements

Simple majority required.

Resolution

Moved Cr

Seconded Cr

**16.2 WA LOCAL GOVERNMENT ASSOCIATION – 2014 ANNUAL GENERAL MEETING**

**Applicant:** WA Local Government Association  
**File No.** 0029  
**Attachments:** Items 4.1 to 4.5  
**Author:** Mr Neville Hale

\_\_\_\_\_  
Chief Executive Officer

**Disclosure of Interest:** Nil  
**Date of Report:** 14 July 2014  
**Senior Officer:** Mr Neville Hale

\_\_\_\_\_  
Chief Executive Officer

Summary

For Council to give direction to its voting delegates for the Annual General Meeting of the WA Local Government Association (WALGA) to be held on Wednesday, 6 August 2014 at the Perth Convention Centre

Background

WALGA has released its agenda for the upcoming Annual General Meeting to be held on 6 August 2014.

There are five (5) items on the agenda for decision at the AGM.

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

**Voting Delegates**

Cr Andrew Walker  
Cr Jeanette DeLandgrafft

**Voting Proxies**

Cr Dean Sinclair  
Cr Stephen Hunt

Cr Walker has indicated that he will be an apology for the AGM.

Comment

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

**Item 4.1 ESL Administration Fees Paid to Local Governments**

**Recommendation** – That Shire delegates vote to support the review of the ESL funding pool and associated increase to the ESL administration fee.

#### **Item 4.2 Implications of Structural Reform**

**Recommendation** – Support,

The case for reform has yet to be definitively established and Professor Dollery is well credentialed to comment on the merits of reform.

#### **Item 4.3 Bushfire Management – Support Vehicles**

**Recommendation** - Support

With increased professionalism being expected in regards to risk management and procedures, the use of support vehicles such as command and control centres is becoming more prevalent and in some cases, essential.

#### **Item 4.4 Contaminated Sites – Auditing Requirements**

**Recommendation** – Support

The cost of contaminated site auditing and clearance (use of consultants) has become a major impost on local government and any means of mitigating these costs would be welcome.

#### **Item 4.5 Review of Section 6.28 of the Local Government Act 1995 – Valuation of Land**

**Recommendation** – Support

As indicated in the attached Agenda information, the use of alternative land valuation has been raised previously and would provide local government with a useful option in determining appropriate rating of property.

Legal Implications

Voting in accordance with WALGA Constitution

Policy Implications

Nil

Consultation

Nil

Financial Implications

There is a provision in the 2013/14 budget for attendance at the AGM by elected members and staff.

Strategic Implications

Strategic Community Plan – Civic Leadership  
CI 1 Elected members provide visionary leadership

Recommendation

That Council instructs its voting delegates to support the motions put forward for items 4.1, 4.2, 4.3, 4.4 and 4.5 in the Agenda for the 2014 Annual General Meeting of the WA Local Government Association.

Voting Requirements

Simple majority required.

Resolution

Moved Cr

Seconded Cr

<b>17.0 INFORMATION BULLETIN</b>
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**17.1 INFORMATION BULLETIN REPORT – JULY 2014**

**Applicant:** Executive Services  
**File No.** N/A  
**Attachments:** 1 to 6 *(provided for Councillors information under separate cover)*  
**Author:** Mrs Jeanette Bennett

\_\_\_\_\_  
 Executive Assistant

**Disclosure of Interest:** Nil  
**Date of Report:** 15 July 2014  
**Senior Officer:** Mr Neville Hale

\_\_\_\_\_  
 Chief Executive Officer

Summary

The purpose of this report is to keep Elected Members informed on matters of interest and importance to Council.

Background

The Information Bulletin Report deals with monthly standing items and other information of a strategic nature relevant to Council. The Information Bulletin is an internal management document; therefore attachments are not for public information.

Copies of other relevant Councillor information are distributed via email.

Comment

The information at attachment includes:

**A. Reports**

1. Council Status Report.
2. 2014 Infrastructure Services Report
3. Newdegate Library Report
- 4.
- 5.

**B. Letters**

1. Hon T Waldron MLA – LG Amendment (Regional Subsidiaries) Bill 2014

**C. Minutes**

6. 4WDL Minutes 8 July 2014
7. Central Country Zone Meeting 27 June 2014
8. Roe Tourism Association Minutes 16 June 2014
9. Rural Water Council Minutes 4 July 2014

Legal Implications

Nil

Policy Implications

Nil

Consultation

Nil

Financial Implications

Nil

Strategic Implications

*Shire of Lake Grace Strategic Community Plan*

Voting Requirements

Simple majority required.

Officer's Recommendation

That Council accepts the Information Bulletin report.

Voting Requirements

Simple majority required.

Resolution

Moved Cr

Seconded Cr



**18.0 URGENT BUSINESS BY DECISION OF THE MEETING**

**19.0 SCHEDULING OF MEETING**

**19.1 AUGUST 2014 ORDINARY MEETING**

**Motion 11711 November 2013 states:**

An Ordinary Meeting of Council will be held on Wednesday 27 August 2014 commencing at 2:00 pm at Council Chambers, 1 Bishop St Lake Grace WA.

**20.0 CONFIDENTIAL BUSINESS – as per Local Government Act s5.23 (2)**

**MOTION**

Moved Cr  
Seconded Cr

That Council close the meeting to the public at this time, being \_\_ pm, to consider \_\_\_\_\_.

**MOTION CARRIED**

**20.1 SENIOR MANAGER APPOINTMENT – MANAGER INFRASTRUCTURE SERVICES**

*Late Item- to be emailed to Councillors*

**20.2 SENIOR MANAGER APPOINTMENT – MANAGER CORPORATE SERVICES**

*Late Item- to be emailed to Councillors*

**MOTION**

Moved Cr  
Seconded Cr

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

**MOTION CARRIED**

**21.0 CLOSURE**

There being no further business, the Shire President closed the meeting at \_\_ pm.

**22.0 CERTIFICATION**

I Andrew James Walker certify that the minutes of the meeting held on the 23 July 2014 as shown were confirmed as a true record at the meeting held on the 27 August 2014.

\_\_\_\_\_

Chairman

\_\_\_\_\_

Date