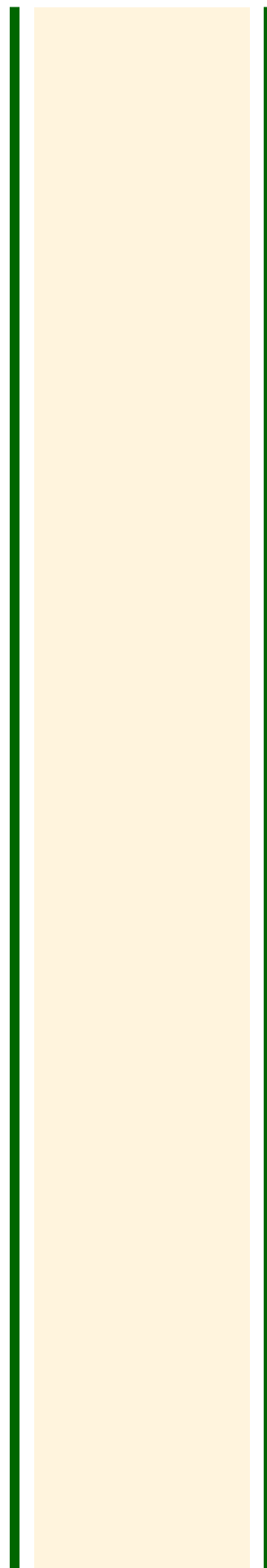


Shire of Lake Grace

Ordinary Council Meeting

# Minutes

19 November 2014



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## **SHIRE OF LAKE GRACE**

Minutes of the Ordinary Meeting of Council held at the Newdegate Community Resource Centre, Collier St Newdegate, WA on Wednesday 19 November 2014.

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

The Shire President opened the meeting at 8.08 am.

### **2.0 ATTENDANCE RECORD**

#### **2.1 PRESENT**

Cr AJ Walker	Shire President
Cr JF De Landgraftt	Deputy Shire President
Cr LW Armstrong	
Cr R Chappell	
Cr DS Clarke	
Cr SG Hunt	
Cr AD Marshall	
Mr N Hale	Chief Executive Officer
Mr N Mitchell	Manager Corporate Services
Mr L Shopov	Manager Infrastructure Services
Ms L Holben	Manager Community Services
Mrs J Bennett	Executive Assistant

#### **2.2 APOLOGIES**

Cr MG Stanton

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

**Cr Sinclair** - Resolution 11916 22 October 2014, leave of absence approved for the 19 November 2014.

### **3.0 PUBLIC QUESTION TIME**

No members of the public present.

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

#### **4.1 CR WALKER**

##### **MOTION 11938**

Moved Cr Chappell  
Seconded Cr De Landgraftt

That the application received from Cr Walker for leave from 19 December to 27 December 2014 for the purpose of overseas travel is approved.

**MOTION CARRIED 7/0**

**5.0 MINUTES OF PREVIOUS COUNCIL MEETINGS**

**5.1 ORDINARY MEETING – 22 OCTOBER 2014**

Resolution

**MOTION 11939**

Moved Cr Hunt  
Seconded Cr Clarke

That the minutes of the Ordinary Meeting of Council held on the 22 October 2014 be confirmed as a true and accurate record.

**MOTION CARRIED 7/0**

**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**

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

Declarations of Impartiality were received from:

- Cr Walker in relation to Item 12.1
- Cr Chappell in relation to 14.4

**7.0 NOTICES OF URGENT BUSINESS**

Nil

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

Nil

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

None

## **10.0 MEMBERS' REPORTS**

### **10.1 CR HUNT**

- Reported attendance at two (2) LGDHS Board Meetings over the past month.

### **10.2 CR MARSHALL**

- Reported attendance at the Remembrance Day Celebration held in Lake Grace. The event was a credit to the Lake Grace District High School, the Cadets and the Art Space.

### **10.3 CR CLARKE**

Cr Clarke reported attendance at the following during the past month:

#### **6 November 2014**

Attended the WA Grains Group/ Invest West Agricultural Alliance networking event at Marshall's farm at Pingelly. In excess of 60 people attended the day with a bus coming from Perth.

#### **10 November 2014**

Attended the Newdegate Community Development Association meeting with the main issues discussed being the gardens, signage and swimming pool fees.

#### **11 November 2014**

Attended the Remembrance Day Service at the Lake Grace RSL that was taken by the Lake Grace School students and organised by Moira Wilson.

This was very well attended and had the added emphasis of the Poppies organized by the Lake Grace Regional ArtSpace.

### **10.4 CR ARMSTRONG**

Cr Armstrong reported attendance at the following during the past month:

#### **24 October 2014**

Attended WALGA Elected Member Training in Ravensthorpe, Meeting Procedures and Debating, was a worthwhile exercise.

#### **2 & 3 November 2014**

Attended the Centenary Celebration weekend in Albany.

#### **10 November 2014**

Attended the Newdegate Community Development Association meeting in Newdegate.

**10.5**      **CR CHAPPELL**

**29 October 2014**

Attended the Lake Grace District High School de-brief of the 100 Years Celebration. They were happy with the day under the circumstances, 715 registered with up to 800 people in attendance and the Men's Shed catered for about two hundred people that night for tea.

**6 November 2014**

Travelled to Pingelly to attend an InvestWest Agribusiness Alliance (IWAA) 'All together successful' Members Networking Event held on Ray and Les Marshall's farm. The idea was to show people considering investing, what a real life farm is like. The event was hosted and sponsored by the WA Grains Group.

**7 November 2014**

Attended the opening of A Decade of Colour at the Lake Grace Regional Art Space.

**10 November 2014**

Along with Cr Clarke and Manager of Community Services Lee Holben, attended the Newdegate Community Development Association AGM and General Meeting. Also in attendance was Cr Armstrong.

**11 November 2014**

Attended the Remembrance Day Service held at the Lake Grace RSL War Memorial building. Well done to the Lake Grace District High School and the Lake Grace Regional Art Space in their combined effort to bring us this event.

**10.6**      **CR WALKER**

With the grain carting season in full swing, the President advised he has been working with the Chief Executive Officer and Manager Infrastructure Services to liaise with Main Roads WA to repair a dangerous dip on the Lake Grace North Road and the Newdegate Field Day road entry point where the bitumen meets the gravel. The repairs carried out are appreciated by one and all.



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

**11.1 LAKE GRACE STORMWATER HARVESTING AND RE-USE PROJECT**

**MOTION 11940**

Moved Chappell  
Seconded Cr Clarke

That Council, under clause 16.1 of the Shire of Lake Grace Standing Orders Local Law, suspend Standing Orders at this time being 8.19 am for discussion on the Lake Grace Stormwater Harvesting and Re-Use Project.

**MOTION CARRIED 7/0**

**MOTION 11941**

Moved Cr Hunt  
Seconded Cr Chappell

That Standing Orders resume, the time being 8.38 am.

**MOTION CARRIED 7/0**

<b>Applicant:</b>	Infrastructure Services
<b>File No.</b>	0551/0745
<b>Attachments:</b>	Plans 1 to 7 (includes Aerial Photos & Manufacturer Data)
<b>Author:</b>	Mr Louka Shopov Manager Infrastructure Services
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	7 November 2014
<b>Senior Officer:</b>	Mr Neville Hale Chief Executive Officer

Summary

For Council to consider a proposal for the capture and storage of stormwater in Lake Grace town.

Background

In the past twenty seven years, stormwater collected in Turkey Nest Dam on South Road in Lake Grace have been transferred to Football Dam for storage and future

use for irrigation of sports ground and landscaped areas. The existing underground pipe network has now reached the end of its useful life and needs replacement.

The purpose of this report is to inform Council about the cost of works and materials involved in the installation of new pipes and associated pumps and equipment.

#### Comment

Existing 100mm diameter PVC pipes, between the Turkey Nest Dam and the Football Dam, and the Turkey Nest Dam and the Lake Grace Sports Ground storage tank, have cracked in several locations and resulting in costly repairs and nuisance for the community and land owners.

The reasons for pipe failures are insufficient strength to withstand pump pressure and long service life. This class PVC pipes are used for gravity sewerage systems only. Samples of the damaged pipes are kept in Shire Depot.

The proposed replacement of existing pipe network involves the following works:

1. Install low discharge outlet, with stop valves, at Co-operative Bulk Handling (CBH) stormwater retention basins.
2. Clean out and stabilise (stone pitching) open drain walls along Gorge Rock Rd, between CBH compound and Lake Grace to Newdegate Rd.
3. Install additional 450x600 Reinforced Concrete Box Culvert (RCBC) barrel, next to existing two barrels, 50m north from railway crossing.
4. Clean out and repair stone pitching of the open drain between Lake Grace to Newdegate Rd and Turkey Nest Dam.
5. Install 6.3 km long, 75mm diameter Blue Stripe Poly pipe (PN 8.0), from Turkey Nest Dam to Football Dam, as shown on Attachment 1 *Lake Grace Stormwater Reuse-Asset Management Plan*.
6. Replace existing 1.3km long 100mm PVC non-pressure pipe between Turkey Nest Dam and Lake Grace sports ground stormwater storage tank, with 75mm diameter Blue Stripe Poly pipe (PN 8.0).
7. Join existing 50mm poly pipe, supplying treated effluent from Lake Grace sewage ponds to the new 75mm diameter Blue Stripe Poly pipe (PN 8.0), west of Turkey Nest Dam.
8. Repair stone pitch lining of Turkey Nest Dam walls.
9. Supply and Install a new 4 Module 195 W Tracking Basics Grundfos MTR & Float DAM solar powered water pump at Football Dam.

The cost of material, equipment and labour for implementation of the proposed works are estimated and listed below:

1	Supply of 75mm diameter Blue Stripe Poly pipe (PN 8.0), 76 of 100m rolls @ \$430/roll	\$	32,680
2	Supply, deliver and install Grundfos solar pump	\$	13,500
3	Install 7.6km of 75mm diameter Blue Stripe Poly pipe (PN 8.0) * No allowance made for trench excavation, unless at crossing of driveways and roads	\$	12,750
4	Clean, stabilise and repair open drains and Turkey Dam walls	\$	16,000

5	Install 2 of Low Discharge outlets with stop valves	\$	4,000
	Sub Total	\$	<b>65,430</b>
	<b>Contingencies (15%)</b>	\$	<b>9,820</b>
	Sub Total	\$	<b>75,250</b>
	Less GST	\$	<b>- 7,525</b>
	<b>Total</b>	\$	<b>68,725</b>

Legal Implications

Local Government Act 1995

Local Government (Functions and General) Regulations 1996

Policy Implications

3.7 Purchasing Policy

Consultation

No public consultation has been undertaken.

Financial Implications

Verbal agreement with land owners has been reached in general with no compensation cost involved.

Application for funding through Rural Water Planning Community Water Supply Programme will be submitted by the end of December 2014. The Rural Water Supply for funding up to \$100,000 on a 70% / 30% shared basis.

Should the Shire obtain 70% grant funding for this project, an amount of \$21,000 would be required. The Shire Works and Services Reserve could be used for this purpose together with existing provisions for drainage works.

There is currently significant interest in the funding programme with applications in excess of available funds. A subsequent funding programme through Royalties for Regions will be available in the first half of 2015 with funding available in the 2015/16 financial year.

Strategic Implications*Shire of Lake Grace Corporate Plan 2013-2015*

- Strategy EC 3: Maintain community built infrastructure (including roads and general drainage) to ensure appropriate for all towns in shire.

By implementing the project, Shire of Lake Grace will save valuable natural resource, reduce the amount of potable water used for irrigation and contribute to the sustainable development of the town, in line with UN Agenda 21 for using preserving and enhancing the community resources.

Voting Requirements

Absolute majority (5) required.

Recommendation/Resolution

**MOTION 11942**

Moved Cr Hunt  
Seconded Cr Chappell

That Council authorise the unbudgeted expenditure of up to \$70,000 for stormwater harvesting and re-use works, subject to grant funding of at least 50% of the Project cost being secured with the balance to be funded by the Works and Services Reserve (\$30,000) and \$5,000 from existing minor works provisions (MINRCAP) or Job 122603 Lake Grace Drainage.

**MOTION CARRIED BY ABSOLUTE MAJORITY 7/0**

## 12.0 MATTERS FOR CONSIDERATION – PLANNING

### 12.1 PLANNING APPLICATION – PROPOSED SINGLE TRANSPORTABLE HOUSE LOT 1678 BIDDY CAMM RD LAKE CAMM

<b>Applicant:</b>	Quality Builders Pty Ltd on behalf of Brian & Janice Richardson (Landowners)
<b>File No.</b>	0455
<b>Attachments:</b>	Plans 1 to 6
<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>	6 November 2014
<b>Senior Officer:</b>	Mr Neville Hale Chief Executive Officer

#### Summary

This report recommends that a planning application submitted by Quality Builders Pty Ltd on behalf of Brian & Janice Richardson (Landowners) to construct a new single detached transportable dwelling on Lot 1678 (No.10367) Biddy Camm Road, Lake Camm be approved subject to conditions.

#### Background

The applicant is seeking Council's planning approval to construct a new single detached transportable dwelling on Lot 1678 (No.10367) Biddy Camm Road, Lake Camm.

Lot 1678 is located approximately 20 kilometres north-west of the Lake King townsite and abuts the western edge of Lake Camm. The land is irregular in shape, comprises a total area of approximately 439.89 hectares (see Plans 1 & 2).

Lot 1678 has been extensively cleared and is currently used for broadacre agricultural purposes (i.e. cropping & grazing). The land contains some small stands of scattered vegetation throughout and a small salt lake in its eastern segment. The land also contains a number of physical improvements associated with its current rural use including sheds, dams, grain storage silos, water storage tanks, internal access tracks, firebreaks and boundary fencing (see Plan 3).

Lot 1678 has direct frontage and access to an unnamed, unconstructed road reserve along a small portion of its western boundary. Notwithstanding this fact, all vehicle access to the land from the local road network is currently derived via access tracks constructed through two (2) immediately adjoining, separately titled properties (i.e. Lot 2 Drust Road located immediately west & Lot 2235 Biddy Camm Road located immediately south). It is significant to note that Lot 2 Drust Road is currently in the ownership of Brian & Janice Richardson (i.e. the current owners of the land subject to this application) however Lot 2235 Biddy Camm Road is owned by Sharland Nominees Pty Ltd, a separate corporate entity whose connection to / relationship with Brian & Janice Richardson is unknown.

Under the terms of the information and plans submitted in support of the application the following is proposed:

- Placement of a 202.5m<sup>2</sup> four (4) bedroom, two (2) bathroom transportable dwelling on concrete blocks approximately 300mm above the natural ground level (NGL);

- The dwelling is a steel framed, weatherboard structure with a colorbond roof (i.e. 'Surfmist' colour);
- The new dwelling will comprise a 2.5m wide verandah around its perimeter and a 22.5m<sup>2</sup> alfresco area under the main roof;
- The dwelling has a wall height of 2.7 metres from NGL and a ridge height of approximately 4.5 metres from NGL;
- The new dwelling will replace a transportable dwelling previously placed in a similar location on the property which is understood to have recently been removed;
- The dwelling will have a setback of approximately 1,950 metres from the land's western boundary, an 805 metre setback from the land's southern boundary, a 530 metre setback from the land's eastern boundary and a 675 metre setback to the land's northern boundary;
- Vehicle access to/from the new dwelling via the local road network will continue to be derived through two (2) immediately adjoining, separately titled properties (i.e. Lot 2 Drust Road located immediately west & Lot 2235 Biddy Camm Road located immediately south);
- Water supply for the new dwelling will be provided via the existing water storage tanks and dams that service the current rural activities and previous dwelling on the land; and
- Effluent disposal will be undertaken on-site using septic tanks and leach drains constructed in accordance with the relevant health standards and regulations.

#### Comment

#### **Current Zoning & Land Use Permissibility**

Lot 1678 is classified 'General Agriculture' zone under the Shire of Lake Grace's current operative Local Planning Scheme No.4 (LPS No.4).

A key objective of the land's current 'General Agriculture' zoning classification is to ensure the continuation of broad hectare farming as the principle land use within the district, protect the rural landscape/character, control the fragmentation of agricultural land through further subdivision and consider non-rural uses where they can be shown to be of a benefit to the district.

Under the terms of LPS No.4 the construction of a single house is listed in the Zoning Table as being a permitted (i.e. 'P') use on all land classified 'General Agriculture' zone. Notwithstanding this fact, by virtue of the provisions contained in clause 8.2 (b)(iii) of LPS No.4 as these apply specifically to the development and use of transportable dwellings, Council's formal planning approval is required in this particular instance prior to the commencement of development.

#### **LPS No.4 Development Standards & Requirements**

LPS No.4 does not contain any specific standards governing the development and use of land classified 'General Agricultural' zone for the purpose of a single house. As such the application has been assessed with due regard for the general development standards contained in LPS No.4 including those that apply specifically to all land classified 'General Agricultural' zone.

Having regard for the information submitted in support of the application the reporting officers' have concluded that the proposal satisfies the majority of the general development standards prescribed in LPS No.4 (i.e. minimum dwelling standards, boundary setbacks, compatibility of land usage, site characteristics, water supply, effluent disposal etc.) with the exception of the following:

- Enclosure of the sub-floor area of transportable dwellings as per clause 5.21.3 of LPS No.4; and
- Vehicle access arrangements as per clause 5.30 of LPS No.4.

The following is a brief discussion of these non-compliant elements:

### **Enclosure of Sub-Floor Area**

Clause 5.21.3 of LPS No.4 requires that the sub-floor area of all transportable dwellings developed in the Scheme Area be enclosed with brick, stone, vermin battens or other means acceptable to the local government to ensure a suitable standard of visual presentation and amenity is achieved with developments of this type.

Under the terms of the plans submitted in support of the application the new transportable dwelling on Lot 1678 is proposed to be erected on concrete blocks approximately 300mm above the natural ground level (NGL). Given this fact and the potential visual impacts, it is recommended that Council impose a suitable condition on any planning approval issued requiring the sub-floor area around the periphery of the dwelling to be enclosed in accordance with the specific requirements of LPS No.4.

### **Vehicle Access**

As previously mentioned all vehicle access to the land from the local road network is and will continue to be derived via access tracks constructed through two (2) immediately adjoining, separately titled properties. Whilst this current access arrangement appears to be generally acceptable in light of the historic development and use of the land and the fact that Lot 2 Drust Road located immediately west of Lot 1678 is currently in the ownership of Brian & Janice Richardson (i.e. the current owners of the land subject to this application), should Lot 2 ever be sold to a third party at some point in the future, practical access to Lot 1678 could be constrained by the new landowners unwillingness to allow the current vehicle access arrangements to prevail.

In considering this issue Council is required have due regard for the provisions of clause 5.30 of LPS No.4 as this applies specifically to the development and use of land abutting an undedicated and/or unconstructed road. Clause 5.30 expressly states that when considering an application for planning approval in these circumstances Council shall either:

- (a) refuse the application until the road has been dedicated and/or constructed or access by means of a dedicated and constructed road is provided as the case may be;
- (b) grant the application subject to a condition requiring the applicant to pay a sum of money in or towards payment of the cost or estimated cost of dedicating and/or constructing the road or part thereof and any other conditions it thinks fit to impose; or
- (c) require such other arrangements are made for permanent access as shall be to the satisfaction of the local government.

In this particular case it is considered unreasonable for Council to impose any condition/s on any planning approval issued for the project in the context of the specific requirements of clause 5.30 of LPS No.4 as the proposed development simply involves the replacement of a previously approved single house on the subject land and will not lead to any intensification of land usage. In these circumstances it could be argued by the applicant and the current landowner that the proposal does not generate the need for the imposition of any condition/s to formalise access arrangements to the land, particularly in light of the fact that Council had the opportunity to require the construction of a new road carriageway within the unnamed road reserve abutting the western boundary of Lot 1678 to provide formal, practical access to the land when it was originally subdivided.

Given the above conclusion, the only option considered reasonable in the circumstances is to allow the current informal vehicle access arrangements to Lot 1678 to prevail and for the Shire to consider funding the construction of a new road carriageway within the unnamed road reserve abutting the western boundary of the land at some point in the future if access becomes an issue between the affected landowners.

The above issue highlights the importance of Council ensuring that when any land in the Shire is subdivided in the future it requires the subdivider to physically construct new roadways within newly created road reserves as part of the subdivision development process prior to issuing final clearance. In so-doing it will avoid the risk of having to physically construct new roadways itself at ratepayers' expense which is a possible outcome in this particular case in the event that future access to Lot 1678 under the current informal arrangements is prevented by any adjoining landowner/s for any reason.

### **Conclusion**

It is concluded from a detailed assessment of the application that the proposal to construct a new single detached transportable dwelling on Lot 1678 (No.10367) Biddy Camm Road, Lake Camm is unlikely to have a negative impact on the general amenity, character, functionality and safety of the immediate locality and may therefore be approved by Council subject to the imposition of a number of conditions to ensure the development proceeds in a proper and orderly manner and complies with the specific requirements of the Shire of Lake Grace Local Planning Scheme No.4 insofar as can be reasonably expected given the current vehicle access issue.

### 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 11943**

Moved Cr Chappell  
Seconded Cr Armstrong

That the application for planning approval submitted by Quality Builders Pty Ltd on behalf of Brian and Janice Richardson (Landowners) to construct a new single detached transportable dwelling on Lot 1678 (No.10367) Biddy Camm Road, Lake Camm be approved subject to compliance with the following conditions and advice notes:



**MOTION 11943 continued.**

**Conditions**

1. The development shall be undertaken in a manner consistent with the information and plans submitted in support of the application unless otherwise approved by Council.
2. A suitable capacity water supply shall be provided to the new dwelling for both domestic consumption and fire fighting purposes to the specifications and satisfaction of the Department of Health and Department of Fire and Emergency Services.
3. The new dwelling shall be provided with an adequate on-site effluent disposal system constructed and maintained to the specifications and satisfaction of the Shire of Lake Grace and Department of Health.
4. All stormwater generated by the new dwelling shall be managed and disposed of to the specifications and satisfaction of the Shire of Lake Grace.
5. The sub-floor area around the periphery of the new dwelling shall be enclosed with brick, stone, vermin battens or other means acceptable to the Shire of Lake Grace.

**Advice Notes**

1. The development is to be completed within a period of two (2) years from the date of this approval. If the development is not completed 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 building permit application must be submitted to and approved by the Shire's Building Surveyor prior to the commencement of any construction on the land.
3. The new dwelling is required to comply in all respects with the National Construction Code of Australia. Plans and specifications which reflect these requirements are required to be submitted with the building permit application.
4. The noise generated by any activities on-site including machinery motors or vehicles shall not exceed the levels as set out under the Environmental (Noise) Regulations 1997.
5. No construction works shall commence on the land prior to 7.00 am without the Shire's written approval.
6. Failure to comply with any of the conditions of this planning approval constitutes an offence under the provisions of the *Planning and Development Act 2005* and the Shire of Lake Grace Local Planning Scheme No.4 and may result in legal action being initiated by the local government.

**MOTION CARRIED 7/0**

## **12.2 PLANNING APPLICATION – AMENDED SITE PLAN CBH MAINTENANCE WORKSHOP LOT 575 DEWAR ST LAKE GRACE**

*Cr Walker declared an interest of impartiality in Item 12.2 in that he is a seasonal employee of Co-operative Bulk Handling.*

<b>Applicant:</b>	Mr Craig Pursey – Craig Pursey Planning Pty Ltd on behalf of Cooperative Bulk Handling Limited (Landowner)
<b>File No.</b>	0506
<b>Attachments:</b>	Plans 7 to 13
<b>Author:</b>	Mr Joe Douglas Urban & Rural Perspectives -Town Planning Consultants
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	7 November 2014
<b>Senior Officer:</b>	Mr Neville Hale Chief Executive Officer

### Summary

This report recommends that a planning application submitted by Mr Craig Pursey of Craig Pursey Planning Pty Ltd on behalf of Cooperative Bulk Handling Ltd (Landowner) for approval to amend previously approved plans for a proposed new vehicle fleet and equipment maintenance workshop, including an incidental transportable office building and outdoor storage area, on Lot 575 (No.41) Dewar Street, Lake Grace be approved subject to conditions.

### Background & Comment

At its Ordinary Meeting held on 25 June 2014, Council resolved to grant conditional planning approval for the development of a new vehicle fleet and equipment maintenance workshop, including an incidental transportable office building and outdoor storage area, on Lot 575 (No.41) Dewar Street, Lake Grace.

By correspondence dated 3 November 2014 the applicant submitted a new planning application seeking Council's approval to amend the previously approved plans for the project due to an error made on-site by the project builder. It is understood from the information submitted that the builder discovered, following completion of construction of the majority portion of the workshop building, that this building was sited 15 metres from the front property boundary instead of 23.5 metres as originally proposed and subsequently approved by Council.

The key changes to the proposed development are outlined as follows:

- i) A front setback of 15 metres for the proposed new workshop building in lieu of 23.5 metres as originally approved;
- ii) A front setback of 7.5 metres for the transportable office building in lieu of 16 metres as originally approved with a preference to reduce this further to 6 metres if acceptable to Council;
- iii) A setback of 6 metres for the proposed new carport from the nearest front boundary in lieu of 16 metres as originally approved;
- iv) Reorientation of the car parking area at the front of the new workshop and transportable office building including the aforementioned carport and the provision of a total of four (4) on-site parking bays in lieu of five (5) on-site parking bays as originally approved (see Plans 7 to 13).

Pursuant to the provisions contained in the Shire's current Local Planning Scheme No.4 (LPS No.4), the landowner is legally required to seek and obtain Council's approval for the revised site development plans recently submitted.

It is concluded from a detailed assessment of the application that the latest revised site development plans contain insignificant modifications to the plans previously approved by Council and have minimal to no implications when considered against the relevant development standards contained in LPS No.4. As such it is recommended that Council grant approval to the revised plans subject to compliance with a range of conditions similar to those imposed on the original planning approval issued for the project on 25 June 2014.

Legal Implications

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

Policy Implications

Nil

Consultation

Community consultation not required.

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Simple majority required.

Recommendation/Resolution

**MOTION 11944**

Moved Cr De Landgrafft  
Seconded Cr Chappell

That the application for planning approval submitted by Mr Craig Pursey of Craig Pursey Planning Pty Ltd on behalf of Cooperative Bulk Handling Ltd (Landowner) for approval to amend previously approved plans for a proposed new vehicle fleet and equipment maintenance workshop, including an incidental transportable office building and outdoor storage area, on Lot 575 (No.41) Dewar Street, Lake Grace be approved subject to compliance with the following conditions and advice notes:

**Conditions**

1. The development is to be undertaken in a manner consistent with the information and plans submitted in support of the application as well as the various conditions documented below unless otherwise approved by Council.
2. This approval is for 'Motor Vehicle Repairs with incidental 'Office' and 'Storage' as defined in the Shire of Lake Grace Local Planning Scheme No.4. The subject land may not be used for any other purpose/s without the prior approval of Council.
3. A maximum of six (6) employees are permitted to be accommodated on the land at any one time unless otherwise approved by Council.

**MOTION 11944 continued**

4. The transportable office building shall be constructed to an acceptable standard of presentation as determined by the Shire's Chief Executive Officer prior to occupation of the building with a minimum setback of 6 metres from the nearest front boundary;
5. The proposed new carport shall be of color bond construction with a minimum setback of 6 metres from the nearest front boundary;
6. A minimum of four (4) on-site parking bays shall be provided as per the location shown on the revised site development plan submitted in support of the application and shall include one (1) suitably dimensioned and marked bay for use by disabled persons.
7. All stormwater generated by the proposed development shall be managed and disposed of to the specifications and satisfaction of the Shire's Manager Infrastructure.
8. The proposed new driveway crossover along the land's Dewar Street frontage shall be constructed and maintained at all times to the specifications and satisfaction of the Shire's Manager Infrastructure.
9. All vehicle accessways, parking and maneuvering areas in the front portion of the property (i.e. all areas in front of the front facade of the proposed workshop building / shed) shall be sealed, drained and line marked to the specifications and satisfaction of the Shire's Manager Infrastructure.
10. All vehicle accessways, parking, maneuvering and open storage areas in the rear portion of the property (i.e. all areas east of and behind the proposed workshop building / shed) shall be treated and drained to the specifications and satisfaction of the Shire's Manager Infrastructure.
11. Any floodlights / security lights that need to be installed are not to be positioned or operated in such manner as to cause the light source to be directly visible to the travelling public or adjoining properties or cause annoyance to the surrounding area.
12. The development shall be provided with an adequate on-site effluent disposal system as determined by the Shire's Environmental Health Officer with all such work to be undertaken to the specifications and satisfaction of the Shire of Lake Grace and Department of Health.
13. The outdoor storage area behind the proposed workshop building / shed shall be screened from view from any public street and/or surrounding properties by a 1.8m color bond or Neeta screen fence sited along all property boundaries and internally within the property as required.
14. Ring lock style fencing and vehicle access gates shall be provided along all property boundaries in the front half of the property in addition to the fencing required by Condition 13 above.
15. A detailed landscaping plan shall be prepared and submitted to the Shire for consideration and approval prior to the commencement of development.
16. All landscaping shown on the approved landscaping plan shall be planted and maintained to the specifications and satisfaction of the Shire's Manager Infrastructure.
17. The aforementioned landscaping shall be planted prior to occupation of the buildings on the land (i.e. prior to issuance of an occupancy permit by the Shire's building surveyor).
18. The premises shall be kept in a neat and tidy condition at all times to the satisfaction of the Shire of Lake Grace.
19. Any proposed advertising signage shall be provided in accordance with the specific requirements of the Shire of Lake Grace Local Planning Scheme No.4 unless otherwise approved by Council.

## **MOTION 11944 continued**

### **Advice Notes**

1. The development shall be completed within a period of two (2) years from the date of this approval. If the development is not completed 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 building permit application must be submitted to and approved by the Shire's Building Surveyor prior to the commencement of any construction on the land.
3. The proposed development is required to comply in all respects with the National Construction Code of Australia. Plans and specifications which reflect these requirements shall be submitted with the building permit application.
4. The noise generated by any activities on-site including machinery motors or vehicles shall not exceed the levels as set out under the Environmental (Noise) Regulations 1997.
5. No construction works shall commence prior to 7.00 am without the Shire's written approval.
6. Failure to comply with any of the conditions of this planning approval constitutes an offence under the provisions of the *Planning and Development Act 2005* and the Shire of Lake Grace Local Planning Scheme No.4 and may result in legal action being initiated by the local government.

**MOTION CARRIED 7/0**

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

*No items for consideration.*

<b>14.0 MATTERS FOR CONSIDERATION – FINANCE</b>
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**14.1 ACCOUNTS FOR PAYMENT – OCTOBER 2014**

<b>Applicant:</b>	Shire of Lake Grace
<b>File No.</b>	0277
<b>Attachments:</b>	List of Creditors
<b>Author:</b>	Mrs Lynda Trawinski Finance Officer
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	7 November 2014
<b>Senior Officer:</b>	Mr Niel Mitchell Manager Corporate Services

Summary

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

Background

List of payments for the month October 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:

- The payee's name
- The amount of the payment
- Sufficient information to identify the transaction
- 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 October 2014 from the Municipal and Trust Account Total \$ 937,039.15

Strategic Implications*Shire of Lake Grace Strategic Community Plan*

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

Voting Requirements

Simple majority required.

Recommendation/Resolution**MOTION 11945**

Moved Cr Armstrong  
Seconded Cr Chappell

That Council ratify the list of payments totalling \$937,039.15 as presented for the month of October 2014 incorporating:

- Trust Account Cheques:	801 to 802	\$	450.00
- Electronic Funds Transfer:	EFT 13153 to EFT 13288	\$	507,076.04
- Municipal Account Cheques:	35619 to 35664	\$	79,805.76
- Direct Debits:	DD5277.1 to DD5277.8	\$	349,707.35

**MOTION CARRIED 7/0**



## 14.2 FINANCIAL STATEMENTS – OCTOBER 2014

<b>Applicant:</b>	Shire of Lake Grace
<b>File No.</b>	0275
<b>Attachments:</b>	Financial Reports
<b>Author:</b>	Mrs Lee-Anne Trevenen Coordinator Finance & Administration
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	6 November 2014
<b>Senior Officer:</b>	Mr Niel Mitchell Manager Corporate Services

### Summary

Consideration of the financial statements for the month ending 31 October 2014.

### Background

The following 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
- Statement of Financial Position
- Financial Ratios
- Capital Road Works
- Operating Revenue & Expenditure Graphs
- Bank Reconciliations

### Comment

A number of matters need comment –

#### a) Insurances

Council's insurances generally fall into two types – those that are specific to a particular activity or matter, such as vehicle insurance, bushfire, housing, marine cargo, Councillors etc. The other type are those that have very broad coverage and apply across the whole of the organisation, with the public liability and workers compensation covers, probably the two most expensive.

Where able, the specific insurances have been allocated appropriately. But rather than allocating to many accounts to try to achieve broad spread of costs, after discussion with the CEO, the broad insurance have been costed against –

- Administration general, and

- Public works overheads

These two “umbrella” accounts are distributed throughout cost centres in the schedules via Administration allocated process which is run once a month, and the overheads charged for outside staff on each hour of their labour.

Accordingly, several insurance accounts will appear to be exceedingly overspent, while others will be well underspent. There is no difference to the total amount of insurance charged to the Shire, but it is felt that this method is a simpler and more accurate method of distributing insurance costs over a wide range of accounts.

- b) Administration Allocated

In conjunction with the above, a review of administration allocation % was undertaken. The review showed that several areas such as Members of Council has a very high % of admin allocated costs put against the area, at such a level that could not be justified. There were also several areas, where it was considered inappropriate for admin allocated to be charged at all, these being –

- Road construction – admin allocated should be charged to Public Works overheads, so that the cost ends up as part of the cost of individual projects, not as a separately identified cost in a general ledger account. Effectively, as a GL account rather than as part of overheads, it means that the cost of road works is understated, which in turn has ramifications for the grants that can be claimed and road expenditure reports to Roads to Recovery etc, and asset management ratios.
- Road maintenance – as above

Again, there is no net Budget impact, but individual accounts may show significant variation.

- c) Depreciation

There have been major issues with the implementation of fair value for plant & equipment, and also land & buildings, with the result that accounts are having to be rebuilt back to April 2013. This is being undertaken with the knowledge of the auditors, and complies with their recommendations at the time.

The fair values need to be updated and reconciled, and depreciation run once again for both the 2012-13 and 2013-14 year. Until this is done, and fully reconciled to the satisfaction of the auditors asset acquisition and disposal as well as depreciation processes for the 2014-15 year cannot be run. Accordingly, every account that has a capital infrastructure component or plant usage costed to it, is understated.

We are working with our IT Vision, Jirriki Management, our auditors, and with some very capable advice from other local government professionals to try to rectify the problems, to establish correct figures and correct processes.

#### 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.

Voting Requirements

Simple majority required.

Recommendation/Resolution**MOTION 11946**

Moved Cr Hunt

Seconded Cr Armstrong

That Council in accordance with Regulation 34 of the Local Government (Financial Management) Regulations 1996 receives the Statement of Financial activity for the period ended 31 October 2014 as attached is received.

**MOTION CARRIED 7/0**

### 14.3 **PROPOSED 2014/15 BUDGET AMENDMENTS**

<b>Applicant:</b>	Shire of Lake Grace
<b>File No.</b>	0756
<b>Attachments:</b>	Nil
<b>Author:</b>	Mr Niel Mitchell Manager Corporate Services
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	6 November 2014
<b>Senior Officer:</b>	Mr Neville Hale Chief Executive Officer

#### Summary

The adoption of the 2014-2015 Budget included a major change intended to align with the Department of Local Government and Communities Integrated Planning Framework.

#### Background

The changes to made in implementing the Integrated Planning Framework resulted in quite a number of transfer of accounts between operating and capital expenditure, with the aim of being able to allocate costs according to the five asset management categories, to facilitate reporting of mandatory ratios.

The categories are:

- Maintenance
- Operations
- Renewal
- Upgrade
- New

#### Comment

As a result of the changes, some former operating accounts were transferred to the capital area, however, an allocation is still needed within the operating section. There are quite a few that do need to be further investigated, and these will need to be addressed in more detail at the formal budget review.

Some of the additional accounts to be examined include Capital expenditure budgets for:

- o GRSTCAP Gravel stockpile
- o ENGICAP Engineering consultancy
- o RUROCAP Rural signs
- o SIGNCAP Street signs (towns)
- o SBUSCAP School bus routes
- o FORECAP Footpath renewal
- o LGFTCAP Lake Grace Footpath
- o NGFTCAP Newdegate Footpath
- o MINRCAP Minor works (roads)
- o TREECAP Trees (towns)
- o E116109 Newdegate Centenary – transfer to Reserve
- o E116110 History books – transfer to Reserve

and Operating Expenditure budgets within E122700 General Maintenance including:

- o Road Closures & Gazettals (Job 122702)
- o Depot Parts and Repairs
- o Tools
- o Consultancies

In addition, a number of areas are considered to be significantly under budgeted or else unbudgeted, and these will also need to be addressed in more detail at the formal Budget review.

Some of these are:

Under budgeted:

- Computer operating expenses

Unbudgeted:

- Lake King Solar Lighting (Lake King Parking Bay)
- Vacant land maintenance
- Kerbing
- Footpath maintenance (not renewal activities)
- Signs (not renewal activities)
- Internal relief

To allow review of these matters in greater depth, Council approval only for the following is requested at this time –

Transfer from	Amount	Transfer to	Purpose
NGPHCAP – (whole) NG Public Hall line marking	20,000	E113275 – NG Rec Centre	Floor sanding, sealing, line marking
E143052 – (whole) Plant Operation Costs Capital MOWCAP Purchase mower	4,500	E123060 – (new) Non-Road Plant Purchase	Tfr purchase to a more appropriate area in system
PTCHCAP – (capital, \$179,316) Road Patching	40,000	RRPATCH – (new) Rural Roads Patching	For minor patching works only
PTCHCAP – (capital, \$179,316) Road Patching	10,000	RRSTORM – (new) Rural Roads Storm damage	To be able to identify non-claimable call outs as a result of storms

In addition, although electrical and plumbing work on the mechanics pit at the Shire depot had commenced prior to 30 June, it was not completed and extended into July 2014, when it was then invoiced. No budget provision had been made for expenditure in 2014-2015. Work includes –

- \$4,755 Electrical
- \$1,500 Plumbing and air lines
- \$6,215 Quoted – for ladders and cover
  - o To be funded by LGIS Rebate – Refer Agenda item 14.6

Community Services has recently received a donation of \$10,000 from the Foundation of Rural and Regional Renewal provided by the McCusker Charitable Foundation. This is to be used for the comfort, care and cheer for Newdegate Seniors with funds being used to purchase specialty tables and chairs. Expenditure on the furniture and equipment as per the grant purposes therefore needs approval, as it is unbudgeted.

#### Legal Implications

## Local Government Act –

s.6.2 – Local government to prepare budget

s.6.8 – Expenditure not in annual budget to have prior authorisation

Policy Implications

N/A.

Consultation

Internal: Neville Hale, CEO

Financial Implications

No increase in budget, but reallocation to different or new general ledger or job accounts

Strategic Implications*Shire of Lake Grace Strategic Community Plan*

- Ec1.3 Ensure the Shire's capital investment program is cost effective and financially sustainable.

Voting Requirements

Absolute majority (5) required.

Recommendation/Resolution**MOTION 11947**Moved Cr De Landgraff  
Seconded Cr Hunt

That the following amendments be made to the 2014/15 Budget –

Transfer from	Amount	Transfer to	Purpose
NGPHCAP – (whole) NG Public Hall line marking	20,000	E113275 – NG Rec Centre	Floor sanding, sealing, line marking
E143052 – (whole) Plant Operation Costs Capital MOWCAP Purchase mower	4,500	E123060 – (new) Non-Road Plant Purchase	Tfr purchase to a more appropriate area in system
PTCHCAP – (capital, \$179,316) Road Patching	40,000	RRPATCH – (new) Rural Roads Patching	For minor patching works only
PTCHCAP – (capital, \$179,316) Road Patching	10,000	RRSTORM – (new) Rural Roads Storm damage	To be able to identify non-claimable call outs as a result of storms
LGIS Rebate received	6,215	E143313 – Depot Upgrade & Improv.	Completion of vehicle work pit for mechanic
Lotterywest grant	10,000	New account – NG Seniors Hall	Furniture and equipment as per grant conditions

**MOTION CARRIED BY ABSOLUTE MAJORITY 7/0**

#### 14.4 STAFF EMPLOYMENT PACKAGE - ADOPTION OF LOCAL GOVERNMENT HOLIDAY AS ADDITIONAL LEAVE

*Cr Chappell declared an interest of impartiality in Item 14.4 in that his wife is an employee at the Shire of Lake Grace.*

<b>Applicant:</b>	Manager Corporate Services
<b>File No.</b>	0275
<b>Attachments:</b>	Nil
<b>Author:</b>	Mrs Lee-Anne Trevenen Coordinator Finance & Administration
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	6 November 2014
<b>Senior Officer:</b>	Mr Niel Mitchell Manager Corporate Services

#### Summary

Consideration by Council to approve incorporation of the former two Local Government holidays as additional leave days, as part of the Shire of Lake Grace standard employment package.

#### Background

Leading up to the 1<sup>st</sup> July 2010 WALGA Workplace Solutions made recommendations that Councils implement in full the new Local Government Industry Award 2010 in lieu of the Local Government Officers and the Municipal Employee Award. The LGIA is a Federal Award, replacing the main two State Awards used – the Local Government Officers Award and the Municipal Employees Award.

The Shire of Lake Grace implemented the new LGIA 2010 Award as of 1<sup>st</sup> July 2010 and at the time all staff member levels were assessed and allowances were either deleted, consolidated or new allowances introduced. Under the Commission's order for the LGIA, staff member 'take home pay' was not allowed to be less than what they were getting under the old awards. This provision applied only to continuing employees, and had 30 June 2015 as a sunset clause.

As part of the no reduction to 'take home pay' provisions, staff that have had the extra two (2) day Local Government public holidays each year which is not recognised within LGIA 2010, required compensation for these days.

In order to maintain equity and consistency, generally the two days have also been extended to new staff commencing after the Commission's order, although they are not strictly entitled to them.

At the transition time, the Chief Executive Officer in consultation with senior staff opted to retain the two (2) public holiday days.

#### Comment

As of 30 June 2015 through the Local Government Federal Award the two Local Government public holidays will no longer exist.

As a continuing benefit for all staff, it is requested that the two (2) days be added to the staff leave days. This would form part of the permanent employee entitlements package, including to part-time employees pro-rata. Casual employees are not entitled to any leave.

Since the cost of the two days leave is currently built into the budgets, no extra cost is incurred in relation to this aspect.

Local governments have adopted different policies regarding the two days, from removal (a strict interpretation of the LGIA) through to extending annual leave and leave loading.

#### Legal Implications

Local Government Act 1995 –

- s.6.8(1)(b) – unbudgeted expenditure to be approved by absolute majority

Fair Work Act (Federal)

Local Government Industry Award 2010 (Federal)

#### Policy Implications

N/A

#### Consultation

Internal: CEO & Senior Management

#### Financial Implications

N/A

#### Strategic Implications

*Shire of Lake Grace Strategic Community Plan – Extract from Shire’s Vision*

- An employer of choice operating with a skilled, effective workforce.

#### Recommendation

That Council approves:

1. Two (2) days be added to each employee’s leave entitlement as a standard employment benefit offered by the Shire, in recognition of the removal of two (2) days leave from the Federal *Local Government Industry Award 2010*.
2. The increased leave entitlement to apply as from 1 January 2015.
3. In accordance with *Local Government Industry Award 2010*, any unused entitlement of existing employees as at the 31 December 2014 will expire and will not be carried forward.
4. The additional leave is non-cumulative and is to be used in each calendar year.

#### Voting Requirements

Simple majority required.

#### Resolution

**Note: Motion lapsed due to lack of a mover and/or a seconder.**



#### 14.5 **RATE EXEMPTION REQUEST – GREAT SOUTHERN COMMUNITY HOUSING ASSOCIATION**

<b>Applicant:</b>	Great Southern Community Housing Association
<b>File No.</b>	0259/0731
<b>Attachments:</b>	Letter
<b>Author:</b>	Mr Niel Mitchell Manager Corporate Services
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	6 November 2014
<b>Senior Officer:</b>	Mr Neville Hale Chief Executive Officer

#### Summary

The Great Southern Community Housing Association (GSCHA) has requested a rate exemption/rebate on Lot 48A Tamar Terrace, Varley.

#### Background

The GSCHA is registered as a public benevolent institution, and would be eligible for a rates exemption if they owned property.

#### Comment

As they do not own this property, but manage it on behalf of the Shire only, they are not automatically entitled to an exemption. However, Council may grant an exemption if they so choose to do so.

The GSCHA manage nearly 30 properties on behalf of the Shire. No other exemptions have been given, and no record of such a request has been found in the records.

On 7 February 2014, GSCHA advised by email that they considered there was an anomaly in calculation of rates on several of the properties they manage, as it appeared that some were receiving a concession. The perceived anomaly was queried, but the then Manager Corporate Services at the time did not receive a response.

They have requested exemption on the basis that –

- they are a charitable organisation as defined under common law,
- the land is used to provide long term, affordable housing for people in financial need
- rents are set in accordance with Dept of Housing guidelines at no more than 25% of tenant income

The Department of Local Government has advised –

- *The owner of land is liable for rates on that land [see s 6.44(1)].*
- *Owner is defined in section 1.4 of the Act.*
- *If they merely manage the houses for the Shire for a fee, the Shire may still be considered to be the owner, not the association. The Shire therefore would be liable for the rates not the association.*

- *If you establish that the housing association is the owner, it is the use of the land that determines whether this is used for charitable purposes, not the charitable status of the association.*
- *If the housing association is the owner, there may be some of the land that will be rateable. If the ILUs are rented to persons with disabilities or who are disadvantaged then they may be exempt as they could meet one of the four principles which underpin charities – relief of the poor.*
- *If other houses are generally available to anyone to rent then these may be rateable (DLGC emphasis).*

Note – DLGC’s dot point 3 is superseded by the agreement with the GSCHA, in which they accept responsibility for the payment of rates.

DLGC’s comment makes it clear that exemption is on the basis of –

- Ownership,
- Then use
- Not charitable status

The GSCHA does not meet the definition of owner as per the Act, and are therefore not considered to be automatically entitled to exemption.

Exemption therefore rests with Council’s discretion.

Since there is a potential for a substantial number of properties to be declared exempt if consistency is to be maintained, it is therefore suggested that the request be declined for the following reasons –

- As defined by the Local Government Act, the Shire remains owner of the properties
- In order to maintain consistency with other properties managed by GSCHA
- To ensure maximum funds remain within the Shire communities

#### Legal Implications

Local Government Act –

s.1.4 – Definition of “owner”

s.6.26 – Rateable land

- (2)(g) – Land is not rateable if used exclusively for charitable purposes

#### Policy Implications

Potential extension of request to more/all properties they manage on the Shire’s behalf.

#### Consultation

Internal Warrick Millar, Senior Finance Officer

External Kaz Sternberg, Great Southern Community Housing Assoc.  
Vern McKay, Dept of Local Government and Communities

#### Financial Implications

Additional fees and charges not expected to result in significant income.

#### Strategic Implications

*Shire of Lake Grace Strategic Community Plan*

- Ec3 Maintain community built infrastructure to ensure it is appropriate for all towns in the Shire.
- Ec6 Increase affordable housing options for seniors, families and singles.

Voting Requirements

Simple majority required.

Recommendation/Resolution**MOTION 11948**

Moved Cr Hunt  
Seconded Cr Clarke

That the request from the Great Southern Community Housing Association for rate exemption on 48A Tamar Terrace Varley, be declined.

**MOTION CARRIED 7/0**

**14.6 LOCAL GOVERNMENT INSURANCE SERVICES - REBATE**

<b>Applicant:</b>	Local Government Insurance Services
<b>File No.</b>	0344
<b>Attachments:</b>	Nil
<b>Author:</b>	Mr Niel Mitchell Manager Corporate Services
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	6 November 2014
<b>Senior Officer:</b>	Mr Neville Hale

Chief Executive Officer

Summary

Due to the performance of the local government owned insurance pools, funds have been returned to members as cash rebate and as funds retained by Local Government Insurance Services (LGIS) but available for the Shire's use.

Background

The three principal pool schemes owned by local government are –

- Workcare
- Liability
- Bushfire risk

Comment

The Coordinator Admin and Finance and I met with Ms Sandra Clohessy of Local Government Insurance Services on Monday 27 October 2014.

The performance of the pool schemes in 2013-2014 was much better than expected. After paying claims, and retention of adequate reserve, any surplus is returned to members. The Shire of Lake Grace's amounts are –

1. Rebate of \$14,206.68– on the Pool schemes' performance over 2013-2014.
  - This can be used on anything the Shire chooses, and is not limited.
  - EFT to be made shortly
2. Residual Funding pool entitlement of \$2,544.09 – same restrictions as below.
3. Current Funding pool entitlement of \$3,175.61 – funds that are restricted but can be used for a variety of risk reduction initiatives, such as –
  - Risk Management Scheme with John Appleyard - \$4,000 ex GST for 2014/15
  - Reg.17 compliance requirements
  - Safety/Risk planning – eg one Council used it for Business Continuity Planning
  - Specific activities such as – training, cover/safety around the mechanics pit etc.
  - Use of Pool funds does require prior approval, and on activities within guidelines
4. The LGIS Board has also approved a new Health and Well Being (HWB) program:
  - Cumulative pool of \$3,000 per year
  - Some preferred suppliers for particular things – health checks, flu shots, skin cancer screening etc.

The pool entitlements are cumulative and are not able to be cashed out.

It is suggested for consideration –

- a) Rebate –
  - Portion towards cover of the mechanics pit and ladders etc.
  - Portion towards ride-on mower
- b) Residual –
  - Get approval to put full residual towards Regional Risk Management program
- c) Current –
  - Portion to fund balance of Regional Risk Management Scheme – approx. \$1,450
  - Use for any training that is safety related
- d) Health & Well Being Program –
  - Things that have clear advantage to both Shire and employee – hearing and sight checks, flu shots, skin cancer screening, weight loss

Legal Implications

Occupational Health and Safety Act.

Policy Implications

Nil.

Consultation

Internal                      Neville Hale, CEO

Financial Implications

Rebate of \$14,206.68 – on the Pool schemes' performance over 2013-2014.

Strategic Implications

*Shire of Lake Grace Strategic Community Plan*

- Ec1.3 Ensure the Shire's capital investment program is cost effective and financially sustainable.

Voting Requirements

Simple majority required.

Recommendation/Resolution

**MOTION 11949**

Moved Cr De Landgraff  
Seconded Cr Armstrong

That the rebate and allocations advised by Local Government Insurance Services be applied to –

- a) Rebate –
  - Portion towards cover of the mechanics pit and ladders etc.
  - Portion towards ride-on mower
  - Any residual to fund participation in the Regional Risk Management Scheme
- b) Residual –
  - Seek approval to put full residual towards Regional Risk Management Scheme
- c) Current –
  - Portion to fund balance of Regional Risk Management Scheme – approx. \$1,450, if not covered by (a) and (b) above
  - Use for training that is safety related
- d) Health & Well Being Program –
  - Activities having clear advantage to both Shire and employee – hearing and sight checks, flu shots, skin cancer screening etc.

**MOTION CARRIED 7/0**

**14.7      2014/15 SCHEDULE OF FEES AND CHARGES – PROPOSED ADDITIONAL FEES AND CHARGES**

**MOTION 11950**

Moved Cr Clarke  
Seconded Cr Chappell

That Council, under clause 16.1 of the Shire of Lake Grace Standing Orders Local Law, suspend Standing Orders at this time, being 9.20 am to discuss the proposed increased Fees and Charges.

**MOTION CARRIED 7/0**

**MOTION 11951**

Moved Cr Chappell  
Seconded Cr Clarke

That Standing Orders resume, the time being 9.30 am.

**MOTION CARRIED 7/0**

<b>Applicant:</b>	Shire of Lake Grace
<b>File No.</b>	0495/0740/0756
<b>Attachments:</b>	Schedule of Proposed Additional Fees & Charges
<b>Author:</b>	Mr Niel Mitchell Manager Corporate Services
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	6 November 2014
<b>Senior Officer:</b>	Mr Neville Hale Chief Executive Officer

Summary

Several fees and charges have recently been identified as have been omitted from those adopted, and it is suggested that consideration be given to their inclusion.

Background

The fees and charges are for particular areas where cost is incurred that should be recovered, or are permitted by local law etc.

Comment

A number of fees and charges have been identified as needing to be included, or amended for greater consistency.

A quick review of local laws also revealed that some licence and permit fees had also been omitted, in particular those for trading in thoroughfares, and for extractive

industries, since these are the most likely to be used. A more detailed review of local laws for fees and charges that should be set by Council is underway.

#### Legal Implications

Local Government Act –

- s.6.16 – Imposition of fees and charges
- s.6.17 – Setting level of fees and charges
- s.6.19 – Local public notice of fees and charges to be given

#### Policy Implications

N/A

#### Consultation

Internal: Neville Hale, CEO  
 Lauren Bosch, Environmental Health Officer  
 Lee Trevenen, Coordinator Finance and Admin  
 Jeanette Bennett, Executive Assistant

External: Dept of Transport  
 Urban and Regional Planners

#### Financial Implications

The additional and amended fees and charges not expected to result in significant income.

#### Strategic Implications

*Shire of Lake Grace Strategic Community Plan*

Ec1.3 Ensure the Shire's capital investment program is cost effective and financially sustainable

#### Voting Requirements

Absolute majority (5) required.

#### Recommendation/ Resolution

#### **MOTION 11952**

Moved Cr Chappell  
 Seconded Cr Armstrong

1. That Council adopt the additional 2014/15 Fees and Charges as per the attached Schedule; and,
2. The adoption of the additional fees and charges be advertised as required by the Local Government Act 1995.

**MOTION BY ABSOLUTE MAJORITY CARRIED 7/0**

*NOTE: The Labour Charge for Private Works is \$55.00 per hour.*



## 15.0 MATTERS FOR CONSIDERATION – COMMUNITY SERVICES

### 15.1 DUAL FIRE CONTROL OFFICERS – SHIRE OF RAVENSTHORPE

<b>Applicant:</b>	Shire of Ravensthorpe
<b>File No.</b>	0177
<b>Attachments:</b>	Nil
<b>Author:</b>	Mr Marcus Owen Community Emergency Services Manager
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	4 November 2014
<b>Senior Officer:</b>	Ms Lee Holben Manager Community Services

#### Summary

The purpose of this report is for Council to authorise two (2) Dual Fire Control Officers from the Shire of Ravensthorpe to act as Fire Control Officers in the Shire of Lake Grace.

#### Background

Dual Fire Control Officers are appointed by their respective shires to perform the duties of a Fire Control Officer in either shire in the event of a bush fire passing from one shire into another.

The following Dual Fire Control Officers have been appointed by the Shire of Ravensthorpe for the 2014/14 fire season and now require appointment by the Shire of Lake Grace:

- Mr Andrew Duncan – 0427 389 032 / 0428 996 334
- Mr Malcom Tilbrook – 0428 389 010

#### Comment

Shire of Lake Grace Fire Control Officers will be notified of these appointments once authorised by Council.

#### Legal Implications

*Bushfires Act 1954*

#### Policy Implications

Nil

#### Consultation

External: Shire of Ravensthorpe

#### Financial Implications

Nil

#### Strategic Implications

*Shire of Lake Grace Strategic Community Plan*

- En 3. Manage and protect the natural environment,
- En 3.4 Maintain effective bushfire control and management through support and resourcing of bushfire brigades and volunteers.

Voting Requirements

Simple majority required.

Recommendation/Resolution

**MOTION 11953**

Moved Cr Hunt  
Seconded Cr De Landgraft

That Council authorise Mr Andrew Duncan and Mr Malcolm Tilbrook of the Shire of Ravensthorpe as Dual Fire Control Officers for the 2014/15 season.

**MOTION CARRIED 7/0**

## 15.2 **BUSHFIRE PRONE VEGETATION DATA REVIEW – OFFICE OF BUSHFIRE RISK MANAGEMENT**

<b>Applicant:</b>	Office of Bushfire Risk Management
<b>File No.</b>	0176
<b>Attachments:</b>	<i>Full size original maps will be available for viewing at the meeting)</i>
<b>Author:</b>	Mr Marcus Owen Community Emergency Services Manager
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	6 November 2014
<b>Senior Officer:</b>	Ms Lee Holben Manager Community Services

### Summary

The purpose of this report is for Council to endorse the response by the Shire of Lake Grace to the Office of Bushfire Risk Management's (OBRM) request to review the accuracy of the Bushfire Prone Vegetation maps of the Shire of Lake Grace and provide comment.

### Background

The Shire of Lake Grace was approached by the Office of Bushfire Risk Management (OBRM) to assist them with the accuracy of the information provided on draft Bushfire Prone Vegetation maps.

The maps, supplied to OBRM by Landgate, consist of an aerial image of the whole shire and individual aerial images of the town sites and settlements within the shire. On the maps all the areas of what appears to be existing remnant vegetation have been shaded, the Shire has been asked to comment on the accuracy of these shaded areas. A 100m buffer will be applied to this data (shaded areas) to create the Bushfire Prone Area. With this data the Office of Bushfire Risk Management will ask Landgate to produce Bushfire Prone Area maps.

### Comment

The author has viewed the maps and believes, to the best of his knowledge that the data sets provided are reasonably accurate; that the vegetation in question is bushfire prone vegetation as described in Standard 7.1 in the Bushfire Prone Area Mapping Standard;

### ***Bushfire-Prone Vegetation***

*The bushfire-prone vegetation is based on the type and extent of vegetation. It will initially be derived through existing datasets, and will be further improved by a range of measures including local level verification, aerial photography interpretation and some field validation.*

*The bushfire-prone vegetation includes the following vegetation communities:*

- 1. Forest (including plantations);*
- 2. Woodland;*
- 3. Scrubland;*
- 4. Scrub; and*
- 5. Mallee/mulga.*

*Land containing at least one of the above vegetation communities shall be identified as bushfire-prone vegetation in accordance with the following criteria:*

- 1. All parcels of the above vegetation that are greater than 1 hectare in size shall be identified as bushfire-prone vegetation.*
- 2. Single areas of the above vegetation that are between 0.25 and 1 hectare in area and are within 100 metres of other parcels of vegetation in the identified communities greater than 1 hectare in size shall also be identified as bushfire-prone vegetation.*

On the map of Lake Grace town, some small areas, road reserves and Dewar St development have been marked for possible removal from the map as they have been cleared/developed of the vegetation is so sparse it does not warrant inclusion.

There are some areas of vegetation in Lake King and Newdegate that could possibly be excluded, however once the Bushfire Prone Area is drawn in, 100m buffer from the edge of the vegetation, these areas would be covered in the Bushfire Prone Area anyway.

The following clarification was sought from OBRM;

**Question** - When making the determination as to whether an area is bushfire prone or not, are the following taken into consideration;

1. The fuel loading, T/ha
2. Density and height of the bush

Or is it solely determined by whether the ground cover is bushfire prone vegetation or not?

**Response** - *I'm glad you asked this question, as the topic does require some clarification...*

*Bushfire Prone vegetation is simply that. Height and density do not influence the declaration of being bushfire prone. (Naturally this affects the rate of fuel accumulation and, if a fire occurs, these parameters also influence fire behaviour.) The determination is based on remnant vegetation data from DAFWA. However, it excludes 'managed' grasslands such as crops and pasture. Savannah grasslands such as in the Kimberley will be considered as bushfire prone.*

*The fuel weight, as you know, affects fire intensity and is an important consideration when determining fire spread.*

*When determining risk, all that is really important is; if a fire starts, is it likely that it will spread and reach an asset? From that also; the Bushfire Attack Levels (BAL) consider slope and distance between the vegetation and assets as well as the vegetation type (but not fuel weight). These factors then help determine what risk treatments are required including building standards (AS 3959)*

**Question** - *So for each building application in a bushfire prone area a risk assessment will be carried out to determine what risk treatments are required for that building.*

**Response** -*Yes, that's correct. Once the bushfire prone area has been 'certified' (May 2015), any new building or subdivision from that point will be subject to a risk assessment to determine the necessary standards or risk treatments.*

*This will be conducted by a person with appropriate accreditation. The accreditation process is currently being finalised. As I understand it the applicant will obtain the services of the assessor.*

*I hope this helps. If you have any further queries please don't hesitate to contact OBRM at obrm@dfes.wa.gov.au*

#### Legal Implications

AS3959-2009: Construction of buildings in bushfire-prone areas  
(Standards Australia 2009)

#### Policy Implications

Nil

#### Consultation

Internal: Mr Neville Hale CEO  
Ms Lee Holben MCMS

External Mr Grant Hanson DFES  
Ms Cindy Pearce CESM, Katanning & Broomehill/Tambelup  
Mr Bruce Telfer OBRM

#### Financial Implications

Nil

#### Strategic Implications

Shire of Lake Grace Community Strategic Plan

- En 7 Protect the Natural Environment

#### Voting Requirements

Simple majority required.

#### Recommendation/Resolution

### **MOTION 11954**

Moved Cr Clarke  
Seconded Cr Marshall

That Council endorse the following response to the office of Bushfire Risk Management:

1. The data provided on the draft Bushfire Prone Vegetation maps, primarily remnant vegetation within the Shire of Lake Grace, according to the criteria, as identified in Standard 7.1, appears to be reasonably accurate. However an on-ground assessment would be required to determine greater accuracy prior to determining bushfire prone areas.
2. The Shire of Lake Grace has concerns over the increased cost implications to future developments for new residents and businesses in rural areas should areas within or adjacent to town-sites be declared bushfire prone areas.

**MOTION CARRIED 7/0**

### 15.3 **MANAGEMENT AGREEMENT – GREAT SOUTHERN COMMUNITY HOUSING ASSOCIATION**

**Applicant:** Community Services  
**File No.** 0094/0095/0511/0698  
**Attachments:** Great Southern Community Housing Association  
 Management Agreement  
**Author:** Ms Lee Holben

Manager Community Services

**Disclosure of Interest:** Nil  
**Date of Report:** 6 November 2014  
**Senior Officer:** Mr Neville Hale

Chief Executive Officer

#### Summary

This report recommends that Council adopts and authorise the Chief Executive Officer to sign the updated management agreement with Great Southern Community Housing Association for management of the Shire's community housing stock in Lake Grace, Newdegate, Lake King and Varley.

#### Background

At the 22 August 2012 Ordinary meeting of Council the following motion 11497 was moved and endorsed 9/0.

*That Council:*

1. *Transfers the management of all Shire of Lake Grace community housing properties to the Great Southern Community Housing Association.*
2. *Authorise the use of the common seal on the attached management agreement between Great Southern Community Housing Association and the Shire. The Department of Housing has given approval to the final management agreement which includes the use of local contractors where available, and other relevant matters.*

Great Southern Community Housing has suggested changes to the current Management Agreement. The changes are shown in red in the attached Management Agreement.

The Department of Housing has approved the changes to the Agreement.

#### Comment

The changes suggested:

2.10 GSCHA will charge a management fee which is incorporated into the annual calendar year budget. The fee takes into account Property Manager travel costs (for inspections, interviews and sign ups etc) direct labour costs to manage the properties, and a portion of indirect office and administration costs per dwelling. The rate will be reviewed annually.

This wording removes the fixed rate management fee so it can be CPI indexed yearly.

12.2 The addition of wording:

The accumulated surplus funds generated from the properties will be finally determined after all expenses have been reconciled and audited. This includes any bad debt, damage to property not covered by insurance and/or loss of rental income for long term vacancies. If any major refurbishments are required for any of the properties, this may affect the annual surplus, if all Major Maintenance funds have been expended in any year.

All surplus funds will be utilised for further “Social and Affordable Housing” provision in the Shire of Lake Grace. New potential housing projects initiated by the Shire, may be developed in partnership with GSCHA.

If the Department of Housing (DoH) has a financial interest in existing properties, and/or is contributing to the project, subsequent proposals will need to be assessed by the DoH in line with the “Community Housing Project Guidelines”. If there is no identified need established for further “Social and Affordable Housing” in the Shire, surplus funds derived from properties that DoH has an interest in, may be used to develop projects in other regions once approved by the Department of Housing. The DoH surplus funds are attributed to the equity held in those properties by DoH, with the Shire of Lake Grace retaining the surplus that relates to the equity held in these properties by the Shire of Lake Grace.

This wording is clarifying the financial interest of the Department of Housing and the Shire of Lake Grace.

#### Legal Implications

The *Housing Act 1980*. The Regulatory Framework includes:

- National Community Housing Standards;
- National Regulatory Code (Growth Providers);
- Compliance with legal agreements and Community Housing Guidelines.

#### Policy Implications

N/A

#### Consultation

Internal: Senior Management Team

External: Kaz Sternberg – Chief Executive Officer Great Southern  
Community Housing Association  
Michael Chan – Department of Housing, Compliance.

#### Financial Implications

The equity that the Shire has in each of the 29 (+4 Newdegate units under construction) community properties is based on the contributions that the Shire and the Department of Housing made at the time the project was agreed.

The number of houses that GSCHA manages for the Shire of Lake Grace has increased over the last two years. 2012 commenced with twenty four properties, two properties were added in 2013 when their outstanding debts had been recovered and then another three (Lake Grace over 55 units) were added in 2014 giving a current total of twenty nine.

When the four units from Newdegate are added in 2015 it will bring the total to thirty three properties.

**GSCHA Management Fee (including travel) is calculated as per the following:**

2012/13 - \$1,507 per property, per annum.

*\*Note: the actual amount that was charged for 2012/13 doesn't reflect a full year of management, as GSCHA did not have the properties for a full year.*

2013/14 - \$1,728 per property, per annum

2014/15 - \$2,136 per property, per annum – proposed increase based on inclusion of some indirect costs.

**Explanation on Management Fee:**

Management Fees, to date, have been calculated solely to recover direct labour costs (excluding management). Direct Labour Costs being the real employment cost to GSCHA for its staff to manage the housing portfolio.

In addition to the direct labour costs to manage properties, there is of course indirect costs including: management labour costs, office, administration, motor vehicles and I.T. to name a few. Recovery of these fees would usually be factored into management fees, however, to date GSCHA have absorbed these costs by not passing any of them on to the Shire of Lake Grace, hence, subsidising the cost of management.

The management fee for 2015 would be \$62,944 (29 properties equates to \$2,136 per property).

See attached budget figures from GSCHA.

Strategic Implications

*Shire of Lake Grace Strategic Community Plan*

- Ec3 Maintain community built infrastructure to ensure it is appropriate for all towns in the Shire.
- Ec6 Increase affordable housing options for seniors, families and singles.

Voting Requirements

Simple majority required.



Officer Recommendation/Resolution

**MOTION 11955**

Moved Cr Hunt  
Seconded Cr Clarke

That Council:

1. Authorise the Chief Executive Officer to sign the updated November 2014 Management Agreement between the Shire of Lake Grace and the Great Southern Community Housing Association for the management of the Shire's Community Housing stock, subject to 2.10 and 12.2 being amended as below:

2.10 GSCHA will charge a management fee which is incorporated into the annual calendar year budget. The fee takes into account Property Manager travel costs (for inspections, interviews and sign ups etc), direct labour costs to manage the properties, and a portion of indirect office and administration costs per dwelling. The rate will be reviewed annually.

12.2 The accumulated surplus funds generated from the properties will be finally determined after all expenses have been reconciled and audited. This includes any bad debt, damage to property not covered by insurance and/or loss of rental income for long term vacancies.

If any major refurbishments are required for any of the properties, this may affect the annual surplus if all Major Maintenance funds have been expended in any year. All surplus funds will be utilised for further "Social and Affordable Housing" provision in the Shire of Lake Grace. New potential housing projects initiated by the Shire, may be developed in partnership with GSCHA.

If the Department of Housing (DoH) has a financial interest in existing properties, and/or is contributing to the project, subsequent proposals will need to be assessed by the DoH in line with the "Community Housing Project Guidelines".

If there is no identified need established for further "Social and Affordable Housing" in the Shire, surplus funds derived from properties that DoH has an interest in, may be used to develop projects in other regions once approved by the Department of Housing. The DoH proportion of surplus funds are attributed to the equity held in those properties by DoH, with the Shire of Lake Grace retaining the proportion of surplus that relates to the equity held in these properties by the Shire of Lake Grace.

2. Include the four units at Newdegate into the Management Agreement.

**MOTION CARRIED 7/0**

<b>16.0 MATTERS FOR CONSIDERATION - ADMINISTRATION</b>
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**16.1 DOGS LOCAL LAW – REQUEST FOR EXEMPTION**

<b>Applicant:</b>	Mr Ian and Mrs Kerry Hitchins
<b>File No.</b>	0396
<b>Attachments:</b>	1. Application Letter 2 Breeder Registration Certificate. 3. Photos – house yard & enclosed run
<b>Author:</b>	Miss Mikaela Knill Communications & Executive Support Officer
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	6 November 2014
<b>Senior Officer:</b>	Mr Neville Hale Chief Executive Officer

Summary

The purpose of this report is for Council to consider an application received from Mr & Mrs Hitchins for an exemption under the Shire's Dogs Local Law in relation to the limitation on the number of dogs.

Background

On the 27 October 2014 Mrs Kerry Hitchins submitted an application to register 2 new dogs. Her registration history showed she had 4 dogs currently registered with the Shire. Notifying us that one had passed away, registering two new dogs would put the number of dogs over the maximum limit allowed under the Shire's Local Law for premises located outside of a townsite. Mrs Hitchins was notified that she will need to apply for exemption under the Local Law to allow more than 4 dogs on her property.

On Thursday 6 November 2014 the Shire received an application from Mr & Mrs Hitchins for an exemption under the Local Law to allow them to keep more than 4 dogs on their property, providing details of the dogs and their property. Mr and Mrs Hitchins is a registered breeder of White Swiss Shepherds.

Comment

According to the Shire's Local Law the limit on the number of dogs kept on a premises located outside a townsite is 4 dogs over the age of 3 months. In this circumstances Mr & Mrs Hitchins would like to keep a total of 5 dogs over the age of three months and to do so are able to apply for an exemption under our Local Law and *Dog Act 1976*.

***Shire of Lake Grace Local Law***

- 3.2 (1) *This clause does not apply to premises which have been -  
(a) licensed under Part 4 as an approved kennel establishment; or  
(b) granted an exemption under section 26(3) of the Act.*
- (2) *The limit on the number of dogs which may be kept on any premises is, for the purpose of section 26(4) of the Act -*

- (a) 2 dogs over the age of 3 months and the young of those dogs under that age if the premises are situated within a townsite; or
- (b) 4 dogs over the age of 3 months and the young of those dogs under that age if the premises are situated outside a townsite.

### **Dog Act 1976**

S26(3) Where by a local law under this Act a local government has placed a limit on the keeping of dogs in any specified area but the local government is satisfied in relation to any particular premises that the provisions of this Act relating to approved kennel establishments need not be applied in the circumstances, the local government may grant an exemption in respect of those premises but any such exemption —

- (a) may be made subject to conditions, including a condition that it applies only to the dogs specified in the exemption; and
- (b) cannot authorise the keeping in or at those premises of —
  - (i) more than 6 dogs that have reached 3 months of age; or
  - (ii) a dog under that age unless it is a pup of a dog whose keeping is authorised by the exemption; and
- (c) may be revoked or varied at any time.

Mr & Mrs Hitchins have provided photos of the house yard fencing and the enclosed run to show that they are adequately confined on the property. They have noted that their closest neighbour is 5km away and has no complaints about the dogs.

In their application Mr & Mrs Hitchens provided information to show that the welfare of the dogs is not in danger and other factors such as noise or environmental health hazards are not an issue.

#### Legal Implications

Shire of Lake Grace Local Law - Dogs  
Dog Act 1976

#### Policy Implications

Nil

#### Consultation

External: Mr & Mrs Hitchins

#### Financial Implications

Nil

#### Strategic Implications

Nil

#### Voting Requirements

Simple majority required

Recommendation/Resolution

**MOTION 11956**

Moved Cr Clarke  
Seconded Cr Armstrong

That Council approve the application received from Mr & Mrs Hitchins of 2405 Pingrup Lake Grace Road, Lake Grace WA 6353, for an exemption under Dogs Local Law to keep more than 4 dogs with the following conditions;

1. The number of dogs MUST not exceed 5 dogs over the age of 3 months.
2. All dogs over the age of three months must be registered with the Shire of Lake Grace;
3. Adequate fencing must be maintained to retain all dogs on the property;
4. Sufficient and proper housing shall exist for all dogs on the property and the conditions the dogs are kept in must at least comply with the minimum codes of welfare for dogs.
5. A bitch in season on the premises must be confined within a dog proof enclosure on the premises for the duration of her oestrus cycle;
6. All deaths, sales or transfers of any of the dogs are to be notified in writing to the Shire within 14 days;
7. Exemption may be revoked or varied any time if the conditions are not met or the Shire receives any complaints regarding the dogs.

**MOTION CARRIED 7/0**

## 16.2 2014 COMMUNITY SATISFACTION SURVEY RESULTS

<b>Applicant:</b>	Shire of Lake Grace
<b>File No.</b>	0720
<b>Attachments:</b>	Survey Report
<b>Author:</b>	Miss Mikaela Knill Communications & Executive Support Officer
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	6 November 2014
<b>Senior Officer:</b>	Mr Neville Hale Chief Executive Officer

### Summary

The purpose of this report is for Council to receive the results of the Community Satisfaction Survey undertaken in September 2014.

### Background

In accordance with the Strategic Community Plan, the Shire aims to develop clear, concise and transparent communications with Shire residents. To assist with this objective, a communications officer was employed to help improve communication based policies, procedures and guidelines.

To start the process, the Shire undertook a community survey to measure the views, ideas and suggestions of Shire residents with a view to highlight areas of improvement needed to increase the satisfaction of residents.

The Shire undertook its last previous consultation in 2012 in the preparation of the Strategic Community Plan.

In September 2014, residents were given another opportunity to participate in a survey via an online or hardcopy return. The target audience was adult Lake Grace Shire residents (18years+) from which 99 responses were received from a total population of 1052 adults, being 9.4% of residents.

### Comment

The overall results from the 2014 Community Survey show the level of satisfaction of residents living in the Lake Grace Shire to be high, with 85.72% of respondents being satisfied with the quality of life in the Shire.

The top 3 rated services provided by the Shire are, health services (medical practices and doctor support), community amenities (sanitation, public toilets & cemeteries) and recreation and culture (town halls, libraries, rec centres & parks), all having 74% + of residents being satisfied.

However, from the survey results the Shire has been able to identify key areas for improvement of service delivery, including;

- Ranger Services – dog & cat control;
- Tourism promotion;
- Appearance of town gardens;
- Road maintenance; and
- Communication with the public.

Successfully addressing these areas will have the greatest impact on increasing overall customer satisfaction and accordingly should become a focus when developing the Shire's 2015/16 Budget.

Unity between communities is an issue that has been identified by the community as important. The Shire aims to work closely with all communities to bring a sense of community to the Shire as a whole. Recent activities such as the popular Seniors Day, is an example of events that bring communities together.

The report attached will be available for the public to view via our website.

Legal Implications

Nil

Policy Implications

Nil

Consultation

Internal: Chief Executive Officer  
External: Lake Grace Shire Residents

Financial Implications

Nil

Strategic Implications

*Shire of Lake Grace Strategic Community Plan*

- E1 Develop clear, concise and transparent communication which includes responsibility and is monitored and improved accordingly.
- S1 Maintain and improve the Shire of Lake Grace as an attractive place to live.
- S2 Provide a supportive social environment.
- S3 Promote a greater sense of community across the Shire.
- CL2 Foster a united approach between our communities.

Voting Requirements

Simple majority required

Recommendation/Resolution

**MOTION 11957**

Moved Cr Clarke  
Seconded Cr De Landgrafft

That Council receive the 2014 Community Satisfaction Survey Report.

**MOTION CARRIED 7/0**

**16.3 RESCHEDULING OF THE 2014 DECEMBER MEETING AND PROPOSED COUNCIL MEETING DATES 2015**

*Cr Marshall left the meeting at 10.07 am and returned at 10.10 am*

**MOTION 11958**

Moved Cr Chappell  
Seconded Cr Clarke

That Council, under clause 16.1 of the Shire of Lake Grace Standing Orders Local Law, suspend Standing Orders at this time, being 10.07 am to discuss Council Meeting dates and venues for 2015.

**MOTION CARRIED 7/0**

**MOTION 11959**

Moved Cr Hunt  
Seconded Cr Chappell

That Standing Orders resume, the time being 10.23 am.

**MOTION CARRIED 7/0**

<b>Applicant:</b>	Executive Services
<b>File No:</b>	0041
<b>Attachments:</b>	Nil
<b>Author:</b>	Mrs Jeanette Bennett Executive Assistant
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	10 November 2014
<b>Senior Officer:</b>	Mr Neville Hale Chief Executive Officer

Summary

For Council to:

1. Reschedule its December 2014 Ordinary Meeting; and,
2. Consider its meeting arrangements for 2015.

Background

**1. Rescheduling of the December 2014 Ordinary Meeting**

As per Resolution 1171 of the November 2013 Ordinary Meeting, the December Meeting of Council is scheduled to be held on Wednesday 17 December 2014 commencing at 2.00 pm.

Due to all schools (i.e. Lake Grace DHS, Newdegate PS and Lake King PS) in the Shire having scheduled their School Concerts on that Wednesday, and given that Council presents awards of excellence & endeavour to students at all three school concerts, a change of date to Tuesday 16 December 2014 and an earlier start time of 1.00 pm is recommended.

## **2. 2015 Schedule of Meetings**

In accordance with the Local Government Act 1995, Council is required, at least once each year, to give local public notice of the date, time and place of its Ordinary Meetings to be held in the coming 12 months.

In 2014, Council scheduled the November meeting back one week to the 3<sup>rd</sup> Wednesday of the month (i.e. 19 November 2014) thus evening out the breaks between the October, November and December meetings to four weeks each.

### Comment

#### **1. Rescheduling of the December 2014 Ordinary Meeting**

The Change of Date for the December Meeting will be advertised locally as per the requirements of the *Local Government Act 1995* and its regulations.

The earlier start time of 1.00 pm will facilitate the holding of the Shire's Christmas Function on the afternoon of the 16 December 2014.

## **2. 2015 Schedule of Meetings**

Council's Policy Manual, Policy 1.2, confirms that its meetings are to be held on the fourth Wednesday of each month, except December where it is the third Wednesday.

The proposed 2015 schedule of meetings is as per Policy 1.2, except for the December Meeting which is proposed to be held on the fourth Wednesday of December.

As the 25 December (Christmas Day) 2015 falls on a Friday, the December Council Meeting is able to be held on the fourth Wednesday (i.e. 23 December 2015). This means that the November Meeting can revert back to the normal fourth Wednesday and gives four weeks break between the November and December Meetings.

Given the low community interest shown for the meetings held in Varley and Lake King in recent years, Council may wish to consider that one meeting per year is held on a rotating basis between Lake King and Varley.

Council also may wish to re-consider the May and November scheduled meeting times of 6.00 pm and 8.00 am which were put in place to reflect the busy farming schedules at those times of the year. The 8.00 am November start time came about to align with daylight saving times. Perhaps these starting times could be changed to 4.00 pm and 9.00 am respectively.

The proposed 2015 schedule as follows, reflects Policy 1.2 and the 2014 schedule with the exception of the December Meeting.

The Meeting schedule will be displayed on public library and community notice boards and advertised through community newsletters and the Shire's website.



Consultation

Internal: Chief Executive Officer

Legal Implications

*Local Government Act 1995* – s5.25(g), Regulations About Council and Committee Meetings and Committees, requires that local public notice of the dates of meetings be given.

*Local Government (Administration) Regulations 1996* – Reg 12 (1), requires local public notice to be given and Reg 12 (2), requires that a local government is to give local public notice of any change to the date, time or place of a meeting referred to in sub regulation (1).

Policy Implications

Apart from the December 2015 meeting, the proposed schedule of dates is in accordance with Council Policy 1.2 which makes no provision for specific times or locations.

Financial Implications

The additional cost to hold the four meetings in the towns of Varley, Newdegate and Lake King is not considered significant and is accommodated within Council's budgeted expenses.

Strategic Implications

Meetings have been held in Newdegate, Lake King and Varley each year in order to give all towns the opportunity to have a Council Meeting in their community and make it more convenient for them to attend.

Recommendation

1. That local public notice be given that the December 2014 Ordinary Meeting of Council has been rescheduled to take place on Tuesday 16 December 2014, commencing at 1.00 pm at Council Chambers, 1 Bishop St Lake Grace WA.
2. That Council, as required by the *Local Government Act 1995*, give local public notice of the following schedule of meetings for 2015:

<b>Date</b>	<b>Time</b>	<b>Place</b>
January 2015	N/A	N/A (Annual Break)
25 February 2015	2.00 pm	Council Chambers, Lake Grace
25 March 2015	2.00 pm	Varley Sports Pavilion, Varley
22 April 2015	2.00 pm	Council Chambers Lake Grace
27 May 2015	6.00 pm	Newdegate Library Resource Centre
24 June 2015	2.00 pm	Council Chambers Lake Grace
22 July 2015	2.00 pm	Council Chambers Lake Grace
26 August 2015	2.00 pm	Council Chambers Lake Grace
23 September 2015	2.00 pm	Lake King Hall, Lake King
28 October 2015	2.00 pm	Council Chambers Lake Grace
25 November 2015	8.00 am	Newdegate Library Resource Centre
23 December 2015	2.00 pm	Council Chambers Lake Grace

Voting Requirements

Simple majority required.

Resolution**MOTION 11960**

Moved Cr Chappell  
 Seconded Cr Clarke

1. That local public notice be given that the December 2014 Ordinary Meeting of Council has been rescheduled to take place on Tuesday 16 December 2014, commencing at 1.00 pm at Council Chambers, 1 Bishop St Lake Grace WA.
2. That Council, as required by the *Local Government Act 1995*, give local public notice of the following schedule of meetings for 2015:

<b>Date</b>	<b>Time</b>	<b>Place</b>
January 2015	N/A	N/A (Annual Break)
25 February 2015	3.00 pm	Council Chambers, Lake Grace
25 March 2015	3.00 pm	Varley Sports Pavilion, Varley
22 April 2015	3.00 pm	Council Chambers Lake Grace
27 May 2015	3.00 pm	Newdegate CRC, Newdegate
24 June 2015	3.00 pm	Council Chambers Lake Grace
22 July 2015	3.00 pm	Council Chambers Lake Grace
26 August 2015	3.00 pm	Lake King Hall, Lake King
23 September 2015	3.00 pm	Council Chambers Lake Grace
21 October 2015	3.00 pm	Council Chambers Lake Grace
18 November 2015	3.00 pm	Newdegate CRC, Newdegate
16 December 2015	3.00 pm	Council Chambers Lake Grace

**MOTION CARRIED 7/0**

***Reason for Change: Council made alterations to the proposed schedule.***

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

<b>Applicant:</b>	Executive Services
<b>File No.</b>	N/A
<b>Attachments:</b>	1- 7 ( <i>under separate cover</i> )
<b>Author:</b>	Mrs Jeanette Bennett Executive Assistant
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	11 November 2014
<b>Senior Officer:</b>	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

This month's (October 2014) Information Bulletin Report has been emailed to Councillors.

The information at attachment includes:

**A. Reports**

1. October 2014 Council Status Report
2. October 2014 Works Report
3. Outstanding Rates Report
3. Shire Website & Facebook Statistics October 2014
4. Visitor Centre Statistics
5. Natural Resource Management AGM Report – Mr Ollie Farrelly

**B. Letters / Updates**

7. Royal Agricultural Society of WA Inc – Thank you

Legal Implications

Nil

Policy Implications

Nil

Consultation

N/A

Financial Implications

Nil

Strategic Implications

*Shire of Lake Grace Strategic Community Plan*

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

Voting Requirements

Simple majority required.

Voting Requirements

Simple majority required.

Officer's Recommendation/Resolution**MOTION 11961**

Moved Cr Hunt  
Seconded Cr Chappell

That Council accepts the Information Bulletin report.

**MOTION CARRIED 7/0**

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

None.

**19.0 SCHEDULING OF MEETING****19.1 DECEMBER 2014 ORDINARY MEETING – CHANGE OF DATE**

As per Resolution 11960, the December 2014 Ordinary Meeting of Council has been rescheduled and will now take place on Tuesday 16 December 2014, commencing at 1.00 pm at Council Chambers, 1 Bishop St Lake Grace WA.

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

None.

**21.0 CLOSURE**

In closing the meeting the Shire President noted the pending departure of Manager Corporate Services, Mr Niel Mitchell, thanked him for his participation in the Shire of Lake Grace during his time here and wished him all the best for the future.

The meeting closed at 10.45 am.

**22.0 CERTIFICATION**

I Andrew James Walker certify that the minutes of the meeting held on the 19 November 2014 as shown were confirmed as a true record at the meeting held on the 16 December 2014.

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Chairman

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Date