

Shire of Lake Grace

Ordinary Council Meeting



NOTICE PAPER

To the President and Councillors

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

Date: Wednesday 25 March 2015

At: Varley Sports Pavilion, Varley WA

Commencing: 3.00 pm

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

Neville Hale
Chief Executive Officer

18 March 2015
Date

Shire of Lake Grace

Ordinary Council Meeting

Agenda

25 March 2015

Meeting Commencing at 3.00 pm

Disclaimer

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In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for license, any statement or limitation or approval made by a member or officer of the Shire of Lake Grace during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire of Lake Grace. The Shire of Lake Grace warns that anyone who has an application lodged with the Shire of Lake Grace must obtain and only should rely on WRITTEN CONFIRMATION of the outcome of the application and any conditions attaching to the decision made by the Shire of Lake Grace in respect of the application.



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SHIRE OF LAKE GRACE

Agenda for the Ordinary Meeting of Council to be held at the Varley Sports Pavilion, Varley WA, on Wednesday 25 March 2015.

1.0 OPENING & ANNOUNCEMENT OF VISITORS

The Shire President opened the meeting at __ pm.

2.0 ATTENDANCE RECORD

2.1 PRESENT

| | |
|---------------------|---------------------------------|
| Cr AJ Walker | Shire President |
| Cr JF De Landgrafft | Deputy Shire President |
| Cr LW Armstrong | |
| Cr R Chappell | |
| Cr DS Clarke | |
| Cr SG Hunt | |
| Cr AD Marshall | |
| Cr MG Stanton | |
| Mr N Hale | Chief Executive Officer |
| Mr P Dittrich | A/Manager Corporate Services |
| Mr L Shopov | Manager Infrastructure Services |
| Ms L Holben | Manager Community Services |
| Mrs J Bennett | Executive Assistant |

_____ Observer

2.2 APOLOGIES

2.3 LEAVE OF ABSENCE PREVIOUSLY GRANTED

None.

3.0 PUBLIC QUESTION TIME

4.0 APPLICATIONS FOR LEAVE OF ABSENCE

5.0 MINUTES OF PREVIOUS COUNCIL MEETINGS

5.1 ORDINARY MEETING – 25 FEBRUARY 2015

Resolution

MOTION 11984

Moved Cr
Seconded Cr

That the minutes of the Ordinary Meeting of Council held on the 25 February 2015 be confirmed as a true and accurate record.

MOTION CARRIED

6.0 DECLARATIONS OF INTEREST

6.1 DECLARATIONS OF FINANCIAL INTEREST – LOCAL GOVERNMENT ACT SECTION 5.60A

6.2 DECLARATIONS OF PROXIMITY INTEREST – LOCAL GOVERNMENT ACT 1995 SECTION 5.60B

6.3 DECLARATIONS OF IMPARTIALITY INTEREST – ADMINISTRATION REGULATION SECTION 34C

7.0 NOTICES OF URGENT BUSINESS

8.0 MOTIONS OF WHICH NOTICE HAS BEEN RECEIVED

9.0 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

10.0 MEMBERS' REPORTS

11.0 MATTERS FOR CONSIDERATION – WORKS & SERVICES

No items for consideration.

12.0 MATTERS FOR CONSIDERATION – PLANNING

12.1 PROPOSED LOCAL PLANNING POLICY NO.6.4 – TIMBER PLANTATIONS

| | |
|--------------------------------|---|
| Applicant: | Shire of Lake Grace |
| File No. | 0525 |
| Attachments: | Attachment 1 - Local Planning Policy No.6.4 – ‘Timber Plantations’ |
| Author: | Mr Joe Douglas Urban & Rural Perspectives -Town Planning Consultants |
| Disclosure of Interest: | Nil |
| Date of Report: | 16 March 2015 |
| Senior Officer: | Mr Neville Hale |

Chief Executive Officer

Summary

This report recommends that Council resolve to finally adopt without modification proposed Policy No.6.4 entitled ‘Timber Plantations’ as a local planning policy under the Shire of Lake Grace Local Planning Scheme No.4 and publish a notice of that decision in a local newspaper in accordance with the specific requirements of the Shire of Lake Grace Local Planning Scheme No.4.

Background & Comment

As previously reported to Council, the Shire’s Administration have prepared a draft local planning policy entitled ‘Timber Plantations’ in response to issues raised by Council and the local community regarding the future potential negative impacts of uncontrolled timber plantation developments on broadacre agricultural land throughout the Shire.

The proposed policy provides clear guidance for the development and use of land throughout the Shire for ‘agroforestry’ or ‘plantation’ type purposes (see Attachment 1).

At its Ordinary Meeting held on 22 October 2014 the Lake Grace Shire Council considered the proposed policy and resolved to adopt it in its current draft form under the Shire’s Local Planning Scheme No.4 (LPS No.4). Council also authorised the Shire’s Administration to advertise the policy for public comment in accordance with the specific requirements of Clause 2.4.1 of LPS No.4.

The draft policy was advertised for public comment for the minimum required period of twenty one (21) days. This process included an appropriate notice in various newspapers circulating within the district (i.e. Lakes Link News, Gatepost, Varley Voice & Lake King Newsletter), correspondence to all local government authorities located immediately adjacent to the Shire of Lake Grace (i.e. Dumbleyung, Jerramungup, Kent, Kondinin, Kulin & Ravensthorpe) and public display of the policy at the Shire’s administration centre.

At the conclusion of public advertising the Shire had not received any submissions regarding the general suitability or otherwise of the proposed draft policy.

Given the outcomes from the recent public advertising process it is concluded that the local community and adjacent local government authorities have no objection to the introduction and application of the proposed policy by the Shire. It is therefore recommended that Council resolve to finally adopt the policy without modification.

When considering this recommendation Council should note the following key points:

1. Further detailed discussions have recently been held with the Shire of Ravensthorpe and Jerramungup's consultant town planner Mr Craig Pursey regarding the background to and planned review of those Shire's current timber plantation policies.
2. Mr Pursey advised that the Shire of Jerramungup's current policy is a very sophisticated catchment based document that was originally formulated and finally adopted in 2010 with assistance and input from a number of consultants including a town planner, solicitor, environmentalist and agronomist. The cost to originally prepare and adopt that policy was approximately \$40,000 excluding GST due to the complexities and sophisticated nature of the policy document.
3. Mr Pursey advised that the Shire of Ravensthorpe's current policy is based upon a more generic model that has been prepared and applied by a number of Shire's in the Wheatbelt and Great Southern Regions of Western Australia. By virtue of its more generic nature that policy cost considerably less to prepare.
4. Mr Pursey confirmed that the Shire of Jerramungup's current policy is now in the process of being reviewed with further input obtained from a specialist external consultant to finetune the policy provisions to address a number of identified shortcomings.
5. Mr Pursey also confirmed that the Shire of Ravensthorpe is now considering rescinding its old generic-type policy and basing its new policy on the model originally adopted and currently being reviewed by the Shire of Jerramungup. This can be attributed to community concerns with new timber plantation developments within that Shire and the tendency for commercial tree growers to target highly productive broadacre agricultural land.
6. The new policy likely to be adopted by both the Shires of Jerramungup and Ravensthorpe will seek to further limit areas where commercial tree plantations may be developed and to place a greater burden on those seeking to establish them to prove up and demonstrate a clear case for the issuance of planning approval where required.
7. The Shire of Lake Grace's proposed new policy is a much simpler and straight forward document based upon the generic model that has been prepared and applied by a number of Shire's in the Wheatbelt and Great Southern Regions of Western Australia. It has also cost significantly less to prepare than the Shires of Jerramungup and Ravensthorpe policy where the demand for such development and usage has been far greater due to more favourable tree growing features and conditions.
8. The Shire of Lake Grace's proposed new policy seeks to encourage timber plantation development throughout the municipality subject to compliance with a broad set of criterion and effectively gives landowners greater scope and opportunity to establish commercial timber plantations on their land compared to the Shires of Jerramungup and Ravensthorpe. This could be a key point of difference to help encourage and attract investment in timber plantation development in the Shire of Lake Grace.
9. There may be scope to prepare and adopt a more catchment based policy similar to that used in the Shire of Jerramungup and soon the Shire of Ravensthorpe however this is likely to come at significant additional expense, the need for which is highly questionable given there has been little to no demand for the establishment of commercial tree plantations in the Shire of Lake Grace over the last twenty (20) years. A simple, inexpensive policy like that recommended for adoption in this report is considered sufficient to provide the necessary planning guidance in the short term future. Should there be an increase in demand for the development and use of rural land in the Shire for this purpose in future years, Council may then wish to consider the preparation and adoption of a more sophisticated catchment based policy including the allocation of the significant resources required to do so.

Statutory Environment

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

Policy Implications

The proposed Local Planning Policy No.6.4 aims to ensure that all planning applications for the development of 'agroforestry' or 'plantation' type uses on land classified 'General Agriculture' zone in the Shire are accompanied by sufficient relevant information and demonstrate compliance with a number of objectives, provisions and standards.

It should be noted that the proposed policy, if finally adopted, will not bind Council in respect of any one application for planning approval. Council is however required to have due regard for the provisions of the policy and the objectives which the policy is designed to achieve before making its decision on any planning application received to develop an 'agroforestry' or 'plantation' type use in the municipality.

Public Consultation

Completed in accordance with the specific requirements of Clause 2.4.1 of LPS No.4 for the minimum required period of twenty one (21) days

Financial Implications

The Shire is responsible for meeting all costs associated with the preparation, advertising and adoption of the proposed new Local Planning Policy. The total cost of the project is estimated to be approximately \$5,000.00 excluding GST which will be covered by the Shire's current budget allowance for general town planning work in the 2014/2015 financial year.

Strategic Implications

The development of 'agroforestry' or 'plantation' type uses on land classified 'General Agriculture' zone could be expected to have a number of significant long term benefits for the development and growth of the Shire's local economy and the natural environment. Clear planning guidance is however required to ensure that any such development proceeds in a proper and orderly manner and with minimal impact.

Cultural Implications

Nil

Recommendation

That Council resolve to finally adopt without modification the policy entitled 'Timber Plantations' as Local Planning Policy No.6.4 under the Shire of Lake Grace Local Planning Scheme No.4 (LPS No.4) and publish a notice once in a local newspaper circulating in the district advising of Council's decision in this matter in accordance with the specific requirements of clause 2.4.3(a) of LPS No.4.

Voting Requirements

Simple majority required.

Resolution

Moved Cr.

Seconded Cr.

12.2 PLANNING APPLICATION – PROPOSED CHANGE OF USE FROM ‘SHOWROOM’ & ‘WAREHOUSE’ TO ‘SHOWROOM’ & ‘MOTOR VEHICLE REPAIRS’ ON LOT 203 NEWDEGATE-RAVENSTHORPE ROAD, NEWDEGATE

Applicant: Mr Louis Greyling ('Pitstop Mechanical & Tyre Services') on behalf of Derbyshire Nominees Pty Ltd & Felix Nominees Pty Ltd (Landowners)

File No. 0506

Attachments: Plans 1 to 6

Author: Mr Joe Douglas & Carlo Famiano
Urban & Rural Perspectives -Town Planning Consultants

Disclosure of Interest: Nil

Date of Report: 16 March 2015

Senior Officer: Mr Neville Hale



Chief Executive Officer

Summary

This report recommends that a planning application submitted by Mr Louis Greyline ('Pitstop Mechanical & Tyre Services') on behalf of Derbyshire Nominees Pty Ltd and Felix Nominees Pty Ltd (Landowners) to change the current approved use of Lot 203 Newdegate-Ravensthorpe Road, Newdegate from 'showroom' and 'warehouse' to 'showroom' and 'motor vehicle repairs' be approved subject to conditions.

Background & Comment

The applicant is seeking Council's planning approval to change the current approved use of the existing service commercial development on Lot 203 Newdegate-Ravensthorpe Road, Newdegate from 'showroom' and 'warehouse' to 'showroom' and 'motor vehicle repairs' to allow for the establishment of a new mechanical and tyre service business on the land including all associated advertising signage (see Plans 1 to 6).

Lot 203 is classified 'Service Commercial' zone under the Shire of Lake Grace's current operative Local Planning Scheme No.4 (LPS No.4).

Under the terms of the Zoning Table in LPS No.4 the development and use of any land classified 'Service Commercial' zone for the purpose of:

- a) a 'showroom' is listed as a 'D' use which means it is not permitted unless Council has exercised its discretion by granting planning approval; and
- b) 'motor vehicle repairs' is listed as a permitted (i.e. 'P') use subject to the issuance of formal planning approval by Council.

An assessment of the proposal against the development standards contained LPS No.4, including all relevant local planning policies, has confirmed it satisfies the majority of standards except for the following:

- i) The proposed new advertising signage comprises an area of 6.72m² in lieu of a maximum area of 5m² prescribed in the Shire's Local Planning Policy No.6.5 entitled 'Advertising Signage'.

The following is a brief discussion of this non-compliance issue:

Shire of Lake Grace Local Planning Policy No.6.5 – ‘Advertising Signage’

The application proposes the installation of one (1) new roof sign to be mounted on top of the front verandah of the existing building so that it can be clearly seen when viewed from Newdegate-Ravensthorpe Road (see Plan 6). The sign will not be illuminated and will comprise a total area of 6.72m².

Under the terms of the Shire’s LPP No.6.5 the maximum permitted area of an individual advertising sign erected on land classified ‘Service Commercial’ zone is 5m² unless otherwise approved by Council.

Having regard for the objectives of the Shire’s LPP No.6.5 and the land’s current ‘Service Commercial’ zoning classification, the reporting officers have concluded that the new advertising sign should not be supported and approved by Council in its current proposed form for the following reasons:

- i) It is unnecessarily excessive in size and will detract from the appearance of the existing building on the land; and
- ii) The subject land is located within a scenic, naturally landscaped part of the Newdegate townsite which is a major entry point to the town. As such it is considered the additional signage area is likely to have an unnecessary negative impact upon the existing character and amenity of the immediate locality.

In light of the above conclusion, it is recommended that Council impose a condition on any planning approval issued requiring the proposed sign to be restricted to a maximum area of 5m² in accordance with the Shire’s LPP No.6.5.

Conclusion

It is concluded from a detailed assessment of the application that the proposal to change the current approved of use Lot 203 Newdegate-Ravensthorpe Road, Newdegate from ‘showroom’ and ‘warehouse’ to ‘showroom’ and ‘motor vehicle repairs’ to allow for the establishment of a new mechanical and tyre service business on the land is capable of being implemented in a proper and orderly manner and unlikely to have a negative impact on the general amenity, character, functionality and safety of the immediate locality subject to compliance with a number of conditions. As such it is recommended that Council exercise its discretion and grant conditional approval to the application.

Legal Implications

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

Policy Implications

- Shire of Lake Grace Local Planning Policy No.6.5 – ‘Advertising Signage’

Community Consultation

Not required.

Financial Implications

Planning Fee of \$295.00 has been received.

Strategic Implications

Nil

Cultural Implications

Nil

Recommendation

That the application for planning approval submitted by Mr Louis Greyling ('Pitstop Mechanical & Tyre Services') on behalf of Derbyshire Nominees Pty Ltd and Felix Nominees Pty Ltd (Landowners) to change the current approved use of Lot 203 Newdegate-Ravensthorpe Road, Newdegate from 'Showroom' & 'Warehouse' to 'Showroom' & 'Motor Vehicle Repairs' be **APPROVED** subject to compliance with the following conditions and advice notes:

Conditions

1. The development and use of the land for the approved purposes shall be undertaken in a manner consistent with the information and plans submitted in support of the application unless otherwise approved by Council.
2. This approval is for 'showroom' and 'motor vehicle repairs' 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. The operating hours of the proposed use shall be Monday to Friday from 8.00am to 5.00pm and Saturday from 8.00am to 12.00pm unless otherwise approved by Council.
4. All oil storage drums / containers shall be kept undercover and on a suitably bunded hardstand area sufficient to contain the maximum quantity of oil stored in the containers to the satisfaction of the Shire of Lake Grace.
5. All waste oil, oil rags and absorbents shall be stored and disposed of to the satisfaction of the Shire of Lake Grace.
6. Any proposed mechanical or vehicle wash down areas must be fitted with an oil separator and approved by the Shire's Environmental Health Officer.
7. All rubbish generated on-site shall be managed and disposed of to the specifications and satisfaction of the Shire of Lake Grace.
8. The site shall be ordered and maintained in a neat and tidy condition at all times to the satisfaction of the Shire of Lake Grace.
9. The proposed new advertising signage on the building's front facade shall be limited in area to 5m² in accordance with the specific requirements of the Shire of Lake Grace Local Planning Policy No.6.5 ('Advertising Signage').

Advice Notes

1. The new 'showroom' and 'motor vehicle repairs' use shall be established within a period of two (2) years from the date of this approval. If the use is not commenced within this period the approval will lapse and be of no further effect. Where an approval has lapsed, no development and/or use 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 for the proposed new advertising signage 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 advertising signage and any new internal fit out works are 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 required 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 7.00am 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.

Voting Requirements

Simple majority required.

Resolution

Moved Cr

Seconded Cr

12.3 PLANNING APPLICATION – PROPOSED ADDITIONAL TEMPORARY WORKERS ACCOMMODATION (TRANSPORTABLE BUILDINGS & ASSOCIATED INFRASTRUCTURE) ON LOT 1452 (No.9668) NEWDEGATE-RAVENSTHORPE ROAD, MOUNT MADDEN

Applicant: Cooperative Bulk Handling Ltd (Landowner)
File No. 0365 & 0453
Attachments: Plans 7 to 12
Author: Mr Joe Douglas & Carlo Famiano
 Urban & Rural Perspectives -Town Planning Consultants
Disclosure of Interest: Nil
Date of Report: 16 March 2015
Senior Officer: Mr Neville Hale

Chief Executive Officer

Summary

This report recommends that a planning application submitted by Cooperative Bulk Handling Limited (CBH) to construct two (2) new transportable buildings and associated infrastructure to provide additional temporary workers accommodation at its existing grain handling and storage facility on Lot 1452 (No.9688) Newdegate–Ravensthorpe Road, Mount Madden be approved subject to conditions.

Background & Comment

Cooperative Bulk Handling Limited (CBH) are seeking Council’s planning approval to construct two (2) new transportable buildings to provide additional temporary workers accommodation (i.e. 8 units) at its existing grain handling and storage facility on Lot 1452 (No.9668) Newdegate-Ravensthorpe Road, Mount Madden. The application also proposes the construction of ten (10) new on-site car parking bays, pedestrian access ramps and a covered veranda area (see Plans 8 to 12).

It is significant to note that Lot 1452 currently contains four (4) existing transportable buildings providing temporary accommodation for up to sixteen (16) workers.

Lot 1452 is classified ‘General Agriculture’ zone under the Shire of Lake Grace’s current operative Local Planning Scheme No.4 (LPS No.4).

Under the terms of LPS No.4 the use class ‘temporary workers accommodation’ is not expressly listed in the Zoning Table as being permitted on any land within the Scheme Area. Notwithstanding this fact, given that Lot 1452 has historically been developed to contain temporary workers accommodation to support the current approved use of the land for ‘rural industry’ purposes with no evidence of any issues or complaints, it is contended that such development and usage is both acceptable and desirable within the ‘General Agriculture’ zone and has significant scope to be conditionally approved by Council.

Clause 5.21 of LPS No.4 contains a number of provisions and standards applicable to the development and use of transportable dwellings or structures on any land within the Shire. This clause specifically states that such buildings are not permitted unless:

- a) *in the opinion of the local government such a dwelling or building is in a satisfactory condition*

and will not detrimentally affect the amenity of the area; and

- b) the sub-floor area of the building is enclosed with brick, stone, vermin battens or by other means acceptable to the local government and, where the building is considered by the local government to be exposed, or in a position such as to be visually prominent, the local government may require satisfactory landscaping measures to be carried out.*

The buildings proposed by the application are brand new structures that will be screened from public view by existing on-site vegetation. As such they are considered unlikely to have any detrimental impacts upon the current visual amenity and/or character of the immediate locality.

Notwithstanding the above conclusion, it is noted that the proposed buildings will be sited on concrete blocks above the natural ground level. As such it is recommended that Council impose a suitable condition on any planning approval issued requiring the sub-floor areas around the periphery of each building to be enclosed in accordance with the specific requirements of LPS No.4.

In considering the application Council must also have regard for the fact that Lot 1452 currently has direct frontage and access to Newdegate-Ravensthorpe Road which is a State road under the care, control and management of Main Roads WA (MRWA) and currently classified 'Local Scheme Reserve – Major Road' in LPS No.4. Given this fact and the potential increase in the number of vehicle movements to and from the site arising from the proposed development and usage, the application was referred to MRWA for review and comment.

By correspondence dated 16th March 2015 MRWA advised it has no objection to the proposal however is concerned that an existing vehicle access track located immediately adjacent to the overhead power lines servicing the CBH facility is currently being used by CBH employees as an alternative access route between the existing accommodation area and Newdegate-Ravensthorpe Road.

MRWA have advised that this vehicle access track is unconstructed and located in an unsafe position in close proximity to the intersection of Beatty Road. As such MRWA has requested that a condition be imposed on any planning approval issued by Council requiring that a new gate be installed to Western Power specifications to prevent unauthorised vehicle access to and from Newdegate-Ravensthorpe Road via this access track.

In light of the comments received from MRWA and the concerns raised, it is recommended that Council impose one or more suitable conditions on any planning approval issued requiring the installation of a gate to restrict access to Western Power personnel and vehicles only.

Conclusion

Following a detailed assessment of the application in the context of the relevant criteria and standards prescribed in the local planning framework and the comments received from MRWA, the reporting officers' have concluded that the proposal is capable of being supported and approved by Council for the following reasons:

- i) It is consistent with the objectives of the land's current 'General Agriculture' zoning classification in LPS No.4;
- ii) It constitutes a simple expansion to existing approved temporary accommodation facilities on the subject land;
- iii) It will provide much needed workers accommodation to assist the continued operation of CBH's Mount Madden facility;
- iv) It will have sufficient setbacks from all property boundaries (i.e. it is compliant with the boundary setback requirements applicable to all land classified 'General Agriculture' in LPS

No.4);

- v) The plans submitted in support of the application appear to be well founded and capable of being implemented in a proper and orderly manner;
- vi) The location and scale of the proposed temporary accommodation units are unlikely to have a detrimental impact upon the existing character and amenity of the immediate locality; and
- vii) It will not result in the clearing of any significant native vegetation and is unlikely to have a detrimental impact on the natural environment.

In light of the above conclusions it is recommended that Council exercise its discretion and grant conditional approval to the application.

Legal Implications

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

Policy Implications

Nil

Community Consultation

Not required however the application was referred to Main Roads WA for review and comment given the subject land's location immediately adjacent to Newdegate-Ravensthorpe Road which is a State road under that agency's care, control and management.

Financial Implications

Planning Fee of \$1,280.00 has been received.

Strategic Implications

Nil

Cultural Implications

Nil

Recommendation

That the application for planning approval submitted by Co-Operative Bulk Handling Limited (CBH) to construct two (2) new transportable buildings and associated infrastructure to provide additional temporary workers accommodation at its existing grain handling and storage facility on Lot 1452 (No.9688) Newdegate–Ravensthorpe Road, Mount Madden be **APPROVED** subject to compliance with the following conditions and advice notes:

Conditions

1. The proposed 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. All stormwater generated by the proposed development shall be managed and disposed of to the specifications and satisfaction of the Shire of Lake Grace.
3. A potable water supply shall be provided for the proposed temporary accommodation units to the satisfaction of the Shire of Lake Grace.
4. The proposed new temporary accommodation units 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.
5. All on-site vehicle accessways and parking areas associated with the proposed new

temporary accommodation units shall be constructed and maintained to the specifications and satisfaction of the Shire of Lake Grace.

6. All existing vegetation on Lot 1452 shall be retained unless its removal is authorised in writing by the Shire's Chief Executive Officer.
7. The property shall be maintained in a neat and tidy condition at all times to the specifications and satisfaction of the Shire of Lake Grace.
8. The existing unconstructed service track adjacent to the power lines on the southern portion of Lot 1452 shall not be used for access/egress from the subject land to Newdegate-Ravensthorpe Road. Access/egress from the service track is restricted to Western Power usage only to the satisfaction of Main Roads Western Australia.
9. The applicant shall erect a suitable gate to the existing Western Power service track along the land's Newdegate-Ravensthorpe Road frontage to the specifications and satisfaction of Main Roads Western Australia.
10. The sub-floor area of the new buildings shall be enclosed with brick, stone, vermin battens or other means acceptable to the Shire of Lake Grace.
11. A refundable cash bond of \$5,000.00 is payable to the Shire of Lake Grace prior to the issuance of a building permit by the Shire to ensure that the buildings and all associated works are completed in accordance with Conditions 1 to 10 above.

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 new buildings are 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 7am 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.

Voting Requirements

Simple majority required.

Resolution

Moved Cr

Seconded Cr

13.0 MATTERS FOR CONSIDERATION – HEALTH & BUILDING

No items for consideration.

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| 14.0 MATTERS FOR CONSIDERATION – FINANCE |
|---|

14.1 ACCOUNTS FOR PAYMENT – FEBRUARY 2015

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


 Finance Officer

Disclosure of Interest: Nil
Date of Report: 11 March 2015
Senior Officer: Mr Peter Dittrich


 A/Manager Corporate Services

Summary

For Council to ratify expenditures incurred for the month of February 2015.

Background

List of payments for the month February 2015 through the Municipal and Trust accounts are attached.

Comment

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

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

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

Legal Implications

Local Government (Financial Management) Regulations 1996 – Reg 12

Local Government (Financial Management) Regulations 1996 – Reg 13

Policy Implications

N/A

Consultation

N/A

Financial Implications

The list of creditors paid for the month of February 2015 from the Municipal and Trust Account Total \$ 587,388.13

Strategic Implications**Strategic Community Plan**

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

Recommendation

That Council ratify the list of payments totalling \$587,388.13 as presented for the month of February 2015 incorporating:

| | | | |
|------------------------------|------------------------|----|------------|
| - Trust Account Cheques: | 817 to 824 | \$ | 1650.00 |
| - Electronic Funds Transfer: | EFT 13622 to EFT 13748 | \$ | 440,347.44 |
| - Municipal Account Cheques: | 35778 to 35818 | \$ | 131,835.66 |
| - Direct Debits: | DD5425.1 to DD5425.7 | \$ | 13,555.03 |

Voting Requirements

Simple majority required.

Resolution

Moved Cr

Seconded Cr

14.2 FINANCIAL STATEMENTS – FEBRUARY 2015

Applicant: Shire of Lake Grace
File No. 0275
Attachments: Financial Reports
Author: Mr Warrick Millar

Senior Finance Officer

Disclosure of Interest: Nil
Date of Report: 11 February 2015
Senior Officer: Mr Peter Dittrich

A/Manager Corporate Services

Summary

Consideration of the financial statements for the month ending 28 February 2015.

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
- Balance Sheet
- Financial Ratios
- Capital Road Works
- Operating Revenue & Expenditure Graphs
- Bank Reconciliations

Comment

Nil

Legal Implications

Local Government Act 1995 – section 6.4

Local Government (Financial Management) Regulations 1996

Policy Implications

N/A

Consultation

Nil

Financial Implications

Nil

Strategic Implications**Strategic Community Plan**

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

Recommendation

That Council in accordance with Regulation 34 of the *Local Government (Financial Management) Regulations 1996* receives the Statement of Financial activity for the period ended 28 February 2015 as attached is received.

Voting Requirements

Simple majority required.

Resolution

Moved Cr

Seconded Cr

It is anticipated that the Annual Report will be presented to the audit committee prior to this meeting.

Legal Implications

Local Government Act 1995 s1.7, s1.8, s5.54, s5.27 & s5.29

Policy Implications

N/A

Consultation

Internal - Chief Executive Officer
 - Shire of Lake Grace Audit Committee

External - UHY Haines Norton (Auditors)

Financial Implications

Nil

Strategic Implications

Strategic Community Plan

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

Shire of Lake Grace Asset Management Plan

Shire of Lake Grace Long Term Financial Plan

Voting Requirements

Absolute majority (5) required.

Audit Committee Recommendation

That Council:

1. Accept the 2013/14 Annual Report and audited financial statements; and;
2. Receive the 2013/14 Independent Audit Report and Management Report provided by UHY Haines Norton.

Voting Requirements

Simple majority required.

Resolution

Moved Cr

Seconded Cr

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| 15.0 MATTERS FOR CONSIDERATION – COMMUNITY SERVICES |
|--|

15.1 LEASE AGREEMENT – CHLOE DE FRENNE – LAKE GRACE DAYCARE

Applicant: Chloe De Frenne
File No. 0750
Attachments: 1. Lease Agreement Chloe De Frenne
 2. CSSU letter to Lake Grace Parents
Author: Ms Lee Holben



Manager Community Services

Disclosure of Interest: Nil
Date of Report: 12 March 2015
Senior Officer: Mr Neville Hale



Chief Executive Officer

Summary

The purpose of this report is to formalise the Lease Agreement with Chloe DeFrenne which relates to the provision of Child Care services to the Shire of Lake Grace at the Lake Grace Day Care facility and to approve the use of the common seal on the document.

Background

The volume of land on Reserve no 27864, Lot 233/234 on Deposited Plan 170888, Certificate of Title Volume LR301, Folio 709 has two buildings on it, the Day care building and the Playgroup building (old Kindergarten building).

The Playgroup operates out of the Playgroup building on a Thursday. Chloe De Frenne operates a Day Care Services (In Venue Day Care) five days per week (48 weeks per year).

At the Ordinary meeting of Council held on the 28 May 2014 the following motion was endorsed:

That Council:

1. *Enters into the Lease Agreement as presented, with the Children Services Support Unit Inc. subject to approval by the Minister for Lands; and*
2. *Authorises the use of the common seal by the Shire President and the Chief Executive Officer on the Lease Agreement document.*

At the Ordinary meeting of Council held on the 25 February 2015 the following motion was endorsed:

That Council:

1. *Enters into the Lease Agreement as amended, with the Lake Grace Playgroup and Children Services Support Unit subject to approval by the Minister for Lands; and*
2. *Authorises the use of the common seal by the Shire President and the Chief Executive Officer on the Lease Agreement documents.*

Due to Children Services Support Unit Inc. withdrawing its services as from Friday 24 April 2015 due to low numbers and unable to financial support the service, a local resident will now offer the service as an In-venue Care Service with smaller numbers.

Comment

Sarah Short Regional Manager Children Services Support Unit (CSSU) met with the Manager Community Services on the 23 February 2015. This meeting was instigated by the Manager Community Services to seek information on how the service was running for feedback to the Councilor's at the Ordinary meeting of Council to be held on the 25 February 2015.

At this meeting Sarah Short notified the Council that the Manager of the Lake Grace Day Care Centre had submitted her resignation to take effect as from 24 April 2015 and the recommendation to the CSSU Board to be held in early April 2015 would be that they discontinue the service due to the service making a loss as a result of low number of participating families.

Sarah Short held a discussion with current staff member Chloe De Frenne who had run her own Day Care in Broome to investigate the potential of her running an In Venue Care Service.

An In Venue Care Service operates under the model of a Family Day Care service, though is located at a premises other than the educator's home. The educator can provide care for four children under the age of four per day, including their own children, as well as an additional three school aged children per day.

CSSU is currently working with Chloe De Frenne to complete the registration process for her to take over the service as from Monday 27 April 2015 to ensure there is no break in the service provided. The In Venue Care Service will operate under the governance of CSSU's Family Day Care Service and will receive full support from CSSU.

CSSU is currently working out a price for the purchase of toys, bedding etc that is currently at the Day care. Council may like to consider the purchase of such to ensure that the ongoing Day Care in whatever format it takes continues to have the appropriate necessary equipment to continue to run. An alternative may be for the Lake Grace Day Care Committee to consider purchasing the equipment.

Councilor's, CEO and the Manager Community Services met with representatives from the Lake Grace Day Care Committee on Thursday 12 March 2015 to confirm the arrangements and the ongoing support of the Shire of Lake Grace with the provision of the Day Care facility.

Legal Implications

Lease Agreements between the Shire of Lake Grace and Chloe DeFrenne. The Lease to be reviewed in five years' time.

Policy Implications

Shire of Lake Grace Policy 1.11 Use of the Common Seal

Consultation

Internal: Senior Management Team

External: Jamie-Lee King, Senior State Land Officer, Department of Lands.
Sarah Short, Regional Manager, Children Services Support Unit Inc.
Chloe DeFrenne

Financial Implications

The Agreement sets out the Shire's financial obligations for the provision of building insurance and any capital expenditure.

The costs are consistent with previous agreements and in line with the current budget.

Strategic Implications

Shire of Lake Grace Strategic Community Plan

- S1: Maintain current populations and attract new people to live in the shire.
- S2: Maintain and support the growth of basic services.
- S3: Maintain and improve social/community infrastructure to support community wellbeing.

Recommendation

That Council:

1. Enters into the Lease Agreement with Chloe DeFrenne, subject to approval by the Minister for Lands; and,
2. Authorises the use of the common seal by the Shire President and the Chief Executive Officer on the Lease Agreement documents.

Voting Requirements

Simple Majority required.

Resolution

Moved Cr

Seconded Cr

15.2 UNBUDGETED EXPENDITURE – LAKE GRACE HALL – TRESTLES, CHAIRS, TRESTLE TROLLEY, CHAIR TROLLEY, LAKES VILLAGE – TRESTLES, VARLEY HALL - BLINDS

Applicant: Shire of Lake Grace
File No. 066
Attachments: Lotterywest approval letter
Author: Ms Lee Holben



Manager Community Services

Disclosure of Interest: Nil
Date of Report: 13 March 2015
Senior Officer: Mr Neville Hale



Chief Executive Officer

Summary

Council to consider unbudgeted expenditure of \$24,117.30 exclusive of GST, for the purchase of:

Lake Grace Hall: 120 chairs, 10 trestle tables, trestle trolley and chair trolley.

Lake Village Hall: 6 trestle tables.

Varley Hall: Window coverings for supper room and main hall.

Background

In consultation with representatives from Varley, Lake Grace Village Hall and users of the Lake Grace Hall, Community Services Staff applied to and were successful in a grant from Lotterywest for the replacement of the above items.

Comment

Trestle tables at the Lake Grace Hall are extremely heavy and old, so it was investigated to find trestle tables that would be easier for the users utilizing the hall to manage. The 6 trestle tables at the Village Hall are in good condition but unsuitable for the seniors utilizing this venue. The tables to be acquired are an easy one handed collapsible table on wheels (locking mechanism on the wheel) which residents of the Lakes Village Hall will be able to manage without any Occupational Health and Safety issues. The current tables from the Lake Grace Hall will become hire trestles, with the 6 trestles from the Lakes Village being taken to Varley Hall.

Discussion with the Varley Hall Committee resulted in them asking for window coverings for the main hall to help with the sun coming in during use of the facilities ie (WIFE events).

Once the Shire was notified that we were successful in the grant the Varley Hall Committee then considered changing the window coverings in the Supper Room as well. At the Varley Progress Meeting held on the 18 February 2015 the Finance committee approved the Progress contributing up to \$2,000 towards the cost of the window coverings for the Supper Room.

It is proposed that Council approve unbudgeted expenditure of \$24,117.30 for the replacement of tables, chairs and window covers for Lake Grace and Varley Hall and the Lake Grace Village Hall from a new capital expenditure account E111458 Hall/Furniture/Equipment Expenditure which will need to be created.

Legal Implications

Local Government Act 1995 - Section 6.8.1(b) requires a local government not incur any expenditure that is not included in its budget unless authorized by resolution by absolute majority and Section 6.11.2(b).

Policy Implications

Nil

Consultation

Internal: Senior Management Team
Office Staff
Cleaners, Lake Grace and Varley Hall
External: Community Users

Financial Implications

Total cost of project \$24,117.30

Income:

| | |
|-------------------------|--------------------|
| Lotterywest Grant | \$20,422.00 |
| Lake Grace Hall Capital | \$1,695.30 |
| Varley Progress | \$2,000.00 |
| Total | \$24,117.30 |

Strategic Implications

Ec3: Maintain community infrastructure to ensure it is appropriate for all towns in the Shire.

Recommendation

That Council:

1. Approve unbudgeted expenditure of \$24,117.30 exclusive of GST, from E111458 Hall/Furniture Capital Expenditure for the purchase of chairs, trestles, trestle and chair trolley's.
2. Approve the creation of income account I111411 Grants – Lotterywest - \$20,177.30
3. Approve the creation of I111420 Contributions for the purposes of receipting contributions for public halls.

Voting Requirements

Absolute majority (5) required.

Resolution

Moved Cr

Seconded Cr

16.0 MATTERS FOR CONSIDERATION - ADMINISTRATION

No items for consideration.

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|----------------------------------|
| 17.0 INFORMATION BULLETIN |
|----------------------------------|

17.1 INFORMATION BULLETIN REPORT – MARCH 2015

Applicant: Executive Services
File No. N/A
Attachments: 1- 8 (*under separate cover*)
Author: Miss Mikaela Knill



Communications &
Executive Support Officer

Disclosure of Interest: Nil
Date of Report: 16 March 2015
Senior Officer: Mr Neville Hale



Chief Executive Officer

Summary

The purpose of the Information Bulletin is to keep Elected Members informed on matters of interest and importance to Council.

Background

The Information Bulletin Reports deal 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 (March 2015) Information Bulletin Report has been emailed to Councillors.

The March 2015 Information Bulletin at attachment includes:

A. Reports

1. February 2014 Council Status Report
2. Infrastructure Services Report – February 2014
3. Outstanding Rates Report – February 2015
4. Monthly Financial Statements Schedules - February 2015
5. Shire Website & Facebook Statistics February 2015
6. Local Government Economic Briefing March 2015

B. Minutes

7. Central Country Zone Minutes – Friday 27 February 2015
8. Summary Minutes State Council Meeting March 2015

Legal Implications

Nil

Policy Implications

Nil

Consultation

N/A

Financial Implications

Nil

Strategic Implications

Shire of Lake Grace Strategic Community Plan

Civic Leadership - Focus Area 5)

- Excellence in Shire Administration and Communication

Voting Requirements

Simple majority required.

Officer's Recommendation

That Council accepts the Information Bulletin report.

Voting Requirements

Simple majority required.

Resolution

Moved Cr

Seconded Cr

18.0 URGENT BUSINESS BY DECISION OF THE MEETING**19.0 SCHEDULING OF MEETING****19.1 APRIL 2015 ORDINARY MEETING**

As per Resolution 11960, 19 November 2014 the April 2015 Ordinary Meeting of Council has been scheduled to take place on Wednesday 22 April 2015, commencing at 3.00 pm at the Council Chambers, Lake Grace WA.

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

Moved Cr
Seconded Cr

That Council close the meeting to the public at this time, being __ pm, to consider _____.

MOTION CARRIED

MOTION

Moved Cr
Seconded Cr

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

MOTION CARRIED

21.0 CLOSURE

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

22.0 CERTIFICATION

I Andrew James Walker certify that the minutes of the meeting held on the 25 March 2015 as shown were confirmed as a true record at the meeting held on the 22 April 2015.

Chairman

Date