

Shire of Lake Grace

Ordinary Council
Meeting

Minutes

26 March 2014



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SHIRE OF LAKE GRACE

Agenda for the Ordinary Meeting of Council to be held at Varley Sports Pavilion, Varley WA on Wednesday 26 March 2014.

1.0 OPENING & ANNOUNCEMENT OF VISITORS

The Shire President opened the meeting at 2pm.

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	
Cr DP Sinclair	
Cr Murray Stanton	
Mr NA Hale	Chief Executive Officer
Mr J Bingham	Manager Corporate Services
Ms L Holben	Manager Community Services
Ms M Knill	Relief Executive Assistant
_____	Observer

2.2 APOLOGIES

2.3 LEAVE OF ABSENCE PREVIOUSLY GRANTED

Cr Clarke

As per motion 11747 at the 26 February 2014 Ordinary Meeting, Cr Clarke had approved leave of absence from 8 March to 13 March 2014.

Cr Hunt

As per motion 11747 at the 26 February 2014 Ordinary Meeting, Cr Hunt had approved leave of absence from 27 February to 6 March 2014.

Cr De Landgraftt

As per motion 11747 at the 26 February 2014 Ordinary Meeting, Cr De Landgraftt had approved leave of absence from 3 March to 11 March 2014.

3.0 PUBLIC QUESTION TIME

Council on Friday 21 March 2014 received a series of questions from Ms Sarah Allen regarding the Strategic Community Plan modifications, which was authorised to go out for public consultation at the February 2014 Council Meeting, Motion 11768.

Manager of Corporate Services, Mr John Bingham has arranged to meet with Ms Allen to discuss her enquiries further and a written response will be provided to Sarah and Council.

4.0 APPLICATIONS FOR LEAVE OF ABSENCE

4.1 CR DE LANDGRAFFT

Cr De Landgraft submitted an application for leave from 30 March 2014 to 16 April 2014.

MOTION 11778

Moved Cr Chappell
Seconded Cr Hunt

That Cr De Landgraft be approved leave of absence for the period 30 March 2014 to 16 April 2014.

MOTION CARRIED 9/0

5.0 MINUTES OF PREVIOUS COUNCIL MEETINGS

5.1 ORDINARY MEETING – 26 FEBRUARY 2014

Resolution

MOTION 11779

Moved Cr Chappell
Seconded Cr Stanton

That the minutes of the Ordinary Meeting of Council held on the 26 February 2014 be confirmed as a true and accurate record.

MOTION CARRIED 9/0

6.0 DECLARATIONS OF INTEREST

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

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

6.3 DECLARATIONS OF IMPARTIALITY INTEREST – ADMINISTRATION REGULATION SECTION 34C

- Cr Clarke declared an impartiality interest in item 12.1, as she is a Friend of the Jam Patch.
- Cr Chappell declared an impartiality interest in item 12.1, as he is a Friend of the Jam Patch.
- Cr Marshall declared impartiality interest in item 15.1, as an employee (Manager) is a family member.

7.0 NOTICES OF URGENT BUSINESS

Nil

8.0 MOTIONS OF WHICH NOTICE HAS BEEN RECEIVED

Nil

9.0 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

10.0 MEMBERS' REPORTS

10.1 CR CHAPPELL

Reported attendance at the following:

- Friday 7 March 2014 - Eastern Wheatbelt Primary Care Project meeting in Corrigin with Cr Walker.
- Monday 10 March 2014 - Lake Grace Development Association as acting chairman
- Thursday 13 March 2014 - WA Grants Commission Public Hearing in Lake Grace along with Cr Walker, Cr De Landgraft and Cr Clarke.
- 25 March 2014 - meeting at St Johns Ambulance depot with the Shire, Men's Shed representatives and some St John representatives.

10.2 CR CLARKE

Reported attendance at the following:

- 6 March 2014 - LEMC meeting at the Shire.
- 13 March 2014 - Grants Commission Hearing in Lake Grace.
- 19 March 2014 - Agricultural Competitiveness White Paper: roundtable meeting by invitation in Katanning.
- 25 March 2014 - briefing at St John Ambulance building people followed by a meeting with Shire, Men's Shed representatives and some St John representatives.

10.3 CR DE LANDGRAFFT

Reported attendance at the following:

- 28 February 2014 - Central Country Zone meeting in Narrogin with President Walker and CEO Neville Hale.
- 13 March 2014 - Grants Commission Hearing in Lake Grace.
- 18 March 2014 - Executive Meeting in Lake Grace.

10.4 CR WALKER

Reported attendance at the following:

- 28 February 2014 - Central County Zone meeting at Narrogin. Considered matters before State Council. Local Government Minister Simpson in attendance, reform/amalgamation was discussed.
- 6 March 2014 - LEMC Meeting. Updates of Local Emergency arrangements, Risk Management Report and Welfare Plan presented by Neville Blackburn D.C.P.

- 7 March 2014 - Eastern Wheatbelt Primary Care meeting at Corrigin. John Reid gave a report on the Shire of Kondinin's arrangements with Jupiter Medical. Corrigin reported on their position at the present in regards to securing a GP through the group.
- 13 March 2014 - Grants Commission Hearing. Chair Linton Reynolds gave a very informative presentation on the methodology in determining how the WA Grants Commission distribute the Federal FAGS grants and the disability factors that determine what each Local Government is entitled to receive.
- 18 March 2014 - Met with CEO and Dr Jacobs. Also met with CEO and Deputy President for a Executive Meeting. Discussion was had on a variety of topics including Functionality Review.
- 24 March 2014 - Met with CEO and members of Day care regarding progress in Day care issue.
- 28 March 2014 - Met with Mens Shed Committee and St John representatives, Lesley Palmer Presentation Officer and Michael Longman Property Services Manager, regarding the possibility of utilising land to construct Mens Shed at rear of St John Building with a view to taking on the Ambulance Building when the relocation of St John to new premises takes place.

11.0 MATTERS FOR CONSIDERATION – WORKS & INFRASTRUCTURE**11.1 PINGARING TOWN SITE ENTRANCE STATEMENT**

Applicant: Pingaring Development Association
File No. 0492
Attachments: Photograph & Sketch
Shire of Kulin approval
Author: Martin Harrop
Disclosure of Interest: Nil
Date of Report: 14 March 2014
Senior Officer: Mr Neville Hale

Summary

This report recommends that Council endorse the Pingaring Development Association proposed townsite entrance statement to be located on North Lake Grace Karlgarin Road.

Background

The Shire was approached by the Pingaring Development Association to consider a request to locate an entrance statement for the township of Pingaring, in Kulin Shire. The request was to locate the entrance statement on North Lake Grace Karlgarin Road within the Shire of Lake Grace boundary approximately 300 metres south of Pingaring–Varley Road intersection.

A photograph and sketch of the proposed entrance statement is attached. The structure is a fabricated metal tree extending 4 metres high with canopy area of 2 by 3 metres. Two (2) smaller metal fabricated metal orchids will be installed at the base of the structure with a Pingaring sign erected on the tree.

Comment

The Shire of Kulin has provided an email acknowledging and supporting the proposal.

Shire staff has inspected North Lake Grace Karlgarin Road area to ascertain suitability to locate an entrance statement within the road reserve. The inspection identified that a suitable area exists approximately 300 metres south of the North Lake Grace and Pingaring–Varley Road intersection.

The proposed site is on the western side of the road reserve. The works will be organised and supervised by the Pingaring Development Association at no cost to the Shire of Lake Grace but subject to inspection by Shire of Lake Grace staff.

The proposed entrance structure is suitable for installation within the road reserve on condition that it be located no closer than 6metres from edge of seal and the foundations not impact on the road table drain.

Legal Implications

Local Government Act 1995 – 3.21 - 1(a)

Policy Implications

Nil

Consultation

Internal: Chief Executive Officer

External: Fiona Palmer, Pingaring Development Association

Financial Implications

Nil

Strategic Implications

To have skilled and confident leaders with fair and equitable community values – united communities

Voting Requirements

Simple majority required.

Recommendation/Resolution

MOTION 11780

Moved Cr Armstrong
Seconded Cr Chappell

That Council

1. endorse Pingaring Development Association to install a townsite entrance statement as shown in Attachment A on North Lake Grace Karlgarin Road.
2. endorse the proposed Pingaring entrance statement on condition it is located 300 metres from the Pingaring-Varley Road intersection and 6 metres from the edge of seal and the table drain is not affected by the works.

MOTION CARRIED 9/0

11.2 CALL FOR TENDERS FOR KERBSIDE WASTE COLLECTION SERVICES

Applicant: Chief Executive Officer
File No. 0342
Attachments: nil
Author: Martin Harrop
Disclosure of Interest: Nil
Date of Report: 14 March 2014
Senior Officer: Mr Neville Hale

Summary

This report recommends that Council authorise the Chief Executive Officer to call tenders for kerbside waste collection services.

Background

The existing contract for kerbside waste collection for putrescible and recycling bins is with Warren Blackwood Waste. The contract expires on 30 September 2014.

The existing contract with Warren Blackwood waste has been operating since October 2010. The contract specification will maintain the existing operating practice and include:

- Weekly Putrescible (Green Bin) pickup at Lake Grace, Newdegate, Lake King & Varley.
- Fortnightly recycle (Yellow Bin) pickup at Lake Grace and Newdegate.

Preference will be for maintaining the current Monday waste collection day however the Shire will consider alternatives if tender results in beneficial financial savings for the community.

Comment

The tender will be for a period of three (3) years with maximum two, (1) year extensions subject to the principals consent.

The Tender will be structured into separable portions to enable the pricing of putrescible and recycling kerbside waste collection. The tender will provide a detailed schedule of prices and rates (cost per bin pickup) that will be used during the currency of the contract for the valuation of work.

The Shire has adopted a best value for money approach to this Request.

This means that, although price is considered, the Tender containing the lowest price will not necessarily be accepted, nor will the Tender ranked the highest on the qualitative criteria. A scoring system will be used as part of the assessment of the qualitative criteria.

The tenders will be assessed against the following qualitative criteria and weighting. The Tender may be awarded to who best demonstrates the ability to provide quality products and/or services at a competitive price.

The assessment criteria will be:

- Cost 70%
- Relevant Experience 15%
- Organisational Capacity & Resources 15%

The extent to which a Tender demonstrates greater satisfaction of each of these criteria will result in a greater score. The aggregate score of each Tender will be used as one of the factors in the final assessment of the qualitative criteria and in the overall assessment of value for money.

Legal Implications

Local Government Act 1995

Local Government (Functions and General) Regulations 1996

Policy Implications

Nil

Consultation

Internal: Chief Executive Officer

Financial Implications

The Shire kerbside waste collection service will be based on cost recovery and user pay system. The cost of providing the service will be passed on to the users at the tender cost plus landfill operational costs attributed to providing the service.

Strategic Implications

To have a prosperous and diversified economy and well-serviced built infrastructure to foster the district community towards 2022 – Infrastructure Maintenance and improvement

Voting Requirements

Simple majority required.

Recommendation/Resolution

MOTION 11781

Moved Cr Hunt

Seconded Cr Sinclair

That Council

1. Authorise the Chief Executive Officer to call for tender kerbside waste collection services being;
 - Weekly Putrescible (Green Bin) pickup at Lake Grace, Newdegate, Lake King & Varley and disposal to respective Shire landfill sites.
 - Fortnightly recycle (yellow Bin) pickup at Lake Grace and Newdegate and disposal external to Shire at nominated material recovery facility.

MOTION 11781 Continued

2. Apply the following weighted criteria in the tender assessment:

- Cost 70%
- Relevant Experience 15%
- Organisational Capacity & Resources 15%

MOTION CARRIED 9/0

UNCONFIRMED

11.3 **CALLING OF TENDERS – MAINTENANCE GRADING AND GRAVEL PUSHING & STOCKPILING CONTRACTS**

Cr Marshall left the meeting at 2.25 pm and returned at 2.27 pm.

Applicant: Manager of Infrastructure
File No. 0468
Attachments: Nil
Author: Mr Martin Harrop
Disclosure of Interest: Nil
Date of Report: 14 March 2014
Senior Officer: Mr Neville Hale

Summary

This report is for Council to consider the calling of tenders for Gravel Pushing & Stockpiling, Maintenance Grading–Newdegate and Maintenance Grading-Lake King and Varley.

Background

Gravel Pushing & Stockpiling - The current contract held by Davmin Holdings Pty Ltd commenced on 29 September 2010 for a three (3) year period with maximum (1) year extension and is due to expire on 30 June 2014.

Maintenance Grading - Newdegate - The current contract held by Newdegate Grading Service commenced on 5 October 2010 for a three (3) year with maximum (1) year extension and is due to expire on 30 September 2014.

Maintenance Grading - Lake King and Varley- The current contract held by GS Hobbs Contracting commenced on 5 October 2010 for a three (3) year with maximum (1) year extension and is due to expire on 30 September 2014.

Comment

Proposed contracts for both maintenance grading and gravel pushing & stockpiling are for a three (3) year period that will be reviewed annually with maximum (1) year extension.

Tender Scope

Maintenance Grading

- all roads shall be graded (1) in a calendar year with all running surfaces being undertaken in winter months
- all roads shall be graded (1) calendar year as summer grade with additional grade of specific sections as directed by Works Supervisor
- School bus routes are to be graded prior to commencement of each school term
- Back slopes, table drains and offshoots are to be maintained free of debris with clear flow path in drains
- Contractor will be available for harvest grade of specific sections as directed by Works Supervisor

Gravel Pushing & Stockpiling

- Within boundaries of Shire of Lake Grace provide an estimated quantity of 80,000 cubic metres per annum
- Within boundaries of Shire of Lake Grace rehabilitate an estimated 2 ha per annum

Tender Assessment

The non-weighted cost method will be used in the assessment of the tender as functional considerations including, capacity, experience, plant & equipment and performance are crucial to the outcome of the Contract. The evaluation panel will make a series of value judgements based on the capability of the Tenderer to complete the Requirements and a number of factors will be considered including:

- (a) the qualitative ranking of each Tenderer; and
- (b) the pricing submitted by each Tenderer.

The qualitative assessment criteria will be:

- | | |
|--|-----|
| • Demonstrated Capacity and Experience | 25% |
| • Key Personnel | 25% |
| • Plant and Equipment | 25% |
| • Performance | 25% |

Once the Tenders have been ranked, the evaluation panel will make a value judgement as to the cost affordability, qualitative ranking, and risk of each Tender, in order to determine the Tender which is most advantageous to the Shire.

The Proposed price will be considered along with related factors affecting the total cost to the Shire e.g. the lifetime operating costs of goods or the Shire Contract management costs may also be considered in assessing the best value for money outcome.

The Tenderer shall lodge with the Shire a detailed Schedule of Prices and Rates that shall be used during the currency of the Contract for the valuation of work. The tender will provide detailed schedule of work performed indicating date, road name, hours, machinery used and kilometres covered for historical data.

The extent to which a Tender demonstrates greater satisfaction of each of these criteria will result in a greater score. The aggregate score of each Tender will be used as one of the factors in the final assessment of the qualitative criteria and in the overall assessment of value for money.

Legal Implications

Local Government Act 1995 s3.57 (Tenders for providing goods and services).

Local Government (Function and General) Regulations 1996 (Part 4, Tenders for providing goods and services).

Policy Implications

Shire of Lake Grace Purchasing Policy 3.7

Consultation

Internal: Chief Executive Officer
Works Supervisor

Financial Implications

Provision will be made in the 2014-2015 budget.

Strategic Implications

To have a prosperous and diversified economy and well-serviced built infrastructure to foster the district community towards 2022 – Infrastructure Maintenance and improvement

Voting Requirements

Simple majority required

Recommendation/Resolution**MOTION 11782**

Moved Cr Armstrong
Seconded Cr Chappell

That Council:

1. Authorise the Chief Executive Officer to call tenders for the following:

- Maintenance Grading – Newdegate
- Maintenance Grading – Lake King and Varley
- Gravel Pushing and Stockpiling

2. Call tenders for the following scope of work:

a. Maintenance Grading

- i. all roads shall be graded (1) in a calendar year with all running surfaces being undertaken in winter months.
- ii. all roads shall be graded (1) calendar year as summer grade with additional grade of specific sections as directed by Works Supervisor.
- iii. School bus routes are to be graded prior to commencement of each school term.
- iv. Back slopes, table drains and offshoots are to be maintained free of debris with clear flow path in drains.
- v. Contractor will be available for harvest grade of specific sections as directed by Works Supervisor.

b. Gravel Pushing & Stockpiling

- i. Within boundaries of Shire of Lake Grace provide an estimated quantity of 80,000 cubic metres per annum.
- ii. Within boundaries of Shire of Lake Grace rehabilitate an estimated 2 ha per annum.

3. Apply the following weighted criteria in the tender assessment:

- | | |
|--|-----|
| • Demonstrated Capacity and Experience | 25% |
| • Key Personnel | 25% |
| • Plant and Equipment | 25% |
| • Performance | 25% |

MOTION CARRIED 9/0

12.0 MATTERS FOR CONSIDERATION – PLANNING

Cr Clarke and Chappell both declared interests of impartiality in Item 12.1 as they are part of the Friends of the Jam Patch.

12.1 PLANNING APPLICATION – PROPOSED SHELTER (PATIO) ON PORTION OF RESERVE 23881 BEING LOT 10983 NORTH LAKE GRACE-KARLGARIN ROAD, KUENDER ('JAM PATCH')

Applicant: Ms Nanette Wallace ('Friends of the Jam Patch') on behalf of the Shire of Lake Grace (Reserve Manager on behalf of the State of Western Australia - Landowner)

File No.: 0453

Attachments: Plans 1 to 5

Author: Messrs Joe Douglas & Carlo Famiano (Urban & Rural Perspectives) Town Planning Consultant

Disclosure of Interest: Nil

Date of Report: 18 March 2014

Senior Officer: Mr Neville Hale

Summary

This report recommends that a planning application submitted by Ms Nanette Wallace of 'Friends of the Jam Patch' to construct a new steel framed, colorbond shelter (i.e. 'patio') on portion of Reserve 23881 being Lot 10983 North Lake Grace-Karlgarin Road, Kuender be approved subject to conditions.

Background

The applicant is seeking Council's planning approval to construct a new steel framed, colorbond shelter (i.e. 'patio') on portion of Reserve 23881 being Lot 10983 North Lake Grace-Karlgarin Road, Kuender to provide shade and picnic facilities for visitors to the 'Jam Patch', a local recreation reserve.

Lot 10983 is located approximately 16.5 kilometres north of the Lake Grace townsite at the intersection of North Lake Grace-Karlgarin and Kennedy Roads. The land is rectangular in shape, covers a total area of approximately 202.24 hectares and contains vast areas of native vegetation and natural salt lakes (see Plans 1 to 3).

The land forms part of Crown Reserve 23881 which is owned by the State of Western Australia and currently vested in the Shire of Lake Grace for the designated purpose of 'Recreation'.

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

- i) Construction of a new 9 metre long and 2.75 metre wide steel framed, colorbond ('Wilderness' colour) shelter (i.e. patio structure) comprising a total floor area of approximately 24.75m²;

- ii) The new shelter will be a pitched roof structure with a maximum wall height of 2.2 metres and a ridge height of 3.15 metres;
- iii) The new shelter will have a setback of approximately 521 metres from the land's front boundary (i.e. North Lake Grace-Karlgarin Road) and a setback of approximately 592 metres from the land's western side boundary (i.e. Kennedy Road);
- iv) The proposed shelter will be located adjacent to an existing vehicle access track constructed through the reserve in the vicinity of the old, now disused tennis club facilities;
- v) Construction of the proposed shelter will not require the clearing of any existing native vegetation (i.e. it will be constructed in a previously cleared portion of the land); and
- vi) The proposed new structure will provide shelter (i.e. shade) for the comfort and convenience of visitors to the 'Jam Patch' and will include a picnic table and bench.

Comment

Current Zoning & Land Use Permissibility

Lot 10983 is classified 'Local Scheme Reserve - Recreation' under the Shire of Lake Grace's current operative Local Planning Scheme No.4 (LPS No.4).

Clause 3.4.2 of LPS No.4 states that in determining a planning application for the development of any land reserved under LPS No.4 Council must have due regard for the various general matters set out in clause 10.2 of LPS No.4 and the ultimate purpose intended by the land's reserve classification.

In exercising discretion, and pursuant to clause 10.2 of LPS No.4, Council must be satisfied that the proposal is consistent with general principles of proper and orderly planning, the provisions and standards contained in LPS No.4 and any other planning consideration/s the local government deems relevant.

Following a detailed assessment of the application the reporting officers' have formed the view that the proposal is capable of being supported and approved by Council for the following reasons:

- It is consistent with the ultimate intended purpose of the land's current reserve classification in LPS No.4 and the broader aims and objectives of that Scheme;
- It is complimentary to and therefore unlikely to compromise its continued use for recreational purposes;
- It is unlikely to have a detrimental impact on the natural environment and will not result in the clearing of any native vegetation;
- The proposed new shelter is a light weight structure sited in heavily vegetated Crown reserve well away from the nearest public roadway and adjoining property boundaries and is therefore unlikely to have a detrimental impact on the character or amenity of the land or its immediate surrounds;

- The new shelter will have sufficient setbacks from all adjoining property boundaries; and
- The new shelter will provide a much needed facility for visitors to the reserve which is likely to be of significant benefit in terms of tourism, social and recreational activity.

Conclusion

It is concluded from a detailed assessment of the application that the proposal to construct a new steel framed, colorbond shelter on portion of Reserve 23881 being Lot 10983 North Lake Grace-Karlgarin Road, Kuender is capable of being implemented in a proper and orderly manner and is 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.

Legal Implications

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

Policy Implications

Nil

Consultation

Not required

Financial Implications

The applicant has confirmed the project will be funded through one or more external grants and that a significant voluntary contribution will be made by the local community during the construction phase to help keep the overall cost down.

The applicant is also anticipating the Shire will assume full responsibility for the ongoing maintenance of the shelter following completion of construction, the precise cost of which has not yet been determined but is likely to be within acceptable limits given the simplicity of the proposed structure.

Strategic Implications

Nil

Cultural Implications

The proposed shelter on portion of Reserve 23881 is likely to have a number of cultural benefits for the North Lake Grace locality and the Shire generally in terms of attracting and accommodating the needs of the local community, tourists and the travelling public.

Voting Requirements

Simple majority required.

Recommendation/Resolution**MOTION 11783**

Moved Cr Hunt
Seconded Cr Sinclair

That the application for planning approval submitted by Ms Nanette Wallace of 'Friends of the Jam Patch' on behalf of the Shire of Lake Grace to construct a new steel framed, colorbond shelter (i.e. 'patio') on portion of Reserve 23881 being Lot 10983 North Lake Grace-Karlgarin Road, Kuender be **APPROVED** in accordance with the information and plans submitted in support of the application 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 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. All on-site vehicle accessways and parking areas to be used in conjunction with the shelter shall be constructed/upgraded and maintained to the specifications and satisfaction of the Shire of Lake Grace.
4. All existing vegetation on Reserve 23881 shall be retained unless its removal is authorised in writing by the Shire's Chief Executive Officer.
5. All rubbish generated on-site shall be managed and disposed of to the specifications and satisfaction of the Shire of Lake Grace.
6. That portion of the property proposed to be developed and used for the intended purposes shall be maintained in a neat and tidy condition at all times to the specifications and satisfaction of the Shire of Lake Grace.

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.

MOTION 11783 Continued

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 7.00am 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.

MOTION CARRIED 9/0

UNCONFIRMED

12.2 PLANNING APPLICATION – FOUR (4) NEW AGED PERSONS DWELLINGS & REFURBISHMENT OF THE EXISTING COMMUNITY HALL ('LESSER HALL') ON LOT 195 (NO.32) MAY STREET, NEWDEGATE

Applicant:	Gary Batt & Associates Architects on behalf of the Shire of Lake Grace
File No.:	0455
Attachments:	Plans 1 to 8
Author:	Messrs Joe Douglas & Carlo Famiano (Urban & Rural Perspectives) Town Planning Consultant
Disclosure of Interest:	Nil
Date of Report:	18 March 2014
Senior Officer:	Mr Neville Hale

Summary

This report recommends that a planning application submitted by Gary Batt & Associates on behalf of the Shire of Lake Grace to develop four (4) new aged persons' dwellings and refurbish the existing community hall (i.e. 'lesser hall') on Lot 195 (No.32) May Street, Newdegate be approved subject to conditions.

Background

The applicant is seeking Council's planning approval to refurbish a portion of the existing community hall (i.e. 'lesser hall') and develop four (4) new aged persons' dwellings on Lot 195 (No.32) May Street, Newdegate.

Lot 195 is located centrally within the Newdegate townsite on the corner of May Street and Maley Street. The land is irregular in shape, comprises a total area of approximately 7,834m² and currently comprises the Newdegate town hall, a medical centre and associated car parking area (see Plans 6 to 8).

Under the terms of the information and plans submitted in support of the application the proposed development will comprise the following key elements:

- i) Construction of four (4) new single storey aged persons' dwellings comprising brick veneer/ custom-orb walls and colorbond roofing (see Plans 9 to 13);
- ii) Each dwelling will have two (2) bedrooms, one (1) bathroom, a 4m² storeroom and a single carport;
- iii) Each dwelling will comprise a total floor area of approximately 100m² not including the individual carports & storerooms;
- iv) All dwellings will have a wall height of approximately 2.6 metres (i.e. plate height) and a ridge height of approximately 5.5 metres;
- v) All dwellings will have direct frontage and access to a common internal driveway which will facilitate access to May Street. The common driveway will be an extension of the existing vehicle accessway constructed on Lot 195 which services the community hall and medical centre;
- vi) Construction of three (3) on-site visitor parking bays to service the aged persons' dwellings;

- vii) The common driveway and parking bays will be sealed and drained as part of proposed development works;
- viii) Refurbishment of the existing community hall (i.e. 'lesser hall') including construction of a new 18m² (4.25m x 4.25m) gazebo, new external cladding to the building, replacement of windows/doors and the internal fit out of the public floor area and existing kitchen; and
- ix) Construction of a village green and paved outdoor communal area for the benefit of the users/occupants of both the community hall and aged persons' dwellings.

Comments

Current Zoning & Land Use Permissibility

Lot 195 is classified 'Public Purpose' reserve under the Shire of Lake Grace's current operative Local Planning Scheme No.4 (LPS No.4) with the designated purpose 'Town Hall'.

Clause 3.4.2 of LPS No.4 states that in determining a planning application for the development of any land reserved under LPS No.4, Council must have due regard for the various general matters set out in clause 10.2 of LPS No.4 and the ultimate purpose intended by the land's reserve classification.

In exercising discretion, and pursuant to clause 10.2 of LPS No.4, Council must be satisfied that the proposal is consistent with general principles of proper and orderly planning, the provisions and standards contained in LPS No.4 and any other planning consideration the local government deems relevant.

Following a detailed assessment of the application the reporting officers' have concluded that the proposal is consistent with the specific requirements of LPS No.4 and is capable of being supported and approved by Council for the following reasons:

- It is unlikely to compromise the ultimate purpose intended by the land's current reserve classification in LPS No.4 (i.e. 'Town Hall') and will in fact complement the current development and use of the property for community purposes;
- It is unlikely to have a detrimental impact on the character or amenity of the immediate locality;
- It generally complies with the relevant development standards prescribed in Part 5 of LPS No.4 and the Residential Design Codes of Western Australia (2013);
- The proposed aged persons' development will provide for the productive use of a portion of Lot 195 which is currently underutilised;
- The proposed aged persons' development could be expected to have significant cultural benefits for the town as it will enable elderly people to remain in Newdegate and maintain and foster ties with their families and the local community; and

- The proposed refurbishments to the existing community hall will improve the facility and provide significant benefits to the local community in terms of social and recreational opportunities.

Compliance with Development Standards

An assessment of the proposal against the development standards contained in LPS No.4 and the Residential Design Codes of Western Australian (2013) has confirmed that it satisfies the majority of standards except for the following:

- i) R-Code Element 5.1.1 C1.1 – ‘Site area’; and
- ii) R-Code Element 5.2.2 C2.1 – ‘Aged or dependant persons dwellings’.

The following is a brief discussion of the above non-compliance issues:

Point 1: Element 5.1.1 C1.1 – ‘Site area’

It is significant to note that LPS No.4 does not allocate or prescribe a residential density coding for the development of any land classified ‘Public Purpose’ reserve for residential purposes. As such the reporting officers’ have assessed the application against the specific standards and requirements of the R20 density coding which is consistent with the density coding assigned to all land classified ‘Residential’ zone in the Newdegate townsite.

The plans prepared in support of the application do not demonstrate the site area for each proposed aged persons’ dwelling. Under the terms of the R20 density coding the minimum required site area for each dwelling is 233.3m².

Notwithstanding the lack of information the reporting officers’ have concluded, following detailed calculation and assessment, that the development is capable of meeting the ‘deemed to comply requirements’ of Element 5.1.1 C1.1 of the R-Codes in terms of the minimum required land area per dwelling.

Given that compliance with the minimum site area requirements of the R-Codes is an essential component in determining the maximum development potential of any given site, it is recommended that Council require the applicant to modify the plans to clearly demonstrate compliance with the ‘deemed to comply requirements’ of Element 5.1.1 C1.1 of the R-Codes as these apply specifically to the R20 density coding.

Point 2: Element 5.5.2 C2.1– ‘Aged or dependant persons’ dwellings’

The application proposes the construction of four (4) new aged persons’ dwellings in lieu of a minimum of five (5) aged persons’ dwellings per development as required by the ‘deemed to comply requirements’ of Element 5.5.2 of the R-Codes.

Council may consider this non-compliance issue under the ‘design principles criteria’ contained in Element 5.5.2 of the R-Codes which states:

“Aged or dependent persons’ dwellings for the housing of aged or dependent persons designed to meet the needs of aged or dependent persons; and

- *reduces car dependence (i.e. is located in close proximity to public transport and services);*
- *has due regard to the topography of the locality in which the site is located in respect to access and mobility;*
- *has due regard to the availability of community facilities including parks and open space;*
- *does not impinge upon neighbour amenity; and*
- *responds to a demand for aged or dependent persons' accommodation in the locality which is recognised in the local planning framework."*

Following a detailed assessment of the application in context of the above 'design principles criteria' of the R-Codes the reporting officers' have concluded that the proposal satisfies the relevant criteria for the following reasons:

- i) Lot 195 is located centrally within the Newdegate townsite with access to a variety of services and facilities including a community hall, medical centre and local shops which will provide for the daily needs of the future occupants of the dwellings;
- ii) The proposed development will not have an adverse impact on the streetscape or any adjoining properties in terms of its overall bulk and scale;
- iii) The proposed development has been designed with due regard for the natural topography of the land and its immediate surrounds; and
- iv) The proposed development will benefit the local community by providing much needed housing for aged persons in the Newdegate townsite which is consistent with the aims and objectives of the Shire's current Local Planning Strategy and Strategic Community Plan (Connecting with Our Future 2023) (2014).

Conclusion

It is concluded from a detailed assessment of the application that the proposal to develop four (4) new aged persons' dwellings and refurbish the existing community hall on Lot 195 (No.32) May Street, Newdegate is capable of being implemented in a proper and orderly manner and is 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 standard conditions for projects of this type. As such 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

Consultation

Not required

Financial Implications

It is understood that a suitable allowance has been made for the project in Council's budget for the 2013/2014 financial year.

Strategic Implications

The proposed development and use of the land is consistent with the strategic direction afforded by the Shire of Lake Grace's current Local Planning Strategy and Strategic Community Plan (Connecting with Our Future 2023) (2014).

Cultural Implications

The development of additional aged persons accommodation in the Newdegate townsite and refurbishment of portion of the town hall as proposed by this application could be expected to have significant cultural benefits for both the town and the Shire generally as it will enable people to maintain and foster ties with their families and the local community.

Voting Requirements

Simple majority required.

Recommendation/Resolution**MOTION 11784**

Moved Cr De Landgraft
Seconded Cr Hunt

That the application for planning approval submitted by Gary Batt & Associates Architects on behalf of the Shire of Lake Grace (Landowner) to develop four (4) new aged persons dwellings and refurbish the existing community hall (i.e. 'lesser hall') on Lot 195 (No.32) May Street, Newdegate 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 unless otherwise approved by Council.
2. At least one (1) permanent occupant of each aged persons' dwelling shall either be aged 55 years or over as defined by the Residential Design Codes of Western Australia (2013) or the surviving spouse of that aged person.
3. The proposed aged persons' dwellings shall incorporate, as a minimum, the following design elements in accordance with the specific requirements of the Residential Design Codes of Western Australia (2013):
 - i) Level external entry path to the front door, with preferably all external doors having level external entry paths;
 - ii) All external and internal doors shall have a minimum 820mm wide clear opening (AS4299);

MOTION 11784 Continued

- iii) All internal corridors to be a minimum 1,000mm wide with the width to be increased to a minimum of 1,200mm in corridors with openings on side walls;
 - iv) A visitable toilet (AS4299), preferably located within the bathroom; and
 - v) Toilet and toilet approach doors shall have a minimum 250mm high nib wall on the door handle side of the door and provision for the installation of grab rails in accordance with AS4299.
4. A pre-calculation plan based on the R20 density coding shall be prepared and submitted to the Shire for consideration and approval by the Shire's Chief Executive Officer prior to the commencement of any development on the land demonstrating compliance with the 'deemed to comply requirements' of Element 5.1.1 C1.1 of the R-Codes (i.e. minimum site area requirements for each dwelling).
 5. All stormwater drainage discharge generated by the approved structures (i.e. the aged persons' dwellings & refurbished portion of the existing community hall) shall be managed and disposed of to the specifications and satisfaction of the Shire of Lake Grace.
 6. The finished floor level of the proposed aged persons' dwellings shall not exceed a height of 500mm above natural ground level unless otherwise approved by Council.
 7. All existing and proposed vehicle crossovers, accessways and parking areas shall be upgraded /constructed and maintained to the specifications and satisfaction of the Shire of Lake Grace.
 8. The 'common property' access leg shall be constructed (i.e. sealed and drained) to the satisfaction of the Shire of Lake Grace and in accordance with plans and specifications approved by the Shire of Lake Grace.
 9. All landscaping shall be completed in accordance with the approved plans prior to occupation and use of the buildings the subject of this approval and maintained thereafter to the satisfaction of the Shire of Lake Grace.
 10. All dwellings shall be connected to reticulated sewerage disposal infrastructure in accordance with the Water Corporation's standard specifications.
 11. All carports shall be open structures and are not permitted to be enclosed by any walls or doors unless otherwise approved by Council.

Advice Notes

1. The development shall be substantially commenced within two (2) years from the date of this approval. If the development is not substantially commenced within this period this approval will lapse and be of no further effect.

MOTION 11784 Continued

Where an approval has lapsed, no development shall be carried out without the further planning 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.
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 are required to be submitted to the Shire of Lake Grace 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 7.00am without the Shire's prior approval.
6. Any future application to strata title the aged persons' development on Lot 195 shall be undertaken in accordance with the approved pre-calculation plan required by Condition No.4 of this approval to the satisfaction of the Shire of Lake Grace.
7. A Notification under section 70A of the *Transfer of Land Act 1893* must be registered on the Certificate of Title of each new dwelling at the strata subdivision stage of the project to notify owners and prospective purchasers that restrictions apply to the use of each dwelling as stipulated by this approval.

MOTION CARRIED 9/0

13.0 MATTERS FOR CONSIDERATION – HEALTH & BUILDING

No items for consideration.

UNCONFIRMED

14.0 MATTERS FOR CONSIDERATION – FINANCE

14.1 ACCOUNTS FOR PAYMENT – FEBRUARY 2014

Applicant: Shire of Lake Grace
File No. 0277
Attachments: List of Creditors
Author: Mr Warrick Millar
Disclosure of Interest: Nil
Date of Report: 13 March 2014
Senior Officer: Mr John Bingham

Summary

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

Background

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

Comment

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

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

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

Legal Implications

Local Government (Financial Management) Regulations 1996 – Reg 12

Local Government (Financial Management) Regulations 1996 – Reg 13

Policy Implications

N/A

Consultation

N/A

Financial Implications

The list of creditors paid for the month of February 2014 from the Municipal and Trust Account Total \$489,464.29.

Strategic Implications

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 11785

Moved Cr Armstrong
 Seconded Cr Stanton

That Council ratify the list of payments totalling \$489,464.29 as presented for the month of February 2014 incorporating:

Direct Debits	DD4873.1 to DD4929.1	\$22,513.17
Municipal Account Cheques	35381 to 35380	\$82,560.86
Electronic Funds Transfers	12023 to 12142	\$384,390.26
Trust Account Cheques	- to -	\$0.00

MOTION CARRIED 9/0

14.2 **FINANCIAL STATEMENTS - FEBRUARY 2014**

Applicant:	Shire of Lake Grace
File No.	0275
Attachments:	Financial Reports
Author:	Mr Warrick Millar
Disclosure of Interest:	Nil
Date of Report:	12 March 2014
Senior Officer:	Mr John Bingham

Summary

Consideration of the financial statements for the month ending 28 February 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
- Balance Sheet
- Financial Ratios
- Bank Reconciliation
- Capital Road Works
- Operating Revenue & Expenditure Graphs

Comment

Nil

Legal Implications

Local Government Act 1995 – section 6.4

Local Government (Financial Management) Regulations 1996

Policy Implications

N/A

Consultation

Nil

Financial Implications

Nil

Strategic Implications

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 11786

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 28 February 2014 as attached is received.

MOTION CARRIED 9/0

15.0 MATTERS FOR CONSIDERATION – COMMUNITY SERVICES

Cr Marshall declared interest of impartiality in Item 15.1 as a family member is a staff member at the pool.

15.1 OFFICERS COMMENTS - LAKE GRACE SWIMMING POOL

Applicant: Shire of Lake Grace
File No. 0517
Attachments: Swimming Pool Patrons Attendance 2013/14 Season
Author: Ms Lee Holben
Disclosure of Interest: Nil
Date of Report: 12 March 2014
Senior Officer: Mr Neville Hale

Summary

For Council information regarding the Lake Grace Swimming Pool hours and attendance numbers.

Background

At the 20 November 2013 Ordinary meeting of council the following motion 11704 was moved:

That Council:

1. *Move immediately to make the Lake Grace Pool available to the public during the following hours:*

Days	Swimming Pool Opening Times
<i>Monday - Friday (early morning)</i>	<i>6:00am - 7:30am</i>
<i>Monday - Friday</i>	<i>2:00pm - 6:00pm</i>
<i>Weekends & Public Holidays</i>	<i>2:00pm - 6:00pm</i>

Council requested staff to provide an update of the new hours and attendance numbers at the 26 February 2014 Ordinary Council meeting. At the February Ordinary Council meeting it was recommended that the report be presented to the 26 March 2014 Ordinary Council meeting .

Comment

The 2013/2014 pool season has had available two qualified pool managers. The pool hours at the beginning of the season (October 2013) were five days a week 2pm to 6pm, weekends 1pm to 6pm, early morning swimming three mornings a week (5.45am to 7am), maintenance hours and eight all day events e.g. VAC swimming, Australia Day, Interm swimming and swimming carnivals that may require both managers to be present.

As from the 24 November 2013 pool hours changed to seven days a week 2pm

to 6pm, early morning swimming five mornings a week 6am to 7.30am, maintenance hours and eight all day events e.g. VAC swimming, Australia Day, Interm swimming and swimming carnivals that may require both managers to be present.

It is noted that the pool hours have been extended from time to time to accommodate special needs and extreme hot weather, this flexible approach will continue subject to budget capacity and will enable more accurate data on peak need.

Legal Implications

Nil

Policy Implications

Nil

Consultation

Internal: Pool Manager
Manager Corporate Services
Chief Executive Officer

Financial Implications

The 2013/2014 budget for salaries is \$59,000, with a further \$55,000 available for operating expenditure.

Strategic Implications

Shire of Lake Grace Strategic Plan

Strategic Community Plan – Connecting with our Future 2023.

Community Values – good facilities and community activities.

Shire's Values – Encouraging learning and knowledge.

Recommendation/Resolution

MOTION 11787

In accordance with reg. 10 of the Local Government (Administration) Regulations 1996, Cr Marshall moved, supported by Cr Clarke and Cr Chappell being 1/3 of the number of officers of members of council, to consider a motion to revoke Motion 11706 (3) from the November 2013 Council meeting, regarding the closing date of the Lake Grace Swimming Pool for the 2013/14 season.

MOTION CARRIED BY ABSOLUTE MAJORITY 9/0

MOTION 11788

Moved Cr Marshall
Seconded Cr Clarke

That Motion 11706 (3) (the 2013/14 Lake Grace Swimming Pool season close at the close of business on 21 April 2014) be revoked.

MOTION CARRIED BY ABSOLUTE MAJORITY 9/0

MOTION 11789

Moved Cr Marshall
Seconded Cr Clarke

That the 2013/14 Lake Grace Swimming Pool season close at the close of business on 13 April 2014.

MOTION CARRIED 9/0

UNCONFIRMED

16.0 MATTERS FOR CONSIDERATION – ADMINISTRATION
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16.1 CBH LEASE EXTENSION - RESERVE 29080 NEWDEGATE RECREATION RESERVE

Applicant:	Cooperative Bulk Handling (CBH)
File No.	0561
Attachments:	correspondence (emails)
Author:	Neville Hale
Disclosure of Interest:	None
Date of Report:	14 March 2014
Senior Officer:	Neville Hale

Summary

For Council to agree to an extension of the expiry date to 31 July 2014 of the existing lease to CBH for a portion of Reserve 29080 Newdegate Recreation Reserve

Background

Council, at its 23 September 2013 Ordinary Meeting agreed to a request from CBH to use part reserve 29080 – Newdegate for the location of an additional temporary grain storage facility:

MOTION 11678

*Moved Cr Farrelly
Seconded Cr Walker*

That Council:

- Agree to the use of part Reserve 29080 for a temporary steel frame grain storage structure, subject to the necessary planning application and Department of Lands endorsement of its use for a purpose other than for which it has been set aside;*
- That the site of the structure be adjacent to the existing field day site facility, marked #1 on the attached aerial photograph being an area of up to 10,000sqm; and*
- Delegate authority to the Chief Executive Officer to grant planning approval subject to the proposal meeting planning requirements.*

MOTION CARRIED 7/0"

Subsequently, planning approval was granted and building licence issued whilst a lease was prepared for a period of six months, expiring 19 April 2014.

Comment

Due to the record harvest volumes achieved over the 2013/14 season, a number of temporary facilities were constructed across the Wheatbelt. One such new facility was located on Reserve 29080 Newdegate. CBH is in the process of transferring its grain to market and or other more permanent storage facilities and due to the quantities involved is taking longer than expected to achieve this outcome. This delay has resulted in CBH requiring an extension of its lease.

As Council is aware, CBH has two facilities located on Reserve 29080 both of which have been subject to lease arrangements. It is noted that whilst this latest request relates to the new facility approved in September 2013, the original temporary facility remains. The new facility is located on land cleared for that purpose and is an area adjacent to that previously used by the Newdegate Field Day Event for parking. This area, once grain has been removed, will provide additional parking capacity.

On receiving the request for an extension to the lease the writer sought assurance that the area would be vacated in time for the 2014 Field Days Event. CBH has indicated in the attached email, that the existing (older existing car park site) will be empty by 30 June 2014 whilst the newer site is required until 31 July 2014.

Legal Implications

Lease agreements
Local Government Act 1995
Land Administration Act 1997

Policy Implications

No Council policy relating to this item

Consultation

Cooperative Bulk Handling

Financial Implications

N/A

Strategic Implications

Economics
Ec 1 Support growth of local business
Ec 4 Foster agriculture and sustainable farming

Voting Requirements

Simple majority required.

Recommendation

That Council agree to an extension of the current lease arrangements with Cooperative Bulk Handling to 31 July 2014 for the area delineated and coloured blue on the attached Lease for that portion of Reserve 29080 – Newdegate Recreation Reserve

Resolution

MOTION 11790

Moved Cr Armstrong
Seconded Cr De Landgraft

That Council agree to an extension of the current arrangements with Cooperative Bulk Handling to 31 July 2014 for the area delineated and coloured blue on the attached Lease for that portion of Reserve 29080 – Newdegate Recreation Reserve

MOTION CARRIED 9/0

REASON FOR CHANGE

Shire of Lake Grace does not currently have a lease with Cooperative Bulk Handling.

16.2 LOCAL GOVERNMENT COMPLIANCE AUDIT

Applicant:	Department of Local Government & Communities
File No:	0528
Attachments:	Compliance Return
Author:	Mr John Bingham
Disclosure of Interest:	Nil
Date of Report:	13 March 2014
Senior Officer:	Mr Neville Hale

Summary

The purpose of this report is for recommendation to Council of the Statutory Compliance Audit Return for the year ending 31 December 2013 and endorsement of the required certification.

Background

The Department of Local Government and Communities produces a Statutory Compliance Audit Return for Local Government to use as a check-list of statutory obligations and compliance.

The return is to be approved by Council, certified by the President and Chief Executive Officer and submitted to the Director General Department of Local Government and Communities by 31 March 2014.

The Department of Local Government Act (1995) Audit Regulations 1996 states;

- **Reg.13. Prescribed statutory requirements for which compliance audit needed (Act s.7.13(1)(i))**
- **Reg.14. Compliance audits by local governments**
 - (1) A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.**
 - (2) After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.**
 - (3A) The local government's audit committee is to review the compliance audit return and is to report to the council the results of that review.**
 - (3) After the audit committee has reported to the council under subregulation (3A), the compliance audit return is to be —**
 - (a) presented to the council at a meeting of the council;**
 - and**
 - (b) adopted by the council; and**

(c) recorded in the minutes of the meeting at which it is adopted.

[Regulation 14 inserted in Gazette 23 Apr 1999 p. 17245; amended in Gazette 30 Dec 2011 p. 5580-1.]

- **Reg.15. Compliance audit return, certified copy of etc. to be given to Executive Director**

(1) After the compliance audit return has been presented to the council in accordance with regulation 14(3) a certified copy of the return together with —

(a) a copy of the relevant section of the minutes referred to in regulation 14(3)(c); and

(b) any additional information explaining or qualifying the compliance audit, is to be submitted to the Executive Director by 31 March next following the period to which the return relates.

(2) In this regulation —

certified in relation to a compliance audit return means signed by —

(a) the mayor or president; and

(b) the CEO.

[Regulation 15 inserted in Gazette 23 Apr 1999 p. 1725.]

Comment

This year's return has been completed online and now requires certification by Shire of Lake Grace President and Chief Executive Officer.

No areas of non compliance were found.

Consultation

Internal: Chief Executive Officer
Senior Management
Executive Assistant
Coordinator Finance & Administration

Legal Implications

The Statutory Compliance Return is required under Section 7.13 of the Local Government Act 1995 and items 13 – 15 of the Audit Regulations.

Policy implications

N/A

Financial implications

N/A

Strategic implications

Strategic Community Plan – CL1 Elected Members to provide Visionary Leadership

Voting Requirements

Simple majority required

Recommendation/Resolution

MOTION 11791

Moved Cr Marshall
Seconded Cr Hunt

The Audit Committee recommend to Council that:

1. The Local Government Statutory Compliance Return 1 January 2013 to 31 December 2013 for the Shire of Lake Grace be adopted; and
2. The Certification contained within the Local Government Statutory Compliance Return be endorsed by the Shire President and the Chief Executive Officer.

MOTION CARRIED 9/0

16.3 AUTHORISATION TO USE THE COMMON SEAL

Applicant: Corporate Services
File No. N/A
Attachments: Treasury Corporation Loan Documents
Author: Mr John Bingham
Disclosure of Interest: Nil
Date of Report: 19 March 2014
Senior Officer: Mr Neville Hale

Summary

The use of the Common Seal of Shire of Lake Grace is sought to authorise Loan Agreements issued by WATC.

Background

Loan Agreement documents for: (i) Loan 198 (Lake Grace Sporting Precinct \$200,000.00) and (ii) Loan 199 (Standpipe Controllers \$127,805.00) both require use of the Common Seal and the signature from the President and the CEO.

Comment

Loan 198 and Loan 199 were both included in the 2013/14 Budget and subsequently adopted by Council.

Legal Implications

Nil

Policy Implications

Nil

Consultation

Nil

Financial Implications

Strategic Implications

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 11792

Moved Cr Clarke
Seconded Cr Chappell

That Council authorise the President and CEO to affix the Common Seal on documentation for Loan 198 & Loan 199, being for Lake Grace Sports Precinct and installation of standpipe controllers respectively.

MOTION CARRIED 9/0

UNCONFIRMED

17.0 INFORMATION BULLETIN

17.1 INFORMATION BULLETIN REPORT – MARCH 2014

Applicant: Executive Services
File No. N/A
Attachments: 1 to 5 *(provided for Councillors information under separate cover)*
Author: Miss Mikaela Knill
Disclosure of Interest: Nil
Date of Report: 17 February 2014
Senior Officer: Mr Neville Hale

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 and the weekly mail-out system.

Comment

The information at attachment includes:

- 1. Newdegate Public Library Report**
1 January 2014 to 28 February 2014
- 2. Lake King Library Report**
1 November 2013 to 27 February 2014
- 3. Council Status Report**
Update of Council Resolutions
- 4. Infrastructure Services Report**
Report of works undertaken in the Infrastructure Services Department - February 2014
- 5. WALGA**
State Council Summary Minutes March 2014

Legal Implications

Nil

Policy Implications

Nil

Consultation

Nil

Financial Implications

Nil

Strategic Implications

Shire of Lake Grace Community Strategic Plan

Voting Requirements

Simple majority required.

Voting Requirements

Simple majority required.

Recommendation/Resolution

MOTION 11793

Moved Cr Clarke
Seconded Cr Armstrong

That Council accepts the Information Bulletin report.

MOTION CARRIED 9/0

18.0 URGENT BUSINESS BY DECISION OF THE MEETING

19.0 SCHEDULING OF MEETING

19.1 APRIL 2014 ORDINARY MEETING

Motion 11711 November 2013 states:

An Ordinary Meeting of Council will be held on Wednesday 23 April 2014 commencing at 2:00 pm at Council Chambers, 1 Bishop Street, Lake Grace.

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

MOTION 11794

Moved Cr Chappell
Seconded Cr De Landgraft

That Council close the meeting to the public at this time, being 2.59 pm, to consider Item 20.1 Quondong Court Lake Grace - Sale of 10 Lot Subdivision.

MOTION CARRIED 9/0

20.1 QUONDONG COURT LAKE GRACE – SALE OF 10 LOT SUBDIVISION

Item forwarded under separate cover.

MOTION 11795

Moved Cr Clarke
Seconded Cr Chappell

That in accordance with clause 16.1 of the Shire's Standing Order Local Law, the meeting be suspended at 3.05 pm to allow discussion on the Sale of 10 lot subdivision, Quondong Court Lake Grace

MOTION CARRIED 9/0

MOTION 11796

Moved Cr De Landgraft
Seconded Cr Chappell

That Standing Orders resume, the time being 3.23 pm

MOTION CARRIED 9/0

Cr Marshall left the meeting at 3.24 pm, returning at 3.25 pm

MOTION 11797

Moved Cr Armstrong
Seconded Cr Chappell

That Council re-open the meeting to the public at this time, being 3.25 pm.

MOTION CARRIED 9/0

The Shire President read aloud the following part resolution, excluding item 1 regarding the setting of a reserve price:

MOTION 11798

Moved Cr Hunt
Seconded Cr Clarke

That:

1. Confidential;
2. Council authorise the Chief Executive Officer to call public tender for sale of the 10 Lots within the Quondong Court Subdivision and to prepare the necessary documentation with provision for a 10% deposit within 14 days of notice of acceptance and with the balance payable on settlement;
3. Council has no special conditions that apply to these lots;
4. In the event that not all lots are sold that the CEO be authorised to engage suitable real estate agent for the marketing of and to facilitate the sale of the lots; and,
5. That for purposes of section 5.43(d) of the Local Government Act, 1995 following completion of the tender process, the CEO is authorised to accept an offer equal to or greater than the reserve price, net of GST, and finalise the sale.

MOTION CARRIED 8/0

21.0 CLOSURE

There being no further business, the Shire President closed the meeting at 3.30 pm.

22.0 CERTIFICATION

I Andrew James Walker certify that the minutes of the meeting held on the 26 March 2014 as shown were confirmed as a true record at the meeting held on the 23 April 2014.

Shire President

Date

UNCONFIRMED