

Shire of Lake Grace

Ordinary Council Meeting

Minutes

25 May 2016



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SHIRE OF LAKE GRACE

Minutes of the Ordinary Meeting of Council held at the Newdegate Library Resource Centre, Collier Street, Newdegate on Wednesday 25 May 2016.

1.0 OPENING & ANNOUNCEMENT OF VISITORS

The Shire President opened the meeting at 3.00 pm.

2.0 ATTENDANCE RECORD

2.1 PRESENT

Cr JF De Landgrafft	Shire President
Cr SG Hunt	Deputy Shire President
Cr LW Armstrong	
Cr R Chappell	
Cr DS Clarke	
Cr RA Lloyd	
Cr AD Marshall	
Cr MG Stanton	
Cr AJ Walker	

In Attendance

Mr N Hale	Chief Executive Officer
Ms D Gobbart	A/Manager Corporate Services
Mr L Shopov	Manager Infrastructure Services
Ms L Holben	Manager Community Services
Mrs J Bennett	Executive Officer
Ms N Bowman	Governance & Council Support Officer

Observers/Visitors

Ms Helen Steicke	Newdegate Active Precinct Committee
Ms Emily Gilmore	Newdegate Active Precinct Committee
Mrs Karen Richardson	Lake King Progress Association
Mrs Kylie Sugg	Lake King Progress Association
Mrs Kate Hetherington	Lake King Progress Association

2.2 APOLOGIES

Nil.

2.3 LEAVE OF ABSENCE PREVIOUSLY GRANTED

Resolution 12219, 24 February 2016

Cr Marshall has approved leave of absence from 29 July 2016 to 22 August 2016.

Resolution 12267, 27 April 2016

Cr De Landgrafft has approved leave of absence from 7 July 2016 to 12 August 2016.

3.0 PUBLIC QUESTION TIME

None.

4.0 APPLICATIONS FOR LEAVE OF ABSENCE

4.1 CR LLOYD

Application for Leave of Absence was received in writing from Cr Lloyd.

RESOLUTION 12282

Moved Cr Chappell
Seconded Cr Hunt

That Cr Lloyd be granted leave of absence for the period 16 October 2016 to 4 November 2016.

MOTION CARRIED 9/0

5.0 MINUTES OF PREVIOUS COUNCIL MEETINGS

5.1 ORDINARY MEETING – 27 APRIL 2016

Resolution

RESOLUTION 12283

Moved Cr Walker
Seconded Cr Stanton

That the minutes of the Ordinary Meeting of Council held on the 27 April 2016 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

None.

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

None.

6.3 DECLARATIONS OF IMPARTIALITY INTEREST – ADMINISTRATION REGULATION SECTION 34C

None.

7.0 NOTICES OF URGENT BUSINESS

None received.

8.0 MOTIONS OF WHICH NOTICE HAS BEEN RECEIVED

None received.

9.0 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

9.1 NEWDEGATE ACTIVE PRECINCT COMMITTEE

Emily Gilmore and Helen Steicke representatives from the Newdegate Active Precinct Committee gave a presentation about their plans for a skate park and play facility in Newdegate and advised what they are seeking from the Shire. Estimated cost of the project is between \$150,000 and \$250,000. Area is zoned Residential at the moment and will need to be changed to Recreation. It is proposed the Skate Park be located on land adjacent to the Pioneer Park. The privately owned land will be donated to the Shire.

This presentation gave Councillors an idea about what the Newdegate Active Precinct committee is proposing before item is presented at the 22 June 2016 Council Meeting.

3.10 pm Emily Gilmore and Helen Steicke left the meeting.

9.2 LAKE KING PROGRESS ASSOCIATION

Karen Richardson, Kylie Sugg and Kate Hetherington representatives from the Lake King Progress Association gave a presentation about what has happened to the Lake King Netball Courts, what the state of play now is for the community, and its expectations for the future.

The Lake King Progress Association is desperately seeking to repair the netball courts due to the unsafe surface.

The Shire has recently assigned a contractor to repair the cracks in the courts, however the job is unsatisfactory. The Shire's Manager of Infrastructure Services advised contractor is available on Thursday 26 May 2016 for repair at no additional cost.

Lake King Progress Association to investigate further seeking grants and also quotes for cost of replacement of courts. It was also suggested for the Lake King Progress Association to look into astroturf. A proposal can then be submitted to the Shire for formal consideration.

3.30 pm Karen Richardson, Kylie Sugg and Kate Hetherington left the meeting.

10.0 MEMBERS' REPORTS

10.1 CR ARMSTRONG

No report as Cr Armstrong has been away for three weeks.

10.2 CR CHAPPELL

Wednesday 4 May 2016 – Attended the official opening of the Independent Living Units in Newdegate.

Tuesday 24 May 2016 – Attended the Regional Health Advisory Council meeting. Advised the new St John Ambulance sub centre has the carpenter onsite and sub centre should be completely finished within five weeks.

10.3 CR CLARKE

Cr Clarke reported attendance at the following:

Wednesday 4 May 2016 – Opening of the Newdegate Independent Living Units along with other Councillors and Staff.

Tuesday 17 May 2016- Interviews for the new CEO at the Council Chambers, Lake Grace.

Wednesday 18 May 2016 – Community morning tea in Newdegate at the pavilion with Rick Wilson MLA, Federal Member. Was an apology for the Visitor Centre meeting that afternoon.

Tuesday 24 May 2016 – Lake Grace Regional Health Advisory Council meeting at the Medical Centre. There was discussion on the number of items not completed in the refurbishment at the hospital. As a follow on from the previous meeting, group representatives had spoken to Federal and State Politicians from the Liberal and National Parties regarding additional accommodation for permanent care patients. It was resolved to send letters to Politicians on getting the additional six self contained units for permanent care patients at the hospital. Hospital staff were unaware of the Doctors resignation.

10.4 CR DE LANDGRAFFT

Friday 29 April 2016 – Attended the WALGA Central Country Zone meeting in Corrigin.

Wednesday 4 May 2016 – Attended the official opening of the Newdegate Independent Living Units along with other Councillors. It was great to see the students from the Newdegate Primary School being involved.

Tuesday 10 May 2016 – Attended the Newdegate Rejuvenation Committee Meeting.

Wednesday 11 May 2016 – Attended the Integrated Asset Management Committee workshop at Council Chambers, Lake Grace.

Tuesday 17 May 2016 – CEO interviews at Council Chambers, Lake Grace with LO-GO Appointments. During the lunch break had a meeting with the Shire's Deputy Shire President, CEO and Chris Swarts from First Health to discuss the recent resignation of Dr Manus.

10.5 CR HUNT

Wednesday 4 May 2016 – Attended the official opening of the Newdegate Independent Living Units along with other Councillors.

Tuesday 17 May 2016 – Attended the CEO interviews at Council Chambers, Lake Grace. During the lunch break attended a meeting with Chris Swarts from First Health including the Shire President and CEO to discuss the recent resignation of Dr Manus. That evening attended the School Board Meeting.

10.6 CR LLOYD

Cr Lloyd reported attendance at the following:

Tuesday 3 May 2016 – Newdegate Machinery Field Day Meeting.

Wednesday 4 May 2016 – The official opening of the Independent Living Units in Newdegate along with other Councillors.

Thursday 5 May 2016 – CWA Mother's Day Morning Tea which was held in Newdegate.

Tuesday 10 May 2016 – Newdegate Rejuvenation Committee Meeting.

Wednesday 11 May 2016 – Integrated Asset Management Committee Workshop with Russell Barnes from Moore Stephens.

Tuesday 17 May 2016 – CEO interviews with Melissa Hanson from LO-GO Appointments.

Wednesday 18 May 2016 – Rick Wilson MLA, Federal Member visit in Newdegate.

Thursday 19 May 2016 – Newdegate Primary School Student Council Assembly.

10.7 **CR MARSHALL**

Wednesday 4 May 2016 – Attended the official opening of the Independent Living Units in Newdegate along with other Councillors.

Tuesday 17 May 2016 – Attended interviews with LO-GO Appointments for the CEO position.

10.8 **CR STANTON**

Wednesday 4 May 2016 – Attended the official opening of the Newdegate Independent Living Units along with other Councillors. The finishing's to the ILU's was excellent.

Tuesday 17 May 2016 – Attended CEO interviews with LO-GO Appointments.

10.9 **CR WALKER**

Wednesday 4 May 2016 – Attended the official opening of the Independent Living Units in Newdegate along with other Councillors.

Tuesday 17 May 2016 – Attended interviews with LO-GO Appointments for the CEO position.

11.0 MATTERS FOR CONSIDERATION – INFRASTRUCTURE SERVICES

11.1 LAKE GRACE RAV ACCESS – NEW STREETS TO BE INCLUDED IN NETWORK 2-4

RESOLUTION 12284

Moved Cr Chappell
Seconded Cr Walker

That, as per item 16.1 of the Shire of Lake Grace Standing Orders Local Law, standing orders be suspended at this time, being 3.36 pm to discuss the Lake Grace RAV access, new streets to be included in Network 2-4.

MOTION CARRIED 9/0

RESOLUTION 12285

Moved Cr Chappell
Seconded Cr Hunt

That Standing Orders resume, time being 4.13 pm.

MOTION CARRIED 9/0

Applicant:	Infrastructure Services
File No.	0446
Attachments:	Lake Grace RAV Access Map
Author:	Mr Louka Shopov Manager Infrastructure Services
Disclosure of Interest:	Nil
Date of Report:	18 May 2016
Senior Officer:	Mr Neville Hale Chief Executive Officer

Summary

For Council to consider Lake Grace town roads to be included in Restricted Access Vehicles network 2-4.

Background

Main Roads Western Australia (MRWA) has granted temporary access to roads in the Lake Grace townsite for Restricted Access Vehicles (RAV). A formal adoption by the Council is required to have these streets added to the RAV network.

Comment

MRWA advised the Shire of Lake Grace by email, dated 29 April 2016, that interim RAV access is approved for the following roads, subject to the following conditions:

- Bishop Street approved for RAV network 2-4 between Bennett Street and the depot driveway at the corner of Collie Lake King Road (road transport operator Darren Spencer requested the section of Bishop Street from his driveway to Collie Lake King Road to be included to the Network);
- Bennett Street approved for RAV network 2-4 between Bishop Street and Carruthers Street; and,
- Carruthers Street approved for RAV network 2-4 between Bennett Street and Collie Lake King Road with the condition of no left turn permitted into Collie Lake King Road from Carruthers Street (refer to attached).

Legal Implications

Road Traffic Act 1974

Policy Implications

N/A

Consultation

External Lake Grace road transport operators - Fyfe Transport (David Fyfe) and Spencer Transport (Darren Spencer)

Financial Implications

Providing heavy vehicle access to town streets it will result in additional maintenance costs and this will need to be monitored to ensure that road and kerb damage is limited.

Strategic Implications

Shire of Lake Grace Strategic Community Plan

Economic

- *Maintain community built infrastructure to ensure it is appropriate for all towns in the Shire*

Recommendation

It is recommended that Council approve the following roads in Lake Grace to be added to Restricted Access Vehicle network subject to the following conditions:

- Bishop Street approved for Restricted Access Vehicle network 2-4 between Bennett Street and Collie Lake king Road;
- Bennett Street approved for Restricted Access Vehicle network 2-4 between Bishop Street and Carruthers Street;
- Carruthers Street approved for Restricted Access Vehicle network 2-4 between Bennett Street and Collie Lake King Road with the condition of no left turn permitted into Collie Lake King Road from Carruthers Street;
- Absolon Street approved for Restricted Access Vehicle network 2-4 between Albany-Lake Grace Road and Lawson Street;
- Mason Street approved for Restricted Access Vehicle network 2-4 between Albany-Lake Grace Road and Thiel Street; and,
- Coad Street approved for Restricted Access Vehicle network 2-4 between Absolon Street and Mason Street.

Voting Requirements

Simple majority required.

Resolution

RESOLUTION 12286

Moved Cr Chappell
Seconded Cr Clarke

It is recommended that Council approve the following roads in Lake Grace to be added to Restricted Access Vehicle network subject to the following conditions:

- Bishop Street approved for Restricted Access Vehicle network 2-4 between Bennett Street and Collie Lake King Road;
- Bennett Street approved for Restricted Access Vehicle network 2-4 between Bishop Street and Carruthers Street;
- Carruthers Street approved for Restricted Access Vehicle network 2-4 between Bennett Street and Collie Lake King Road with the condition of no left turn permitted into Collie Lake King Road from Carruthers Street;
- Absolon Street approved for Restricted Access Vehicle network 7 between Albany-Lake Grace Road and Lawson Street;
- Mason Street approved for Restricted Access Vehicle network 7 between Albany-Lake Grace Road and Thiel Street;
- Coad Street approved for Restricted Access Vehicle network 7 between Absolon Street and Mason Street;
- McMahon Street approved for Restricted Access Vehicle network 2-4 between laneway and Stubbs Street;
- Franks Street approved for Restricted Access Vehicle network 2-4 between Absolon Street and Stubbs Street which is to be confirmed with Main Roads and with possible time restrictions;
- Mather Street approved for Restricted Access Vehicle network 7 off Dewar Street with time restrictions; and,
- Slarke Street approved for Restricted Access Vehicle network 7.

MOTION CARRIED 9/0

Reason for change: It was identified by Councillors that other roads needed to be added to the network within the Lake Grace townsite. Map was reviewed and updated as required including some changes to networks with the upgrade to network 7.

12.0 MATTERS FOR CONSIDERATION – PLANNING

No matters for consideration.

13.0 MATTERS FOR CONSIDERATION – HEALTH & BUILDING

No matters for consideration.

14.0 MATTERS FOR CONSIDERATION – FINANCE

14.1 ACCOUNTS FOR PAYMENT – APRIL 2016

Applicant:	Shire of Lake Grace
File No.	0277
Attachments:	List of Creditors
Author:	Miss Kairi Nigol Finance Officer
Disclosure of Interest:	Nil
Date of Report:	16 May 2016
Senior Officer:	Ms Denise Gobbart Acting Manager Corporate Services

Summary

For Council to ratify expenditures incurred for the month of April 2016.

Background

List of payments for the month April 2016 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; and,
- (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

Policy 3.6 - Authorised Use of Credit Card/Fuel Cards

Policy 3.7 - Purchasing Policy

Consultation

N/A

Financial Implications

The list of creditors paid for the month of April 2016 from the Municipal and Trust Account Total \$ 1,127,865.87.

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.

Recommendation/Resolution

RESOLUTION 12287

Moved Cr Marshall
 Seconded Cr Stanton

That Council ratify the list of payments totalling \$1,127,865.87 as presented for the month of April 2016 incorporating:

- Trust Account Cheques:	883 - 889	\$	6,799.00
- Trust Electronic Funds	EFT15363	\$	155.00
- Electronic Funds Transfer:	EFT15333-EFT15362, EFT15364-EFT15454	\$	855,493.04
- Municipal Account Cheques:	Cheque 36224 - 36236	\$	65,784.65
- Direct Debits:	DD6086.1-DD6086.1 DD6093.1-DD6093.9 DD6132.1-DD6132.10 DD6159.1-DD6159.18	\$	72,183.15
- Electronic Funds Transfer:	Payroll Net Pay	\$	127,451.03

MOTION CARRIED 9/0

14.2 FINANCIAL STATEMENT – APRIL 2016

Applicant:	Shire of Lake Grace
File No.	0275
Attachments:	1. Financial Reports April 2016 2. Bank Reconciliations
Author:	Ms Denise Gobbart Acting Manager Corporate Services
Disclosure of Interest:	Nil
Date of Report:	16 May 2016
Senior Officer:	Mr Neville Hale Chief Executive Officer

Summary

Consideration of the financial statements for the month ending 30 April 2016.

Background

The following financial reports for April 2016 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

Shire of Lake Grace Strategic Community Plan

Civic Leadership Focus Area (5)

- *Excellence in Shire administration and communication*

Voting Requirements

Simple majority required.

Recommendation/Resolution

RESOLUTION 12288

Moved Cr Armstrong
Seconded Cr Hunt

That Council in accordance with Regulation 34 of the *Local Government (Financial Management) Regulations 1996* receives the Statements of Financial activity for the period ended 30 April 2016.

MOTION CARRIED 9/0

14.3 OUTSTANDING EMERGENCY SERVICES LEVY – WRITE OFF

Applicant:	Internal Report
File No.	A6037 and A6164
Attachments:	Nil
Author:	Ms Denise Gobbart Acting Manager Corporate Services
Disclosure of Interest:	Nil
Date of Report:	16 May 2016
Senior Officer:	Mr Neville Hale Chief Executive Officer

Summary

To consider and endorse the write off of outstanding Emergency Services Levy (ESL) and Penalty Interest on A6037 and A6164 as they have been raised in error.

Background

A6037 – 21 Seward Avenue Varley is Unallocated Crown Land. It appears that levies have previously been raised on this property in 2002, and then written off in the same year. The current arrears charge was raised in 2012 with penalty interest levied in 2014 and 2015.

A6164 – 13 Sugg Road Lake King is Unallocated Crown Land. It appears that levies have previously been raised on this property prior to 2002, and then were recommenced in 2006 to 2015. With the exception of billing years 2014 and 2015 the charges have been reversed as raised in error. Correspondence had been received from the Department of Land Administration at the time to advise the land was not rateable.

Comment

On running the Final Notices to be sent out on the above properties were identified as having outstanding ESL charges. On investigation it was discovered that both properties were Unallocated Crown Land, and the land is not rateable.

Given the current Delegation, F08 only allows the Chief Executive Officer to write-off balances less than \$50.00 the item has been referred to Council.

As the charges have been levied in prior years, Council endorsement is required to write the balances off. If the error had been identified in the year they were raised administration would have been able to reverse the charges as they were in error.

Legal Implications

Local Government Act 1995 - section 6.12

Power to Defer, Grant Discounts, Waive or Write Off Debts.

- (1) *Subject to subsection (2) and any other written law, a local government may —*
 - (a) *when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money; or*
 - (b) *wave or grant concessions in relation to any amount of money; or*
 - (c) *write off any amount of money, which is owed to the local government;*

** Absolute majority required.*
- (2) *Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges;*

- (3) *The grant of a concession under subsection (1)(b) may be subject to any conditions determined by the local government; and,*
- (4) *Regulations may prescribe circumstances in which a local government is not to exercise a power under subsection (1) or regulate the exercise of that power.*

Policy Implications

Policy 3.9 Outstanding Rate Debtors

The policy has no effect as the rates were raised in error.

Delegation F08 – Write-off of Small Balances

The delegation has no effect as the balance on each account is over \$50.00.

Consultation

Internal: Chief Executive Officer

Financial Implications

A loss in revenue of \$302.49 will occur with the write off of ESL raised in error and penalty interest on the said properties. This will be reflected in E030250 – Rates Written Off.

Strategic Implications

Shire of Lake Grace Strategic Community Plan

Civic Leadership – Focus Area

- *CL1 - Elected members provide visionary leadership*
- *CL1.3 - Improve organisational capability and capacity*

Voting Requirements

Absolute Majority (5) required.

Recommendation/Resolution

RESOLUTION 12289

Moved Cr Clarke
Seconded Cr Hunt

That Council endorse the write off of Emergency Services Levy and Penalty Interest levied on the following properties:

A6037	\$ 76.75
A6164	\$225.74

MOTION CARRIED BY ABSOLUTE MAJORITY 9/0

14.4 **UNBUDGETED EXPENDITURE – LANDSCAPING AND PAVING AT LAKE GRACE SPORTS PAVILION**

Applicant:	Infrastructure Services
File No.	0162
Attachments:	1. Site Plan 2. Cost Estimate of Proposed Works
Author:	Mr Louka Shopov Manager Infrastructure Services
Disclosure of Interest:	Nil
Date of Report:	18 May 2016
Senior Officer:	Mr Neville Hale Chief Executive Officer

Summary

For Council to consider a request from Lake Grace Recreation Committee for landscape works at the Sports Pavilion.

Background

At a recent site meeting with Mr John O'Neill, attended by the Shire Manager Infrastructure Services Louka Shopov, Mr O'Neill proposed landscaping works to be undertaken at Lake Grace Sports Pavilion, which were not included in the scope of the project completed in January 2016.

However, these works could be considered as part of the overall Recreation Precinct upgrade. Generally projects of this nature are funded on the basis of one third (1/3) Shire and the balance by way of a grant and community contribution.

The proposed landscaping and brick paving works include:

1. Removal of 100 millimetres deep layer of existing hard stand area between the main building and football oval (approximately 480 square metres) and replacement with sand and installation of lawn;
2. Excavation of 100 millimetres wide by 300 millimetres deep by 60 metre trench for future irrigation system;
3. Installation of 97 metre long concrete gardening kerb; and,
4. Installation of 30 square metres of brick paving at western side of the pavilion (refer attached Site Plan).

Comment

The project works are split between Shire of Lake Grace Construction Crew, Concrete Kerbing Contractor, and Brick Paving Contractor. The three parts of the projects are less than \$5,000.00 and require minimum of two (2) verbal quotes for each component. Quotes have been obtained from Nambec Nominees (0427 652 151) and Rylan Kerbing (0417 183 639) with additional quotes to be finalised.

Legal Implications

Local Government Act 1995 - s6.8

- *Expenditure from municipal fund not included in annual budget.*

Policy Implications

Policy 3.7 Purchasing Policy - Total cost estimate of works is \$11,102.00 (refer to attachment Project Cost Estimate).

Consultation

External Lake Grace Recreation Committee (LGRC) - Mr John O'Neill

Financial Implications

An unbudgeted expense of \$11,102.00 would be incurred for the completion of proposed works. However, it is proposed that the Shire's one third contribution of \$3,700.00 be made available to ensure the lawn area is completed in time for the 2016 Colts Carnival. The balance of requested works to be completed and funded by the LGRC.

Strategic Implications

Shire of Lake Grace Strategic Community Plan

Social

- *Maintain and improve social/community infrastructure to support community wellbeing*

Recommendation

That Council:

- 1) Authorise an unbudgeted expense of \$3,700.00 (one third of the estimated total \$11,100.00 cost) from account E107610 - Lake Grace Town Landscaping for the completion of the supply and installation of lawn in front of the Sports Pavilion; and,
- 2) The remaining \$7,400.00 (two thirds) of the estimated cost to be provided by the Lake Grace Recreation Committee.

Voting Requirements

Absolute majority (5) required.

Resolution

RESOLUTION 12290

Moved Cr Hunt

Seconded Cr Marshall

That Council:

- 1) Authorise an unbudgeted expense of \$3,700.00 (one third of the estimated total \$11,100.00 cost) from account E113135 – Lake Grace Rec Ground Expenses for the completion of the supply and installation of lawn in front of the Sports Pavilion;
- 2) Lake Grace Recreation Committee is to confirm the remaining \$7,400.00 (two thirds) of the estimated cost is available from the Lake Grace Recreation Committee; and,
- 3) This funding arrangement is to be made available only if the work is undertaken prior to the 2016 Colts Carnival, or else it can be considered in budget deliberations 2016/2017.

MOTION CARRIED BY ABSOLUTE MAJORITY 9/0

Reason for change: It was identified the incorrect account quoted was rectified to E113135 and extra point created for funding arrangements to be available only if the work was undertaken prior to the 2016 Colts Carnival or else it would be considered in budget deliberations for 2016/2017.

15.0 MATTERS FOR CONSIDERATION – COMMUNITY SERVICES

No matters for consideration.

4.39 pm Cr Marshall left the meeting.

16.0 MATTERS FOR CONSIDERATION - ADMINISTRATION

16.1 SHIRE OF LAKE GRACE CEMETERIES AMENDMENT LOCAL LAW 2016

Applicant: Joint Standing Committee on Delegate Legislation
File No. 0378
Attachments: Cemeteries Amendment Local Law 2016
Author: Mr Bruce Wittber, BHW Consulting
Local Laws Consultant
Disclosure of Interest: Nil
Date of Report: 2 May 2016
Senior Officer: Mr Neville Hale
Chief Executive Officer

Summary

The purpose of this report is for the Council to consider the attached Cemeteries Amendment Local Law 2016, for the Presiding Member to give notice of the purpose and effect of the proposed amendment local law and for approval to advertise seeking community comments on the proposed amendment local law.

Background

The Shire of Lake Grace Cemeteries Amendment Local Law 2015 was adopted by the Council on 18 November 2015 and was advertised in the Government Gazette on Tuesday 15 December 2015.

All local laws are subject to a review by the Joint Standing Committee on Delegate Legislation (JSCDL) and in a letter to Shire President Councillor Walker, dated the 25 February 2016, the Chair of the JSCDL Mr Peter Abetz MLA, advised that the JSCDL wished to raise two issues with the Council that required a further amendment to the Cemeteries Local Law.

The Council at its meeting on 23 March 2016 resolved in part as follows:

RESOLUTION 12263

Moved Cr Clarke

Seconded Cr Walker

That Council resolves:

3. *To prepare a draft amendment to the Cemeteries Local Law to rectify the errors identified by the Joint Standing Committee on Delegated Legislation. **MOTION CARRIED 9/0***

Comment

Section 3.12 of the Act outlines the procedure for making local laws which is broadly as follows:

- the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner;
- the Shire is to give State-wide public notice stating:
 - the local government proposes to make a local law the purpose and effect of which is summarized in the notice;

- a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and,
- submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given;
- give a copy of the proposed local law and a copy of the notice to the Minister and, if another Minister administers the legislation under which the local law is proposed to be made, to that other Minister;
- provide a copy of the proposed local law to any person requesting it;
- at the close of submissions consider any submissions made and take into consideration any comments provided;
- adopt the local law as originally published or as amended, subject to the amendments not substantially altering the intent of the local law;
- publish the local law in the Government Gazette;
- give a copy of the local law to the Minister and, if another Minister administers the legislation under which the local law is proposed to be made, to that other Minister;
- after the local law has been published in the Government Gazette the local government is to give local public notice:
 - stating the title of the local law;
 - summarising the purpose and effect of the local law (specifying the day on which it comes into operation); and,
 - advising that copies of the local law may be inspected or obtained from the local government's office; and,
- within 10 days of the publication in the Government Gazette submit the local law to the Joint Standing Committee on Delegated Legislation.

S3.12(5) of the Act requires the Shire to give state-wide notice for a period of 42 days from the date of publication of the advertisement inviting submissions on the proposed local laws.

The purpose and effect of the proposed Cemeteries Amendment Local Law 2016 is outlined below:

Purpose: To amend the Shire of Lake Grace Local Laws Relating to the Lake Grace, Newdegate, Lake King and Varley Public Cemeteries to correct errors in the adoption of the Shire of Lake Grace Cemeteries Amendment Local Law 2015.

Effect: To delete clause 1.2(3) and amend clause 6.1(1) of the Shire of Lake Grace Local Laws Relating to the Lake Grace, Newdegate, Lake King and Varley Public Cemeteries to ensure an appropriate interpretation of the local law.

Legal Implications

Local Government Act 1995

Shire of Lake Grace Local Laws Relating to the Lake Grace, Newdegate, Lake King and Varley Public Cemeteries

Policy Implications

N/A

Consultation

State-wide and local advertising for a period of 42 days inviting comment on the proposed amendment local law.

Financial Implications

This will incur additional advertising and publishing costs.

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.

Recommendation/Resolution**RESOLUTION 12291**

Moved Cr Clarke

Seconded Cr Armstrong

President read aloud the purpose and effect of the proposed Cemeteries Amendment Local Law 2016.

That the Council in accordance with section 3.12 of the Local Government 1995 resolves:

1. To approve the giving of state-wide public notice of the Shire of Lake Grace Cemeteries Amendment Local Law 2016 in order to seek public comment; and,
2. To submit to the Minister for Local Government a copy of the proposed local law.

MOTION CARRIED 8/0

4.41 pm Cr Marshall returned to the meeting.

16.2 **2016 WALGA AGM – NOMINATION OF DELEGATES**

Applicant:	WA Local Government Association
File No.	0029
Attachments:	Nomination Form
Author:	Mr Neville Hale Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	10 May 2016
Senior Officer:	Mr Neville Hale Chief Executive Officer

Summary

For Council to nominate its delegates to the 2016 Annual General Meeting of the Western Australian Local Government Association (WALGA).

Background

Each year WALGA holds its Annual General Meeting (AGM) to which each member local government is entitled to be represented by two (2) voting delegates.

The delegates are to be registered by 4 July 2016.

The AGM is to be held at the Perth Convention Centre on Wednesday, 3 August 2016 commencing at 1.30 pm.

Comment

Council has previously nominated the Shire President and Deputy President as its delegates to the WALGA Central Country Zone.

It is appropriate that the Zone delegates be nominated to represent the Shire at the AGM. In addition, for the AGM, it is requested that Council nominate proxy delegates in the event that one or both of the voting delegates are unable to attend.

Legal Implications

WALGA Constitution

Policy Implications

N/A

Consultation

N/A

Financial Implications

The cost of attending the AGM is provided for within the Shire's Conference expenses allocation E041030 - \$22,309 which covers the cost of the convention, accommodation, and travel.

Strategic Implications

Shire of Lake Grace Strategic Community Plan

Civic Leadership - CL1

- *Elected members provide visionary leadership that fairly and equitably represents their Shire community*

Recommendation

That Council appoint delegates to the Western Australian Local Government Association, Annual General Meeting 2016 as follows:

- Voting Delegates Cr De Landgraft
 Cr Hunt
- Proxy delegates Cr _____
 Cr _____

Voting Requirements

Simple majority required.

Resolution**RESOLUTION 12292**

Moved Cr Stanton
Seconded Cr Lloyd

That Council appoint delegates to the Western Australian Local Government Association, Annual General Meeting 2016 as follows:

- Voting Delegates Cr Hunt
 Cr Armstrong
- Proxy delegates Cr Clarke
 Cr Chappell

MOTION CARRIED 9/0

17.0 INFORMATION BULLETIN

17.1 INFORMATION BULLETIN REPORT – MAY 2016

Applicant:	Executive Services
File No.	N/A
Attachments:	Information Bulletin (<i>under separate cover</i>)
Author:	Ms Natasha Bowman Governance & Council Support Officer
Disclosure of Interest:	Nil
Date of Report:	17 May 2016
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.

Note: 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 (May 2016) Information Bulletin Report has been emailed to Councillors.

The May 2016 Information Bulletin attachment includes:

Reports

1. Council Status Report – April 2016
2. Infrastructure Services Report – April 2016
3. Outstanding Rates Report – April 2016
4. Monthly Schedules – April 2016
5. Lake Grace Community Library Report and Statistics
6. Newdegate Library Report and Statistics
7. Lake King Library Report and Statistics
8. Environmental Health Report
9. WALGA – President's Report – May 2016
10. Wheatbelt Highway Safety Review – Summary Report – December 2015

Letters

11. Western Australia WA Country Health Service - Preliminary Evaluation Royalties for Regions Funded Southern Inland Health Initiative (SIHI)
12. Westpac – Lake Grace Branch Closure

Circulars & Newsletters

13. St John Ambulance Western Australia - Lake Grace Sub Centre Newsletter – April 2016
14. Department of Local Government and Communities – Circular 08/2016
15. Department of Local Government and Communities – Circular 09/2016
16. Department of Local Government and Communities – Circular 10-2016
17. WALGA – Economic Briefing Federal Budget – 4 May 2016
18. WALGA – Economic Briefing State Budget – 13 May 2016
19. WALGA – Info Page – Inspection of metal clad timber framed roof construction in WA
20. WALGA – Info Page – Update on Gift Provisions
21. District Health Advisory Council e-News – May 2016

Minutes

22. 4WDL Minutes – 10 May 2016
23. Newdegate Rejuvenation Committee – 10 May 2016
24. Integrated Planning Asset Management Committee – 11 May 2016
25. Lake Grace Visitor Centre – 20 April 2016
26. Roe Tourism Association – 18 April 2016
27. Bureau of Meteorology – Wheatbelt radars 19 April 2016
28. WALGA Central Country Zone Executive Committee – 15 April 2016
29. WALGA Central Country Zone – 29 April 2016
30. WALGA State Council – May 2016
31. Local Government Grain Freight Group – 11 April 2016

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.

Recommendation/Resolution

RESOLUTION 12293

Moved Cr Walker
Seconded Cr Hunt

That Council accepts the Information Bulletin report.

MOTION CARRIED 9/0

18.0 URGENT BUSINESS BY DECISION OF THE MEETING

None.

19.0 SCHEDULING OF MEETING

19.1 JUNE 2016 ORDINARY MEETING

The next Ordinary Meeting of Council is scheduled to take place on Wednesday 22 June 2016, commencing at 3.00 pm at the Council Chambers, 1 Bishop Street, Lake Grace, WA.

20.0 CONFIDENTIAL BUSINESS – AS PER LOCAL GOVERNMENT ACT S5.23 (2)

None.

21.0 CLOSURE

There being no further business, the Shire President closed the meeting at 4:43 pm.

22.0 CERTIFICATION

I, Jeanette Frances De Landgraftt, certify that the minutes of the meeting held on the 25 May 2016 as shown were confirmed as a true record at the meeting held on the 22 June 2016.

Shire President

Date