

Shire of Lake Grace



Minutes

Ordinary Council Meeting

25 November 2009

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SHIRE OF LAKE GRACE

Minutes of the Ordinary Meeting of Council held at the Newdegate Indoor Recreation Centre, Newdegate on Wednesday 25 November 2009.

1.0 OPENING & ANNOUNCEMENT OF VISITORS

The Chairperson (Shire President) opened the meeting at 9.04 am.

2.0 ATTENDANCE RECORD

2.1 PRESENT

Cr AJ Walker	Shire President
Cr IG Chamberlain	Deputy Shire President
Cr R Chappell	
Cr JF De Landgraftt	
Cr AJ Dunkeld	
Cr AI Milton	
Cr WA Newman	
Cr OP Farrelly	
Mr SK Fletcher	Chief Executive Officer
Mr MW Burbridge	Manager Corporate Services
Mrs NY Owen	Manager Community Services
Mrs J Bennett	Executive Assistant

2.2 APOLOGIES

Cr DP Sinclair

2.3 LEAVE OF ABSENCE PREVIOUSLY GRANTED

None.

3.0 PUBLIC QUESTION TIME

No members of the public present

4.0 APPLICATIONS FOR LEAVE OF ABSENCE

None

5.0 MINUTES OF PREVIOUS COUNCIL MEETINGS

5.1 ORDINARY MEETING – 28 OCTOBER 2009

Resolution

MOTION 10901

Moved Cr Newman
Seconded Cr Chappell

That the minutes of the Ordinary Meeting of Council held on the 28 October 2009 be confirmed as a true and accurate record.

MOTION CARRIED 8/0

6.0 DECLARATIONS OF INTEREST

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

Cr Milton declared a financial interest in Item 12.5. The Chief Executive Officer declared a Financial Interest in Item 18.2.

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

Cr Chappell declared a proximity interest in Item 12.5.

6.3 DECLARATIONS OF IMPARTIALITY INTEREST – ADMINISTRATION REGULATION SECTION 34C

Cr Farrelly declared an impartiality interest in Item 12.6.

7.0 NOTICES OF URGENT BUSINESS

None

8.0 MOTIONS OF WHICH NOTICE HAS BEEN RECEIVED

Nil

9.0 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

None

10.0 MEMBERS' REPORTS**10.1 CR WALKER**

Cr Walker advised attendance at the following during the past month:

State Administrative Tribunal Mediation Hearing - Armstrong v Rintoul at Newdegate on Friday 6 November 2009, regarding the planning decision for the LPG facility in Maley St Newdegate.

The Tribunal Commissioner facilitated the three hour meeting, firstly all together, then separately followed by a break, then finishing with everyone together again. The outcome was to the satisfaction of both parties. Council will now honour the resolution it made back in 1999 to vegetate the vacant block in between the LPG facility and Rintoul's house and a 'review' clause will be inserted into Council's resolution that the situation be reviewed in three years. Mr Armstrong is to re-submit a new planning application as the previous application related solely to the LPG facility and did not take into account the additional uses.

The Shire will now write to the Rintoul's and a final hearing will be held on 14 January 2009 for Mrs Rintoul to withdraw her application to the Minister.

LEMC Meeting - 5 November 2009 at which the review of the Emergency Management Arrangements was discussed. The matter is ongoing.

Lions Club 40th Anniversary Dinner – at the Sportsmans Club. It was a very successful evening, the ongoing partnership between the Lions Club and the Shire was noted. The Lions Club have raised over \$115,000 for the community over their 40 years of service.

Regional Road Group, Lakes Sub Group – in Dumbleyung on 14 November 2009.

Lakes VROC Meeting scheduled during November was cancelled – CEO's will get together during December. The original meeting is to be re-scheduled for February at which the distribution of the Royalties for Regions combined funds will be discussed.

10.2 CR NEWMAN

Cr Newman congratulated Cr De Landgraft on recently winning the RSPCA Board position.

10.3 CR MILTON

Cr Milton advised attendance at:

- Lake Grace Development Association Meeting
- Lake Grace Development Association Accommodation Committee Meeting
- Community Cropping Group Meeting at the Newdegate Research Station with the Department of Agriculture. They advised there will be no lease renewals for the Research Station. Leases for Research Stations statewide will be reviewed in March to bring them all in line with each other.
- White Ribbon Safety Launch at Lake Grace Telecentre on 13 November 2009
- Audit Committee Meeting on 18 November 2009

11.0 MATTERS FOR CONSIDERATION – WORKS & SERVICES

11.1 TENDER 2/2009 – SUPPLY OF BITUMENOUS PRODUCTS

Applicant:	Manager of Works
File No.	0468
Attachments:	Tender Advertisement & Specifications
Author:	Mr Keith Dickerson Consultant Works Manager
Disclosure of Interest:	Nil
Date of Report:	19 November 2009
Senior Officer:	Mr Sean Fletcher Chief Executive Officer

Summary

For Council to approve a tender for the Supply of Bitumen and Aggregate to approximately 130,000 square metres to various projects in the Shire.

Background

The Shire's road program, adopted in conjunction with the 2009/10 budget indicates a budgeted amount of \$468,126.00 for bitumen sealing and resealing works on Pingrup, Lake Grace Karlgarin, Magenta, Holt Rock South, Lake Biddy, Biddy Buniche and several town streets.

As a result of several shires encountering bitumen stripping problems during the 2008/09 financial year, this year it was decided to request tenders with two options:

Option One (Excl aggregate) – to supply and spray the bitumen, pre coat and spread aggregate supplied by the Shire, with the Shire carrying out the rest of the associated works including sweeping, rolling and traffic control.

Option Two (Incl aggregate) - complete project including the supply and spray of bitumen, supply, pre coating and spreading of all aggregate, sweeping, rolling and traffic control.

This option will give the Shire the opportunity to go back to the company and request correction of any stripping should it occur.

Tenders were requested by way of a tender advertisement in the West Australian newspaper on Wednesday 21 October 2009 with tenders closing on Friday 6 November 2009.

The selection criteria was set as follows:

- | | |
|---|-----|
| • Conformity to specifications and experience | 50% |
| • Maintenance service with a commitment to customer service | 25% |
| • Quality Assurance (OSH & Traffic Management) | 25% |

Comment

Three companies submitted tenders for the completion of the sealing program:

- Bitumen Surfacing, Carlisle
- Boral Asphalt (WA), Welshpool
- RNR Contracting Pty Ltd, Guildford

Tender submissions were priced as follows:

Item No	Description	Bitumen Surfacing		RNR Contracting		Boral Asphalt	
		Tendered Rate \$/m ² Incl Aggregate	Tendered Rate \$/m ² Exc Aggregate	Tendered Rate \$/m ² Incl Aggregate	Tendered Rate \$/m ² Exc Aggregate	Tendered Rate \$/m ² Incl Aggregate	Tendered Rate \$/m ² Exc Aggregate
1	Rate to apply two coat primer seal 10mm & 14mm aggregate / cutback bitumen seal (area => 5,000m ² per visit)	\$6.09	\$4.41	\$6.14	\$4.41	\$9.13	\$7.46
2	Rate to apply two coat primer seal 7mm aggregate / cutback bitumen seal (area > 5,000m ² per visit)	\$5.01	\$4.17	\$4.86	\$3.68	\$4.24	\$3.47
3	Rate to apply 10mm aggregate / cutback bitumen seal (area => 5,000m ² per visit)	\$3.43	\$2.59	\$3.45	\$2.77	\$3.55	\$2.79
4	Rate to apply 10mm aggregate / cutback bitumen seal (area < 5,000m ² per visit) Only if required – works not presently scheduled	\$5.02	\$4.18	\$5.41	\$4.82	\$8.22	\$7.46
5	Rate to apply 14mm aggregate / cutback bitumen seal (area => 5,000m ² per visit)	\$3.60	\$2.76	\$3.59	\$2.73	\$4.89	\$4.00
6	Rate to apply 14mm aggregate / cutback bitumen seal (area < 5,000m ² per visit) Only if required – works not presently scheduled	\$5.19	\$4.36	\$5.68	\$4.95	\$8.74	\$7.83

Prices as applied to the current works program:

Location	Area (m ²)	Seal Type	Aggregate	Bitumen Surfacing		RNR Contracting		Boral Asphalt	
				Incl Aggregate	Excl Aggregate	Incl Aggregate	Excl Aggregate	Incl Aggregate	Excl Aggregate
Pingrup Rd	7,700	Primer	14	\$27,720	\$18,943	\$27,643	\$21,021	\$37,653	\$30,800
LG Karlgarin Rd	42,000	Reseal	14	\$151,200	\$115,920	\$150,780	\$114,660	\$205,380	\$168,000
Magenta Rd	28,000	Reseal	10	\$96,040	\$72,520	\$96,600	\$77,560	\$99,400	\$78,120
Holt Rock Sth Rd	15,000	Primer	14	\$54,000	\$41,400	\$53,850	\$40,950	\$73,350	\$60,000
Lake Biddy Biddy-Buniche Rd	15,000	Primer	10	\$51,450	\$38,850	\$51,750	\$41,550	\$53,250	\$41,850
Town streets and Wattle Drive	20,000	Primer	14	\$72,000	\$55,200	\$71,800	\$54,600	\$97,800	\$80,000
TOTAL				\$452,410	\$342,833	\$452,423	\$350,341	\$566,833	\$458,770
BUDGET				\$468,162	\$468,162	\$468,162	\$468,162	\$468,162	\$468,162

Tenders from Bitumen Surfacing and RNR Contracting are within Council's budget allocation.

Should a tender be accepted which includes aggregate, the cost will come in under budget which will result in some scope for flexibility in the sealing program.

The Shire has used the services of RNR contracting over the last five years, in the author's opinion they have provided a good service and it is recommended they be awarded the tender. This will enable the completion of the sealing program during December 2009 and January 2010.

Legal Implications

Local Government Act 1995 s3.57

Local Government (Functions and General) Regulations 1996 Part 4

Policy Implications

Council Policy: Policy 3.7 – Purchasing Policy

Policy 3.4 – Local Price Preference

Consultation

N/A

Financial Implications

As per Council's 2009/10 Budget.

Strategic Implications

Shire of Lake Grace Strategic Plan

4. Roads – Plan, construct and maintain a safe and efficient road network, which reflects the importance of roads to meet the social and economic development of the Shire and the region.

4.4 Assess the utilisation of contractors to ensure the efficient expenditure of Council's resources:

- Seal and re-seal program
- Grading and maintenance program
- Contractor/Shire staff skills base comparisons

Voting Requirements

Simple majority required.

Recommendation/Resolution

MOTION 10902

Moved Cr Chamberlain

Seconded Cr Dunkeld

That Council accept the 'Option Two' Tender from RNR Contracting for the Supply of Bitumen and Aggregate at the rates as tendered and set out above for an estimated total cost of \$452,423.00.

MOTION CARRIED 8/0

12.0 MATTERS FOR CONSIDERATION – PLANNING

12.1 REVIEW OF LOCAL PLANNING POLICIES

Applicant:	Shire of Lake Grace
File No.	0050 & 0525
Attachments:	Attachments 1 & 2
Authors:	Mr Joe Douglas & Mr Steve Pandevski – Urban & Rural Perspectives Town Planning Consultants
Disclosure of Interest:	Nil
Date of Report:	16 November 2009
Senior Officer:	Mr Sean Fletcher Chief Executive Officer

Summary

The local planning policies contained in section 6 of Council's current policy manual have been reviewed and advertised for public comment in accordance with Council's previous resolution in this matter and the specific requirements of the Shire's current Local Planning Scheme No.4. This report recommends that certain policies be updated and retained and that other policies be revoked.

Background

Council's current policy manual was last updated in December 2008. This update did not include a review of the Shire's current local planning policies.

The local planning policies contained in Council's current policy manual were prepared when Town Planning Scheme No.3 (TPS No.3) was the operative district zoning scheme in the Shire of Lake Grace and have not been reviewed since the gazettal (coming into force) of Local Planning Scheme No.4 (LPS No.4) in November 2007 which superseded TPS No.3.

At its ordinary meeting held on 26 August 2009 Council resolved to:

1. *Amend planning policies:*
 - i) *6.1 Residential Development (to be renamed: '6.1 Residential Development in the Lake King Townsite Development Zone' with textual modifications incorporated);*
 - ii) *6.3 Parking of Chemical Spray Units in Townsites (to be renumbered to 6.2 with textual modifications incorporated); and*
 - iii) *6.4 Development of Moveable Buildings – Including Relocated Buildings (to be renumbered and renamed to '6.3 Relocated Dwellings and Second Hand Transportable Dwellings' with textual modifications incorporated).*
2. *Authorises the Chief Executive Officer (or his nominee) to commence public advertising, as required, in accordance with the procedures prescribed under clauses 2.4 and 2.5 of Local Planning Scheme No.4.*

3. *Revoke planning policies:*
 - i) *6.2 Building Permits;*
 - ii) *6.5 Use of Sea Containers and Other Similar Transportable Structures Within the Scheme Area; and*
 - iii) *6.6 Consideration of an Application for a Demolition Licence.*
4. *Update the Policy Manual accordingly*

Comment

The proposed modifications to and revocation of the Shire's current local planning policies were advertised for public comment by way of two (2) consecutive notices in Wednesday editions of the West Australian newspaper, being the 9th and 16th September 2009. A period of not less than 21 days (ending Friday 25 September 2009) was provided for any interested person to make a written submission to the Shire on the proposals.

Modified Planning Policies

At the close of public advertising no submissions have been received by the Shire in respect of the proposed modified planning policies (see Attachment 1). Council is now required to determine whether it will adopt the modified policies, with or without further modification, or not proceed with adoption of the modified policies.

Given that no submissions (and therefore objections) to the proposed new modified policies were received by the Shire during public advertising, it is recommended that Council adopts these policies without further modification and publish a notice of its decision in the West Australian newspaper. Following publication of the required notice the modified planning policies may then be used by Council to guide all future decision making.

Planning Policies to be Revoked

Clause 2.5(b) of LPS No.4 only requires Council to advertise its intention to revoke a planning policy in two (2) consecutive editions of a newspaper circulating in the district. As previously mentioned, a notice was placed in two (2) consecutive editions of the West Australian newspaper. To that extent Planning Policies 6.2, 6.5 and 6.6 have now formally been revoked. A copy of the revoked policies is provided at Attachment 2.

Legal Implications

Shire of Lake Grace Local Planning Scheme No.4 – Clause 2.4 'Procedure for making or amending a Local Planning Policy' and Clause 2.5 'Revocation of a Local Planning Policy'.

Policy Implications

The local planning policies proposed to be retained, subject to modifications, are:

- Residential Development in the Lake King Townsite Development Zone;
- Parking of Chemical Spray Units in Townsites; and
- Relocated Dwellings and Second Hand Transportable Dwellings.

The local planning policies proposed to be revoked are:

- Building Permits;

- Use of Sea Containers and Other Similar Transportable Structures within the Scheme Area; and
- Consideration of an Application for a Demolition Licence.

Consultation

Community consultation completed in accordance with the specific requirements of LPS No.4.

Financial Implications

The total cost of reviewing the Council's existing planning policies, advertising Council's intentions in relation to the policies, adopting the modified policies and revoking those policies considered superfluous to current needs is required to be met by the Shire of Lake Grace and is estimated to be in the order of \$2,000.00 excluding GST. The cost of this work will be absorbed in Council's budget for general town planning work in the 2009/2010 financial year.

Strategic Implications

Nil

Voting Requirements

Simple majority required.

Recommendation/Resolution

MOTION 10903

Moved Cr Milton
Seconded Cr Newman

That Council:

1. Adopts the following modified planning policies, as contained at Attachment 1, without further modification:
 - i) 6.1 - Residential Development in the Lake King Townsite Development Zone;
 - ii) 6.2 - Parking of Chemical Spray Units in Townsites; and
 - iii) 6.3 - Relocated Dwellings and Second Hand Transportable Dwellings.
2. Authorise the Chief Executive Officer (or his nominee) to publish a notice in a single edition of a newspaper circulating in the District advising of Council's adoption of the modified planning policies referred to in point 1 above.

MOTION CARRIED 8/0

12.2 PLANNING APPLICATION – PROPOSED NEW DOMESTIC STORAGE SHED - LOT 179 BENNETT STREET, LAKE GRACE

Applicant:	Tameka Rae Knill
File No.	0454
Attachments:	Plans 1 to 5
Authors:	Mr Joe Douglas & Miss Elle O'Connor – Urban & Rural Perspectives Town Planning Consultants
Disclosure of Interest:	Nil
Date of Report:	16 November 2009
Senior Officer:	Mr Sean Fletcher Chief Executive Officer

Summary

This report provides details and recommendations in respect of an application for Council's planning consent submitted by Mrs Tameka Rae Knill to construct a new steel framed, colorbond storage shed at the rear of Lot 179 (No.75) Bennett Street, Lake Grace.

Background

Lot 179 (No.75) Bennett Street, Lake Grace is located in the central-southern portion of the Lake Grace townsite to the east of Franks Street, west of Vernon Street and on the northern side of Bennett Street (see Plan 1 – Location Plan).

Lot 179 comprises a total area of approximately 1,065m² and has direct frontage to Bennett Street along its southern boundary and a laneway (constructed to a gravel standard) along its rear (northern) boundary (see Plan 2 – Existing Lot Configuration).

The subject land has been developed for residential purposes and comprises a single storey detached dwelling constructed on the central (eastern) portion of the property and a small storage shed at the rear. All immediately adjoining lots have also been developed and are currently used for residential purposes (see Plan 3 – Aerial Photograph).

The application seeks Council's planning approval to construct a new 84m² (i.e. 12 metre long x 7 metre wide) storage shed at the rear of Lot 179. The applicant proposes to remove the existing shed at the rear of the property and replace it with a new shed as per the details of some basic plans submitted in support of the application (see Plans 4 & 5 – Submitted Development Plans).

It is understood that the new shed will include two (2) roller doors and one (1) personal access door which will all be orientated towards the existing dwelling (i.e. there will be no direct access to the shed via the existing right-of-way at the rear). The new shed will be of steel frame and colorbond construction with 3 metre high walls and a maximum ridge height of 3.74 metres above the natural ground level.

Furthermore, although the submitted plans do not clearly illustrate this, the proposed outbuilding appears to have a setback of approximately one (1) metre from the rear boundary and no less than four (4) metres from each side boundary.

Comment

Current Zoning & Land Use Permissibility

Lot 179 is classified 'Residential' zone under LPS No.4 with an applicable residential density coding of R20.

A key objective of the land's current 'Residential' zoning classification is to encourage a high standard of development that enhances the character and amenity of residential areas, while providing opportunities for a variety of housing types.

Under the terms of LPS No.4 an outbuilding is permitted to be developed on land classified 'Residential' zone where such land comprises an existing dwelling.

Residential Design Codes (R-Codes)

An assessment of the proposal against the requirements of the R-Codes confirms that the proposed outbuilding on Lot 179 complies with the relevant 'acceptable development provisions' including Element 6.2.1 ('Setbacks of Buildings Generally') and Element 6.10.1 ('Outbuildings').

Local Planning Scheme No.4 (LPS No.4)

An assessment of the proposal against the development standards prescribed by clause 5.19 of LPS No.4 has revealed that it satisfies the majority of the applicable development standards except for the maximum permitted floor area for outbuildings.

Clause 5.19.4 of LPS No.4 states:

"The maximum floor area of an outbuilding constructed of non-reflective cladding (e.g. brick, colorbond or timber) shall be 80 square metres unless otherwise approved by the local government."

Under the terms of the application the total floor area of the new outbuilding proposed to be constructed on Lot 179 will be 84m² which is 4m² greater than that normally permitted by LPS No.4.

Furthermore, clause 5.19.7 of LPS No.4 states:

"An outbuilding shall have a minimum setback of 1.0 metres from side and rear boundaries, with eaves not closer than 0.75 metres to such boundaries measured from the outer edge of the gutter, unless otherwise approved by the local government."

Although the plans submitted appear to satisfy the above requirements, the exact boundary setback distances have not been specified by the applicant.

In considering whether the proposed outbuilding is likely to have a detrimental impact on the residential amenity of the immediate locality, its residents or neighbouring properties, it should be noted that the proposed outbuilding:

- i) replaces an existing old shed in a substantially similar location with similar dimensions;
- ii) is constructed of new materials;

- iii) is located abutting a rear laneway and does not impact on the primary street (Bennett Street) streetscape;
- iv) will not provide direct vehicle access to the existing laneway, therefore the proposed outbuilding's setback to the laneway will not affect vehicle manoeuvrability and access to and from the laneway;
- v) satisfies the setback requirements to adjoining properties;
- vi) satisfies the maximum wall height requirements;
- vii) maintains adequate open space areas around the dwelling (i.e. backyard space); and
- viii) will be restricted in its use for purposes incidental to the residential use of the land only.

Having regard for all of the above it may be reasonable for Council to form the view that the proposed outbuilding on Lot 179 will not have a detrimental impact on the residential amenity of the immediate locality, its residents or neighbouring properties and, to that extent, may be approved.

Conclusion

It is concluded from a detailed assessment of the application in the context of the Shire's current LPS No.4 that the proposal to construct a new colorbond outbuilding at the rear of Lot 179 (No.75) Bennett Street, Lake Grace is capable of being implemented in a proper and orderly manner subject to compliance with a number of conditions to ensure that the proposed development proceeds generally in accordance with the details of the plans submitted in support of the application and does not have a negative impact upon the general amenity, character, functionality and safety of the immediate locality.

Legal Implications

Planning and Development Act 2005

Shire of Lake Grace Local Planning Scheme No.4

Policy Implications

Nil

Consultation

Community consultation not required by Local Planning Scheme No.4 however it should be noted that letters of support from all immediately adjoining landowners were submitted in support of the planning application received by the Shire.

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Simple majority required.

Recommendation/Resolution

MOTION 10904

Moved Cr Farrelly
Seconded Cr De Landgraftt

That Council resolve to approve the application for planning consent submitted by Tameka Rae Knill to construct a new steel framed, colorbond storage shed at the rear of Lot 179 (No.75) Bennett Street, Lake Grace generally in accordance with the details of the plans submitted in support of the application subject to compliance with the following conditions:

1. The development is to be substantially commenced within a period of two (2) years from the date of this approval. If the development is not substantially commenced 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 licence application must be submitted to and approved by the Shire's Building Surveyor prior to the commencement of any earthworks or construction on the land.
3. The proposed shed shall be of colorbond construction and have a total floor area not exceeding 84m².
4. The proposed shed shall have a maximum wall height of 3 metres and a maximum ridge height of 3.74 metres above the natural ground level.
5. The proposed shed shall have adequate clearance from any existing underground essential service infrastructure (e.g. reticulated sewerage, water, etc.) as required by the relevant service agencies.
6. The proposed shed shall be setback no less than one (1) metre to the western and eastern side boundaries of Lot 179.
7. The proposed shed shall be setback no less than one (1) metre to the rear (i.e. northern) boundary of Lot 179.
8. All stormwater drainage discharge generated by the approved shed shall be managed to the specifications and satisfaction of the Shire.
9. The proposed shed shall be used for domestic storage purposes only unless otherwise approved by Council.

MOTION CARRIED 8/0

12.3 **PLANNING APPLICATION – PROPOSED ADVERTISING SIGNAGE - LOT 235 ABSOLON STREET, LAKE GRACE**

Applicant:	Albert Smith Signs Pty Ltd
File No.	0505
Attachments:	Plans 6 to 10
Authors:	Mr Joe Douglas & Miss Elle O'Connor – Urban & Rural Perspectives Town Planning Consultants
Disclosure of Interest:	Nil
Date of Report:	16 November 2009
Senior Officer:	Mr Sean Fletcher Chief Executive Officer

Summary

This report provides details and recommendations in respect of an application for Council's planning consent submitted by Albert Smith Signs Pty Ltd to erect a new pylon-type advertising sign on Lot 235 (No.66) Absolon Street, Lake Grace.

Background

Albert Smith Signs Pty Ltd is seeking Council's planning approval to erect a proposed new 7.2 metre high and 3.47 metre wide steel framed and illuminated pylon-type advertising sign on Lot 235 (No.66) Absolon Street, Lake Grace to replace an existing internally illuminated pylon sign of approximately the same size and location on Lot 235.

The proposed new sign will be located approximately 2.5 metres from the front boundary of Lot 235 and perpendicular to Absolon Street. Although the total height of the new sign is 7.2 metres, it should be noted that the actual sign face is only 3.6 metres in height. The sign is erected on pylons which provide a ground clearance of 3.6 metres to the sign face (see Plans 6 to 10).

Comment

Lot 235 is located in the southern part of the Lake Grace townsite in a designated industrial area and has direct frontage to Absolon Street along its northern boundary.

Lot 235 is currently used for the display, sale, servicing and repair of agricultural machinery. Two (2) buildings, one (1) accommodating the office and showroom and the other the workshop component of the operation, have previously been developed on the land.

Lot 235 is classified 'General Industry' zone in the Shire's current operative Local Planning Scheme No.4 (LPS No.4). Under the terms of LPS No.4 a number of advertising signs are exempt from requiring Council's planning approval. Notwithstanding this fact, the proposed new pylon sign on Lot 235 is not one of the exempted types of advertising signs and therefore requires Council's planning approval prior to construction.

Under the terms of LPS No.4 a key objective for the development of all land classified 'General Industry' zone is to ensure that it proceeds in accordance with

appropriate and satisfactory standards of function, amenity and safety. Having regard for this objective and the information submitted in support of the planning application for Lot 235, it is concluded that the proposed new advertising sign will not have a detrimental impact on the function, amenity and safety of the immediate locality for the following reasons and may therefore be supported by Council:

- It replaces an existing pylon sign in the same location on Lot 235;
- It will help promote the existing established business on the land;
- It is located in a well established industrial area which is not considered sensitive to the erection of advertising signage;
- It is a reasonable expectation for businesses to be able to use their street frontage to enhance commercial exposure by some form of advertising.

Conclusion

It is concluded from a detailed assessment of the application in the context of the Shire's current LPS No.4 that the proposal to erect a replacement pylon-type advertising sign on Lot 235 (No.66) Absolon Street, Lake Grace is capable of being implemented in a proper and orderly manner subject to compliance with a number of conditions to ensure that the proposed development proceeds generally in accordance with the details of the plans submitted in support of the application and does not have a negative impact upon the general amenity, character, functionality and safety of the immediate locality.

Legal Implications

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

Policy Implications

Nil

Consultation

Not required.

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Simple majority required.

Recommendation/Resolution

MOTION 10905

Moved Cr Newman
Seconded Cr Milton

That Council resolve to approve the application for planning consent submitted by Albert Smith Signs Pty Ltd to erect a replacement pylon-type sign on Lot 235 (No.66) Absolon Street, Lake Grace generally in accordance with the details of the plans submitted in support of the application subject to compliance with the following conditions:

1. Construction of the new pylon sign is to be completed within one (1) year of the date of Council's issuance of planning consent.
2. A completed building licence application must be submitted to and approved by the Shire's Building Surveyor prior to the commencement of any construction on the land.
3. The pylon sign is to be erected entirely within the boundaries of Lot 235 (No.66) Absolon Street, Lake Grace and is not to encroach upon any adjoining property or the adjoining road reserve area.
4. The sign is to be maintained in a neat, tidy and functional condition at all times to the satisfaction of the Shire of Lake Grace.

MOTION CARRIED 8/0

12.4 **PROPOSED ROAD WIDENING – PORTION OF SLARKE ROAD, MALLEE HILL THROUGH WILLIAMS LOCATION 15049 & LOT 5**

Applicant:	Shire of Lake Grace
File No.	0356
Attachments:	Plans 11 to 13
Authors:	Mr Joe Douglas & Mr Carlo Famiano – Urban & Rural Perspectives Town Planning Consultants
Disclosure of Interest:	Nil
Date of Report:	16 November 2009
Senior Officer:	Mr Sean Fletcher Chief Executive Officer

Summary

This report recommends that Council formally resolves to request the Hon Minister for Lands to grant final approval to the dedication of a previously realigned portion of Slarke Road through Williams Location 15049 and Lot 5, Mallee Hill as a 'road widening'.

Background & Comment

The Shire of Lake Grace is currently progressing the various tasks required to resolve the legal liability issues associated with a 760 metre portion of Slarke Road which was realigned by the shire some time ago to provide a much smoother and safer course of travel in the vicinity of Williams Location 15049 and Lot 5 Mallee Hill (see Plans 11 to 13). The realignment works resulted in the removal of two (2) right angle bends which were deemed to be unsafe and in need of urgent attention.

Notwithstanding completion of the physical construction works, the new realigned section of Slarke Road was never dedicated as a public roadway and is therefore currently classified as a private road under the Land Administration Act. It is advised that the process of dedicating the area comprising the new road carriageway has been proceeding in accordance with the specific requirements of the Land Administration Act 1997.

The following dates outline the key events that have taken place in regards to the proposed road widening:

18 February 2004:	Council resolved to obtain valuation advice from a licensed surveyor to determine the market value of the land and enter into negotiations with the landowners of Williams Location 15049 and Lot 5 (Item 11.2).
18 January 2008:	The Shire requested State Land Services to provide written advice regarding the actions required to be undertaken to progress and dedicate the road widening.
4 February 2008:	State Land Services advised the Shire that written consent from the landowners and the mortgagee of Williams Location 15049 and Lot 5 was required.
11 August 2008:	The Shire received written consent from the landowner of Lot 5.
24 September 2008:	The Shire received written consent from the owner and

- mortgagee of Williams Location 15049 and forwarded these consents to State Land Services requesting finalisation of the road widening process
- 19 December 2008: State Land Services advised the Shire that a formal resolution indemnifying the State of Western Australia against any costs and/or claims associated with the proposed road widening is required in order to proceed with the project.
- 25 February 2009: Council resolved to indemnify the State of Western Australia against any costs and/or claims associated with the road widening process (Item 12.4).
- 18 May 2009: State Land Services informed the Shire that the ownership of Lot 5 had changed. As such written consent from the new landowner (i.e. Mr & Mrs King) and the new mortgagee was required in order to proceed with the project.
- 24 September 2009: The Shire received written consent from the new landowner & mortgagee of Lot 5 and forwarded the consents to State Land Services requesting finalisation of the road widening project.
- 26 October 2009: State Land Services advised that a formal resolution from Council requesting the dedication of the road widening is now required in order to progress the project.

Given the Shire's previous actions and responsibilities in this matter, it is considered appropriate that Council resolve to formally request the Hon Minister for Lands to finalise the road widening in order for the project to proceed.

Should Council not agree to a formal request to dedicate the new road alignment, the road widening process will not proceed any further. In this instance the Shire would be required to revert back to original alignment of Slarke Road and remove any works previously undertaken on the private landholdings affected.

Conclusion

Given the need to resolve the legal liability issues associated with the current alignment of Slarke Road through private property, it is considered prudent for Council to proceed with the road widening process and formally resolve to request the Hon Minister for Lands to grant final approval to the proposal.

Legal Implications

Land Administration Act 1997

Land Administration Regulations 1998

Policy Implication

Nil

Consultation

Community consultation completed

Financial Implications

All of the administrative costs associated with finalising the road widening process have been accounted for in Council's budget for the 2009/2010 financial year.

The exact amount of compensation payable by the shire to the affected landowners will be determined via negotiation between the landowners and the Shire's Chief Executive Officer following the receipt of valuation advice from a licensed valuer following ministerial approval to the road dedication proposal. Details of the compensation amounts payable to the affected landowners will be presented to Council in due course.

Strategic Implications

Nil

Voting Requirements

Simple majority required.

Recommendation/Resolution

MOTION 10906

Moved Cr Milton
Seconded Cr Newman

That Council resolve to request the Hon. Minister for Lands to grant final approval to the dedication of that portion of Slarke Road, Mallee Hill through Williams Location 15049 and Lots 5 Slarke Road as indicated on Deposited Plan No.92281.

MOTION CARRIED 8/0

12.5 PROPOSED SUBDIVISION – LOT 4 DUCKWORTH ROAD, BEENONG

9.47 am Cr Milton declared a financial/proximity interest in Item 12.5 in that they are the current lessee of part of the subject property, are near neighbours and are potential purchasers, and left the meeting.

9.47 am Cr Chappell declared a proximity interest in Item 12.5 in that he is a near neighbour to the subject property and left the meeting.

Applicant: Shire of Lake Grace
File No. 0453
Attachments: Plans 14 to 17
Authors: Mr Joe Douglas & Mr Carlo Famiano – Urban & Rural Perspectives
 Town Planning Consultant
Disclosure of Interest: Nil
Date of Report: 16 November 2009
Senior Officer: Mr Sean Fletcher
 Chief Executive Officer

Summary

This report recommends that a subdivision application for Lot 4 Duckworth Road, Beenong submitted to the Western Australian Planning Commission (WAPC) by Mr Terence Hardy (landowner) and referred to the shire for review and comment be supported by Council subject to the imposition of relevant conditions.

Background

Lot 4 Duckworth Road is located approximately 15.8 kilometres north-east of the Lake Grace townsite, with Bidy Camm Road and the railway line dissecting the northern part of the property.

Lot 4 comprises a total area of approximately 385.45 hectares and has been extensively cleared for agricultural purposes with scattered stands of native vegetation being located throughout the site. The land also contains a number of improvements including a single detached dwelling, sheds, dams, wheat silos and fencing (see plans 14 to 16).

The current landowner is seeking approval to subdivide Lot 4 to create two (2) new separately titled lots (i.e. one new homestead-type lot comprising the existing dwelling on the land and a balance-of-title agricultural lot). Specific details of the proposed subdivision are shown on the attached Plan 17 and summarised in the following table:

Lot Particulars	Existing Land Area(Approx.)	Proposed Land Area (Approx.)
Existing Lot 4	385.45 ha	-
Proposed Lot 1 ('homestead' lot)	-	20 ha
Proposed Lot 2 (balance-of-title agricultural lot)	-	365.45 ha

Comment

In considering the subdivision application Council is required to have due regard for any relevant provisions contained in the following planning documents prior to formulating its response to the WAPC:

- Shire of Lake Grace Local Planning Scheme No.4; and
- WAPC Development Control Policy No.DC 3.4 – ‘Subdivision of Rural Land’.

The following is an assessment of the subdivision proposal in the context of the specific requirements of these planning documents to determine its general suitability.

Shire of Lake Grace Local Planning Scheme No.4

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

A key objective of the land’s current ‘General Agriculture’ zoning classification is to ensure the continuation of broad hectare farming as the principle land use within the district, protect the rural landscape/character and control the fragmentation of agricultural land.

Clause 5.11.14 of LPS No.4 states that Council may recommend support for the proposed subdivision of land within the ‘General Agriculture’ zone to excise land containing an existing farm residence for the purpose of a ‘homestead’ lot subject to compliance with a number of criteria (refer to the criteria below under the WAPC’s Development Control Policy No. DC3.4). As such there is scope for Council to consider and support this proposal.

Should Council resolve to support the proposed subdivision, it is recommended that it have due regard for the provisions contained in Clause 5.41 of LPS No.4 as this relates to the fencing of existing remnant vegetation. Given the small stands of remnant vegetation contained in various locations throughout the subject land, it is recommended that Council consider requesting the WAPC to impose a condition on any subdivision approval issued which requires the fencing of these areas to facilitate their long term protection in accordance with the general objectives of LPS No.4.

WAPC Development Control Policy No.DC 3.4 – ‘Subdivision of Rural Land’

The Western Australian Planning Commission’s (WAPC’s) Development Control Policy No. DC 3.4 provides guidance on the matters to be considered by the Commission when determining applications for the subdivision of rural land throughout Western Australia. A key objective of Policy No.DC3.4 is to minimise the ad-hoc fragmentation of rural land throughout the State.

Despite the fact that the further subdivision of agricultural land is generally not supported by the WAPC, section 4.9 of Policy No. DC 3.4 enables the WAPC to approve the subdivision of rural land to create a ‘homestead lot’ where the proposal adequately addresses a number of criteria. The following is an assessment of the proposed subdivision in the context of the relevant criteria:

- a) The land is located in the WAPC’s Wheatbelt Agricultural Policy Area. According to Appendix 3 of Policy No.DC 3.4 Lot 4 Duckworth Road, Beenong is located within the Wheatbelt Agricultural Policy Area. As such subdivision of the land for the purposes of a ‘homestead lot’ can be considered.
- b) The population in the locality is declining or relatively static;

According to census data obtained from the Australian Bureau of Statistics (ABS) the shire's population has declined by 1.5% between 2001 and 2006. Given the declining population, subdivision of the land for the purposes of a 'homestead lot' can be considered.

- c) The homestead lot has an area between 1 and 4 ha, or up to 20ha where it is desirable to respond to the landform or to include existing outbuildings or water sources;

The subdivision application proposes the creation of a 20 hectare 'homestead' lot comprising an existing dwelling, sheds, dam and native vegetation which is consistent with the criterion contained in section 4.9 of Policy No. DC 3.4.

- d) There is an adequate water supply for domestic, land management and fire management purposes;

The existing homestead is connected to reticulated water via an existing water main which is located within Duckworth Road. Furthermore, the proposed 'homestead lot' comprises a dam to provide an alternative water source for the dwelling.

Given the existing connection to reticulated water and the existing dam within the 'homestead' lot boundaries, it is concluded that the subdivision proposal is consistent with the water supply criterion contained in section 4.9 of Policy No. DC 3.4.

- e) The homestead lot fronts a constructed public road;
The application proposes the creation of a 'homestead lot' in a battleaxe configuration with vehicular access to be obtained from Duckworth Road via a 20 metre wide and 200 metre long access leg which has already been constructed to provide access to the existing dwelling. As such the proposal is consistent with the vehicle access criterion contained in section 4.9 of Policy No. DC 3.4.

- f) The homestead lot contains an existing residence;
The proposed 'homestead' lot contains an existing single detached dwelling that is proposed to be retained. As such this criterion is deemed to have been satisfied.

- g) A homestead lot has not been excised from the farm in the past.
A review of cadastral mapping and aerial photography available through Landgate suggests that Lot 4 has not previously been subdivided to create a 'homestead' lot. As such this criterion is deemed to have been satisfied.

Conclusion

It is concluded from this assessment that the proposed subdivision of Lot 4 Duckworth Road, Beenong for the purposes of creating a new 'homestead' lot is:

- i) unlikely to compromise the objectives for land classified 'General Agriculture' zone in the Shire of Lake Grace's current operative Local Planning Scheme No.4;
- ii) is consistent with the criteria contained in the Western Australian Planning Commission's Policy No. DC 3.4; and
- iii) is generally aligned with the outcomes intended by the current town planning framework applicable to the immediate locality.

As such it is recommended that Council advise the Western Australian Planning Commission that it supports the proposed subdivision subject to the imposition of a number of conditions.

Legal Implications

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

Policy Implication

WAPC Development Control Policy No DC .3.4 – Subdivision of Rural Land
State Planning Policy 2.5 – Agriculture and Rural Land Use Planning

Consultation

Not required.

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Simple majority required.

Recommendation/Resolution

MOTION 10907

Moved Cr Farrelly
Seconded Cr De Landgraft

That Council advise the Western Australian Planning Commission that it supports the application submitted by Terence Hardy (Landowner) to subdivide Lot 4 Duckworth Road, Beenong into two (2) new separately titled lots in accordance with the details of the plan submitted in support of the application subject to the following conditions:

1. The battleaxe leg for proposed Lot 1 being constructed to a suitable trafficable standard to the specifications and satisfaction of the Shire of Lake Grace.
2. All buildings and effluent disposal systems having the necessary clearance from the new lot boundaries as required under the relevant legislation.
3. The subdivider shall erect fencing around the edges of the existing stands of remnant vegetation on each of the proposed lots to facilitate the long term retention and protection of this vegetation and to preserve and enhance the visual character of the immediate locality.

MOTION CARRIED 6/0

10.53 am *Crs Milton and Chappell re-entered the meeting and the President advised them of the outcome.*

12.6 PLANNING APPLICATION – ‘SHORT-STAY’ ACCOMMODATION UNITS - LOT 324 DEWAR STREET, LAKE GRACE

10.54 am *Cr Farrelly declared an interest of impartiality in Item 12.6 in that he and his wife run a similar business and left the meeting.*

Applicant: PH & EAS Medlen & Sons
File No. 0506
Attachments: Plans 18 to 22
Authors: Mr Joe Douglas & Mr Carlo Famiano – Urban & Rural Perspectives
 Town Planning Consultant
Disclosure of Interest: Nil
Date of Report: 16 November 2009
Senior Officer: Mr Sean Fletcher
 Chief Executive Officer

Summary

This report recommends that the planning application submitted by PH & EAS Medlen & Sons to construct two (2) refurbished short-stay accommodation units (i.e. transportable dwellings) on Lot 324 (No.11) Dewar Street, Lake Grace be approved subject to conditions.

Background

At its Ordinary Meeting held on 23 February 2000 Council resolved to approve a planning application to extend the Lake Grace Caravan Park over Lot 324 (No.11) Dewar Street, Lake Grace, subject to a number of conditions (Item 10.6). The approval also contained an overall ‘site development plan’ for Lot 324 to guide the staged development of the land.

The applicant is now seeking Council’s planning approval to construct two (2) additional short-stay accommodation units (i.e. transportable dwellings) on Lot 324 being the next stage of development of the caravan park (see plans 18 to 22).

Under the terms of this new application each of the proposed short-stay accommodation units will:

- i) be restored transportable buildings;
- ii) be 12 metres long and 3 metres wide (not including the verandah);
- iii) comprise a total floor area of 36m² (not including the verandah);
- iv) comprise a verandah of 36m² (i.e. 12 x 3 metres); and
- v) include an area adjacent to each unit dedicated for the car parking of two (2) vehicles.

Comments

Current Zoning & Land Use Permissibility

The subject land is classified ‘Special Use’ zone under the Shire of Lake Grace’s current operative Local Planning Scheme No.4 (LPS No.4).

Schedule 4 of LPS No.4 states that the permitted use for Lot 324 is ‘Caravan Park & Caretakers Dwelling’ with a special provision stating that no extensions to or change of use is permitted without Council’s prior approval.

Short-stay accommodation is defined as a dwelling designed to be used for the purpose of human habitation on a temporary basis for a single person or a single family and does not include a residential building, hotel or motel.

Under the terms of LPS No.4 the proposed short-stay accommodation units are considered to be consistent with the provisions and permitted uses stated in Schedule 4 for Lot 324 and can therefore be approved by Council.

Local Planning Scheme No.4 (LPS No.4)

LPS No.4 does not contain any specific development standards applicable to the use of land for the purposes of a caravan park & short-stay accommodation. However clause 5.13 of LPS No.4 states that the shire may at its discretion specify conditions relating to any development standard (i.e. setbacks, car parking, landscaping). As such any planning application lodged for a caravan park & short-stay accommodation must be determined on its merits with due regard for any impact the proposal may have on surrounding land uses.

An assessment of the proposal has confirmed that the location of the proposed short-stay accommodation units is generally consistent with the overall 'site development plan' previously approved by Council to guide the staged development of Lot 324. As such it is concluded that Council may support the proposal subject to compliance with a number of conditions to ensure that the development proceeds in a proper and orderly manner and is undertaken in accordance with the approved 'site development plan'.

'Relocating Second-hand Buildings & Transportable Buildings'

Clause 5.21 of LPS No.4 contains a number of provisions applicable to the development and use of any second-hand/transportable dwellings or structures on any land within the shire. The clause specifically states that such dwellings are not permitted unless:

- i) in the opinion of the local government such a dwelling or building is in a satisfactory condition and will not detrimentally affect the amenity of the area;
- ii) an applicant for a building licence for such dwelling or building enters into an agreement to the satisfaction of the local government to reinstate the dwelling or building to an acceptable standard of presentation as determined by the local government within 12 months of the issuance of a building licence; and
- iii) the sub-floor area of the building is enclosed with brick, stone, vermin battens or by other means acceptable to the local government and, where the building is considered by the local government to be exposed, or in a position such as to be visually prominent, the local government may require satisfactory landscaping measures to be carried out.

Council has also recently adopted a new local planning policy (i.e. Policy No. 6.3 - Relocated Dwellings & Second Hand Transportable Dwellings) which aims to ensure that the appearance of any relocated dwellings and second hand transportable dwellings developed in the Shire do not have a detrimental impact on the amenity of the district.

Under the terms of the policy Council may, when determining applications for the development of any relocated dwellings and second hand transportable dwellings:

- i) have regard to such things as, but not limited to, the age of the dwelling, its general overall condition, and its impact on the character and amenity of the surrounding area; and
- ii) impose conditions requiring, but not limited to, repairs to the dwelling, internal and/or external painting, and where necessary the construction of veranda's, awnings or other external features to enhance its overall finished appearance.

The policy requires that any applicant pay the Shire a bond of \$5,000.00 for each approved relocated dwelling or second hand transportable dwelling located within a townsite boundary or on land classified 'Residential' or 'Rural Residential' zone with the bond to be refunded by the Shire when the applicant has satisfied Council's requirements.

In light of the above requirements it is considered prudent for Council to impose a number of conditions on any approval issued to ensure compliance with the specific requirements of clause 5.21 of LPS No.4 and Local Planning Policy No.6.3.

Conclusion

It is concluded from a detailed assessment of the application in the context of the shire's current LPS No.4 and Local Planning Policy No.6.3 that the proposal to construct two (2) short-stay accommodation units on Lot 324 (No.11) Dewar Street, Lake Grace is capable of being implemented in a proper and orderly manner subject to compliance with a number of conditions to ensure that the proposed development proceeds in accordance with the details of the plans submitted in support of the application and does not have a negative impact upon the general amenity, character, functionality and safety of the immediate locality.

Legal Implications

Planning and Development Act 2005

Shire of Lake Grace Local Planning Scheme No.4

Policy Implications

Policy No. 6.3 - Relocated Dwellings & Second Hand Transportable Dwellings

Consultation

Community consultation not required.

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Simple majority required.

Recommendation/Resolution**MOTION 10908**

Moved Cr Newman
Seconded Cr Chappell

That Council resolve to approve the application for planning consent submitted by PH & EAS Medlen & Sons to construct two (2) refurbished short-stay accommodation units (i.e. transportable dwellings) on Lot 324 (No.11) Dewar Street, Lake Grace in accordance with the details of the plans submitted in support of the application subject to the following conditions and advice notes:

1. The development is to be completed within a period of two (2) years from the date of this approval. If the development is not completed within this period the approval will lapse and be of no further effect. Where an approval has lapsed, no development shall be carried out without the further approval of the Shire of Lake Grace having first been sought and obtained.
2. A completed building licence application must be submitted to and approved by the Shire's Building Surveyor prior to the commencement of any construction on the land.
3. All stormwater generated by the proposed development shall be managed and disposed of to the specifications and satisfaction of the Shire of Lake Grace.
4. The development must be provided with an adequate on-site effluent disposal system to the specifications and satisfaction of the Shire of Lake Grace.
5. All on-site vehicle access-ways and parking areas shall be constructed (including sealing) and maintained in accordance with the internal road layout depicted on the approved 'site development plan' to the specifications and satisfaction of the Shire of Lake Grace with appropriate measures for drainage and disposal of surface water.
6. All landscaping shall be installed in accordance with the approved 'site development plan' prior to occupation of the buildings and maintained at all times to the satisfaction of the Shire of Lake Grace.
7. Prior to the issuance of a building licence for the proposed 'additional accommodation unit' the applicant is required to enter into an agreement to the satisfaction of the Shire of Lake Grace to reinstate the second-hand units to an acceptable standard of presentation as determined by the Shire within 12 months of the issuance of a building licence.
8. A refundable cash bond of \$5,000.00 is payable to the Shire of Lake Grace prior to the commencement of any works to ensure that each 'additional accommodation unit' has been completed in accordance with the agreement entered into with the Shire of Lake Grace.
9. The sub-floor area of the proposed 'additional accommodation unit' shall be enclosed with brick, stone, vermin battens or other means acceptable to the Shire of Lake Grace.

MOTION 10908 continued

Advice Note

1. With regard to Condition No.8 the cash bond will be refunded when the applicant has complied with Council's requirements and the Shire's Environmental Health Officer/Building Surveyor has inspected the 'additional accommodation units' and is satisfied that they have been constructed on the land to an acceptable standard.
2. The proposed development is required to comply in all respects with the Building Code of Australia. Plans and specifications which reflect these requirements are required to be submitted with the Building Licence application.
3. 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.
4. No works shall commence prior to 7.00 am without the Shire's approval.

MOTION CARRIED 7/0

10.58 am *Cr Farrelly re-entered the meeting and the President advised him of the outcome.*

13.0 MATTERS FOR CONSIDERATION – HEALTH & BUILDING

13.1 PROPOSED LAKE GRACE CHILDCARE CENTRE – CONCEPT PLANS

Applicant:	Manager Community Services
File No:	0668/0369
Attachments:	Building concept plans Landgate site plan <i>Child Care Services (Child Care) Regulations 2006 available for viewing upon request.</i>
Author:	Mrs Nadene Owen Manager Community Services
Disclosure of Interest:	Nil
Date of Report:	16 November 2009
Senior Officer:	Mr Sean Fletcher Chief Executive Officer

Summary

The purpose of this report is to seek Council's endorsement of the Lake Grace Childcare building concept plans and to proceed with the building application.

Background

Gnowangerup Family Support Association has conducted a mobile childcare service from the Lake Grace Pavilion for over 16 years. The Pavilion is a multi-use sporting facility and, due to Child Care Services (Child Care) Regulations 2006 and out of childcare hour's public damage to the Pavilion, the need for a purpose built facility has been clear for many years.

Council recognised and supported the need for this facility through the allocation of \$200,000 of Royalties for Regions funding towards the project at its March 2009 Ordinary Meeting. Further, Council at its October 2009 Ordinary Meeting approved the allocation of \$8,000 RCLIP funding to the supply and installation of reverse cycle air conditioning for the building.

Comment

Although this project has been labelled a Childcare building, it is intended that the facility will have an 'early learning' focus and will be used by not only Childcare but also Playgroup, Toy Library, as a meeting and workshop venue.

As the needs of the community change so will the provision of Child Care services, e.g. long day care, vacation care. As the project has been foremost designed to comply with stringent regulations, the changing provision services will be easily transitioned.

The placement of the Childcare building is on the same reserve as the existing Kindergarten. This will create an early learning precinct, whereby children and parents are able to easily transition from Child Care, Playgroup/Toy Library to Kindergarten in the one area.

A proposal to name the area *Padley Early Learning Precinct*, after the first teacher in Lake Grace, will be further explored at a later date.

The current lease with the Department of Education and Training for the Kindergarten expires in December 2009 and the new lease will need to reflect the change of area available. In addition to this the Management Order over the land will also require amendment for the land to include the use of a Childcare Centre. The Shire of Lake Grace is the custodian of this land.

Construction

The author has researched building methods to undertake the project which needs to comply with current Child Care Services (Child Care) Regulations 2006 and the Building Code of Australia 2009.

Indicative costings for a purpose built transportable were \$350,000-400,000. A brick and tile building was, thereafter, deemed cost prohibitive given the transportable building costs.

The Shire of Lake Grace have staff qualified to undertake such a project and are able to undertake all facets of construction with specialised trades (e.g. plumbing, electrical) being outsourced to local businesses. This will ensure that all work supports local businesses, staff are able to further develop core skills and the project is suited to the budgetary allocation.

Construction will be timber frame, colourbond roofing and external colourbond/HardiPlank® cladding. All internal facilities have been designed to comply with current Child Care Services (Child Care) Regulations 2006, namely *Division 3 – Requirements for place*.

Construction will commence as soon as the building licence has been approved. It is expected that the project will be completed by 30 June 2010.

Summary of Requirements of Place

The following is a summary of the key requirements:

32. *Play areas on place* - The area requirement is 100m², which is inclusive of the sleep room, and this complies with the formula used for number of children/age ratio to space requirement. The outdoor play area exceeds the suitable space required for play for the maximum number of children who may attend a care session specified in the licence, i.e. 27 children.

33. *Exits* - All aspects of door handle positioning, door widths, door locks and door placement are taken into consideration through initial planning and will be subject to Child Care and Building Licence approvals.

34. *Shade* - Outdoor shade has been addressed through the depth and length of the verandah and the shade given by existing trees. If further shade is required a shade sail structure will be erected.

35. *Fencing* - Suitable 1200mm high fencing will be erected to separate the Kindergarten from the Child Care site. Brushwood fencing 1200mm high will be placed on the inside of the existing external chain mesh fencing for the time being to comply with regulations. Staff will source funding to erect a permanent colourbond fence for the whole of reserve external boundary in the near future.

36. *Swimming Pools* - Not applicable.

37. *Smoke or fire detectors* - Building Code of Australia 2009 requires all new buildings to have hard wired smoke/fire detectors.

38. *Staff room* – Provision has been made for a staff room as shown in the layout. This complies with the requirement for not less than 7.5m² of useable space.

39. *Area for Administration etc.* - An area for staff administration duties and private consultation with parents has been provided as per floor layout. The authors request to the Child Care Principal for a combined staff and office room was not approved.

40. *Kitchen* - The kitchen will be equipped with a sink, stove, refrigerator and supply of hot water, as per regulations. It will also have a servery area to provide clear and open view of play areas.

41. *Laundry* - Provision for treating laundry offsite will be made and for the storage of soiled laundry onsite. Therefore a designate laundry area is not required.

42. *Windows* - Windows, when opened, at the building have been designed to be safe and not cause hazard to children.

43. *Bathroom facilities* - Bathroom toilets, hand sinks, change areas and wash sink have been designed to comply with regulations in regards to age/child and staff ratios.

44. *Hot water* - A thermostatically controlled hot water system will be installed to ensure that the water temperature does not exceed 42°C.

45. *Storage* - Approved shelving will be erected to ensure compliant storage of children's personal effects. An indoor storage room has been included in the floor plan and wall shelving can also be placed in other rooms as required. An outdoor storage room has been included in the floor plan with an external door for entry. The large covered verandah area also allows for further storage provision once funding is sourced.

46. *Electrical installations* - All electrical installation will be carried out by a local contractor in accordance with Australian Standards.

47. *General purpose power outlets* - All electrical installation will be carried out by a local contractor in accordance with Australian Standards.

48. *Telephone* - It is a requirement to have a land line telephone service at the facility; staff will be requesting that, given sufficient mobile coverage, an exemption can be sought.

49. *Heating* - The facility will have two reverse cycle air conditioning units installed through RCLIP funding that has been approved at Councils Ordinary Meeting October 2009.

50. *Fans* - Not required as reverse cycle air conditioning will be installed.

Building Licence

Upon Council endorsing this report, the author will advise the Building Officer to proceed with the Building Licence application.

Legal Implications

Child Care Services (Child Care) Regulations 2006

Building Code of Australia 2009

Local Government (Miscellaneous Provisions) Act 1960; Building Regulations 1989

Policy Implications

Policy 3.4 Local Price Preference

Policy 3.7 Purchasing Policy

Consultation

Internal: Chief Executive Officer
Manager Corporate Services
Shire Carpenter and Apprentice

External: Shire Building Officer
Urban and Rural Perspectives, Managing Partner and Design/Draftsperson.
Lake Grace District High School Principal
Department for Communities; Child Care Services Principal – Dumas House
Child Care Services Officer – Great Southern
Gnowangerup Family Support Services – staff
Representatives: Lake Grace Playgroup, Lake Grace Toy Library, Lake Grace Childcare parents.
TR Homes staff
Cavalier Homes staff
Fleetwood Homes staff

Financial Implications

E071500 Construct Lake Grace Childcare Facility	\$200,000
RCLIP Funding – Air conditioner supply and installation	\$8,000

Strategic Implications

Shire of Lake Grace Strategic Plan

Goal 2 - Social and Community Well-Being

Strategy 2.1: Retain, promote and develop health, education, recreational provision and access within the Shire.

Voting Requirements

Simple majority required.

Recommendation/Resolution

MOTION 10909

Moved Cr Newman
Seconded Cr Chappell

That Council endorse the Lake Grace Childcare Building concept plans and authorise the Chief Executive Officer to proceed with the building application.

MOTION CARRIED 8/0

14.0 MATTERS FOR CONSIDERATION – FINANCE

11.07 am Mr Fletcher left the meeting and returned at 11.08 am.

14.1 ACCOUNTS FOR PAYMENT – OCTOBER 2009

Applicant:	Shire of Lake Grace
File No.	0277
Attachments:	List of payments
Author:	Miss Jessica de Burgh Finance Officer
Disclosure of Interest:	Nil
Date of Report:	10 November 2009
Senior Officer:	Mr Mark Burbridge Manager Corporate Services

Summary

For Council to ratify expenditures incurred for the month of October 2009.

Background

List of payments for the month of October 2009 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 October 2009 from the Municipal Account totals \$681,478.81. There were no Trust Account payments made during October 2009.

Strategic Implications

7. Organisational Excellence

7.1 Develop systems compliant with various statutes, regulations and policies.

Voting Requirements

Simple majority required.

Recommendation/Resolution

MOTION 10910

Moved Cr Farrelly
Seconded Cr De Landgraft

That Municipal Account Cheques 33743 to 33784, Electronic Funds Transfers EFT5705 to EFT5825, and direct debits to the Municipal Account totalling \$681,478.81, having been checked and certified in accordance with the Financial Management Regulation 12, be confirmed, and passed for payment against the respective accounts as shown on the summary of Accounts for Payment schedule.

Cheque 33767 was cancelled.

MOTION CARRIED 8/0

14.2 **FINANCIAL STATEMENTS – OCTOBER 2009**

Applicant: Shire of Lake Grace
File No. 0275
Attachments: Financial Reports
Author: Mrs Danielle Robertson
Senior Finance Officer
Disclosure of Interest: Nil
Date of Report: 16 November 2009
Senior Officer: Mr Mark Burbridge
Manager Corporate Services

Summary

Consideration of the financial statements for the month ending 31 October 2009.

Background

The following financial reports are included for your information:

- Monthly Statement of Financial Activity
- Summary of Net Current Assets
- Operating Statement by Programme
- Balance Sheet
- Assets Purchased and Sold
- Capital Road Works, Operating Revenue & Expenditure Graphs
- Bank Reconciliations
- Rates Summary Chart

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 Plan

Goal 7: Organisational Excellence

Strategy 7.1: Develop systems to ensure compliance with various statutes, regulations and policies.

Voting Requirements

Simple majority required.

Recommendation/Resolution

MOTION 10911

Moved Cr Farrelly
Seconded Cr Newman

That the financial reports for the month ending 31 October 2009 as attached be received.

MOTION CARRIED 8/0

14.3 2008/09 ANNUAL REPORT & ANNUAL GENERAL MEETING OF ELECTORS

Applicant: Shire of Lake Grace
File No. 0202
Attachments: 2008/09 Annual Report – *will be tabled at the meeting*
Author: Mr Mark Burbridge
Manager Corporate Services
Disclosure of Interest: Nil
Date of Report: 16 November 2009
Senior Officer: Mr Sean Fletcher
Chief Executive Officer

Summary

The purpose of this report is for Council to accept the Annual Report for the 2008/09 financial year and to set a date for the Annual General Meeting of Electors.

Background

In accordance with the Local Government Act 1995, Council is to accept the Annual Report for a financial year no later than 31 December after that financial year.

The CEO is to give local public notice of the availability of the annual report as soon as practicable after the report has been accepted by the local government.

An Annual General Meeting of Electors is to be held once every financial year, on a day not more than 56 days after Council has accepted the Annual Report.

Comment

The Final Audit for the Shire of Lake Grace was held on the 8 & 9 October 2009. The 2008/09 Audit Report was received on 26 October 2009.

An Audit Committee meeting has been scheduled for Wednesday 18 November 2009 to receive and discuss the Annual Financial Report and Audit Report. Minutes of the Audit Committee meeting will be published in the next available Information Bulletin.

It is recommended that the Annual General Meeting of Electors be held at 7.30pm on Thursday 17 December 2009 at the Newdegate Telecentre. The venue is in keeping with the rotation of the electors meetings between the four towns.

Legal Implications

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

Policy Implications

Nil

Consultation

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

External - UHY Haines Norton (Auditors)

Financial Implications

Nil

Strategic Implications

7. Organisational Excellence

7.1 – Develop systems to ensure compliance with various statutes, regulations and policies.

Voting Requirements

Absolute majority (5) required.

Recommendation/Resolution

MOTION 10912

Moved Cr Newman
Seconded Cr Dunkeld

That Council:

1. Accept the 2008/09 Annual Report and audited financial statements;
2. Receive the 2008/09 Independent Audit Report and Management Report provided by UHY Haines Norton; and,
3. Advise the Chief Executive Officer to convene the Annual General Meeting of Electors for 7.30pm Thursday 17 December 2009 at the Newdegate Library Telecentre, Collier St Newdegate.

MOTION CARRIED BY ABSOLUTE MAJORITY 8/0

15.0 MATTERS FOR CONSIDERATION – ADMINISTRATION

15.1 COUNCIL MEETING DATES 2010

Applicant:	Chief Executive Officer
File No.	0041
Attachments:	Nil
Author:	Mrs Jeanette Bennett Executive Assistant
Disclosure of Interest:	Nil
Date of Report:	16 November 2009
Senior Officer:	Mr Sean Fletcher Chief Executive Officer

Summary

For Council to consider its meeting arrangements for 2010.

Background

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

Comment

As in past years, it is proposed to hold meetings in Newdegate, Lake King and Varley for the benefit of local communities – the schedule of meetings for 2010 is the same as programmed for 2009 with the December Meeting scheduled on the fourth Wednesday of the month as for other meetings throughout the year.

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

In regard to Council Policy 1.2, one questions the need for the policy to exist i.e. with the Council Meeting Date schedule being resolved and advertised annually by Council, the need for a 'policy' is unnecessary.

The Policy Objective is to regulate and set meeting dates, which is done by way of an agenda report to Council and the Guidelines are that the dates be published to comply with Local Government Act requirements, which is also done by way of an agenda report to Council.

One can therefore argue that the agenda report (eg. this item) considered by Council is sufficient to meet compliance requirements and that the need for a Policy is negated. Removal of the policy can be further discussed/considered at the next Policy Review.

The following schedule has been prepared for Council's consideration:

Date	Time	Place
January 2010	N/A	N/A (annual break)
24 February 2010	1.00pm	Council Chambers, Lake Grace
24 March 2010	1.00pm	Varley Recreation Centre
28 April 2010	1.00pm	Council Chambers Lake Grace
26 May 2010	6.00pm	Newdegate Library Telecentre
23 June 2010	1.00pm	Council Chambers Lake Grace
28 July 2010	1.00pm	Council Chambers Lake Grace
25 August 2010	1.00pm	Council Chambers Lake Grace
22 September 2010	1.00pm	Lake King Town Hall
27 October 2010	1.00pm	Council Chambers Lake Grace
24 November 2010	9.00am	Newdegate Library Telecentre
22 December 2010	1.00pm	Council Chambers Lake Grace

The Meeting schedule will be posted on community notice and advertised through community newsletters early in the New Year.

Legal Implications

Local Government Act 1995 – s5.25(g) requires that local public notice of the schedule of meetings be given.

Policy Implications

The schedule of dates is in accordance with Council Policy 1.2 which makes no provision for specific times or locations.

Consultation

Internal – Chief Executive Officer

Financial Implications

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

Strategic Implications

The holding of meetings in all towns throughout the Shire provides improved access by the community to Council operations.

Recommendation

That Council give Local public notice of the following schedule of meetings as required by the Local Government Act:

Date	Time	Place
January 2010	N/A	N/A (annual break)
24 February 2010	1.00pm	Council Chambers, Lake Grace
24 March 2010	1.00pm	Varley Recreation Centre
28 April 2010	1.00pm	Council Chambers Lake Grace
26 May 2010	6.00pm	Newdegate Library Telecentre
23 June 2010	1.00pm	Council Chambers Lake Grace
28 July 2010	1.00pm	Council Chambers Lake Grace
25 August 2010	1.00pm	Council Chambers Lake Grace
22 September 2010	1.00pm	Lake King Town Hall
27 October 2010	1.00pm	Council Chambers Lake Grace
24 November 2010	9.00am	Newdegate Library Telecentre
22 December 2010	1.00pm	Council Chambers Lake Grace

Voting Requirements

Simple majority required.

Resolution

MOTION 10913

Moved Cr Chamberlain
 Seconded Cr Dunkeld

That Council give Local public notice of the following schedule of meetings as required by the Local Government Act:

Date	Time	Place
January 2010	N/A	Annual Break
24 February 2010	1.00 pm	Council Chambers, Lake Grace
24 March 2010	1.00 pm	Varley Recreation Centre
28 April 2010	1.00 pm	Council Chambers, Lake Grace
26 May 2010	6.00 pm	Newdegate Library Telecentre
23 June 2010	1.00 pm	Council Chambers, Lake Grace
28 July 2010	1.00 pm	Council Chambers, Lake Grace
25 August 2010	1.00 pm	Council Chambers, Lake Grace
22 September 2010	1.00 pm	Lake King Town Hall
27 October 2010	1.00 pm	Council Chambers, Lake Grace
24 November 2010	8.00 am	Newdegate Library Telecentre
22 December 2010	1.00 pm	Council Chambers, Lake Grace

MOTION CARRIED 8/0

REASON FOR CHANGE

The November Meeting start time was amended to commence at 8 am.

15.2 DUAL FIRE CONTROL OFFICERS – NEIGHBOURING SHIRES

Applicant: Shires of Kulin, Jerramungup, Kent and Dumbleyung
File No. 0177
Attachments: Email/Letter
Author: Mrs Lee-Anne Trevenen
Senior Administration Officer
Disclosure of Interest: Nil
Date of Report: 13 November 2009
Senior Officer: Mr Mark Burbridge
Manager Corporate Services

Summary

For Council to consider the appointment of Dual Fire Control Officers for the Shires of Kulin and Lake Grace, Jerramungup and Lake Grace, Kent and Lake Grace, and Dumbleyung and Lake Grace.

Comment

The appointment of Mr P Riseborough, Mr B Holmes, Mr C Varone and Mr G Strother for Shire of Kulin, Mr J Mudie for Shire of Jerramungup, Mr K Holmes for Shire of Kent, and Mr Mark Pearce and Mr Troy Leo for Shire of Dumbleyung, is required to cover area adjacent to common boundaries.

Legal Implications

Section 40 of the Bush Fires Act 1954 states that two or more local governments may by agreement join in appointing, employing and remunerating bush fire control officers for the purposes of this Act.

Policy Implications

Nil.

Consultation

Not Applicable.

Financial Implications

Nil.

Strategic Implications

N/A

Voting Requirements

Simple majority required.

Recommendation/Resolution

MOTION 10914

Moved Cr Dunkeld
Seconded Cr Chappell

That Council appoints:

1. Mr P Riseborough, Mr B Holmes, Mr C Varone and Mr G Strother as Dual Fire Control Officers for the Shires of Kulin and Lake Grace.
2. Mr John Mudie as Dual Fire Control Officer for the Shires of Jerramungup and Lake Grace.
3. Mr K Holmes as Dual Fire Control Officer for the Shires of Kent and Lake Grace; and,
4. Mr Mark Pearce and Mr Troy Leo as Dual Fire Control Officers for the Shires of Dumbleyung and Lake Grace.

MOTION CARRIED 8/0

15.3 APPOINTMENT OF DELEGATES TO COUNCIL COMMITTEES AND EXTERNAL ORGANISATIONS

Applicant: Shire of Lake Grace
File No. 0052/0039
Attachments: Nil
Author: Mrs Jeanette Bennett
Executive Assistant
Disclosure of Interest: Nil
Date of Report: 16 November 2009
Senior Officer: Mr Sean Fletcher
Chief Executive Officer

Summary

The purpose of this report is for Council to review its representation on various committees and to appoint delegates for the next two years.

Background

Committees and the appointment of delegates require review following each ordinary election or upon the resignation/retirement of one of its members. The last committee review was in December 2007.

In summary under the Local Government Act 1995, Committees can be classified as:

1. Council Committees, that is, a committee of three or more persons established by Council to exercise the powers and discharge the duties of the local government that can be delegated to committees; or,
2. Non-Council Committees established by some other authority or community group that operates with no delegated authority in respect to Council's powers or duties but which have an interest in some of the activities of Council and to which Council wishes to have formal representation.

Following is an overview of Council's current committee representation and structure. For the purpose of clarity, committees have been split into two groups as per the above. Since the 2007 review where the Committee may have been superseded or is inactive is noted in the following section.

Group 1: Council Committees i.e. those which have direct links to Council:

- Audit Committee
- Bushfire Advisory Committee
- Junior Council
- Rural Towns Liquid Assets Project Working Group
- Lake Grace Shire Recreation Planning Committee
- Lake Grace Sporting Complex Redevelopment Working Group
- Lake Grace Recreation Facilities Committee (LG Rec Council)

- Newdegate Recreation Facilities Committee (Newdegate Rec Council)
- Lake King Recreation Facilities Committee (LK Grassed Oval Committee)
- Pingaring Recreation Facilities Committee (Pingaring Sports Club)
- Shire of Lake Grace Community Housing Committee
- Lakes Village Advisory Committee
- Newdegate Town Centre Rejuvenation Project Committee
- Lake Grace Library, Resource & Telecentre Management Committee
- Newdegate Library, Resource & Telecentre Management Committee
- Lake Grace Centenary Committee
- Lake Grace Medical Centre Management Committee
- Holland Track Project Working Group
- Lake Grace Australian Inland Mission Hospital Committee
- Lake Grace Men’s Shed Committee

Group 2: External Committees and Organisations i.e. those established by some other authority or group.

- Regional Road Group
- Lakes Sub Group – Regional Road Group
- WALGA Central Country Zone
- Local Emergency Management Committee
- Roadwise Committee
- Annual Ryegrass Toxicity Committee
- Lakes Zone Control Authority
- Eastern Wheatbelt Declared Species Group – Wild Dog Control
- Newdegate Land Conservation District Committee
- Lake Grace Land Conservation District Committee
- Wheatbelt South Tourism Association
- Roe Tourism Association
- Southern Agcare

GROUP 1 - COUNCIL COMMITTEES

Audit Committee

Authority:	Local Government Act 1995 section 5.9 (1) and 5.9 (2) (d), section 7. Local Government Financial Regulations sections 4-8. <i>It is a requirement under the Local Government Financial Regulations that Council appoint an Audit Committee.</i>
Delegation:	The Audit Committee has no Delegated Authority. Minutes are published in Council’s Information Bulletin.
Membership:	Cr Farrelly, Cr Milton, Cr Taylor, Mrs Anke Stoffberg
Meetings:	Quarterly – usually held immediately prior to a Council Meeting.
Current Status	Active

Background/Comment:

Recommendations are made in minutes of the meetings and should a Council decision be required recommendations are included as an item of business at the first available Ordinary Meeting of Council.

The function of the committee is to provide guidance and assistance to the local government as to:

- the carrying out of its functions in relation to audits carried out under Part 7 of the Act;
- the development of a process to be used to select and appoint a person to be an auditor; and
- may provide guidance and assistance to the local government as to matters to be audited, the scope of audits, its functions under Part 6 of the Act; and the carrying out of its functions relating to other audits and other matters related to financial management.

Members are appointed for a two year term with the last appointments made in December 2007. Accordingly re-appointments to this Committee are now due.

The committee is to be made up of 3 or more persons, and must be appointed by the local government with absolute majority. The Chief Executive Officer is unable to be a member of the committee and may not nominate a person for membership on the committee. Council may resolve to appoint all Council members to the Audit Committee.

Council may also choose to appoint members within the community to the Audit Committee (i.e. local bank manager), however the Committee must be made up of at least 3 Council members and make up the majority of the membership.

Following the 2007 appointments, Mrs Anke Stoffberg was appointed as the community representative. Mrs Stoffberg has Accounting Qualifications.

Recommendation

Three member appointments be made and the community representative position be re-advertised.

Bushfire Advisory Committee

Authority:	Bush Fires Act 1954, Shire of Lake Grace Bushfires Local Law
Delegation:	No Delegated Authority - minutes are published in Council's Information Bulletin. Recommendations are made in minutes of the meetings and should a Council decision be required recommendations are included as an item of business at the first available Ordinary Meeting of Council.
Membership:	As per Bushfires Local Law.
Meetings:	As per Bushfires Local Law.
Current Status	Active

Background/Comment

Councillor appointment not required.

Junior Council

Authority:	No Delegation - minutes are published in Council's Information Bulletin Recommendations are made in minutes of the meetings and should a Council decision be required recommendations are included as an item of business at the first available Ordinary Meeting of Council
Delegation:	Representation from each school in the district, The Manager Corporate Services & Staff coordinate and run Junior Council
Membership:	Monthly – not during school holidays
Meetings:	Junior Council has not operated since 2005 due to lack of availability of permanent staff resources
Current Status	Inactive.

Background/Comment

The 2007 Committee Review recommended review of Junior Council once permanent senior staff were been appointed – as yet this has not been actioned.

The existing Youth Advisory Council (YAC) is also currently inactive and in need of revamping. By combining these groups under one banner would serve youth from the ages of 12 – 25 over the whole Shire and provide opportunities for liaison with other regional government youth programmes.

Recommendation

That the Junior Council be amalgamated with the Lake Grace Youth Advisory Council and be classified as a 'Group 2' for the purpose of this exercise. Councillor representation not required.

Rural Towns Liquid Assets Project Working Group

Authority:	Department of Agriculture Rural Towns Liquids Assets Project Agreement
Delegation:	No delegated authority - Recommendations are made in minutes of the meetings and included in the first available Ordinary Council Meeting Agenda
Membership:	Cr Farrelly, Cr Walker, CEO, MOW, Dept of Ag LG rep, LGDA rep, Community rep, Rural Towns Project reps
Meetings:	As required
Current Status	Inactive

Background/Comment

This Committee was formed in 2005 as a requirement for participation in the Department of Agriculture's Rural Towns Liquid Assets Management Program. The project was scheduled to run for a period of three (3) years. Accordingly the project was completed in 2008 – the committee is no longer required.

SPORTS OVALS & RECREATION FACILITIES

Lake Grace Shire Recreation Planning Committee

Authority:	As per Council motion 8448 25 August 1999
Delegation:	No delegated authority - Recommendations are made in minutes of the meetings and are included as an item of business at the first available Ordinary Council Meeting.
Membership:	Crs Taylor, Dunkeld, De Landgraft & Sinclair Community representatives (1) – Lake Grace, Newdegate, Lake King, Varley & Pingaring CEO or his nominee & 'Be Active' Coordinator
Meetings:	Six monthly
Current Status	Inactive

Background/Comment

The LGSRPC was previously established by Council to review and update the Shire's Recreation Plan, assess the Dept of Sport & Recreation CSRFF grant applications and make recommendations to Council, provide support and direction to the "Be Active" Sport and Recreation Coordinator and ensure Council policy is adhered to.

In accordance with Council motion 8448 of its 25 August 1999 Ordinary Meeting, the process and requirements of the Committee members succession occurs as follows:

1. Of the two (2) representatives from each of the five (5) communities, it is preferable that one (1) be a Councillor;
2. Members hold two (2) year terms, commencing on the first Saturday of May with one (1) of the two (2) community representatives retiring each year;
3. Nominations to be provided by the relevant Progress/Development Associations or Recreation Councils at their Annual General Meeting. Newdegate's nomination to be provided by the Recreation Council and the Development Association; and,
4. Nominations to be provided by the end of March each year.

The last official meeting of this committee was held in September 2004. Point 2 above is no longer relevant given the new electoral terms. As of the 31 October 2009 the Roe 'Be Active' Scheme no longer exists.

Recommendation

It is recommended that this Committee be revamped to include all of the Recreation Facilities Management Groups over the whole Shire. The 'terms of reference' would be revised to make them relevant to suit community requirements e.g. Council representatives attendance at local meetings to bring the ideas and strategies forward to the whole of Shire group.

Recommended Council representatives and CEO or his nominee appointments be made. Community representatives for each community be appointed in consultation through the Lake Grace and Newdegate Recreation Councils, the Lake King & Varley Progress Associations and the Pingaring Sports Club.

Lake Grace Sporting Precinct Redevelopment Working Group – Focus Group

Authority:	Motion 10864 – August 2009 Ordinary Meeting
Delegation:	No delegated authority - Recommendations will be made in minutes of the meetings and included in the first available Ordinary Council Meeting Agenda
Membership:	Crs Milton & Farrelly Stephen Chappell, Royce Taylor, Amanda Trevenen, Ross Bowron, Stephen McWhirter, Danielle Robertson
Meetings:	As required
Current Status	Active

Background/Comment

This Focus Group was recently formed by Council to consult with the community for the current Lake Grace Sporting Complex Redevelopment Project. The Group is supported by Community Services Staff.

Recommendation

Crs Milton and Farrelly be re-appointed as Council representatives.

Lake Grace Recreation Council

Authority:	Lake Grace Recreation Council Inc
Delegation:	No delegated authority
Membership:	No current nominated Council appointments
Meetings:	Monthly
Current Status	Inactive

Background/Comment

Committee exists – no meetings have been held for some time, pavilion bookings are made through the Shire Office. In the past Council paid the Telecentre to act as secretariat. Finances are now managed by the Shire administration.

A public meeting has been held to formally dissolve the Recreation Council - remaining funds of \$7,692.42 have been transferred to the Lake Grace Recreation Trust Fund.

Newdegate Recreation Council

Authority:	Newdegate Recreation Council
Delegation:	No delegated authority
Membership:	Crs Dunkeld & Chamberlain Manager Community Services & Manager of Works
Meetings:	Bi - monthly
Current Status	Active – strong community organisation

Background/Comment

Bookings for the Indoor Recreation Centre are booked through the Newdegate Telecentre. Council pays the Telecentre to act as secretariat. Finances are managed via Shire administration.

Lake King Grassed Oval Committee

Authority:	Lake King Progress Association
Delegation:	No delegated authority
Membership:	Cr De Landgraftt
Meetings:	Quarterly
Current Status	Active

Background/Comment

Facility is managed by the above Committee.

Varley Progress Association

Authority:	Varley Progress Association
Delegation:	No delegated authority
Membership:	Cr Sinclair
Meetings:	As required
Current Status	Active

Background/Comment

Varley Recreation Precinct is managed by the above Association.

Pingaring Sports Club

Authority:	Pingaring Sports Club Inc
Delegation:	No delegated authority
Membership:	Cr Walker
Meetings:	As required
Current Status	Active

Background/Comment

Pingaring Recreation Precinct is managed by the above Committee.

Shire of Lake Grace Community Housing Committee

Authority:	Department of Housing & Works – Community Housing Program
Delegation:	No delegated authority
Membership:	Crs Milton, Farrelly, Chamberlain, De Landgraftt One community representatives from each Development/Progress Association
Meetings:	As required
Current Status	Active

Background/Comment

The Community Housing Program is run by agreement with the Department of Housing and Works and the Shire of Lake Grace with tenants required to qualify under the criteria set down by the Department.

At the 2007 Committee review, the various community housing committees were amalgamated into one committee. The state government community housing portfolio is currently undergoing a major revamp – more will be known when the guidelines are firmly established. Until then it is recommended the Housing Committees remain as is.

It is recommended housing inspections no longer be considered a part of the Committee's responsibility – this is considered to be an operational function and will be undertaken by Community Services Staff who have been allocated management of Council's housing portfolio.

Recommendation

Four Councillor Representatives, one community representative from each community and Manager Community Services.

Lakes Village Advisory Committee

Authority:	Department of Housing and Works
Delegation:	No delegate authority
Membership:	Cr Farrelly
Meetings:	Quarterly
Current Status	Active – meets on needs basis

Background/Comment

The Lakes Village Advisory Committee is a separate entity and at this stage still needs to have its own Advisory Committee.

It is recommended housing inspections no longer be considered a part of the Committee's responsibility – this is considered to be an operational function and will be undertaken by Community Services Staff who have been allocated management of Council's housing portfolio.

Recommendation

One Councillor representative and Manager Community Services

Newdegate Town Centre Rejuvenation Project Committee

Authority:	Council Resolution
Delegation:	No delegated authority
Membership:	Cr Chamberlain, CEO or nominee Newdegate Community Development Association and community representatives
Meetings:	As required
Current Status	Active

Background/Comment

Over the past 12 months this Committee has worked with Gary Batt, Architect for the Newdegate Medical Centre and has had input into the concept plans. The plans are now finalised and the project put out to tender.

The Newdegate Rejuvenation Project also includes redevelopment of the Newdegate Town Hall and construction of Seniors Independent Living Units.

Recommendation

One Council representative and CEO or his nominee be appointed.

Lake Grace Library, Resource & Telecentre Management Committee

Authority:	Lake Grace Library Management Agreement
Delegation:	No delegated authority – minutes available
Membership:	Cr Farrelly & CEO or his nominee Committee – as per Agreement
Meetings:	Quarterly
Current Status	Active

Background/Comment

Clause 3, annexure B4.2 of the Agreement requires the Committee consist of:

- 2 members appointed by the Shire
- 2 members to be appointed by the Minister, one to be the Principal;
- 1 member representing the Telecentre Management Committee; and
- 1 elected community member (election to be organized by the Management Committee).
- With the School/Community Librarian as the Executive Officer of the Committee.

Recommendation

Appointment as per above.

Newdegate Library, Resource & Telecentre Management Committee

Authority:	Newdegate Library Telecentre Management Plan
Delegation:	No delegated authority – minutes available
Membership:	Cr Dunkeld, CEO or his nominee
Meetings:	Quarterly
Current Status	Active

Background/Comment

Committee as per Clause 3 of the Management Plan/Agreement (see below). Formal agreement between Dept of Education and Shire needs to be drawn up - same as Lake Grace.

The current committee consists of:

- 2 representatives of the Shire of Lake Grace;

- 2 representatives of the Newdegate Primary School, one being the Principal;
- 1 representative of the Telecentre Management Committee;
- 1 community member (appointed by the Shire); and,
- 1 P & C representative.

Recommendation

Appointment as per above

Lake Grace Centenary Committee

Authority:	Shire of Lake Grace - Council Resolution
Delegation:	No delegated authority
Membership:	Cr Walker & Community Services Staff
Meetings:	As required
Current Status	Active

Background/Comment

The Centenary Committee has been pro-active in organising for Lake Grace's 100 year celebrations and plans are well in hand for the centenary celebrations in 2011.

The Committee secretariat is supported through Council's budget with an FTE allocated as per Council Resolution 10402, April 2007.

Recommendation

Appointment of one Council representative and Community Services Staff as required.

Holland Track Project Working Group

Authority:	Shires of Broomehill, Coolgardie and Lake Grace initiative
Delegation:	No delegated authority – minutes available
Membership:	Cr Chamberlain, Cr Newman, CEO or his nominee, staff as required
Meetings:	As required
Current Status	Inactive

Background/Comment

Committee includes Shires of Broomehill, Coolgardie and Lake Grace. Actions from the 2005 meeting have not been followed through. Lake Grace is the nominated secretariat, reserve fund is being held at Shire of Coolgardie.

Recent contact with the Shires of Broomehill Tambellup, Coolgardie and Kondinin identified that all Shires wish for the Committee to be re-activated.

The Newdegate community is keen to utilise the Hainsworth Building as a Holland Track themed point of contact for travellers and track enthusiasts.

Recommendation

Appointment of one Councillor representative, CEO or his nominee and staff as required, and a Newdegate community member from the Hainsworth Building Group.

Australian Inland Mission Hospital Committee

Authority:	Shire of Lake Grace as owner of the building
Delegation:	No delegated authority
Membership:	Cr Walker, Cr Farrelly
Meetings:	As required
Current Status	Inactive

Background/Comment

It was recommended at the last Committee review that given the AIM Hospital Museum's importance for local tourism, the AIM Committee and its functions be amalgamated with the local Visitor Centre Management Committee/Tourism Promotions Group.

This is currently taking place, the Visitor Centre Management Committee will liaise with the Community Services Department with regard to the AIM Hospital building and any other matters requiring Council input.

Councillor representation therefore is not necessary, however Council may wish to be represented on the Visitor Centre Management Committee.

Recommendation

Representation at Council's discretion.

Lake Grace Medical Centre Management Committee

Authority:	Lake Grace Medical Centre Management Agreement
Delegation:	No delegated authority
Membership:	Vacant – previously one Councillor and Manager of Works
Meetings:	Quarterly
Current Status	Inactive

Background/Comment

At the last Committee review it was recommended further research be undertaken regarding representation on this committee – the information will be available at the meeting.

At this stage, Medical Centre staff (for Gemini Medical) liaise with Community Services over any operational issues in regard to the building. The arrangement works well.

The CEO has regular meetings with the Doctor to discuss any issues of concern – again this arrangement is working well.

Therefore, it is considered Councillor representation is not necessary, however Council may well wish to be represented on the Committee.

Recommendation

Representation at Council's discretion.

GROUP 2: EXTERNAL COMMITTEES & ORGANISATIONS

Regional Road Group – Lakes Sub Group

Authority:	Main Roads WA
Membership:	President & Deputy President – CEO & MOW attend as advisors
Meetings:	Quarterly
Current Status	Active

WALGA Central Country Zone

Authority:	Western Australian Local Government Association
Membership:	President & Deputy President
Meetings:	Quarterly
Current Status	Active

Local Emergency Management Committee

Authority:	State Emergency Management Act 2005
Delegation:	Nil
Membership:	President as Chairperson, CEO & Staff as required Local Emergency Services – Ambulance, Fire & Rescue, Bush Fires, Health Service, Department of Agriculture, Police, FESA
Meetings:	Quarterly
Current Status	Active

Roadwise Committee

Authority:	West Australian Local Government Association
Membership:	Manager of Works Roadwise Officer, LG Telecentre Secretariat, Emergency Services, Youth, Police
Meetings:	Monthly or as determined by Roadwise Officer
Current Status	Active

Background/Comment

The Roadwise Committee is a WA Local Government Association initiative. The Region has a Roadwise Project Officer appointed by WALGA. The Lake Grace Telecentre is contracted by the Shire to provide secretarial duties. The Community Services staff currently attend the meetings.

Annual Ryegrass Toxicity Committee

Authority:	Department of Agriculture
Membership:	Cr Royce Taylor
Meetings:	Annual
Current Status	Active

Background/Comment

Cr Taylor has been representative for this Committee for a number of years. More information will be provided at the meeting.

Lakes Zone Control Authority

Authority:	Department of Agriculture
Membership:	Cr Andrew Walker
Meetings:	Quarterly
Current Status	Active

Background/Comment

More information on the status of this committee will be provided at the meeting.

Eastern Wheatbelt Declared Species Group - Wild Dog Control

Authority:	Department of Agriculture
Membership:	Mr Darcy Roberts Eastern Wheatbelt Shires, Department of Agriculture
Meetings:	As required
Current Status	Active

Recommendation

Mr Darcy Roberts remain Council's representative to the Committee.

Newdegate Land Conservation District Committee

Authority:	Agriculture Department Soil & Conservation Act
Membership:	Cr Ian Chamberlain & Mr Meighan Stewart
Meetings:	Monthly
Current Status	Research required

Background/Comment

Further information will be available at the meeting.

Lake Grace Land Conservation District Committee

Authority:	Agriculture Department Soil & Conservation Act
Membership:	
Meetings:	
Current Status	Active

Background/Comment

Further information will be available at the meeting.

Wheatbelt South Tourism Association

Authority:	Wheatbelt South Tourism Association
Membership:	Cr Farrelly
Meetings:	Quarterly
Current Status	Inactive

Background/Comment

The Wheatbelt South Tourism Association has voted to go into recess for the coming year – an AGM of the Association will be held in 2010 and status will be reconsidered.

Recommendation

No Council representation required at this stage.

Roe Tourism Association

Authority:	Roe Tourism Association
Membership:	Cr Ollie Farrelly & staff as required Lake Grace Visitor Information Centre Representatives
Meetings:	Bi Monthly
Current Status	Active

Background/Comment

Cr Farrelly, Lake Grace Visitor Information Centre & Tourism Promotions representative Mary Naisbitt and the Executive Assistant regularly attend these meetings at this point in time.

Recommendation

One Councillor representative and staff as required.

Southern Agcare

Authority:	Southern Agcare
Membership:	Previously Mrs Helen Bennett
Meetings:	Annual
Current Status	Active

Background/Comment

Over the past few years Council representatives have not attended meetings. Council support the Group by hosting the Annual General Meeting and providing catering. Community Services staff have also attended these meetings.

Recommendation

No Council representation required at this stage.

Comment

Where indicated above further information will be made available at the meeting.

Legal Implications

Local Government Act, 1995 - s5.9, s5.10, s5.11, s 5.17, s5.98
 Local Government Act 1995 – s7
 Local Government (Administration) Regulations 1996
 Local Government (Financial) Regulations sections 4-8, as amended 2005
 Bushfire Local Law
 Standing Orders Local Law
 Emergency Management Act 2005
 Soil and Conservation Act

Policy Implications

N/A

Consultation

External – recommended community consultation with regard to representation on the various committees.

Financial Implications

Audit Committee - Attendance fees are payable to Elected Members of the Audit Committee and the Lake Grace Library Telecentre Management Committee, members will be entitled to Committee Meeting Attendance Fees and travelling as per Council Policy.

Councillors attending other committee meetings may claim travel only – no attendance fees are payable.

Strategic Implications**Lake Grace Strategic Plan***2. Social and Community Well-Being*

2.1 Retain, promote and develop health, education, recreational provision and access within the Shire.

6. Leadership

6.3 Foster opportunities and provide resources for the ongoing development of leadership – community capacity building.

Recommendation

1. That Council appoint the following as members of the Audit Committee:

Cr _____, Cr _____,

Cr _____ with the community representative position to be re-advertised.

2. That Council appoint the following Councillor/Council Representatives to the various committees and external organisations as follows:

Lake Grace Shire Sport & Recreation Planning Committee:

Lake Grace & Pingaring Cr _____

Newdegate Cr _____

Lake King Cr _____

Varley Cr _____

CEO or his nominee and a community representative for each of the above communities be appointed in consultation through the Lake Grace & Newdegate Recreation Councils, the Lake King & Varley Progress Associations and the Pingaring Sports Club Inc.

Shire of Lake Grace Community Housing Committee

Lake Grace Cr _____

Newdegate Cr _____

Lake King Cr _____

Varley Cr _____

Community Services representatives with a community representative to be sought through each of the local Development/Progress Associations.

Lakes Village Advisory Committee

Cr _____

Newdegate Town Centre Rejuvenation Project

Cr _____, CEO or his nominee

Lake Grace Library, Resource & Telecentre Management Committee

Cr _____, CEO or his nominee

Newdegate Library, Resource & Telecentre Management Committee

Cr _____, CEO or his nominee

Lake Grace Centenary Committee

Cr _____, Community Services staff as required

Holland Track Project Working Group

Cr _____, CEO or his nominee and a Newdegate community member to be sought.

Lake Grace Shire Visitor Information Centre/AIM Hospital Museum

Cr _____, Community Services staff as required

Regional Road Group

President and Deputy President, CEO & MOW as advisors.

WALGA Central Country Zone

President and Deputy President

Local Emergency Management Committee

President as Chairman, CEO & staff as required.

Annual Ryegrass Toxicity Committee

Cr _____

Roe Tourism Association

Cr _____, staff as required

3. That the Junior Council be amalgamated with the Lake Grace Youth Advisory Council with staff support and representation as required.

Voting Requirements

Absolute majority (5) required.

Resolution

MOTION 10915

Moved Cr Milton
Seconded Cr Newman

1. That Council appoint the following as members of the Audit Committee:

Cr Farrelly, Cr Milton, Cr Chappell with the community representative position to be re-advertised.

2. That Council appoint the following Councillor/Council Representatives to the various committees and external organisations as follows:

Lake Grace Shire Sport & Recreation Planning Committee:

Lake Grace & Pingaring Cr Walker
Newdegate Cr Dunkeld
Lake King Cr De Landgraft
Varley Cr Sinclair

CEO or his nominee and a community representative for each of the above communities be appointed in consultation through the Lake Grace & Newdegate Recreation Councils, the Lake King & Varley Progress Associations and the Pingaring Sports Club Inc.

Lake Grace Sporting Precinct Redevelopment Working Group – Focus Group

Cr Farrelly and Cr Milton

Shire of Lake Grace Community Housing Committee

Lake Grace Cr Milton
Newdegate Cr Chamberlain
Lake King Cr De Landgraft
Varley Cr Sinclair

Community Services representatives with a community representative to be sought through each of the local Development/Progress Associations.

Lakes Village Advisory Committee

Cr Farrelly

Newdegate Town Centre Rejuvenation Project

Cr Chamberlain, CEO or his nominee

MOTION 10915 continued

Lake Grace Library, Resource & Telecentre Management Committee

Cr Farrelly, CEO or his nominee

Newdegate Library, Resource & Telecentre Management Committee

Cr Dunkeld, CEO or his nominee

Lake Grace Centenary Committee

Cr Walker, Community Services staff as required

Holland Track Project Working Group

Cr Chamberlain, CEO or his nominee and a Newdegate community member to be sought.

Men's Shed Committee

Cr Farrelly, community members as per Council Resolution No 10585 March 2008.

Regional Road Group

President and Deputy President, CEO & MOW as advisors.

WALGA Central Country Zone

President and Deputy President

Local Emergency Management Committee

President as Chairman, CEO & staff as required.

Roe Tourism Association

Cr Farrelly, staff as required

3. That the Junior Council be amalgamated with the Lake Grace Youth Advisory Council with staff support and representation as required.

MOTION CARRIED BY ABSOLUTE MAJORITY 8/0

Note: Annual Ryegrass Toxicity Committee – Cr Taylor has previously represented Council on this committee. As ryegrass toxicity is now mostly able to be managed by landholders, it is not considered necessary to have a Council representative on the Committee. The Shire will continue to receive information from the meetings.

15.4 CENTRAL COUNTRY ZONE (WALGA)

11.05 pm Mr Keith Dickerson entered the meeting.

Applicant: Central Country Zone
File No. 0030
Attachments: Zone Agenda (Not Available),
ALGA Transport Communique (Strategy),
National Road Strategy & Attendance List.
Author: Mr Sean Fletcher
Chief Executive Officer
Disclosure of Interest: Nil
Date of Report: 2 November 2009
Senior Officer: Mr Sean Fletcher
Chief Executive Officer

Summary

The purpose of this report is for Council to consider issues raised through the Central Country Zone and to report on the outcomes of the National Transport Congress held in Mackay 8 – 10 November 2009.

Background

The Shire of Lake Grace is a member of the Central Country Zone. The purpose of the Zone is to provide feedback to WALGA (Local Government's peak body in Western Australia) and other stakeholders on key issues faced by Local Government. Members of WALGA State Council are also selected from each of the Zones.

Members of the group include:

- Beverley
- Corrigin
- Dumbleyung
- Lake Grace
- Narrogin Town
- Quairading
- Wandering
- Wickepin
- Brookton
- Cuballing
- Kulin
- Narrogin Shire
- Pingelly
- Wagin
- West Arthur
- Williams

Under the List of Committees, the Shire of Lake Grace Zone representatives are the Shire President and Deputy Shire President. The CEO also attends these meetings and has voting rights in the absence of one or both representatives.

The Zone also considers matters before State Council and a copy of the agenda/minutes of these meetings is available at the Shire Office should you wish to review them at any time.

The Executive Officer is Bruce Wittber of BHW Consulting and can be contacted on 9313 5761 should you have further queries regarding matters under discussion by the Zone.

As per the outcomes of Council's previous resolution on the National Transport Congress, both the author and the Manager of Works attended this conference which was held in Mackay 8 – 10 November 2009.

Comment

Great Eastern Country Zone

The next meeting of the Central Country Zone is a Teleconference Meeting on Thursday 26 November 2009, 10:00am in the CEO's Office.

The agenda for the Teleconference on 26 November 2009 will be available by 20 November 2009. Items that require discussion will be raised by the author at the Council Meeting on 25 November 2009.

National Transport Congress – Roads to the Future

The purpose of the Congress was to learn about what the other states are doing regarding transport (road, rail, air and water) and to develop a proposal to take to the Federal and State Governments regarding road funding in the future. Accordingly, the author is pleased to advise that both he and the Manager of Works had the opportunity to:

- Support the proposal for a new national transport strategy including funding arrangements. There is a need to ensure that Roads to Recovery is enshrined in legislation. The Federal Government made it very clear that with not only road funding, but all funding in future will be withdrawn if it is not spent on time. The Communique (Strategy) is attached;
- Develop an appreciation of how to link our roads to state roads in order to deliver the best outcome for commercial users. Our national economy now depends on transport efficiency. The Victorian Minister for Transport Jim Pallas gave a presentation on Victoria's new transport strategy and how this is a joint arrangement with Local Government to leverage more funding from the Federal Government. The Minister unveiled the concept of a unified road system for heavy haulage that links from rural areas to the Melbourne Port. Not only this, but the Victorian Government is now making a major investment in upgrading its rail network in the bush i.e. gold, silver and bronze. Gold is the rail that needs immediate work, silver are second priority lines and bronze are for future rail that will be built when other mining or agriculture comes on line and needs a rail link. This is truly visionary and makes our situation with Westnet Rail look abysmal;
- Look at the strategy of longer trucks on our roads means less wear and tear but the roads need to be of a higher standard;
- Develop an understanding of user pay charges for both trucks and cars. The debate is how to better use the fuel excise. The Federal Government raises \$13b– \$14b a year from the petrol bowser but only

puts back \$3b onto our roads;

- Come up with a strategy regarding the better management of the Shire's roads:
 - With the 10 Year Road Program build in an audit component that clearly shows the state of the priority roads that need to be addressed. One of the Queensland Regional Road Groups has implemented a process where all the roads in the network have been videoed. This will allow a desktop audit to be done and priorities developed. The author has asked the Manager of Works to come up with a simple process that mirrors the RiskNet System (e.g. use of photographs) in conjunction with WALGA that could serve as a model to other local governments in rural WA;
 - The Director of Engineering from the Shire of Moree gave a presentation on how through asset management the Shire has identified what can be realistically achieved. The Shire of Moree is where the first National Transport Congress was held 10 years ago and as a result Roads to Recovery was born. Moree is the most productive grain growing area in Australia. The end analysis has shown that the Shire cannot afford to continue adding new roads, but in fact has to now rationalise its roads and make better use of those that are left. This was a common theme throughout the Congress. Moree has a current funding gap of \$8M per annum on its roads and a backlog of \$89M to just bring the roads up to scratch. The Shire has gone out to the community and advised what it can seal and gravel maintain in future. Once presented with the facts, the community has got in behind the change. A similar analysis will be done for the Shire of Lake Grace and will form the backbone of the 10 Year Program.

It should be noted that the numbers at the Congress are well down on previous years and ALGA made an impassioned plea for council members to attend – after all, this is where Roads to Recovery started. Next year's congress is in Bunbury. However, the timing for this event is yet to be resolved.

Legal Implications

Nil

Policy Implications

Nil

Consultation

Bruce Wittber – Executive Officer Central Country Zone

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Simple majority required.

Recommendation/Resolution

MOTION 10916

Moved Cr Chappell
Seconded Cr De Landgraft

That Council:

1. Receive the Chief Executive Officer's report regarding the Central Country Zone and the National Transport Congress.
2. Authorise the CEO to write to WALGA advocating the need for it to engage with the Minister for Transport for the development of a Road Strategy similar to that adopted by the Victorian State Government.

MOTION CARRIED 8/0

15.5 LAKES VOLUNTARY REGIONAL ORGANISATION OF COUNCILS

Applicant: Lakes Voluntary Regional Organisation of Councils
File No. 0031
Attachments: Nil
Author: Mr Sean Fletcher
Chief Executive Officer
Disclosure of Interest: Nil
Date of Report: 2 November 2009
Senior Officer: Mr Sean Fletcher
Chief Executive Officer

Summary

The purpose of this report is to keep Council abreast of matters regarding the Lakes Voluntary Regional Organisation of Councils (Lakes VROC) that consists of the Shires of Lake Grace, Dumbleyung and Kent.

Background

Council, at its Ordinary Meeting held on Wednesday 22 July 2009 as per resolution 10 841 resolved as follows:

That Council sign a Certificate of Agreement to enter into a Memorandum of Understanding with the Shires of Dumbleyung and Kent with the intent of developing an alliance that responds proactively to the changing environment whilst maintaining individuals identities.

Accordingly, the former CEO wrote to the Shire of Dumbleyung on 23 July 2009 advising Council's resolution to enter into a memorandum of understanding which was signed on 19 August 2009.

At this point the Shire of Dumbleyung has proposed as part of its reform submission that a formal ROC would be in place by October 2011. At this point it is expected that the Lakes VROC will receive the Country Local Government Fund (Royalties for Regions) regional component for 2009/10 starting at \$690 000 and rising to \$980 000 in 2010/11.

Key projects that are being considered at this point regarding key systems are:

- Asset management;
- Development of long term plans and financial reporting;
- Sharing of administration resources;
- Records management;
- Assisting other members of the group in road works; and
- Having similar IT arrangements being in place.

Comment

At the last council meeting a level of concern was expressed regarding how it would appear that Lake Grace was more advanced regarding its service provision and systems compared to other members in the VROC. The author expressed a similar view. Discussion was also held on becoming a formal ROC within two years and the level of expertise required regarding a voluntary ROC. The author commented that he had detailed experience regarding VROCs as he was the former CEO and immediate past Director of Regulatory and Emergency Services with the North Eastern Wheatbelt Regional Organisation of Councils (NEWROC).

In terms of the VROC process the following model is generally used:

- The Council consisting of at least one delegate (usually the Shire President) and the respective CEO from each shire meets every two months;
- During the intervening months the Executive consisting of the CEOs meet to review outcomes of the Council meetings or put forward proposals;
- The chairperson elected on a rotational basis;
- The CEOs hold directorships or portfolios including one as the CEO of the VROC. This is moved around on a rotational basis;
- An independent Executive Officer (consultant) is appointed to assist with the administration of the VROC;
- Finances for the VROC including grants are administered through one shire only. There is no other way that this can be done legally as the Local Government Act prohibits a VROC becoming an incorporated body.

The cost of NEWROC to the six member shires for a part time executive officer was in the order of \$40,000 PA or \$6,665 each. Costs for regional projects were then charged out on top of this to the respective participants e.g. in the case of implementing a uniform emergency management plan this cost \$50,000. However, in this instance the full cost of the project was met through obtaining a Federal grant.

Under the Lakes MOU, two voting members are required from each Council. The CEO also attends. It is not clear how the secretarial support will work. The author recommends that the secretariat is sourced externally i.e. advertise for executive support, otherwise too much falls back on the CEO supporting the VROC chair. There are a number of consultants who would be willing to take up this role.

Regretfully, the Shire of Kent who had asked for the first VROC meeting to be held on 13 November 2009 @ 10:30am, cancelled the Dumbleyung meeting. The primary purpose of the meeting was to discuss the governance issues and the allocation of the Royalties for Regions funding.

Apart from this, as both the Shire President and Cr Davidson discussed after the Sub Regional Road Group meeting on 12 November 2009, it would

have been an ideal forum to clear the air on the reform issues. Both suggested holding the first meeting in February 2010.

However, the CEOs and Deputy CEOs within the Lakes VROC will get together on 11 December 2009 in Lake Grace to discuss the initial parameters and projects for the VROC.

On the matter of the VROC becoming a formal ROC this is ultimately subject to the Minister for Local Government's position on VROCs and the outcomes of the Local Government Reform process. The Minister does not support VROCs, but it would be prudent for Lake Grace to pursue an active VROC so that it can at least receive the regional component of the Country Local Government Fund.

Legal Implications

Nil

Policy Implications

Nil

Consultation

External: CEO Dumbleyung
CEO Kent
Shire President Dumbleyung

Internal: Manager Corporate Services
Shire President
Elected Member Updates

Financial Implications

Nil

Strategic Implications

Shire of Lake Grace Strategic Plan - Item 6 Leadership

6.1 Develop and implement through collaboration with other local state and federal government agencies resource sharing and regional service delivery.

Voting Requirements

Simple majority required.

Recommendation/Resolution

MOTION 10917

Moved Cr Milton
Seconded Cr Dunkeld

That Council receive the Chief Executive Officer's report on the Lakes VROC.

MOTION CARRIED 8/0

15.6 LOCAL GOVERNMENT REFORM UPDATE

Applicant:	Local Government Reform Update
File No.	0552
Attachments:	Shire of Katanning Submission Letter Shire of Dumbleyung Letter Shire of Kent Letter Shire of Kulin
Author:	Mr Sean Fletcher Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	3 November 2009
Senior Officer:	Mr Sean Fletcher Chief Executive Officer

Summary

The purpose of this report is to keep Council abreast of matters regarding Local Government Reform.

Background

January 2009

The then CEO and Cr De Landgraft met with representatives from the Shires of Ravensthorpe, Kent and Jerramungup in Ravensthorpe to discuss resource sharing and the possible formation of a VROC. This was in response to WALGA's SSS report.

February 2009

The Minister for Local Government, the Hon John Castrilli MLA, at a combined Zone Meeting held in Exmouth on 5 February announced the need for Local Government Reform.

Guidelines were issued including the need to undertake a Sustainability Checklist, consultation with neighbours, community consultation and then prepare a report regarding the impacts of reform on the Shire. This was to include a number of resolutions on the reform process regarding regional councils, elected member numbers and whether it will undergo an amalgamation.

April 2009

The Shire of Jerramungup wrote to Council requesting consideration of a proposal to join with them in the preparation of a report into amalgamation.

Council, at its Ordinary Meeting held on Wednesday 22 April 2009 as per resolution 10 780 resolved as follows:

That Council continues to liaise with the Shires of Kent and Dumbleyung for the possible formation of a Voluntary Regional Organisation of Councils.

The former CEO subsequently submitted the Reform Checklist for Lake Grace.

May 2009

A proposal was received from Mr Tony Cooke regarding the community consultation phase.

The former CEO submitted an application to the Department of Local Government seeking funding of \$10 000 towards the development of a reform submission. Mr Tony Cooke was nominated as the consultant to undertake the report.

June 2009

Round One was subsequently conducted on 4 June 2009 with community members invited to meet Mr Cooke.

Under the outcome of the Checklist Assessment, the Shire received a rating of Category Three: significant structural reform including amalgamation and formalisation of regional groupings is required to ensure long term community and organisational benefit in order that the needs of the current and future generations are met. Particular strengths noted were identification of community areas of interest and high levels of participation at local elections. Areas of improvement required include greater evidence of financial viability and demonstrated organisational capacity to undertake services.

July 2009

Round Two of the community consultations were undertaken on 27 and 28 July including consideration of the following:

- No change (Status Quo)
- Community member ideas;
- Boundary realignments (Pingaring/Varley/Pingrup)
- Amalgamations (Shires of Kent and Dumbleyung plus boundary change for Pingaring and Varley).

The former CEO wrote to the Shire of Dumbleyung on 23 July 2009 advising of Council's resolution to enter into a memorandum of understanding which was subsequently signed on 19 August 2009.

The various Department of Local Government workshops held through WA emphasised the need for population centres of 5 000 and 10 000 to address the future funding requirements set by the Federal Government.

August 2009

At Local Government Week, Ministers Grylls, Castrilli and the Premier made it very clear that the "Status Quo" was not an option. The Premier spoke about there being a need to reduce the number of local governments in WA to well under 100 within the next five years. He also made comment that

there was 37 local governments servicing districts of populations of 1 000 or less and another 45 of less than 2 000.

Minister Castrilli advised that submissions could be extended until 30 September 2009. The author subsequently wrote to the Department of Local Government seeking the extension of time.

The Shire as required advised the Department of Local Government by 1 September 2009 that the Lakes VROC was its preferred grouping to receive the Country Local Government Fund (Royalties for Regions) regional component. For 2009/10 this will be \$690 000 rising to \$980 000 in 2010/11.

September 2009

At the Ordinary Council Meeting on 23 September 2009, Council resolved in part the following (Resolution 10879):

1. To advise the Minister for Local Government of its willingness for the Shire of Lake Grace to partially amalgamate in cooperation with other local governments on the basis of community of interest including social fall.

Preferred Option

2. To advise the Minister that, as its preferred option, the pursuit of partial amalgamation in cooperation with other local governments on the basis of community of interest including social fall would encapsulate a boundary adjustment as follows:
 - a. Expansion of the Shire of Lake Grace to the north of the existing shire boundary that includes annexing the portion of the Shire of Kulin bounded by the Lake Grace - Karlgarin Road and the Kulin - Holt Rock Road and includes the locality of Pingaring.
 - b. Expansion of the Shire of Lake Grace to the west of the existing shire boundary that includes annexing the portion of the existing Shire of Dumbleyung lying eastward of Rabbit Proof Fence Road and would incorporate the existing locality of Kukerin.
 - c. Expansion of the Shire of Lake Grace to the south of the existing shire boundary that includes annexing the portion of the existing Shire of Kent:
 - i. East of Rabbit Proof Fence Road;
 - ii. Then east of a line due south of the intersection of Chester Pass Road and the Nyabing – Pingrup Road extending to the existing southern boundary of the Shire of Kent; and
 - iii. Would incorporate the locality of Pingrup.
 - d. This entails reductions of approximately 50% of the area of the existing Shire of Kulin; about 50% of the Shire of Dumbleyung; and, 50% of the Shire of Kent. It represents about a 50% increase in the size of the Shire of Lake Grace. A name change to the expanded Shire would be required.

The Shire President called a special meeting for 29 September 2009 to further discuss the merits of Council's resolution 10879 in light of

information provided at the Central Country Zone meeting at Wagin on 25 September 2009. A rescission motion was put was unsuccessful due to not reaching an absolute majority. In the interim the report by Hon Max Trenorden MLC on his fact finding mission to Queensland and South Australia was distributed to all elected members.

The submission was subsequently sent via email to the Department of Local Government on 30 September 2009. An electronic acknowledgment was received the following day.

October 2009

The Shire President, Cr Farrelly, Cr Milton, the CEO and the Executive Assistant met with WALGA President Cr Bill Mitchell and WALGA Deputy CEO Wayne Scheggia on 1 October 2009.

Cr Mitchell also commented that the reform process was an opportune time to discuss a new type of service delivery model as the focal point for reform. This would entail positioning the new local government as a full on service provider regarding health, education, policing and so on.

Copies of the Shire's submission were then sent to the Shire of Kulin, the Shire of Dumbleyung and the Shire of Kent on 5 October 2009. The response to date has seen the Shire's of Dumbleyung and Kent reject the Shire of Lake Grace Reform submission. The Shire of Kulin wrote to the Pingaring community regarding the Lake Grace proposal. Consequently, the Shire President received a verbal invitation to attend the Pingaring community meeting on 27 October 2009. The President advised Council at the information session on 27 October 2009 that he declined to attend the Pingaring meeting.

At its meeting on 28 October 2009, Council resolved through motion 10896 to form a think tank to explore the Shire of Lake Grace as a key service centre for a State Government service.

Comment

Shire of Katanning Submission

The author has obtained from Dean Taylor the Katanning CEO his Shire's reform submission, which was distributed to all elected members prior to this meeting. As such the Katanning submission makes the following comments:

- The current structure of Local Government in Western Australia hinders the effective governance of the region (Great Southern – page 8);
- Proposal for groupings of councils based on a radius of between 50 – 100 kms (page 17);
- Using this grouping model, the eastern portions of the Shires of Dumbleyung, Gnowangerup and Kent have a close association with the Shire of Lake Grace. As such it is recommended that the eastern

portions of these shires be allocated to a larger shire based around the current Shire of Lake Grace (pages 17 – 18);

- In essence a radius of 75kms from Katanning is the preferred boundary of the new local government (pages 9 & 18);
- Refers to Specified Area Rating and Differential Rating as acceptable mechanisms to continue the provision of existing local services in communities impacted by the reform process (page 22).

In general terms the Shire of Katanning submission compliments the Shire of Lake Grace proposal. Katanning's submission also takes into account the impact the level of reform proposed will have on those towns and communities encapsulated within this shire's sphere of influence. In overall terms, the Shire of Katanning proposal advocates that the bigger towns and communities would in all likelihood carry on as before and that in hand with this trend, the new shire will be in a position to enhance or provide services not currently available. Mr Taylor has now invited the author to a meeting on 27 November 2009 to discuss issues of mutual interest regarding the reform process.

Shire of Kulin – Letter Received 3 November 2009

A letter has now been received from the Shire of Kulin Chief Executive Officer stating in part that “to say the very least Council are quite surprised and angered by your proposal submitted to the Minister for Local Government if for no other reason other than for the complete disregard for the Shire of Kulin's and Kulin residents opinion on the matter. The lack of consultation is disgraceful...”

The letter goes on to discuss the survey issued to Kulin residents and the subsequent Pingaring Progress Association meeting held on Tuesday 27 October 2009 to discuss this matter. Other issues raised include the respective contributions of the Shires regarding the Pingaring community and that Shire of Kulin residents surveyed agreed that the current services offered by the Shire of Kulin far exceed the performance of the Lake Grace Shire. Comment is also made that Specified Area Rating is a flawed system i.e. it simply benefits the larger towns where there are multiple towns.

The Letter also states that “there are numerous other examples...where your Council has manipulated data in an attempt to justify the report...” Mr Hadlow goes on to say that “the Shire of Kulin is extremely angered by the actions of your Council and request that you take immediate action to inform the Minister for Local Government that you wish to withdraw from your submission all reference to the annexing of any portion of the Shire of Kulin into Lake Grace. The selfish nature of the submission does not encourage future cross boundary cooperation...”

The Shire of Kulin has also written to the Minister outlining its concerns to ensure that the Lake Grace proposal is not taken seriously.

It is interesting to note that there is a difference of opinion within the Pingaring community. At least one staff member has commented to the author that a number of Pingaring residents would like to meet in order to

discuss the Lake Grace proposal as they believe they will receive better services from Lake Grace.

In discussions between the author and the Shire President regarding the letter, the President felt that the real flaw in the Lake Grace consultation process was a lack of clear feedback to the respective Councils regarding the firming up of the boundary adjustment proposal. The author advised that it is now up to the Local Government Advisory Board to deal with the respective submissions and opinions.

The author spoke to Mr Hadlow on 4 November 2009 regarding the letter. Mr Hadlow confirmed the views of his Council and also the issue regarding the contributions that both Shires have made to respective Pingaring and Varley communities over the years. Mr Hadlow stated that Kulin's focus is to the North and that Kulin is more than happy to discuss its reaction with the Shire President and CEO at other meetings around the traps. The conclusion to the conversation was that everyone has a right to voice their concerns and that no further action is required as it is now up to the Minister (Local Government Advisory Board) to decide.

As such, the author's understanding regarding the Pingaring arrangement is as follows:

- The Lake Grace/Kulin Shire boundary runs down the southern side of the Pingaring Varley Road in the townsite of Pingaring, separating the main part of town (Kulin side - residential, shop, hall, public toilet and golf club) from the School/Community Centre and Recreation Grounds (Lake Grace side);
- When the School was closed, a Memorandum of Understanding was entered into between the Shires of Lake Grace and Kulin, and the Pingaring Progress Association, enabling the Progress Association to operate the premises as a Community Centre. This was to be funded by way of a \$4000 contribution from each Shire (Total \$8000) per year. The Shire of Lake Grace has since increased its contribution to \$4,400 per year, although it would appear that Kulin has not.

Lake Grace also directly funds any major maintenance/capital works that are to be done on the building (09/10 Budget \$12,000);

- The Shire of Lake Grace also funds the Recreation Ground, Tennis Court, Sports Pavilion and contribute to the Library operating costs - in the 2009/10 Budget this is estimated at \$4,531;
- A \$5,000 contribution towards playground facilities has also been budgeted for Pingaring in the past two Budgets. All of these funds are sourced from the Lake Grace Specified Area Rate. In this instance the author does consider that if boundary adjustments were to occur resulting in more of Pingaring being located in the Shire of Lake Grace, the prospect of creating a new Specified Area Rate for Pingaring would have merit.

- To the best of the author's knowledge the Shire of Lake Grace has not contributed to the Pingaring Golf Club, the Hall or the Public Toilets in any financial capacity recently.

At the end of the day the boundary adjustments were raised as a possibility in the information that went out to the respective local papers including those in Pingaring and Pingrup after the round one and round two consultation meetings. The matter has also been raised by various councillors at Local Government Week and other venues. Perhaps the level of "official" consultation needed refinement.

Conclusion

The author believes that it would be prudent to note the Kulin, Dumbleyung and Kent letters without entering into any further action other than to acknowledge receipt of the letters. The issue is now more about focussing on the business at hand of the coming reform process including:

1. whether the Think Tank can develop a position that will allow engagement with the State Government on service provision; and
2. achieving the objectives of the Lakes VROC.

Legal Implications

Nil

Policy Implications

Nil

Consultation

External:

- Mr Dean Taylor, CEO of Katanning;
- Mr Henry Van der Ende, CEO of Dumbleyung;
- Mr Alan Wright, CEO of Kent;
- Mr Greg Hadlow, CEO of Kulin;
- Mr Tony Cooke, Reform Consultant;
- Mr Bruce Wittber, Executive Officer Central Country Zone;
- Cr Bill Mitchell and Mr Wayne Scheggia WALGA;
- Ms Pip Shields Senior Regional Officer Wheatbelt Development Commission.

Internal:

- Manager Corporate Services;
- Executive Assistant;
- Senior Management Team Information Session 28 October 2009.

Financial Implications

Nil

Strategic Implications

Shire of Lake Grace Strategic Plan

Goal 3 Financial Sustainability

3.2.6 Investigate sources of funding that could support resource sharing.

Goal 6 Leadership

6.1 Develop and implement through collaboration with other local state and federal government agencies resource sharing and regional service delivery.

Recommendation

That Council:

1. Receive the Chief Executive Officer's report regarding the update on the Local Government Reform process.
2. Respond to the letters from the Shires of Dumbleyung, Kent and Kulin by acknowledging their respective concerns.
3. Advise the Shire of Kulin that the Shire of Lake Grace will not be changing its submission and that this matter is now for the consideration of the Local Government Advisory Board.

Voting Requirements

Simple majority required.

Recommendation/Resolution

MOTION 10918

Moved Cr Milton
Seconded Cr De Landgraft

That Council:

1. Receive the Chief Executive Officer's report regarding the update on the Local Government Reform process.
2. Respond to the letters from the Shires of Dumbleyung, Kent and Kulin by acknowledging their respective concerns.
3. Advise the Shire of Kulin that the Shire of Lake Grace will not be changing its submission and that this matter is now for the consideration of the Local Government Advisory Board.

MOTION CARRIED 8/0

15.7 COUNCIL POLICY REVIEW – ADMINISTRATION SECTION

Applicant: Manager Community Services
File No. 0050
Attachments: Existing Policies
Author: Mrs Nadene Owen
Manager Community Services
Disclosure of Interest: Nil
Date of Report: 16 November 2009
Senior Officer: Mr Sean Fletcher
Chief Executive Officer

Summary

This report recommends:

- Deletion of Administration Policy 7.2 – Building Facilities.
- Changes to Administration Policy 7.3 – Liquor on Council Property.
- Deletion of Administration Policy 7.7 - Community Housing Tenant Selection
- Deletion of Administration Policy 7.8 - Community Housing Rental Arrears
- Updating of the Policy Manual.

Background

The Policy Manual has undergone review over a period of time and is now completed with the exception of two sections, Section 3 Finance/Accounting and Section 7 Administration (the subject of this report). It should be noted that the process will be ongoing as policies are kept under review.

Council will recall, at its June 2009 Ordinary Meeting – Item 15.6 Policy Review was laid on the table until staff reported back to Council on the community housing issue. Outcomes regarding that issue were relayed to Council at the October 2009 Senior Management Information Session.

The Policy Manual includes reference to the manner in which Policy is to be amended and is as follows:

Additions, deletions or alterations to Council Policy shall only be effected by specific Council resolution stating:

- *The proposed policy; and,*
- *That the Policy Manual be updated.*

Comment

Review of the Section 3 Finance/Accounting is being undertaken by the Manager Corporate Services and the Audit Committee. Further progress will be made following the Audit Committee Meeting scheduled for Wednesday 18 November 2009.

Staff have reviewed policies in Section 7 – Administration and the changes are outlined below.

SECTION 7 – ADMINISTRATION

Administration Policy 7.1 - Harvest Bans

No changes suggested.

Administration Policy 7.2 - Building Facilities

The author is of the view that the current policy is outdated and should be revoked.

Administration Policy 7.3 - Liquor on Council Property

Policy

No liquor of any type shall be permitted to be stored or consumed on Council controlled public property without the application for and granting of a permit by the Chief Executive Officer or other designated officer.

Clubs may apply for a seasonal permit for the consumption of liquor with all dates shown on the permit.

Objectives

Guidelines

The Police are to be advised each time a permit for the consumption of liquor is issued.

If liquor is to be sold, either by individual sale or as part of a ticket price, a separate permit from the Department of Racing, Gaming and Liquor is necessary.

History

Former Policy 7.4

Review

Chief Executive Officer, Manager Community Services

NOTE:

The Guidelines have been amended to reflect the correct nomenclature of the Government Department – Department of Racing, Gaming and Liquor.

Administration Policy 7.4 - Freedom of Information Officers

No changes proposed.

Administration Policy 7.5 - Pensioner Rates Review Officers

No changes proposed.

Administration Policy 7.6 - Record Keeping Plan

No changes proposed.

Administration Policy 7.7 - Community Housing Tenant Selection

It is recommended this policy be withdrawn as the content is of an operational nature. Tenant eligibility and selection does not lie within Council's jurisdiction.

Clear procedures for tenant eligibility are set out in Department of Housing and Works Eligibility Criteria, the Residential Tenancies Act 1987 and the individual Community Housing Agreements.

Administration Policy 7.8 Community Housing Rental Arrears

It is recommended this policy be withdrawn as the content is of an operational nature. Council's direct involvement in the recovery of outstanding rent monies is not required.

Clear procedures are set by Department of Housing and Works and the Residential Tenancies Act 1987 for the recovery of outstanding rent moneys.

Administration Policy 7.9 Asset Management

No changes proposed.

Legal Implications

Residential Tenancies Act 1987

Policy Implications

As above.

Consultation

Internal: Chief Executive Officer
Manager Corporate Services
Community Services Assistant
Council SMT Information Session – 28 October 2009

External: Department of Housing and Works
Community Housing Coalition Western Australia

Financial Implications

N/A

Strategic Implications

Nil

Recommendation

That:

1. Policy 7.2 – Building Facilities be revoked;

2. Policy 7.3 – Liquor on Council Property as reviewed be adopted and subsequently endorsed by the Shire President and Chief Executive Officer;
3. Policy 7.7 - Community Housing Tenant Selection be revoked;
4. Policy 7.8 - Community Housing Rental Arrears be revoked; and,
5. The Policy Manual be updated.

Voting Requirements

Simple majority required.

Resolution

MOTION 10919

Moved Cr Del Landgrafft
Seconded Cr Dunkeld

That:

1. Policy 7.2 – Building Facilities be revoked;
2. Policy 7.3 – Liquor on Council Property as reviewed be adopted and subsequently endorsed by the Shire President and Chief Executive Officer;
3. Policy 7.8 - Community Housing Rental Arrears be revoked; and,
4. The Policy Manual be updated.

MOTION CARRIED 8/0

REASON FOR CHANGE

Council wished to withdraw Item 3 of the recommendation until the Manager Community Services has completed the review.

16.0 URGENT BUSINESS BY DECISION OF THE MEETING

None.

17.0 SCHEDULING OF MEETING

17.1 DECEMBER 2009 ORDINARY MEETING – CHANGE OF DATE

Applicant:	Chief Executive Officer
File No.	0041
Attachments:	Nil
Author:	Mrs Jeanette Bennett Executive Assistant
Disclosure of Interest:	Nil
Date of Report:	16 November 2009
Senior Officer:	Mr Sean Fletcher Chief Executive Officer

Summary

This reports proposes to consider a change of date for the December 2009 Ordinary Meeting.

Background

Motion 10720 December 2008 states:

An Ordinary Meeting of Council will be held on Wednesday 16 December 2009, commencing at 1.00 pm at Council Chambers, 1 Bishop St Lake Grace.

This date was set by Council in November 2008 in line with Council Policy 1.2 which states the December Meeting of Council will be held on the third Wednesday of December.

Comment

This year, Christmas Day falls on the Friday of the fourth week in December allowing the Council Meeting to be held on the fourth Wednesday (23rd). The Shire Administration Office will close for the Christmas Break from 2.00pm Thursday 24th December until 8.00am Monday 4th January 2010.

Re-scheduling the meeting to the 23 December lengthens the period between the November and December meetings to four weeks rather than three, and shortens the period between the December and February meetings by one week, making it seven rather than eight weeks.

Legal Implications

Local Government Act 1995 – Section 5.25 (g)

Local Government (Administration) Regulations 2007 – 12 (2)

Policy Implications

Policy 1.2 – Council Meeting Dates

Consultation

Should the proposed re-scheduling of the meeting be approved; local public notice of the change of date for the meeting will need to be given.

Financial Implications

Nil

Strategic Implications

N/A

Voting Requirements

Simple majority required.

Recommendation/Resolution

MOTION 10920

Moved Cr Farrelly
Seconded Cr Dunkeld

That:

1. The date for the December 2009 Ordinary be re-scheduled to take place on Wednesday 23 December 2009 at Council Chambers Lake Grace, commencing at 1.00pm; and,
2. The change of date be advertised accordingly.

MOTION CARRIED 8/0

18.0 CONFIDENTIAL BUSINESS – As per Local Government Act s5.23 (2)

MOTION 10921

Moved Cr Newman
Seconded Cr Chappell

That Council close the meeting to the public at this time, being 11.35 am, to discuss outcomes of the capacity audit and the CEO probation period review.

MOTION CARRIED 8/0

18.1 CAPACITY AUDIT - OUTCOMES

Item forwarded under separate cover.

MOTION 10922

Moved Cr Milton
Seconded Cr De Landgraft

That Council:

1. acknowledges the work undertaken by the Chief Executive Officer's to review the skills, knowledge and level of staff required to provide quality customer service; and
2. receives his report regarding the outcomes of the Capacity Audit.

MOTION CARRIED 8/0

18.2 CHIEF EXECUTIVE OFFICER – PROBATION REVIEW

Item forwarded under separate cover.

11.59 am *The Chief Executive Officer declared a financial interest in Item 18.2 and left the meeting.*

11.59 am *Mr Burbridge, Mrs Owen, Mr Dickerson and Mrs Bennett left the meeting.*

MOTION 10923

Moved Cr De Landgraft
Seconded Cr Farrelly

That Council:

1. Thanks the CEO for his good work so far; and
2. Confirms that the CEO has exceeded expectations so far and accordingly has fully satisfied the conditions of his probation and is hereby confirmed in the role of Chief Executive Officer.

MOTION CARRIED 8/0

12.11 pm *Mr Fletcher, Mr Burbridge, Mrs Owen, Mr Dickerson and Mrs Bennett re-entered the meeting.*

MOTION 10924

Moved Cr Milton
Seconded Cr Newman

That Council re-open the meeting to the public at this time, being 12.15 pm.

MOTION CARRIED 8/0

19.0 CLOSURE

There being no further business, the Chairperson closed the meeting at 12.16 pm.

20.0 CERTIFICATION

I Andrew James Walker certify that the minutes of the meeting held on the 25 November 2009 as shown were confirmed as a true record at the meeting held on the 23 December 2009.

Chairman

Date