

# SHIRE OF LAKE GRACE



# ***Minutes***

Ordinary Council Meeting

27 August 2008

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## SHIRE OF LAKE GRACE

### MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD AT THE LAKE KING TOWN HALL, LAKE KING ON WEDNESDAY, 27 AUGUST 2008.

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

The Chairperson (President) opened the meeting at 1.05 pm and acknowledged the celebration of Sir Donald Bradman's 100<sup>th</sup> birthday on this day.

#### **2.0 ATTENDANCE RECORD**

##### **2.1 PRESENT**

Cr AJ Walker	Shire President
Cr IG Chamberlain	Deputy Shire President
Cr JF De Landgraft	
Cr AJ Dunkeld	
Cr AI Milton	
Cr WA Newman	
Cr OP Farrelly	
Cr RP Taylor	
Mr HJ Fraser	Chief Executive Officer
Mr MW Burbridge	Manager Corporate Services - <i>entered at 1.09pm</i>
Mr LW White	Manager Community Services
Mrs J Bennett	Executive Assistant

##### **2.2 APOLOGIES**

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

Motion 10630 23 July 2008 - Cr Sinclair was granted leave of absence for the period 5 August to 20 September 2008.

#### **3.0 PUBLIC QUESTION TIME**

No members of the public were present.

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

##### **MOTION 10651**

Moved Cr Chamberlain  
Seconded Cr De Landgraft

That Cr Walker be granted leave of absence from 24 to 26 September 2008.

**MOTION CARRIED 8/0**

#### **5.0 MINUTES OF PREVIOUS COUNCIL MEETINGS**

##### **5.1 ORDINARY MEETING – 23 JULY 2008**

###### Resolution

##### **MOTION 10652**

Moved Cr Taylor  
Seconded Cr Newman

That the minutes of the Ordinary Meeting of Council held on the 23 July 2008 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**

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

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

#### **7.0 NOTICES OF URGENT BUSINESS**

None received.

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

None received.

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

None.

**10.0 MEMBERS' REPORTS****10.1 ASSET MANAGEMENT - CRS NEWMAN, WALKER, MILTON & FARRELLY**

Reported attendance at the Asset Management workshop held at Council Chambers on Friday 22 August 2008. Council is participating in WALGA's Asset Management Program and this was the second of four scheduled visits over a two year period.

The workshop was a very worthwhile exercise and it is good to be involved in the process. The day covered the many aspects of asset management including:

- The lifetime replacement of an asset and factoring that into budgets, often the real cost of doing things can be dramatic.
- The 5 – 10 year financial plan is not just a budget, the major asset replacement reserves, how the operating systems tie in with the management base and building them into budgets.
- The value of community 'gifts' to Council's and their long term implications – the example put was how a donated BBQ ended up being an \$8,000 per year burden.
- Discussion on the need for standard figures across the board – i.e. footpath costs, seal etc.

The next step is for Council to form and adopt an Asset Management Policy and to form a working committee. These matters will be considered at Council's September 2008 Ordinary Meeting.

**10.2 LOCAL GOVERNMENT WEEK – CRS FARRELLY, CHAMBERLAIN, WALKER & DE LANDGRAFFT**

Crs Farrelly, Chamberlain, Walker & De Landgraftt, along with the CEO attended Local Government Week during the first week in August and reported on activities held over the three days.

During Local Government Week Crs Chamberlain & Walker and the Chief Executive Officer and Manager Community Services attended a meeting convened by the Shire of Jerramungup between local governments who share swimming pools and other facilities with the Department of Education and Training.

The meeting agreed that an audit of all shared facilities be undertaken – the Shire of Lake Grace will be the collection point for that data with the information to be collated using WALGA resources to put it all together. The information can then be used collectively to argue local government's case.

### **10.3 CR MILTON**

Reported meeting with Tourism WA representatives Kate Mills and Lance Hardy re potential tourism projects in the region. Kate has recently taken on the role of Product Development Manager for Australia's Golden Outback – she is based in Kalgoorlie and one of the first things she dealt with in her new role was a ministerial complaint regarding the condition of the toilets at the Lake Grace Roadhouse.

The Lake Grace Development Association meeting for August was cancelled.

St John Ambulance have had their Annual General Meeting for 2008 and ambulance notes relating to the year's activities will be in the Information Bulletin. There has been a substantial increase in callouts for the ambulance this year which has implications for the Centre and has prompted discussion regarding future needs for the community.

### **10.4 CR FARRELLY**

Reported attendance at the men's health night held on 19 August in Lake Grace. The event was well attended - 30 people. Julian Krieg from Wheatbelt Men's Health gave an entertaining and informative presentation on health and well being for men. There was a lot of interest shown in the concept of a men's shed for Lake Grace and that it would provide a social outlet/meeting place for men in the wider community.

## 11.0 MATTERS FOR CONSIDERATION – WORKS & SERVICES

### 11.1 DISPOSAL OF PLANT – WILSON LOADER MOUNTED SAW

**Applicant:** Shire of Gnowangerup  
**File No.** 0427  
**Attachments:** Nil  
**Author:** Mr Jim Fraser  
 Chief Executive Officer  
**Disclosure of Interest:** Nil  
**Date of Report:** 19 August 2008  
**Senior Officer:** Mr Jim Fraser  
 Chief Executive Officer

#### Summary

This report recommends the sale of a Wilson loader mounted saw to the Shire of Gnowangerup.

#### Background

Council, at its 9 July 2008 Special Meeting resolved as follows:

*The proposed disposition of the Wilson loader mounted saw to the Shire of Gnowangerup for \$35,000.00 be advertised in accordance with Section 3.58 (3) & (4) of the Local Government Act 1995.*

The proposed disposition as follows was advertised in the Lakes Link News, Newdegate Gatepost, Lake King News, Varley Voice and the Gumtree Gazette during the week commencing 28 July 2008 with submissions closing at 4.00pm on Monday 11<sup>th</sup> August 2008. Public notices as follows were posted on all community and library notice boards throughout the Shire.

<p><b>PUBLIC NOTICE</b> <b>SALE OF EQUIPMENT</b></p> <p>Submissions are invited on the proposed sale of a Wilson loader mounted saw to the Shire of Gnowangerup for \$35,000.00 (GST exclusive). The saw has been independently valued at \$35,000.00 (GST exclusive).</p> <p>Submissions must reach the undersigned by 4.00pm on Monday 11 August 2008.</p> <p style="text-align: right;">Chief Executive Officer Shire of Lake Grace PO Box 50 Lake Grace WA 6353</p> <p>Jim Fraser Chief Executive Officer</p>
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No submissions were received.

#### Comment

With no submissions being received Council can now proceed with the disposal of the Wilson loader mounted tree saw to the Shire of Gnowangerup for a consideration of \$35,000.00 (exclusive of GST).

Legal Implications

Local Government Act 1995 Sections 1.7 & 3.58 (3) & (4).

Policy Implications

N/A

Consultation

External: Shire of Gnowangerup

Internal: Manager Corporate Services  
Shire Mechanic

Financial Implications

The funds from the proceeds of the sale have been included in the 2008/09 Budget and will be placed in the Plant Replacement Reserve.

Strategic Implications

N/A

Cultural Implications

N/A

Voting Requirements

Simple majority required.

Recommendation/Resolution

**MOTION 10653**

Moved Cr Newman  
Seconded Cr Milton

That the offer from the Shire of Gnowangerup to purchase the Wilson loader mounted tree saw on an “as is where is” basis for the consideration of \$35,000.00 (exclusive of GST) be accepted.

**MOTION CARRIED 8/0**

## 12.0 MATTERS FOR CONSIDERATION – TOWN PLANNING

### 12.1 PLANNING APPLICATION – PROPOSED GARAGE & STORAGE SHED – 71 BENNETT ST LAKE GRACE

<b>Applicant:</b>	AL & HM Thiel
<b>File No.</b>	0454
<b>Attachments:</b>	Plans 1 to 4
<b>Author:</b>	Mr Joe Douglas & Mr Steve Pandevski Town Planning Consultant
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	19 August 2008
<b>Senior Officer:</b>	Mr Jim Fraser Chief Executive Officer

#### Summary

This report provides details and recommendations in respect of an application for Council's planning consent submitted by Mr Alan Thiel to construct a new steel framed, colorbond garage and storage shed at the rear of Lot 181 (No.71) Bennett Street, Lake Grace.

#### Background

Lot 181 (No.71) 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. The lot comprises a total area of approximately 1,085m<sup>2</sup>, 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 1 – Location Plan).

The subject land has been developed for residential purposes and comprises a single storey detached dwelling constructed on the front (southern) portion of the property, whilst the rear of the property currently contains two substantial sized sheds. Vehicle access is also provided via the rear laneway (see Plan 2 – Aerial Site Plan).

Adjoining lots appear to be similarly developed and used for residential purposes.

The application seeks Council's planning approval to construct a new 68.4m<sup>2</sup> (9m x 7.6m) colorbond outbuilding at the rear of Lot 181. The applicant proposes to remove the existing shed located in a position abutting the rear laneway and replace it with the proposed shed (see Plan 2 – Aerial Site Plan).

According to advice provided by the landowner to Planning Enterprises the proposed shed is slightly larger in area than the existing shed and is intended to be used for the garaging of a vehicle and the storage of household goods.

The applicant has provided sufficiently detailed plans in support of the application (see Plans 3 & 4 – Submitted Development Plans). In summary, the proposed shed as well as being steel framed with beige colorbond sheeting, except for the roller door which is intended to be green colorbond, will have a wall height of 2.4 metres above ground level.

Furthermore, and although the submitted plans do not illustrate this, the landowner has requested in writing that the proposed outbuilding be setback 600mm from the northern (laneway) boundary, whilst the western (side setback) is to be no less than one (1) metre.

#### Comment

Lot 181 (No.71) Bennett Street is currently classified 'Residential' zone in the Shire of Lake Grace Local Planning Scheme No.4 (LPS No.4), with an applicable residential density coding of R20.

Council's stated objective for land classified 'Residential' zone is:

- *To achieve a high standard of residential development in accordance with contemporary planning and development practice for the benefit of the community of the Shire of Lake Grace.*

**Author's Comment:** The proposed outbuilding will be constructed of new materials, including colorbond external cladding, and will replace an existing old shed. The proposed shed is located at the rear of an existing residential property and will not impact on the primary streetscape (i.e. Bennett Street). It is considered to achieve a higher standard of "residential development" than that currently existing by virtue of the use of new materials in the construction of the proposed outbuilding.

- *To enhance the character and amenity of residential areas.*

**Author's Comment:** The proposed outbuilding will be constructed of new materials, including colorbond external cladding, and will replace an existing old shed. To that extent it is considered to enhance the character and amenity of the immediate residential area.

- *To provide for residential development at a range of densities with a variety of housing types to meet the needs of the community.*

**Author's Comment:** The proposed outbuilding is not considered to impact on this objective.

- *To provide an opportunity for residents to undertake occupations ancillary to the use of their dwelling that are compatible in character, scale and operation with the residential use and which will not have an adverse affect upon the existing character and amenity of these areas.*

**Author's Comment:** The proposed outbuilding is intended only to be used for domestic purposes associated with the property. To that extent the proposed shed is not considered to impact on this objective.

Having regard for the above, it is considered that the proposed outbuilding satisfies the objectives for the 'Residential' zone contained in LPS No.4.

Notwithstanding that the proposed outbuilding is considered to satisfy the objectives for the 'Residential' zone contained in LPS No.4, in determining the application Council must also consider whether or not the proposal satisfies the relevant development standards of clause 5.19 in LPS No.4.

An assessment of the proposal against the development standards of clause 5.19 has revealed that the proposed outbuilding satisfies the majority of the standards, except for the proposed 600mm setback to the rear (laneway) boundary and the total area of outbuildings (i.e. existing and proposed) to be contained on Lot 181.

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."*

The total outbuilding area contained on Lot 181, should approval be granted, will be approximately 194.4m<sup>2</sup>. This is substantially greater than the 80m<sup>2</sup> provided for in clause 5.19.4 of 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."*

The landowner has advised that a 1 metre setback to the western (side) boundary will be achieved, thereby satisfying the above scheme requirement, however a setback of 600mm is requested to the rear (laneway) boundary.

In considering whether or not to vary the stated Scheme requirements and therefore whether to not to grant approval to the proposed outbuilding, Council should consider whether the proposed outbuilding is likely to have a detrimental impact on the residential amenity of the immediate locality, its residents or neighbouring properties.

In considering the above 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 600mm outbuilding setback to the laneway will not affect vehicle manoeuvrability and accessibility to and from the laneway;
- v. satisfies the setback requirements to adjoining neighbouring residences and 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 to the above it may be reasonable for Council to form the view that the proposed outbuilding on Lot 181 will not have a detrimental impact on the residential amenity of the immediate locality, its residents or neighbouring properties and, to that extent, may grant its approval to the proposal.

Alternatively, if Council forms the view that approval of the proposed shed may have a detrimental impact on neighbouring/adjoining properties it may resolve not to approve the outbuilding as proposed and condition any approval issued so as to increase its setback from the rear (laneway) boundary to one (1) metre and reduce its size to no greater than the shed it is replacing.

If the applicant is aggrieved by the decision of Council, or is aggrieved by any condition of approval imposed by Council, a right of review to the State Administrative Tribunal exists in accordance with clause 10.10 of LPS No.4 and Part 14 of the Planning and Development Act 2005.

### **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 181 (No.71) 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 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.

In making a final determination on the application it is recommended that Council consider imposing a number of conditions on any approval issued to address the following matters:

- The need to ensure the preparation and submission of satisfactory building plans to the Shire for the issuance of a building license prior to the construction of the proposed shed;
- The need to ensure that the proposed shed is not used for any purposes other than those permitted under the Shire's operative Local Planning Scheme and/or specifically approved by Council;
- The need to ensure that the proposed shed does not have a negative impact upon the character and visual amenity of the immediate locality by virtue of its height, finish and general appearance;
- The need to ensure that the proposed shed is located on the land so as to satisfy setback requirements; and
- The need to ensure adequate management of on-site stormwater drainage.

Legal Implications

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

Policy Implications

Nil

Community Consultation

Not required by Local Planning Scheme No.4.

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Simple majority required.

Recommendation/Resolution

**MOTION 10654**

Moved Cr Farrelly  
Seconded Cr Dunkeld

That Council approve the application for planning consent submitted by AL & HM Thiel to construct a new steel framed, colorbond storage shed at the rear of Lot 181 (No.71) Bennett Street, Lake Grace in accordance with the details of the plans submitted in support of the application subject to compliance with the following conditions:

1. Completion of all development within two (2) years of the date of Council's issuance of planning consent.
2. A satisfactory building licence application and plans being submitted to and approved by the Shire.
3. The proposed shed shall be used for domestic storage purposes only unless otherwise approved by Council.
4. The proposed shed shall be of beige colorbond external cladding with green roller door(s) and shall have a total floor area not exceeding 69m<sup>2</sup>.
5. The proposed shed shall have a maximum wall height of 2.4 metres above ground level.
6. 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.
7. The proposed shed shall be setback no less than 1 metre to the western side boundary of Lot 181.
8. The proposed shed shall be setback no less than 600mm to the northern (laneway) boundary of Lot 181.
9. All stormwater drainage discharge generated by the approved shed shall be managed to the specifications and satisfaction of the Shire.

**MOTION CARRIED 8/0**

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

*No items for consideration.*

## 14.0 MATTERS FOR CONSIDERATION – FINANCE

### 14.1 ACCOUNTS FOR PAYMENT – JULY 2008

**Applicant:** Shire of Lake Grace  
**File No.** 0277  
**Attachments:** List of Creditors  
**Author:** Miss Rysha Bird  
Finance Officer  
**Disclosure of Interest:** Nil  
**Date of Report:** 18 August 2008  
**Senior Officer:** Mr Jim Fraser  
Chief Executive Officer

#### Summary

For Council to ratify expenditures incurred for the month of July 2008.

#### Background

List of invoices paid for the month of July 2008 through the Municipal Account is 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

#### Community Consultation

N/A

#### Financial Implications

The list of creditors paid for the month of July 2008 from the Municipal Account totalling \$189,592.08 and Trust Accounts totalling \$1,164.30.

Strategic Implications

N/A

Cultural Implications

N/A

Voting Requirements

Simple majority required.

Recommendation/Resolution

**MOTION 10655**

Moved Cr Newman  
Seconded Cr Taylor

That Municipal Account cheques 33262 to 33277, Electronic Funds Transfers EFT4237 to EFT4277, and direct debits to the Municipal Accounts totalling \$189,592.08, and Trust cheques 558 to 562 totalling \$1,164.30, 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.

Electronic Funds Transfer EFT4257 was cancelled.

**MOTION CARRIED 8/0**

## 14.2 RATES WRITE-OFF – MINING TENEMENTS

**Applicant:** Shire of Lake Grace  
**File No.** 0275  
**Attachments:** Nil  
**Author:** Mrs Danielle Robertson  
 Senior Finance Officer  
**Disclosure of Interest:** Nil  
**Date of Report:** 15 July 2008  
**Senior Officer:** Mr Jim Fraser  
 Chief Executive Officer

### Summary

For Council to consider the write-off of rates raised in the 2007/08 financial year for various mining tenements held in the name of Mrs Pearl Green of Lot 20 Mitchell Street, Newdegate.

### Background

Mrs Pearl Green is the registered holder of Mining Tenements known by tenement identification M70/00219, M70/00273, M70/00274, M70/00857, M70/01154 and M70/01155.

In June 2008, advice was received regarding Mrs Green's ill health and a request made that the outstanding amounts be written off, as the tenements were surrendered earlier in 2008.

### Comment

Council's Rates Officer, Mrs Danielle Robertson had not had confirmation from the Valuer General's Office of the surrender of the tenements in question and only received notice of their surrender in July 2008 when the 2008/09 Mining Tenement Valuation Roll was received. Contact however had been made in early 2008 by Mr Jim Kingsbury, who was managing the tenements on behalf of Mrs Green, confirming their surrender.

Although supposedly surrendered earlier in the year, the monthly mining updates showed the surrender of only two tenements at the earliest in June 2008. The remainder of the tenements did not show on the MTV Roll indicating they had indeed been surrendered. Quite often there is a significant delay in staff being informed by the VGO of changes to the mining roll.

Information acquired from the Department of Industry and Resources website shows that two of the tenements M70/00273, M70/00274 were surrendered in January 2008 with the other four listed as May 2008.

Legal Implications

Section 6.47 of the Local Government Act 1995 states that a local government may at the time of imposing a rate or service charge or *at a later date* resolve to waive (absolute majority required) a rate or service charge or resolve to grant other concessions in relation to a rate or service charge.

Policy Implications

N/A

Community Consultation

N/A

Financial Implications

Should Council agree to this request it will forgo \$695.16 in rates.

Strategic Implications

N/A

Cultural Implications

N/A

Voting Requirements

Absolute majority (5) required.

Recommendation/Resolution

**MOTION 10656**

Moved Cr Newman  
Seconded Cr Chamberlain

That Council write-off the amount of \$695.16 in rates on the properties known by tenement identification M70/00219, M70/00273, M70/00274, M70/00857, M70/01154 and M70/01155 owned by Mrs Pearl Green.

**MOTION CARRIED BY ABSOLUTE MAJORITY 8/0**

## 15.0 MATTERS FOR CONSIDERATION – ADMINISTRATION

### 15.1 WALGA CENTRAL COUNTRY ZONE – WHEATBELT HEALTH MOU STEERING COMMITTEE MEMBER

**Applicant:** WALGA Central Country Zone  
**File No.** 0030  
**Attachments:** Copy of MOU/Terms of Reference  
**Author:** Mr Jim Fraser  
Chief Executive Officer  
**Disclosure of Interest:** Nil  
**Date of Report:** 15 August 2008  
**Senior Officer:** Mr Jim Fraser  
Chief Executive Officer

#### Summary

This report recommends a Councillor be nominated for appointment to a Steering Group to oversee the management of the funding of a \$100,000.00 grant to the Wheatbelt Health Memorandum of Understanding Group Steering Committee.

#### Background

The Wheatbelt Health MOU Group Steering Committee was established in 2005 and includes representation from the Wheatbelt Development Commission; WA Country Health Service; Wheatbelt Region, Wheatbelt GP Network and the Central Avon-Midland and Great Eastern Country Zones of WALGA. A Memorandum of Understanding between the parties has been signed.

The Group has been successful in securing grant funding of \$100,000.00 to:

- Engage a consultant to analyse, report and audit current health service issues as raised in the Wheatbelt Health Service
- Utilise comparative advantage concept
- Review other working health service delivery models that can be adapted to suit the Wheatbelt Region.

The Central Country Zone is seeking nominations from member Councils for a representative to join a Steering Group to manage the grant process.

Comment

In developing the terms of reference for the Steering Group it was agreed that the representative from each Zone would have a level of expertise in health service delivery and/or project management. Refer to attachments for details of the Terms of Reference.

Whilst the level of involvement has not been determined the importance of a continuing high level of health service delivery to the region in general and the Shire of Lake Grace in particular cannot be underestimated. For that reason staff are recommending the nomination of a Councillor to the Steering Group.

Advice has also been received through the Zone that Mr Graeme Fardon, CEO of the Shire of Quairading, who is a current member of the Committee is prepared to represent the zone.

Legal Implications

N/A

Policy Implications

N/A

Consultation

External: WALGA Central Country Zone

Financial Implications

There will be a cost associated with attendance at Group meetings.

Strategic Implications

N/A

Cultural Implications

N/A

Recommendation

That Cr \* \_\_\_\_\_ be nominated through the Central Country Zone of WALGA for appointment to the Wheatbelt Health MOU Grant Steering Group.

Nomination required when considered by Council.

Voting Requirements

Simple majority required.

Resolution

**MOTION 10657**

Moved Cr Farrelly  
Seconded Cr Chamberlain

That Council support the nomination of Mr Graeme Fardon, CEO of the Shire of Quairading through the Central Country Zone of WALGA for appointment to the Wheatbelt Health MOU Grant Steering Group.

**MOTION CARRIED 8/0**

***REASON FOR CHANGE***

***Council considered the cost associated with representation and agreed to support the above nomination.***

## 15.2 WARD REVIEW & REPRESENTATION - 2008

<b>Applicant:</b>	Local Government Advisory Board
<b>File No.</b>	0375
<b>Attachments:</b>	Proposed Discussion Paper & Election Report
<b>Author:</b>	Mr Jim Fraser Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	11 August 2008
<b>Senior Officer:</b>	Mr Jim Fraser Chief Executive Officer

### Summary

This report recommends a review of wards and representation be undertaken.

### Background

Following the conduct of elections in October 2007 the Local Government Advisory Board provided a report to Council outlining issues with representation under the “one vote one value” ideals adopted by the State Labor government. The Board issued a directive to Council to undertake a review of wards and representation.

A member of the Local Government Advisory Board, Cr Moira Girando and an officer, Mr Gavin Horobin subsequently addressed Council during its Ordinary Meeting held on 25 June 2008.

The Department of Local Government and Regional Development has produced an information package to assist a Council in carrying out a review in accordance with Schedule 2.2 of the Local Government Act 1995.

### Comment

Whilst the document requires a local government to consider the following factors:

- community of interest
- physical and topographical features
- demographic trends
- economic factors, and
- the ratio of Councillors to electors in the various wards

it is evident that the ratio of Councillors to electors is the catalyst for this review.

It is the view of the author that it will be extremely difficult to adjust the ward boundaries to preserve the current representation. The numbers are skewed due to the relatively higher population density within the Lake Grace townsite.

Through the specified area rates system the *community of interest* factor has been significantly determined.

There are minimal *physical and topographical* features throughout the Shire which could determine a specific ward boundary.

The most recent Bureau of Statistics figures indicates a decline in population over the whole of the Shire of approximately 50 persons between the 2001 and 2006 census. Whilst staff have not carried out specific research it is anticipated that the reduction of about 3.25% would not have a serious impact on the general *demographic* trends within the Shire.

With the Shire being reliant on agriculture there are many external factors which can affect the local economy. Seasonal conditions over the past few years have been inconsistent over the Shire with some areas experiencing high yields, others below average yields, and some areas experiencing water deficiencies. Grain prices have risen but this has been offset by a significant rise in input costs. The advent of better returns for cropping has seen a significant reduction in livestock numbers throughout the Shire with farmers turning away from live sheep production. The support businesses in the four towns continue to develop and generally provide a high level of service.

There are certain parallels between the *economic factors* and the *community of interest* factors within the Shire.

The correspondence from the Local Government Advisory Board summarises the current ratio of councillors to electors for the various wards. Current representation is:

<b>Ward</b>	<b>Councillors</b>	<b>Electors</b>	<b>Ratio</b>
Lake Grace	4	592	148
Newdegate	3	293	98
Lake King/Varley	2	206	103

The number of electors in 2002 was 1210. The current numbers indicate a slight increase in Lake Grace, a reduction of approximately 100 in Newdegate and 30 for Lake King/Varley.

On the basis that historically the factors of community of interest, physical and topographical features, demographic trends and economic factors are correct the ratio of councillors to electors requires further assessment. The current ratios for Newdegate and Lake King/Varley are approximately one Councillor to 100 electors. Extrapolating this ratio to Lake Grace would result in the requirement for two more Councillors for a total of six in a Council of eleven. The most recent review reduced the number of Councillors from thirteen to the current nine.

Retaining the current boundaries and trying to balance out ratios as required by the Board is very difficult. The current “quota” is one Councillor to 122 electors. On current figures at this ratio the Lake Grace Ward would be entitled to five (5) Councillors, Newdegate 2.46 and Lake King/Varley 1.64.

The issues out of this include:

- **Lake Grace Ward**

- 1) The Lake Grace Ward has an increase of one.

- **Newdegate and Lake King/Varley Wards**

- 1) An adjustment of the boundaries between Newdegate and Lake King/Varley.
- 2) Is the boundary adjusted to retain three “Newdegate” Councillors and reduce Lake King/Varley to one?
- 3) Or is the boundary adjusted to reduce Newdegate representation to two and retain two Councillors for Lake King/Varley?

Council may also wish to give consideration to the abolition of wards. Cr Girando provided some information on this aspect during her visit to Council in June 2008. Mr Horobin also advised during the visit that at this stage the Board does not have the legislative power to force Council to change the status quo.

A Discussion Paper is attached.

Legal Implications

Schedule 2.2 of the Local Government Act 1995.  
Section 1.8 of the Local Government Act 1995

Policy Implications

N/A

Consultation

External: Local Government Advisory Board

Financial Implications

There will be costs associated with the requirement to consult the community by inviting submissions.

Strategic Implications

N/A

Cultural Implications

N/A

Voting Requirements

Simple majority required.

Resolution

**MOTION 10658**

Moved Cr Farrelly  
Seconded Cr Dunkeld

That a review of the current ward system be carried out.

**MOTION CARRIED 8/0**

**15.3      DISABILITY ACCESS AND INCLUSION PLAN – SHIRE OF LAKE GRACE DRAFT PLAN**

**Applicant:**                    Manager Community Services  
**File No.**                        0145  
**Attachments:**                Draft Disability Access and Inclusion Plan  
**Author:**                        Mr Lance White  
    Manager Community Services  
**Disclosure of Interest:** Nil  
**Date of Report:**              13 August 2008  
**Senior Officer:**              Mr Jim Fraser  
    Chief Executive Officer

Summary

This report recommends that Council adopt the 2008-2013 Draft Disability Access and Inclusion Plan for the Shire of Lake Grace.

Background

The Shire of Lake Grace Disability Services Plan was first adopted in 1995.

The Plan has now been reviewed and meets the new Disability Service Act Regulations 2004. Under the new Regulations the Plan has been changed from the Disability Services Plan to The Disability Access and Inclusion Plan.

The Disability Access and Inclusion Plan requires adoption by Council to ensure that the needs of persons with disabilities, their families and carers are addressed with respect to the facilities, functions and services provided by Council.

Comment

Following the adoption of the Draft Disability Access and Inclusion Plan community consultation is required before the plan can be passed through the Disability Services Commission. The Plan will be reviewed quarterly in the first year and reported on annually thereafter.

Council's draft Disability Access and Inclusion Plan aims to make a positive difference in the lives of people with disabilities, their families and carer's by identifying access barriers and outlining strategies to address those barriers.

The Disability Access and Inclusion Plan review describes Council's current functions, provides details of existing Council

facilities and identifies requirements for the provision of adequate services for people with disabilities.

Legal Implications

Disability Services Act and Regulations 2004.

Policy Implications

There are no relative policy implications.

Community Consultation

Internal: Executive Assistant, Community Services Officer and Consultant Building Surveyor.

External: Disability Services Commission, Community groups and individuals (2006).

Financial Implications

The Disability Access and Inclusion Plan will have financial implications to Council for each year until the expiration of the plan. Costs are varied depending on the work carried out yearly by Council.

Strategic Implications

Quality lifestyle and social wellbeing.

Cultural Implications

N/A

Voting Requirements

Simple majority required

Recommendation/Resolution

**MOTION 10659**

Moved Cr De Landgrafft  
Seconded Cr Taylor

That Council adopt the 2008-2013 Shire of Lake Grace Disability Access and Inclusion Plan and make the plan available for public comment prior to approval by the Disability Services Commission.

**MOTION CARRIED 8/0**

**15.4      SHIRE BOUNDARY REALIGNMENT – NAMING OF NEW SHIRE LOCALITY**

**Applicant:** Landgate – Geographic Names Committee  
**File No.** 0354  
**Attachments:** Community consultation advertisement  
**Author:** Mrs Lee-Anne Trevenen  
Senior Administration Officer  
**Disclosure of Interest:** Nil  
**Date of Report:** 18 August 2008  
**Senior Officer:** Mr Jim Fraser  
Chief Executive Officer

Summary

For Council to consider a change to locality naming as a result of the Local Government boundary realignment with the Shire of Ravensthorpe in November 2005 and to submit its preferred option to Landgate's Geographic Names Committee.

Background

The Local Government boundary between the Shires of Lake Grace and Ravensthorpe was changed effective 1 November 2005, as part of a negotiation which resulted in the Shire of Lake Grace assuming responsibility for a greater section of the Lake King – Norseman Road.

As a result of this realignment, the Shire of Lake Grace now incorporates a section of land that was previously in the Shire of Ravensthorpe, and is part of the locality of 'Munglinup.'

In November 2006, Council considered a request from the Department of Land Information (now Landgate) to review the naming of this locality. Council subsequently resolved to undertake community consultation prior to determining a new name for the Munglinup locality.

A three week period of community consultation, in the form of an invitation for public submissions, for the locality naming of the new area in the Shire of Lake Grace has now been completed. Submissions closed on 15 August 2008.

Comment

Council received 12 submissions summarised as follows:

<b>Preferred Name</b>	<b>Number</b>
Hatters Hill	6
Iron Caps	2
Hann Park	1
Baka Beyond	1
Baka Lakes	1
No Man's Land	1

### **History - Hatters Hill**

*Hatters Hill is located approximately forty kilometres north-east of Lake King on Crown Land and approximately 21 km through the Rabbit Proof Fence*

*In the 1930s the Depression affected local families and they applied for prospector sustenance. A small community developed, centering around the 5-Head Stamp Mill. The field lasted until 1944 and is now a pleasant area among the large inland trees and an interesting spot for fossickers, served by a 4WD track only.*

### **History – Hann National Park**

*Frank Hugh Hann (1845–1921) was an explorer in Western Australia, who in 1897 named Lake Disappointment. Hann was in the area exploring the east Pilbara, around Rudall River. He noticed creeks in the area flowed inland, and followed them expecting to find a large fresh water lake. To his disappointment the lake turned out to be salt.*

*Frank Hann National Park is a national park in Western Australia (Australia), 428 km east of Perth. It is named in honour of Frank Hann.*

*Located 100 kilometres north of Ravensthorpe, Frank Hann National Park is 60,000 hectares of moorland, heathland and scrubland flora especially during August to November. In spring the area contains many attractive wildflower species.*

It would seem inappropriate that this section of land continue to be designated as part of the locality of 'Munglinup', as this better describes an area to the south east of Ravensthorpe.

Landgate also suggest that a locality should be unique to a shire and should not cross Local Authority boundaries. Whilst Council could resolve to include this new section of land as part of an existing locality (e.g. Lake King), no submissions in favour of this option were received.

### Legal Implications

N/A

### Policy Implications

Council does not have a specific policy that deals with the naming of localities, districts, or roads; however it is generally accepted that all new names have some historic or geographical basis – i.e. significant social or geological feature, past or long-serving families in the community etc.

Currently all localities are named for either the town site they incorporate (e.g. Lake Grace, East Newdegate), a significant geological feature (e.g. Magenta. Mount Madden), or other significant feature such as a railway siding (e.g. Buniche, Kuender).

### Community Consultation

Invitation for Public Submission forms were sent out to all residents in Lake King and Varley. Advertisements were placed in local newspapers across the Shire and all community notice boards.

As part of the advertisement for public submission, Council staff put forward a number of suggestions, including the option to expand an existing locality to cover the new area.

### Financial Implications

Local advertising and administration of the public submissions has had a minimal impact upon Council's administration budget.

Minor costs associated with updates to maps and property data will be incurred following Geographic Names Committee approval.

### Strategic Implications

It is the understanding of the author that all of the new land subject to this locality name change is either unallocated crown land or reserve.

As such, the change is unlikely to have a significant effect on any ratepayers as, with the exception of Mining Tenements, no property is held within the land in question.

### Cultural Implications

Locality naming is an integral part of rural addressing and helps build and maintain a sense of geographic identity of residents within the Shire.

Voting Requirements

Simple majority required

Recommendation/Resolution

**MOTION 10660**

Moved Cr De Landgraft  
Seconded Cr Milton

1. That the preferred naming of the portion of the Munglinup locality within the Shire of Lake Grace be 'Hatters Hill'.
2. That the Geographic Names Committee be advised of Council's preferred name.

**MOTION CARRIED 8/0**

## **15.5      APPOINTMENT OF ADDITIONAL NOMINATED AUDITOR**

**Applicant:** UHY Haines Norton  
**File No.** 0202  
**Attachments:** Letter  
**Author:** Mr Mark Burbridge  
Manager Corporate Services  
**Disclosure of Interest:** Nil  
**Date of Report:** 19 August 2008  
**Senior Officer:** Mr Jim Fraser  
Chief Executive Officer

### Summary

For Council to consider the addition of Mr Greg R Godwin of UHY Haines Norton as a nominated auditor for the period 1 July 2007 to 30 June 2009.

### Background

Council, at its May 2006 Ordinary Meeting, accepted a tender from UHY Haines Norton for the provision of audit services for the years ended 30 June 2007, 30 June 2008, and 30 June 2009.

In accordance with the regulations, Council appointed Mr D J Tomasi and Mr R B Swarbreck of UHY Haines Norton as nominated auditors for this period.

### Comment

Mr Greg R Godwin has been advanced to the position of Audit and Engagement Partner within UHY Haines Norton, effective 1 July 2007, and continues to have significant involvement with Council's audit functions.

Accordingly, to assist UHY Haines Norton and recognising their management structure, it is necessary for Council to appoint Mr Godwin as an additional nominated auditor so that he may oversee and sign off on the independent audit report and the annual financial report in his own right.

### Legal Implications

Local Government Act 1995 s3.57  
Local Government (Functions and General) Regulations 1996 Part 4  
Local Government Act 1995 Section 7.3 (1), (2), (3) –  
Appointment of Auditors

Policy Implications

N/A

Community Consultation

N/A

Financial Implications

Audit costs are included in Council's 2008/09 Budget as per UHY Haines Norton's accepted tender in 2006. The appointment of Mr Godwin as an additional nominated auditor will have no financial implication.

Strategic Implications

N/A

Cultural Implications

N/A

Voting Requirements

Absolute majority (5) required

Recommendation/Resolution

**MOTION 10661**

Moved Cr Farrelly  
Seconded Cr Milton

That Council appoint Mr G R Godwin of UHY Haines Norton, in addition to Mr D J Tomasi and Mr R B Swarbreck of UHY Haines Norton, as nominated auditors for the period 1 July 2007 to 30 June 2009.

**MOTION CARRIED BY ABSOLUTE MAJORITY 8/0**

## **16.0 URGENT BUSINESS BY DECISION OF THE MEETING**

## **17.0 SCHEDULING OF MEETING**

### **17.1 SEPTEMBER 2008 ORDINARY MEETING**

**Motion 10528 November 2007 states:**

An Ordinary Meeting of Council will be held on Wednesday 24 September 2008, commencing at 1.00pm at Council Chambers, 1 Bishop St Lake Grace.

## **18.0 CONFIDENTIAL BUSINESS – As per Local Government Act s.5.23 (2)**

### **MOTION 10662**

Moved Cr Milton  
Seconded Cr Taylor

That Council close the meeting to the public at this time, being 1.55pm, to discuss Lake Grace town planning issues.

**MOTION CARRIED 8/0**

NOTE: No resolutions were considered during this period.

### **MOTION 10663**

Moved Cr Dunkeld  
Seconded Cr Newman

That Council re-open the meeting to the public at this time, being 2.25pm.

**MOTION CARRIED 8/0**

## 19.0 CLOSURE

There being no further business, the Chairperson closed the meeting at 2.26pm.

## 20.0 CERTIFICATION

I \_\_\_\_\_ certify that the minutes of the meeting held on the 27 August 2008 as shown were confirmed as a true record at the meeting held on the 24 September 2008.

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Date