

Shire of Lake Grace



Minutes

Ordinary Council Meeting

24 February 2010

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SHIRE OF LAKE GRACE

Minutes of the Ordinary Meeting of Council held at Council Chambers, 1 Bishop St Lake Grace on Wednesday 24 February 2010.

1.0 OPENING & ANNOUNCEMENT OF VISITORS

The Chairperson (Shire President) opened the meeting at 1.02 pm.

2.0 ATTENDANCE RECORD

2.1 PRESENT

Cr AJ Walker	Shire President
Cr IG Chamberlain	Deputy Shire President
Cr R Chappell	
Cr JF De Landgraft	
Cr AI Milton	
Cr WA Newman	
Cr OP Farrelly	
Cr DP Sinclair	
Mr SK Fletcher	Chief Executive Officer
Mr MW Burbridge	Manager Corporate Services
Mrs NY Owen	Manager Community Services
Mrs J Bennett	Executive Assistant
Miss J De Burgh	Finance Officer
Mr R Jones	Observer
Mr P Dittrich	Observer – <i>entered the meeting at</i>

2.2 APOLOGIES

None.

2.3 LEAVE OF ABSENCE PREVIOUSLY GRANTED

None.

3.0 PUBLIC QUESTION TIME

None.

4.0 APPLICATIONS FOR LEAVE OF ABSENCE

4.1 CR DE LANDGRAFFT

MOTION 10938

Moved Cr Chamberlain
Seconded Cr Sinclair

That Council grant leave of absence to Cr De Landgraft from 25 July to 31 July 2010 for the purpose of professional development.

MOTION CARRIED 8/0

5.0 MINUTES OF PREVIOUS COUNCIL MEETINGS

5.1 ORDINARY MEETING – 23 DECEMBER 2009

Resolution

MOTION 10939

Moved Cr Farrelly
Seconded Cr Chappell

That the minutes of the Ordinary Meeting of Council held on the 23 December 2009 be confirmed as a true and accurate record subject to the recording of the vote on Motion 10926 being included.

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.

8.0 MOTIONS OF WHICH NOTICE HAS BEEN RECEIVED

8.1 CR MILTON & CR CHAPPELL

A Notice of Motion regarding the Newdegate Medical Centre was received and distributed to Councillors under separate cover.

The matter, regarding the Newdegate Medical Centre, will be considered following Item 18.2 during 'Confidential Business' – the meeting will be closed to the public at that time.

9.0 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

None.

10.0 MEMBERS' REPORTS

10.1 CR DE LANDGRAFFT

Reported attendance the Lake King Progress Association Annual General Meeting on Wednesday 10 February 2010. Main points of interest included:

- Thanks to the Shire for provision of the new public toilet
- Sports Dam - requires an urgent clean out – LKPA to approach Shire re reimbursement of costs through Specified Area Rate
- Concerns re maintenance jobs on buildings and gardening not being carried out.

10.2 CR MILTON

Reported attendance at:

- Lake Grace Development Association's February 2010 meeting
- Inaugural Lakes VROC Meeting on 22 February in the absence of Shire President Cr Walker
- Shire of Lake Grace Audit Committee Meeting this morning

10.3 CR FARRELLY

Reported attendance at:

- Lake Grace Shire Visitor Centre meeting
- Shire of Lake Grace Audit Committee Meeting this morning

10.4 CR CHAMBERLAIN

Reported attendance at:

- Inaugural Lakes VROC Meeting on 22 February – opened the meeting in Shire President's place – minutes of the meeting will be distributed at Item 15.4

10.5 CR SINCLAIR

Reported attendance at a meeting and a busy bee to finish off works at the Varley Dam - the community completed construction of the fencing and standpipes.

There has been good feedback on the re-roofing of the Varley Hall.

10.6 CR CHAPPELL

Reported attendance at:

- Local Government Reform Forum with Cr Walker and the CEO on 9 & 10 February 2010.

- Councillor Training in Perth on 15 February 2010 – 33 elected members were present.
- Lake Grace Development Association's February meeting.
- Shire of Lake Grace Audit Committee Meeting this morning.

10.7

CR WALKER

Reported attendance at:

- The Shire's Local Emergency Management Meeting on 11 February 2010. Highlight of the meeting was a presentation to the Committee by Simon Cleary, GHD Senior Engineer, on the 2006 Flood Management Strategy Report which featured updated animated modelling showing where the floodwaters collected in the townsite. The focus of the report centred on the water coming in from the north eastern end of the Lake Grace townsite and recommendations which would reduce the impact of any future flooding were revisited including the proposal for a retention basin located the south western corner of the CBH site.
- Local Government Reform Meeting in Perth – refer to Item 15.5 and the report from the CEO.
- President's Meeting held on Monday 15 February 2010, the first of several which will be held throughout the year.

11.0 MATTERS FOR CONSIDERATION – WORKS & SERVICES

No matters for consideration

12.0 MATTERS FOR CONSIDERATION – PLANNING

The President advised Item 12.1 has been withdrawn - the applicant has advised the Shire in writing that he no longer wishes the application to be considered.

12.1 **PLANNING APPLICATION – PROPOSED COMMERCIAL DEVELOPMENT (OFFICE & STORAGE SHED) – 42 STUBBS ST LAKE GRACE**

Applicant:	Mr Derek Stanton
File No.	0506
Attachments:	Plans 1 to 5
Authors:	Mr Joe Douglas & Ms Elle O'Connor – Urban & Rural Perspectives Town Planning Consultants
Disclosure of Interest:	Nil
Date of Report:	16 February 2010
Senior Officer:	Mr Sean Fletcher Chief Executive Officer

Summary

This report recommends that the planning application submitted by Mr Derek Stanton to construct a new office building and steel framed colorbond storage shed on Lot 13 (No.42) Stubbs Street, Lake Grace be conditionally approved under delegated authority following completion of the required public advertising process.

Background

The applicant is seeking Council's planning approval to construct a new office and steel framed colorbond storage shed on Lot 13 (No.42) Stubbs Street, Lake Grace for commercial purposes. It is understood from the details submitted in support of the application that the applicant intends to use the new buildings to accommodate his current business (i.e. 'Lake Grace Home Improvements').

Lot 13, which is located centrally in the Lake Grace townsite, comprises a total area of approximately 1,008m² and has direct frontage to Stubbs Street along its northern boundary and a constructed right-of-way at the rear. The land is predominantly vacant and contains a small storage shed located in its south-western corner which is proposed to be removed (see Plans 1 to 3).

The plans submitted by the applicant are very broad (see Plans 4 & 5) and do not provide all of the information typically required in support of planning applications (i.e. detailed elevation plans, stormwater drainage arrangements, landscaping layouts etc). Notwithstanding this fact there is scope for Council to consider the application and grant delegated authority to the Shire's Chief Executive Officer to approve it subject to the receipt of more detailed plans and completion of public advertising in accordance with the specific requirements of Local Planning Scheme No.4.

The proposed development comprises the following key elements:

- i) A 72m² office building of frame construction with external wall cladding, a wall height of 3.0 metres and a ridge height of approximately 4.2 metres and a nil setback to the land's Stubbs Street frontage and western side boundary;

- ii) A 200m² steel framed storage shed with colorbond roofing and wall cladding, a wall height of 4.2 metres, a ridge height of approximately 5.8 metres and a 4 metre setback to the land's rear boundary;
- iii) A two-way crossover and driveway access from Stubbs Street along the land's eastern boundary; and
- iv) A total of four (4) new on-site parking bays at the rear of the new office building.

It is understood that the proposed use of the land for commercial purposes will be undertaken between the hours of 7am to 6pm Monday to Friday and 7am to 12 noon on Saturday mornings.

Comment

Current Zoning & Land Use Permissibility

Lot 13 is classified 'Commercial' zone under the Shire of Lake Grace's current operative Local Planning Scheme No.4 (LPS No.4).

A key objective of the land's current 'Commercial' zoning classification is to ensure that the zone develops and continues to function effectively as the principal place for retail shopping, commercial, civic and administrative activity and to encourage a high standard of development which serves to enhance the character of the zone.

New developments are required to be compatible with the general streetscape in terms of scale, height, style, materials, street alignment and design of facades. Furthermore, the objectives preclude the storage of bulky and unsightly goods where they may be in public view.

The applicant has advised that the proposed office and storage shed will be used for commercial purposes associated with his current business 'Lake Grace Home Improvements' and will include the storage of building materials.

Having regard for the various use classes contained in the Zoning Table of LPS No.4 and the land use definitions in Appendix 1, it is concluded that the proposed development and use of Lot 13 is most appropriately classified as an 'office' and 'storage yard'.

Under the terms of LPS No.4 the development and use of land in the 'Commercial' zone for the purposes of an office is classified as a 'P' use which means that it is permitted subject to the issuance of a formal planning approval by the local authority.

The development and use of land in the 'Commercial' zone for the purposes of a 'storage yard' is however classified as an 'A' use which means that it is not permitted unless the local authority has exercised its discretion by granting planning approval after giving special notice (i.e. public advertising) in accordance with clause 9.4.

Compliance with LPS No.4 Development Standards

An assessment of the proposal against the development standards contained in LPS No.4 has confirmed that it satisfies the majority of standards except for the following:

- i) The provision of a minimum of 6 on-site car parking bays;
- ii) An average rear setback for the proposed shed of 7.5 metres;

- iii) The front façade of the proposed office is required to be of brick, concrete or masonry construction unless otherwise approved by Council; and
- iv) The provision of a minimum landscaping area of 10% of the total site area.

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

Vehicle Access & Parking

Clause 5.26 states:

“A person shall not develop or use any land or erect, use or adapt any building unless a suitable number of car parking spaces are provided in accordance with the requirements specified in Table 2.”

Table 2 of LPS No.4 requires that a minimum of six (6) on-site parking bays be provided to meet the car parking demand likely to be generated by the proposed use of the land. Under the terms of the application a total of only four (4) on-site parking bays are proposed.

Having regard for the nature of the proposed use of the land, the availability of on-street parking along Stubbs Street and the applicant's intention to use the large storage shed for the parking of vehicles, it is reasonable to conclude that the two (2) bay parking shortfall is insignificant and therefore unlikely to have a detrimental impact upon the amenity, safety or functionality of the immediate locality. As such it recommended that Council support the proposed shortfall in the number of on-site parking bays to be provided.

Council should also note that LPS No.4 requires all proposed new on-site parking and vehicles access ways to be sealed and drained to the specifications and satisfaction of the local government. Having regard for this particular requirement it is recommended that Council impose a suitable condition on any planning approval issued to ensure that these areas are sealed and drained to acceptable standards.

Rear Boundary Setback

Table 2 of LPS No.4 requires that any buildings on the land have an average setback of 7.5 metres to the rear boundary. Under the terms of the application a minimum and average setback of 4 metres is proposed between the new storage shed and the rear boundary.

In considering whether or not to support this proposed setback variation, Council should consider the extent of the variation (i.e. 3.5 metres) and whether the proposed shed is likely to have a detrimental impact on the amenity of the immediate locality.

Given that the land abuts a right-of-way at the rear comprising an approximate width of 5 metres and the fact that the proposed setback is consistent with a number of other existing buildings in the immediate locality, it is reasonable to conclude that a reduction in the setback required by LPS No.4 is unlikely to have a detrimental impact on the character and/or amenity of the surrounding area. As such it is recommended that Council support the proposed rear boundary setback variation.

Building Façade

Clause 5.8.2 of LPS No.4 states:

“The front façade of all buildings in the Commercial and Service Commercial zones shall be orientated to the street and constructed in brick, concrete or masonry, provided however, that an owner or his/her agent may apply to the local government for permission to vary these requirements where the local government is satisfied that such variation will not detract from the amenity of the area.”

Under the terms of the plans submitted in support the application the proposed new office building will be sited with a nil setback along the land's Stubbs Street frontage. It is significant to note that details of the proposed colour and finish of the front facade of the building and the orientation of all openings (i.e. doors & windows) have not been provided.

Given the land's prominent location in the town centre area and the potential visual impact that its development for commercial purposes is likely to have on the character and amenity of the local streetscape, it is recommended that Council require the submission of more detailed plans prior to the issuance of planning approval. It is also recommended that the applicant be advised of the need to have due regard for the heritage character of the adjoining buildings in designing the building's front facade.

Landscaping

Clause 5.8.8 of LPS No.4 states:

“Landscaping shall be provided generally in accordance with the requirements of Table 2 and should be located in such positions on a site so as to enhance the appearance of any development or screen from view any open storage area, drying areas and any other space which, by virtue of its use, is likely to detract from the visual amenity of the surrounding area.”

Table 2 of LPS No.4 specifies that a minimum of 10% of the total site area shall be suitably landscaped. As previously mentioned the plans submitted in support of the application do not provide any details regarding the nature and extent of any proposed landscaping. It is therefore recommended that Council require the submission of more detailed plans prior to the issuance of planning approval.

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 office and steel framed colorbond storage shed on Lot 13 (No.42) Stubbs Street, Lake Grace for commercial purposes is capable of being implemented in a proper and orderly manner and is unlikely to have a negative impact on the visual amenity and character of the immediate locality. Notwithstanding this general conclusion it is recommended that the applicant be required to prepare and submit more detailed plans in support of the proposal addressing the various issues identified in this report prior to public advertising and the issuance of planning approval.

Legal Implications

Planning and Development Act 2005

Shire of Lake Grace Local Planning Scheme No.4

Policy Implications

Nil

Consultation

The proposed 'storage yard' use on Lot 13 requires public advertising for a minimum period of fourteen (14) days in accordance with Clause 9.4 of the Shire of Lake Grace Local Planning Scheme No.4.

Financial Implications

Nil

Strategic Implications

Shire of Lake Grace Local Planning Strategy

Recommendation

That Council resolve to:

1. Require the applicant to prepare and submit more detailed plans of the proposed development of Lot 13 (No.42) Stubbs Street, Lake Grace to the Shire for consideration and endorsement by the Chief Executive Officer prior to the application being advertised for public comment. The plans are to be suitably scaled and are required to clearly illustrate the following:

- i) The front elevation of the proposed new office building including details of the proposed colour and finish of the front facade and the orientation of all openings (i.e. doors & windows);
- ii) The location and extent of all landscaping areas and details of the types of plants to be used;
- iii) The precise location and width of all vehicle crossovers, internal access ways and parking areas; and
- iv) All stormwater management arrangements.

2. Authorise commencement of public advertising of the planning application in accordance with the specific requirements of the Shire of Lake Grace Local Planning Scheme No.4 for the minimum required period of fourteen (14) days following the Chief Executive Officer's endorsement of the revised plans required by point 1 above.

3. Require the planning application to be referred back to Council at its next available meeting for further consideration and final determination in the event of the Shire receiving any objections to the proposal during the public advertising process.

4. Delegate authority to the Shire's Chief Executive Officer to grant approval to the application subject to the following conditions if no objections are received by the Shire at the completion of the public advertising process:

- i) 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.

- ii) 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.
- iii) The front façade of the proposed new office building shall be of brick, concrete or masonry construction unless otherwise approved by the Shire's Chief Executive Officer and shall be consistent with the bulk, scale and heritage character of the existing commercial buildings located immediately west.
- iv) The proposed storage shed shall have a maximum wall height of 4.2 metres and a maximum ridge height of 5.8 metres above the natural ground level.
- v) The external cladding of the proposed storage shed shall be of colorbond construction.
- vi) All proposed buildings shall have adequate clearance from any existing underground essential service infrastructure (e.g. reticulated sewerage, water, etc.) as required by the relevant service agencies.
- vii) All landscaping depicted on the plans endorsed by the Shire's Chief Executive Officer shall be installed prior to occupation of the buildings and maintained at all times to the satisfaction of the Shire of Lake Grace.
- viii) All stormwater generated by the proposed development shall be managed and disposed of to the specifications and satisfaction of the Shire of Lake Grace.
- ix) All vehicle crossovers, access ways and parking areas shall be constructed (including sealing) and maintained to the specifications and satisfaction of the Shire of Lake Grace with appropriate measures for drainage and disposal of surface water.
- x) The proposed development shall be connected to reticulated sewerage to the specifications and satisfaction of the Shire of Lake Grace.
- xi) Any adjustment to power poles, manholes, drainage sumps, service pits or similar that may be required as a consequence of this approval shall be arranged by the applicant at his/her own expense prior to works commencing on-site.
- xii) All advertising signage shall be provided in accordance with the requirements specified in Schedule 5 of Local Planning Scheme No.4.

Advice Notes

- i) 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.

ii) 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.

iii) No construction works shall commence prior to 7.00 am without the Shire's written approval.

Voting Requirements

Simple majority required.

Resolution

Moved Cr

Seconded Cr

12.2 **PLANNING APPLICATION – PROPOSED PATIO EXTENSION – 2 CLARK AVENUE LAKE GRACE**

Applicant:	Mr Derek Stanton
File No.	0454
Attachments:	Plans 6 to 10
Authors:	Mr Joe Douglas & Ms Elle O'Connor – Urban & Rural Perspectives Town Planning Consultants
Disclosure of Interest:	Nil
Date of Report:	16 February 2010
Senior Officer:	Mr Sean Fletcher Chief Executive Officer

Summary

This report recommends that the planning application submitted by Mr Derek Stanton to extend an existing patio on Lot 242 (No.2) Clark Avenue, Lake Grace be approved subject to conditions.

Background

The applicant is seeking Council's planning approval to construct a proposed extension to an existing patio structure on Lot 242 (No.2) Clark Avenue, Lake Grace.

Lot 242 comprises a total area of approximately 1,012m² and is located in the north-western segment of the Lake Grace townsite. The subject land contains an existing single detached house with a 42.2m² gable roofed patio attached at the rear of the dwelling, a 30m² carport within the front setback area and a 72m² garden shed located towards the rear of the property (see Plans 6 to 10).

The proposed patio extension will:

- i) be 6.3 metres long and 3.0 metres wide;
- ii) comprise a total floor area of 18.9m²;
- iii) have a height of 3.0 metres abutting the existing patio gutter line and a height of 2.7 metres along the eastern side of the new patio gutter line;
- iv) be of steel frame construction with a zincalume roof;
- v) have a setback from the property's eastern side boundary of approximately 1.5 metres;
- vi) not be visible from the street; and
- vii) include the installation of a new privacy screen.

Comment

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

Lot 242 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 achieve a high standard of residential development that enhances the character and amenity of residential areas whilst providing opportunities for the development of a variety of housing types to meet the needs of the community.

LPS No.4 does not contain any specific development standards applicable to the construction of a patio on land classified 'Residential' zone. Clause 5.2.2 of LPS No.4 simply states that the development of land for residential purposes is required

to comply with the specific standards and requirements of the Residential Design Codes of Western Australia (R-Codes).

Residential Design Codes (R-Codes)

An assessment of the proposal against the standards and requirements of the R-Codes confirms that the proposed patio extension complies with all the relevant 'acceptable development provisions' including Element 6.2.1 ('Setbacks of Buildings Generally') and Element 6.4.1 ('Open Space Provision').

Conclusion

It is concluded from a detailed assessment of the application in the context of the Shire's current LPS No.4 and the Residential Design Codes of Western Australia that the proposal to extend an existing patio on Lot 242 (No.2) Clarke Avenue, Lake Grace is capable of being implemented in a proper and orderly manner and is unlikely to have a negative impact upon the general amenity, character, functionality and safety of the immediate locality subject to compliance with a number of conditions.

Legal Implications

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

Policy Implications

Nil

Consultation

Community consultation not required.

Financial Implications

Nil

Strategic Implications

Shire of Lake Grace Local Planning Strategy

Voting Requirements

Simple majority required.

Recommendation/Resolution

MOTION 10940

Moved Cr Farrelly
Seconded Cr De Landgraft

That Council approve the application for planning consent submitted by Mr Derek Stanton to construct a new patio extension on Lot 242 (No.2) Clark Avenue, Lake Grace in accordance with the details of the plans submitted in support of the application subject to compliance with the following conditions:

MOTION 10940 continued

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. All stormwater drainage discharge generated by the newly extended patio shall be managed to the specifications and satisfaction of the Shire of Lake Grace.
4. The proposed patio extension shall have a maximum wall height of 3 metres above the natural ground level.
5. The proposed patio extension 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 patio extension shall be setback no less than one (1) metre to the eastern side boundary of Lot 242.

MOTION CARRIED 8/0

12.3 **PROPOSED SUBDIVISION – LOTS 2, 966 & 1259 DRAGON ROCKS RD LAKE BIDDY**

Applicant:	PH & KE Gow (Licensed Surveyors) on behalf of Oakalona Pty Ltd (Landowners)
File No.	0455
Attachments:	Plans 11 to 14
Authors:	Mr Joe Douglas & Ms Elle O'Connor – Urban & Rural Perspectives Town Planning Consultants
Disclosure of Interest:	Nil
Date of Report:	16 February 2010
Senior Officer:	Mr Sean Fletcher Chief Executive Officer

Summary

This report recommends that a subdivision application submitted to the Western Australian Planning Commission (WAPC) by PH & KE Gow (Licensed Surveyors) on behalf of Oakalona Pty Ltd (i.e. the current landowners) and referred to the Shire for review and comment be unconditionally supported by Council.

Background & Comment

The current landowners are seeking approval to the realignment of the common boundaries between the three (3) existing agricultural lots having regard for the existing rural land uses and the location of paddock fencing (see Plans 11 to 14).

The proposed boundary realignment will result in the following changes to the current lot areas which are detailed in the table below:

Lot Particulars	Existing Land Area(Approx.)	Proposed Land Area(Approx.)
Existing Lot 966	1, 209.7 ha	-
Existing Lot 1259	256.9 ha	-
Existing Lot 2	335.35 ha	-
Proposed Lot A	-	993.7 ha
Proposed Lot B	-	466.17 ha
Proposed Lot C	-	336.76 ha

In considering the subdivision application Council is required to have due regard for 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

The subject land is currently classified ‘General Agriculture’ zone in the Shire of Lake Grace Local Planning Scheme No.4 (LPS No.4).

Clause 5.11.12 of LPS No.4 states that Council will only recommend support for the proposed subdivision of land within the ‘General Agriculture’ zone where it accords

with the provisions of the Scheme, Local Planning Strategy, Local Planning Policies and any relevant Commission policies applicable at the time. In this case Section 4.6 of the WAPC's Development Control (DC) Policy No.3.4 – 'Subdivision of Rural Land' enables the consideration of subdivision applications for farm adjustment purposes (i.e. 'farm rationalisation'). As such there is scope for Council to consider this proposal.

The application proposes the realignment of the common boundaries between three (3) existing rural lots (see Plan 14). The boundary realignment will preserve the broad acre farming activities currently being undertaken on the land and will not result in the fragmentation of the existing lots. To that extent it is the view of this report that the proposed subdivision is generally consistent with the 'General Agricultural' zone objectives of LPS No.4 as this applies specifically to the continuation of broad acre agriculture in the District.

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.DC 3.4 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 4.6 of Policy No. DC 3.4 enables the rationalisation of farming land through boundary realignments to improve farm management. The subdivision application proposes to realign the existing boundaries of the subject land to coincide with existing fencing and paddocks.

The following is an assessment of the subdivision proposal in accordance with the relevant criteria:

a) *The new lot pattern is consistent with the objectives of the policy.*

The proposed subdivision is considered to be consistent with the objectives of Policy No. DC 3.4 and State Planning Policy 2.5 as these relate specifically to the protection of agricultural land, planning for rural settlement and minimizing the potential for land use conflict. The subdivision is unlikely to compromise any of these key objectives and will result in the creation of three (3) new lots which are consistent with the prevailing lot sizes in the immediate locality.

b) *No additional lots are created.*

The proposal will not result in the creation of any additional lots or dwelling entitlements.

c) *The new lot boundaries reflect good environmental and land management practice and are appropriate for the intended land use.*

The proposed new lot boundaries have been formulated with due regard for the current alignment of existing fencing, paddocks and vegetation. The proposed boundary realignments will result in a more even allocation of land between the three lots, facilitate improved land management and provide for the creation of lots that are more consistent with the prevailing lot sizes in the immediate locality.

Given the above findings, the proposed subdivision is considered to be consistent with the criterion outlined in section 4.6 of WAPC Policy No.DC 3.4.

Conclusion

It is concluded from a detailed assessment of the proposed subdivision of Lots 2, 966 & 1259 Dragon Rocks Road, Lake Bidy that it 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; and
- ii) generally consistent with the criteria contained in the Western Australian Planning Commission's Policy No.DC 3.4.

Legal Implications

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

Policy Implications

Nil

Consultation

Community consultation not required.

Financial Implications

Nil

Strategic Implications

Shire of Lake Grace Local Planning Strategy

Voting Requirements

Simple majority required.

Recommendation/Resolution

MOTION 10941

Moved Cr Chamberlain
Seconded Cr Sinclair

That Council advise the Western Australian Planning Commission that it unconditionally supports the application submitted by PH & KE Gow (Licensed Surveyors) on behalf of Oakalona Pty Ltd (Landowners) to subdivide Lots 2, 966 & 1259 Dragon Rocks Road, Lake Bidy into three (3) new separately titled lots for boundary realignment purposes in accordance with the details of the plan submitted in support of the application.

MOTION CARRIED 8/0

12.4 **PLANNING APPLICATION – PROPOSED CHANGE OF USE – 25 STUBBS ST LAKE GRACE**

Applicant:	Mr Richard Jones
File No.	0506
Attachments:	Plans 15 to 20
Authors:	Mr Joe Douglas & Ms Elle O'Connor – Urban & Rural Perspectives Town Planning Consultants
Disclosure of Interest:	Nil
Date of Report:	16 February 2010
Senior Officer:	Mr Sean Fletcher Chief Executive Officer

Summary

This report recommends that the planning application submitted by Mr Richard Jones to establish a new restaurant in a portion of the existing building on Lot 353 (No.25) Stubbs Street, Lake Grace be approved subject to conditions.

Background

The applicant has recently prepared and submitted an application seeking Council's planning approval to establish a new restaurant in a portion of the existing building on Lot 353 (No.25) Stubbs Street, Lake Grace (see Plans 15 to 20).

Lot 353 comprises a total area of approximately 476m² and is located centrally in the Lake Grace townsite on the north side of Stubbs Street.

The plans submitted in support of the application indicate that the proposed restaurant will:

- i) have a total floor area of 113.5m² with the dining area comprising an area of approximately 98.5 m²;
- ii) operate between the hours of 8am to 5pm Monday to Friday, 9am to 2pm on Saturdays and be closed on Sundays;
- iii) include freestanding and fixed advertising signage; and
- iv) rely on the existing on-street and nearby off-site car parking bays located in close proximity to the property.

(See Plans 19 & 20 – Submitted Site Development Plans)

Specific details of the total number of seats to be provided within the restaurant were not provided in support of the application however it is anticipated that seating numbers will be limited by the size of the proposed restaurant and the need to comply with the relevant health regulations.

Comment

Current Zoning & Land Use Permissibility

Lot 353 is classified 'Commercial' zone in the Shire of Lake Grace Local Planning Scheme No.4 (LPS No.4). Council's stated objective for land classified 'Commercial' zone is to ensure a high standard of commercial development and functionality which enhances the character and identity of the immediate locality and provides for the efficient circulation of vehicular traffic.

In considering the proposal against the above zoning objectives it is considered that the development and use of the land for the purposes of a restaurant will:

- complement other existing commercial land uses in this part of the Lake Grace townsite;
- add interest and variety to the town centre area; and
- make a positive contribution to the general amenity and character of the immediate locality.

Under the terms of LPS No.4 the development and use of land in the 'Commercial' zone for the purposes of a restaurant is classified as a 'P' use which means that it is permitted subject to the issuance of a formal planning approval by the local authority.

Compliance with LPS No.4 Development Standards

In assessing the application Council should note that the development proposal for Lot 353 simply involves the internal fit-out of a portion of the existing building on the land to accommodate a proposed change of use from 'Art & Craft Centre' to 'Restaurant'. As such not all of the development standards prescribed in LPS No.4 can be applied to the proposal (e.g. front facade of the existing building, landscaping etc.).

Notwithstanding this fact an assessment of the proposal against the development standards contained in LPS No.4 has confirmed that it satisfies the majority of standards except for the following:

- i) The provision of on-site car parking bays; and
- ii) Advertising signage requirements.

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

Car Parking

Clause 5.26 states:

"A person shall not develop or use any land or erect, use or adapt any building unless a suitable number of car parking spaces are provided in accordance with the requirements specified in Table 2."

Table 2 of LPS No.4 requires that a minimum of ten (10) car parking bays for every 100m² of gross lettable floor area or 1 bay for every 4 seats, whichever is the greater, must be provided to accommodate the car parking demand likely to be generated by the proposed use of the land. Under the terms of the application no on-site parking bays are proposed to be provided. This can be attributed to the fact that the existing building on the land covers most of the site with no room having previously been provided for vehicle access and parking.

Having regard for the historical development of the land, the availability of on-street parking along Stubbs Street and within the existing car parking areas developed by the Shire on nearby Crown reserves, it is reasonable to conclude that the car parking shortfall is unlikely to have a detrimental impact upon the amenity, safety or functionality of the immediate locality. As such it recommended that Council support the proposed shortfall in the number of on-site parking bays to be provided.

Council should note that it does have the discretion to impose a condition requiring that the applicant make a cash-in-lieu contribution to the Shire for the shortfall in on-

site car parking bays to help fund the construction and maintenance of other car parking facilities in close proximity to Lot 353. Notwithstanding this fact it is recommended that Council not impose a condition along these lines given that:

- a) it has never done so in the past in dealing with other similar planning applications; and
- b) it may compromise the applicant's ability to fund the establishment of this new business in the townsite which is considered to have a number of important economic and social benefits.

Advertising Signage

The application proposes two mounted signs on the east and west sides of the existing front veranda on the building facing Stubbs Street and a free standing 'pylon type' sign to be placed on the adjoining pedestrian pathway.

The mounted signs are approximately 3 metres in width and 450mm in height, black and white in colour and will display the business name 'Caffé Autentico'.

Schedule 5 of LPS No.4 includes details of the types and maximum areas of advertising signage that are considered acceptable under any circumstances for different types of land uses and exempts advertising signage that satisfies the maximum areas from requiring planning approval (i.e. advertising signs that satisfy the provisions contained in Schedule 5 of LPS No.4 do not require Council's planning approval [i.e. they can be installed "as of right"]):

In assessing the proposed signage against the above criteria it is noted that:

- the proposed fixed wall signs are greater in combined sign face area by 2.64m² than that exempted from approval by Schedule 5; and
- the free standing 'pylon type' sign is lesser in combined sign face area by 3.16m² than that exempted from approval by Schedule 5 but is however 1 metre higher than what is exempted from approval by Schedule 5.

Taking the above into consideration it is clear that Council must consider the appropriateness of the proposed signs as part of the application for planning consent for the proposed use.

In considering the appropriateness of the proposed advertising signage the following comments are submitted for Council's consideration:

- The scale, strategic positioning and appearance of the proposed signage is considered appropriate for the proposed size and scale of the existing building and its setting;
- The signage enhances the visual appearance and amenity of the existing building due to the consistent and compatible use of corporate colours; and
- The signage is considered to form an integral and functional component of the external building façade and design providing information, interest and identifying the main entrance points to the building.

To that extent this report forms the view that the proposed advertising signage is suitable and accordingly Council may grant its approval.

Conclusion

It is concluded from a detailed assessment of the application in the context of the Shire's Local Planning Strategy and Town Planning Scheme No.4 that the proposed development and use of a portion of the existing building on Lot 353 Stubbs Street for the purposes of a 'Restaurant' is capable of being implemented in a proper and orderly manner subject to compliance with a number of conditions to ensure that it proceeds in accordance with the details of the plans submitted in support of the application and in a manner consistent with the existing amenity and character of the immediate locality.

Legal Implications

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

Policy Implications

Nil

Consultation

Community consultation not required.

Financial Implications

Nil

Strategic Implications

Lot 353 is identified as land suitable for "commercial" development in the Lake Grace Townsite Development Strategy Map contained within the Shire's current operative Local Planning Strategy (LPS). An objective of the LPS is to:

"Develop a diversified range of commerce and industry in appropriate locations which provides significant employment opportunities and reduces the local economy's dependency upon the agricultural sector."

The subject land is currently used for the purposes of an 'Art & Craft Centre' and has excellent access to the local and regional road network. Furthermore Lot 353 is surrounded by similarly classified "commercial" and "service commercial" type land uses. To that extent it is contended that the location of the proposed restaurant is consistent with the land's current strategic land use classification and therefore appropriate.

The proposed restaurant will not only improve the visual amenity of the immediate locality but will likely also improve the operational efficiencies and diversification of businesses within the Lake Grace townsite. The proposed restaurant will also create additional employment opportunities.

The establishment of a new restaurant in the Lake Grace townsite is likely to have a number of significant cultural benefits given the opportunities it will create for social interaction.

Given the above, it is the view of this report that the proposal satisfies the relevant objectives of the Shire's Local Planning Strategy.

Voting Requirements

Simple majority required.

Recommendation/Resolution

MOTION 10942

Moved Cr Farrelly
Seconded Cr Newman

That Council approve the application for planning consent submitted by Mr Richard Jones to establish a restaurant within a portion of the existing building on Lot 353 (No.25) Stubbs 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. If this approval is not substantially commenced within a period of two (2) years, 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 local government 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 use of the land shall comply with the specific requirements of the Health Act 1911, all associated regulations and the Shire of Lake Grace Health Local Laws.
4. Provision must be made for access and facilities for use by people with disabilities in accordance with provisions of the Building Code of Australia and AS 1428.1.
5. All advertising signage shall be provided in accordance with the details of the plans submitted in support of the application and shall be of materials and colours that complement the existing building on the land.
6. The applicant shall make arrangements with its insurance company to ensure that suitable arrangements are made regarding the public liability associated with providing a free standing 'pylon type' sign on the pedestrian pathway within the Stubbs Street road reserve area with evidence to provided to the Shire of the placement and renewal of the required insurance policy on a yearly basis.

MOTION CARRIED 8/0

1.30pm *Mr Jones left the meeting.*

12.5 **PLANNING APPLICATION – PROPOSED INDUSTRIAL STORAGE SHED – 22 MASON ST LAKE GRACE**

Applicant:	Great Southern Fuel Supplies
File No.	0506
Attachments:	Plans 21 to 25
Authors:	Mr Joe Douglas & Ms Elle O'Connor – Urban & Rural Perspectives Town Planning Consultants
Disclosure of Interest:	Nil
Date of Report:	16 February 2010
Senior Officer:	Mr Sean Fletcher Chief Executive Officer

Summary

This report recommends that the planning application submitted by Great Southern Fuel Supplies to construct a new steel framed, colorbond industrial storage shed on Lot 269 (No.22) Mason Street, Lake Grace be approved subject to conditions.

Background

The applicant is seeking Council's planning approval to construct a new steel framed, colorbond storage shed on Lot 269 (No.22) Mason Street which will be used for industrial purposes (i.e. equipment repairs & the parking and storage of trucks) (see Plans 21 to 25).

Lot 269 is located in the north-eastern part of the Lake Grace townsite, comprises a total area of approximately 1,978m² and has direct frontage to Mason Street along its northern boundary (see Plans 21 to 23).

It is understood from the details submitted in support of the application that the proposed storage shed on Lot 269 will:

- i) be 15.0 metres long and 10.0 metres wide;
- ii) comprise a total floor area of 150m²;
- iii) have a wall height of 6.0 metres;
- iv) have a ridge height of 7.06 metres;
- v) be of steel frame construction with zincalume roof cladding and colorbond wall cladding; and
- vi) have a 25 metre setback from the land's front boundary (i.e. Mason Street), a 3 metre setback from the western side boundary and a 17 metre setback from the eastern side boundary.

Comment

Current Zoning & Land Use Permissibility

Lot 269 (No.22) Mason Street is currently classified 'General Industry' zone in the Shire of Lake Grace Local Planning Scheme No.4 (LPS No.4).

Council's stated objectives for land classified 'General Industry' zone are as follows:

- To provide a location for general, light and service industries which by the nature of their operations should be separated from residential areas.
- To ensure an adequate supply of suitably located land for future industrial development.

- To provide for a range of compatible general, light and service industries to support the needs and development of the district.
- To provide a range of employment opportunities for residents of the district.
- To ensure that development is in accordance with appropriate and satisfactory standards of function, amenity and safety.
- To ensure that appropriate buffers are provided and maintained between industrial uses and adjacent uses so as to avoid land use conflicts.
- To encourage the provision of additional landscaping to the established industrial areas to improve their visual appearance.

Under the terms of LPS No.4 the development and use of land classified 'General Industry' zone for the purposes of equipment repairs & the parking and storage of trucks is classified as a 'D' use which means that it is not permitted unless formal planning approval is issued by the local authority.

It is concluded from a detailed assessment of the application that the proposed storage shed on Lot 269 is generally consistent with the zoning objectives contained in LPS No.4, is unlikely to have a detrimental impact on existing adjoining land uses and is capable of being implemented in a proper and orderly manner subject to Council's planning approval and compliance with a number of conditions.

Compliance with LPS No.4 Development Standards

An assessment of the proposal against the development standards contained in LPS No.4 has confirmed that it satisfies the majority of standards except for the following:

- i) The front façade of the proposed storage shed is not of brick, concrete or masonry construction (see clause 5.9.5 of LPS No.4);
- ii) All on-site vehicle access and parking areas are required to be sealed and drained to the specifications and satisfaction of the local authority (see clause 5.9.7 of LPS No.4). No details regarding the nature and extent of any sealing and/or drainage works have been submitted by the applicant; and
- iii) The provision of a minimum landscaping area of 10% of the total site area (see table 2 of LPS No.4). Again no details regarding the nature and extent of any landscaping have been submitted by the applicant.

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

Building Façade

Clause 5.9.5 of LPS No.4 states:

"The front façade of all buildings in the General Industry zone shall be orientated to the street and constructed in brick, concrete or masonry, provided however, that an owner or his/her agent may apply to the local government for permission to vary these requirements where the local government is satisfied that such variation will not detract from the amenity of the area."

Under the terms of the plans submitted in support the application the front facade of the proposed new shed will be of colorbond construction. Given that the proposed shed will be a brand new structure with a substantial setback (i.e. 25 metres) from the land's Mason Street frontage, it is considered that the facade of the building will be sufficiently attractive and is unlikely to have a detrimental impact upon the existing character and amenity of the immediate locality. As such it is recommended

that Council use its discretion to support the proposed variation to the development standards prescribed in LPS No.4 for development of this type.

Vehicle Access & Parking

Clause 5.9.7 of LPS No.4 states:

“All on-site vehicle access and parking areas in the General Industry zone are required to be sealed and drained to the specifications and satisfaction of the local government”.

The applicant has not provided any details regarding the treatment of vehicle access and/or parking areas and how stormwater drainage will be managed and disposed of. Given this fact it is recommended that Council impose a suitable condition on any approval issued to ensure compliance with this particular requirement of LPS No.4.

Landscaping

Clause 5.9.10 of LPS No.4 states:

“Landscaping shall be provided generally in accordance with the requirements of Table 2 and should be located in such positions on a site so as to enhance the appearance of any development or screen from view any open storage area, drying areas and any other space which, by virtue of its use, is likely to detract from the visual amenity of the surrounding area.”

Table 2 of LPS No.4 specifies that a minimum of 10% of the total site area for any industrial development in the Shire shall be suitably landscaped. As previously mentioned the plans submitted in support of the application do not provide any details regarding the nature and extent of any proposed landscaping. Given this fact it is recommended that Council impose a suitable condition on any approval issued to ensure compliance with this particular requirement of LPS No.4.

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 steel framed, colorbond storage shed on Lot 269 (No.22) Mason Street, Lake Grace for general industrial purposes is capable of being implemented in a proper and orderly manner and is unlikely to have a negative impact on the visual amenity and character of the immediate locality subject to the imposition and compliance with a number of conditions which aim to ensure that all future development and use of the land proceeds generally in accordance with the standards and requirements of LPS No.4.

Legal Implications

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

Policy Implications

Nil

Consultation

Community consultation not required.

Financial Implications

Nil

Strategic Implications

Shire of Lake Grace Local Planning Strategy

Voting Requirements

Simple majority required.

Recommendation/Resolution

MOTION 10943

Moved Cr Newman
Seconded Cr Chappell

That Council approve the application for planning consent submitted by Great Southern Fuel Supplies to construct a new steel framed, colorbond storage shed on Lot 269 (No.22) Mason Street, Lake Grace for general industrial purposes in accordance with the details of the plans submitted in support of the application subject to compliance with the following conditions and advice notes:

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. All external wall cladding of the proposed storage shed shall be of colorbond construction.
4. All stormwater generated by the proposed development shall be managed and disposed of to the specifications and satisfaction of the Shire of Lake Grace.
5. All on-site vehicle access ways and car parking areas shall be constructed (including sealing) and maintained to the specifications and satisfaction of the local government with appropriate measures for drainage and disposal of surface water.
6. A minimum of 10% of the total site area shall be dedicated to landscaping in accordance with the details of a landscaping plan required to be prepared and submitted to the Shire for approval prior to the commencement of any development on the land.
7. Any adjustment to power poles, manholes, drainage sumps, service pits or similar that may be required as a consequence of this approval shall be arranged by the applicant at his/her own expense prior to works commencing on-site.
8. The site shall be ordered and maintained so as to not have a detrimental impact upon the visual appearance of the immediate locality.

MOTION 10943 continued

9. All advertising signage shall be provided in accordance with the requirements specified in Schedule 5 of Local Planning Scheme No.4.

Advice Notes

i) 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.

ii) 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.

iii) No construction works shall commence prior to 7.00 am without the Shire's written approval.

MOTION CARRIED 8/0

13.0 MATTERS FOR CONSIDERATION – HEALTH & BUILDING

13.1 TENDER 1/2010 – CONSTRUCTION OF LAKE GRACE CHILDCARE CENTRE

Applicant:	Manager Community Services
File No.	0668/0369
Attachments:	Nil
Author:	Mrs Nadene Owen Manager Community Services
Disclosure of Interest:	Nil
Date of Report:	12 February 2010
Senior Officer:	Mr Sean Fletcher Chief Executive Officer

Summary

This purpose of this report is to provide Council with the outcome of the tender opening and evaluation for Tender 1/2010 for the design and construction of the Lake Grace Childcare Centre and seek postponement of the project until the Country Local Government Funding Round 2 (CLGF2) guidelines have been released.

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 Regional & Local Community Infrastructure Program RLCIP funding to the project also.

At its November 2009 Ordinary Meeting Council endorsed building concept plans and construction of the building. Since this decision, a review of CLGF projects and resourcing has identified the need to outsource the Childcare Centre and hence tenders were invited for the design and construction of the Lake Grace Childcare Centre.

Comment
Tender process

The author called for tenders with an opening date of 16th January 2010 and a closing date of 2nd February 2010. Five responses were received thus ensuring a competitive basis for awarding a contract for works. The details of the tenders received, in order, are shown as follows:

Table One: *Tender Evaluation based on Selection Criteria*

Company	Weighted Score (100%)
APB Holdings Australia Pty Ltd #	70
KMB Building	47
Fortress Home Building Systems Pty Ltd	45
Oztek Contracting Pty Ltd	13
L & T Transportable and Kit Homes Pty Ltd	9

Note: Preferred Tenderer

Tender weightings were assessed as a percentage out of 100 as follows:

Relevant Experience	40%
Key Personnel Skills and Experience	10%
Tenderers Resources	10%
Demonstrated Understanding	30%
Price	10%

In addition to the design and construction costs the following additions are to be added to the preferred tenderers costings.

Table two: Additional connection charges/costings

Service	Price (excl. GST)
Western Power/Electrical connection	\$10,000.00
Water Corporation	\$ 2,500.00
Sewerage connection	\$ 2,500.00
Site preparation/tie down	\$ 3,000.00
Total	\$18,000.00

The total project costings would therefore be:

APB Holdings Australia Pty Ltd	\$ 317,501.00
Additional connection charges/costings	\$ 18,000.00
RLCIP funded fit out	\$ 8,000.00
Sub-total	\$ 343,501.00
Council allocation:	
R4R CLGF	\$ 200,000.00
RLCIP	\$ 8,000.00
Total	(\$135,501.00)

The above analysis indicates a shortfall of \$135501.00 for the project and there is no further funding allocation available at this time.

Funding considerations

To enable the project to commence staff have considered the following options to address the shortfall of \$135,501.00 to enable the project to commence:

1. *Raise funds of \$135,501.00, by way of a loan, to ensure the project can commence and be completed by the 30 June 2010 deadline.*

After research was undertaken by the author, including discussion with the Senior Management Team, this option was not deemed as being a fiscally responsible alternative.

2. *Await the announcement of the CLGF2 guidelines to assess if project meets funding criteria.*

This option would seek a postponement of the project until such time as the CLGF2 guidelines are released. The guidelines are yet to be issued and are still awaiting ministerial approval. This would require rolling the grant funding over as an unspent grant through the budgetary process in turn having the project phased over two years until further funding can be sourced.

Note: It may be possible to fund the shortfall from within the existing 2009/10 budget, through the diversion of funds away from reserves (approximately \$65,000), as well as the cancellation of one or more existing projects.

Legal Implications

Local Government Act 1995 – Tenders for Providing Goods and Services

Policy Implications

Policy 3.4 - Local Price Preference

Consultation

Internal – Sean Fletcher, Chief Executive Officer
Mark Burbridge, Manager Corporate Services
Michelle Slarke, Community Development Officer

Financial Implications

As per report information.

Strategic Implications

Shire of Lake Grace Strategic Plan

Goal 2 Social and Community Wellbeing

Action 2.1.4 Lake Grace Childcare Facility - Priority 2

Recommendation

That Council postpone the design and construction of the Lake Grace Childcare Centre until the Country Local Government Funding Round 2 (CLGF2) guidelines have been released.

Voting Requirements

Simple majority required

Resolution

MOTION 10944

Moved Cr Chamberlain
Seconded Cr Newman

That Council postpone the design and construction of the Lake Grace Childcare Centre until the Country Local Government Funding Round 2 (CLGF2) guidelines have been released or other funding becomes available.

MOTION CARRIED 8/0

REASON FOR CHANGE

Council would wish the project to progress should alternative funding become available.

13.2 COMMUNITY SHED SITE PROPOSAL – LAKE GRACE

Applicant: Men's Shed Committee
File No. 0623
Attachments: Landgate map of preferred site.
Author: Mrs Nadene Owen
Manager Community Services
Disclosure of Interest: Nil
Date of Report: 16 February 2010
Senior Officer: Mr Sean Fletcher
Chief Executive Officer

Summary

This report seeks Council to support Lot 363 Stubbs St, Lake Grace as the location of the Lake Grace Community Shed.

Background

Note: This project was originally named the *Lake Grace Men's Shed*. At the committee meeting held in October 2009 it was decided to rename the project the *Lake Grace Community Shed* to be seen to be inclusive and encourage both genders of the community and to increase funding opportunities. Hence the name will be used when referring to the project in all future documentation.

Council agreed to the contents of the Lotterywest Flood Recovery package at its 27 June 2007 Ordinary Meeting. As a part of this package, and following extensive community consultation, a range of projects resulted, including the development of a Men's Shed (Community Shed).

The Lotterywest Flood Recovery package budget includes contracting a consultant to prepare a project plan and operation guidelines for this proposal. Details will include the location, building schedule and plan, budget for construction and operation, equipment and tools, fees and management system. This information will form the basis of a grant application to build the shed. A consultant has agreed to prepare the project plan for funding for the Shed. Following compilation of this documentation, an application will be made for Lotterywest funding, and if successful, the Shire would become the entity responsible for the management and acquittal of the funds.

At its 26 March 2008 Ordinary meeting, Council appointed a committee to investigate the development of a Men's Shed for Lake Grace.

Since the committee was established, two meetings have been held to further investigate and develop the Men's Shed project. In addition to these meetings, several committee members attended the Men's Shed Conference in Mukinbudin on the 3 & 4 September 2009. During the conference, members met with Mr Steve Hammond from Lotterywest to discuss the project and funding. Those who attended the conference found it invaluable in terms of networking and insight into the planning and development of other Men's Sheds within Western Australia.

There are considerable resources available to support and resource Men's Sheds across Australia. Additionally it was identified that Men's Sheds can play a significant and practical role in addressing issues with men's health, isolation and depression that impact as major health issues for men. Men's Sheds can help connect men with their communities and act as a catalyst in stimulating their community's economic activities.

Men's Shed committee member and local builder, Mr John de Vree has drafted two initial concept plans for the Community Shed. These will be further revised, where applicable, as planning progresses.

Comment

At its 16 October 2009 meeting, committee members and staff discussed, at length, three sites that have been researched and considered as being suitable for the Community Shed site. These sites are:

Site 1

Lot 75, Lake Grace Sporting Precinct – placement of shed on old basketball court site. This site was not deemed suitable given that it would be difficult to obtain the required power supply at this site, it is a designated 'sporting precinct' area and it is not close to the town centre.

Site 2

Lot 106/107, Bennett Street, Lake Grace - land behind the Department of Agriculture and Food office. This land is located in a residential area therefore it would not be deemed suitable to house a Community Shed. The site has constraints in that there are drainage/flooding issues and the power supply would require an upgrade to meet equipment needs.

Site 3

Lot 363, Stubbs St, Lake Grace (Reserve No 46769) - land opposite entry to Department of Agriculture and Food office. This site has: good parking facilities, it compliments the tourism focus of the Shire, it is situated close to a tourist rest area and amenities, also it is closer to the town centre and initial investigations indicate three phase power is available. The Tourist Rest Area, BBQ facilities and parking area are located on the western portion of Lot 363, which is part of a reserve subject to a Management Order to the Shire of Lake Grace. The purpose of the current reserve is "Parking and Recreation".

All lots adjacent to the north side of Stubbs Street are located in the railway freight corridor and as such require PTAWA approval prior to any development. Shire staff have had discussions with Jim Mullins, Senior Property Manager, Public Transport Authority WA. PTAWA has no objection in principle to the erection by the Shire of Lake Grace of a Men's Shed at Lake Grace on ex PTAWA land covered by the Management Order. PTAWA will require a copy of the plans to confirm that the drainage is not being directed towards an operating railway line. In addition, since the land is the subject of a Management Order, PTAWA recommends that the plans should also be referred to State Lands.

State Lands staff have reviewed the site drawings provided and stated its office will require clarification from PTAWA regarding the rail freight corridor. State Lands also require that the purpose of the Reserve be expanded from "*Parking and Recreation*"

to “*Community Purpose*”. In order to affect this change, Council must first support this proposal.

Building Officer, Mr Darryle Baxter, has advised that the finished floor level of the Community Shed should be at least 150mm above the last recorded high water mark in that area. The access to the shed will have to comply with the Disability Discrimination Act 1992 so all ramps to access this building will need to be 1 in 14 from the natural ground level in compliance with Australian Standards.

To ensure that project planning can continue, the committee recommend Site 3 as the most suitable site for the Community Shed. It is therefore seeking Council’s support of this site for the project and the extension of the Reserve purpose.

Legal Implications

Reserve No 46769 subject to Management Order number J519170 XE dated 22 Nov 2005
Disability Discrimination Act 1992
Relevant Australian Standards

Policy Implications

Nil

Consultation

Internal – Mark Burbridge, Manager Corporate Services
Darryle Baxter, Building Officer
Keith Dickerson, Manager of Works
Michelle Slarke, Community Development Officer

External – Men’s Shed Committee – Lake Grace
Joe Douglas, Urban and Rural Planning
Jim Mullins, Senior Property Manager, PTAWA
Kevin Emrose, A/Manager Wheatbelt, State Lands - Lands Division

Financial Implications

E132100 – Contracts & Consultants \$3909.90; project/management plan. Funding for the construction phase of the project will be sought through the Lotterywest grant process.

Strategic Implications

Shire of Lake Grace Strategic Plan

2. Social and Community Well-Being

Enhance the quality of life for residents within the Shire of Lake Grace.

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

Lake Grace Men’s Shed - Plan and build - Priority 9

Voting Requirements

Simple majority required

Recommendation/Resolution

MOTION 10945

Moved Cr Newman
Seconded Cr De Landgraft

1. That Council support Lot 363 Stubbs St (Reserve No 46769), Lake Grace as the proposed location of the Lake Grace Community Shed.
2. That Council support that the purpose of Reserve No 46769 be expanded from *"Parking and Recreation"* to *"Community Purposes"*.

MOTION CARRIED 8/0

14.0 MATTERS FOR CONSIDERATION – FINANCE

1.54pm *The Chief Executive Officer left the meeting and returned at 1.57pm.*
 1.59pm *Cr Milton left the meeting and returned at 2.00pm.*

14.1 ACCOUNTS FOR PAYMENT – DECEMBER 2009

Applicant: Shire of Lake Grace
File No. 0277
Attachments: List of Creditors
Author: Miss Jessica de Burgh
 Finance Officer
Disclosure of Interest: Nil
Date of Report: 15 February 2010
Senior Officer: Mr Mark Burbridge
 Manager Corporate Services

Summary

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

Background

List of payments for the month of December 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 December 2009 from the Municipal Account totals \$666,984.53.

Strategic Implications

7. Organisational Excellence

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

Voting Requirements

Simple majority required.

Recommendation/Resolution

MOTION 10946

Moved Cr Farrelly
Seconded Cr Chappell

That Municipal Account Cheques 33812 to 33849, Electronic Funds Transfers EFT5873 to EFT6023, and direct debits to the Municipal Account totalling \$666,984.53, 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.

MOTION CARRIED 8/0

14.2 ACCOUNTS FOR PAYMENT – JANUARY 2010

Applicant: Corporate Services Section
File No. 0277
Attachments: List of Creditors
Author: Miss Jessica de Burgh
Finance Officer
Disclosure of Interest: Nil
Date of Report: 16 February 2010
Senior Officer: Mr Mark Burbridge
Manager Corporate Services

Summary

For Council to ratify expenditures incurred for the month of January 2010.

Background

List of payments for the month of January 2010 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 January 2010 from the Municipal Account totals \$363,464.56.

Strategic Implications

7. Organisational Excellence

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

Voting Requirements

Simple majority required.

Recommendation/Resolution

MOTION 10947

Moved Cr Chappell
Seconded Cr Newman

That Municipal Account Cheques 33850 to 33871, Electronic Funds Transfers EFT6024 to EFT6081, and direct debits to the Municipal Account totalling \$363,464.56, 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.

MOTION CARRIED 8/0

2.05pm *Mrs Owen left the meeting.*

14.3 FINANCIAL STATEMENTS – DECEMBER 2009 AND JANUARY 2010

Applicant: Corporate Services Section
File No. 0275
Attachments: Financial Reports
Author: Mrs Danielle Robertson
Senior Finance Officer
Disclosure of Interest: Nil
Date of Report: 15 February 2010
Senior Officer: Mr Mark Burbridge
Manager Corporate Services

Summary

Consideration of the financial statements for the months ending 31 December 2009 and 31 January 2010.

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 10948

Moved Cr Newman
Seconded Cr Chappell

That the financial reports for the months ending 31 December 2009 and 31 January 2010 as attached be received.

MOTION CARRIED 8/0

14.4 **2009/10 BUDGET REVIEW**

2.06pm *Mrs Owen re-entered the meeting.*

Applicant: Shire of Lake Grace
File No. 0662
Attachments: 2009/10 Budget Review - Financial Reports
Author: Mr Mark Burbridge
 Manager Corporate Services
Disclosure of Interest: Nil
Date of Report: 16 February 2010
Senior Officer: Mr Sean Fletcher
 Chief Executive Officer

Summary

For Council to adopt the 2009/10 Budget Review.

Background

All local governments are required to conduct a budget review between 1 January and 31 March each financial year. This review is to be forwarded to the Department of Local Government and Regional Development within 30 days of adoption by Council.

Council's Audit Committee is scheduled to meet on 24 February 2010 during which it will consider a detailed review of Council's 2009/10 Budget, as prepared by the Manager Corporate Services and Senior Management Team.

Comment

The Annual Budget Review of the Rate Setting Statement shows the 2009/10 Projected Budget, and the estimated surplus at the end of the year of \$2,217.

Significant items addressed during the review include:

- A detailed review of the plant replacement program for 2009/10, using actual figures from tender submissions and sale proceeds, has highlighted savings in the order of \$38,587.
- Estimated savings of \$60,136 have been highlighted in the 2009/10 Road Construction and Maintenance Program
- The estimated surplus brought forward has been reduced from \$1,234,501 to \$1,198,837 to coincide with the 2008-09 Annual Financial Statements.
- Increased Expenditure on the Construction of the Newdegate Medical Centre, offset by an increase in the value of the corresponding loan, to reflect Council's decision at the December 2009 meeting.
- Increased Expenditure associated with the completion of Stage 1 of the Lake Grace Sporting Precinct Redevelopment, to be offset by the sale of surplus materials and the Lake Grace Specified Area Rate.
- Unbudgeted purchase of Lake King Recreation Grounds Tractor, as requested and jointly funded by the Lake King Progress Association, to be offset by the Lake King Specified Area Rate.
- Emergency repairs and upgrades to the Lake King TV & Radio Transmission equipment
- Increased Expenditure associated with the upgrade to the Newdegate Recreation Water Supply Dam in line with Council's decision at the

October 2009 meeting, to be offset by the Newdegate Specified Area Rate.

- Decreased funding for the December 2008 Flood Damage repairs (75% only rather than 100% as originally anticipated)
- Inclusion of the Construction of the Lake Grace Stormwater Detention Dam and the associated funding from the Rural Towns Program.
- Unbudgeted Sale of 74 Stubbs Street (Staff Housing) and the associated transfer to Reserve
- Increased Private Works income associated with Main Roads contract work
- Implementation of a Natural Resource Management Program, including appointment of officer, receipt of funding, and purchase of vehicle funded from the plant replacement reserve.

Generally it is considered that Council is well underway to meeting the outcomes that are forecast in the 2009/10 Budget. Significant projects yet to be completed include:

- Lake Grace Residential Land Subdivision – now able to be commenced following State Approval
- Royalties for Regions funded projects including Newdegate Medical Centre, Newdegate Refuse Site, Lake Grace Child Care Facility, Varley Hall Renovation and Staff Housing.
- A variety of projects funded under the Lotterywest Flood Recovery Project.
- Bitumen Sealing / Resealing Programme (now underway)

A review of Council's financial position also shows that Council is well placed to meet the expenditure which will be required before the end of the 2009/10 Financial Year. Council's estimated surplus as at review date was \$1,685,853, which is composed of cash, short term investments, inventories, outstanding rates and sundry debtors. Of outstanding debtors, the following items remain of some concern:

- Persistent outstanding rates debtors of approximately \$87,000. These are being address via Council's outsourced collection agency.

Legal Implications

Local Government (Financial Management) Regulations 1996 – Section 33A

Policy Implications

Nil

Consultation

Internal - Senior Management Team
 - Shire of Lake Grace Audit Committee

Financial Implications

Following a review of the financial statements, a surplus of \$2,217 has been identified. This surplus will be factored into 2010/11 budget deliberations.

Amendments to the 2009/10 budget have been recommended in accordance with Section 6.8 (1) (b) of the Local Government Act 1995, where the review has highlighted a significant change from original budget provisions.

Strategic Implications

Shire of Lake Grace Strategic Plan

Financial Sustainability

- 3.1 - Ensure the efficient implementation and planning of service provision.
- 3.2 – Source and secure funding for the implementation of services through diverse and innovative funding streams.

Organisational Excellence

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

Voting Requirements

Absolute majority (5) required.

Officer Recommendation/Resolution

MOTION 10949

Moved Cr Farrelly
Seconded Cr Milton

That the 2009/10 Budget Review be approved and the following amendments be made to the 2009/10 Budget:

- Addition of Account E042027 – Professional Services Contract - \$2,500
- Addition of Account E113198 – Purchase Lake King Grassed Oval Tractor - \$51,000
- Addition of Account E114290 – FM Radio Expenses Varley - \$2,000
- Addition of Account E114500 – Upgrade Lake King Broadcast Mast & Aerials - \$35,000
- Addition of Account E136124 – LG Stormwater Detention Dam Construction - \$60,000
- Addition of Account E137050 – Land Sale Expenses - \$5,035
- Addition of Account E105010 – Salaries & Wages – Natural Resource Management - \$12,673
- Addition of Account E105040 – NRM Vehicle Expenses - \$2,500
- Addition of Account E105500 – Purchase NRM Vehicle - \$28,636
- Addition of Account I105750 – Transfer from Plant Replacement Reserve \$28,636
- Increase Account E077250 – Ngt Medical Centre Development to \$938,980
- Increase Account E113189 – LG Sporting Precinct Redevelopment to \$44,505
- Increase Account E123010 – Replace Utes/Light Vehicles to \$56,829
- Increase Account E136123 – Ngt Recreation Water Supply Development to \$146,290

MOTION CARRIED BY ABSOLUTE MAJORITY 8/0

15.0 MATTERS FOR CONSIDERATION – ADMINISTRATION
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15.1 SHIRE OF LAKE GRACE STRATEGIC PLAN - UPDATE

Applicant:	Chief Executive Officer
File No.	0552
Attachments:	Strategic Action Plan Update 3
Author:	Mr Sean Fletcher Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	16 February 2010
Senior Officer:	Mr Sean Fletcher Chief Executive Officer

Summary

The purpose of this report is to keep Council informed regarding the progress of the Strategic Plan and the Strategic Action Plan. A workshop has now been arranged for 9/10 April 2010 to allow Council to revisit and update the Strategic Plan in time for the 2010/11 Budget.

Background

The author gave the first update of the Strategic Plan at the Ordinary Meeting of Council on 28 October 2009. The author reported that the Strategic Action Plan had been updated to reflect resources required and that many of the actions were underway. The author also commented that he would complete the full strategic planning document in due course.

Comment
Strategic Plan

A one page strategic plan was created for the Shire along with a strategic action plan. So there is no longer a requirement to compile a longer form or version of the strategic plan. As it stands at the moment the one page strategic plan is easy to reference and encapsulates all the key elements including:

- ✓ The Shire's vision;
- ✓ The Shire's mission statement;
- ✓ The Shire's values;
- ✓ The seven focus areas;
- ✓ The seven goals and the strategies underpinning the goals.

A strategic plan is a living document and not set in concrete. That is to say that although a strategic plan may be set out over a three to five year period or even longer, it should be reviewed at least once a year to ensure that strategies are remaining relevant.

Strategic Action Plan

The author has now set out the Strategic Action Plan to accurately reflect the Strategic Plan. This has involved inserting a full description of the strategies from the Strategic Plan and then adjusting the strategic actions

within each strategy. Also, some of the strategies have been brought forward as a result of some of the actions undertaken by the author regarding the recent Capacity Audit of the Shire.

Overview

There are 43 actions listed for completion during 2009/10. Substantial progress has been made against many of the actions. A snapshot of the key projects or the first and second priorities for each goal is shown as follows:

Item	Action	Status	Comment
1.1.1	Residential Subdivision Lake Grace – Priority 1	Active	<ul style="list-style-type: none"> Structure Plan endorsed Specification & Tender documents being developed Surveying conducted 02/02/10
1.1.4	Lake Grace Industrial Land Development	Active	<ul style="list-style-type: none"> Structure Plan prepared Lease signed
2.1.2	Newdegate Medical Centre	Active	<ul style="list-style-type: none"> Under review
2.1.4	Lake Grace Childcare Facility	Active	<ul style="list-style-type: none"> Tenders closed 02/02/10 Decision to award tenders 24/02/10
3.2.1 -3.2.6	Investigate Federal Funding/Grants	Completed except 3.2.4 SARS	<ul style="list-style-type: none"> Lotterywest will not provide additional funding until Flood Projects acquitted
4.1.1	Monitor Roman replacement	Completed	<ul style="list-style-type: none"> Will roll out in 10/11 Manager Works has attended training
4.1.2	Follow through WAAMI program	Active	<ul style="list-style-type: none"> Asset Management Committee in place One consultant visit remaining Software purchased to record data
4.2.1	Undertake capacity audit of outside staff	Completed	<ul style="list-style-type: none"> Brought forward to 09/10 to compliment Capacity Audit for the Shire Fine tuning of structure underway
4.3.1	Reseal Program	Active	As per works program. Operational
4.3.2	Complete Forward Works Program	Active	Manager of Works has almost completed five year road strategy
5.1.1	Breakdown Existing Asset Program into WAAMI Format	Completed	Framework in place including software.
5.1.4	Implement new Newdegate Landfill Facility	Near Completion	<ul style="list-style-type: none"> Land acquisition and sub division in process Pit installed and draft management plan received
6.1.1	Seek Resources to develop LG Reform Plan	Completed	<ul style="list-style-type: none"> Tony Cooke appointed Reform submission lodged 30 September 2010
6.1.5	Develop LG Reform position	Completed	<ul style="list-style-type: none"> Reform submission lodged 30 September 2010
6.3.1-6.3.3	Recruitment of CEO	Completed	<ul style="list-style-type: none"> No further comment required
7.1.1	Compliance Audit to be carried out	Completed	<ul style="list-style-type: none"> Conducted 01/02/10 – 05/02/10
7.2.1	Policy Development & Review	Near completion	<ul style="list-style-type: none"> Finance and property management policies remaining
7.4.1	Develop Staff retention objectives	Active	<ul style="list-style-type: none"> Organisational development approach adopted Staff Consultative Committee to develop attraction & retention strategy
7.5.1	Organisational Excellence	Underway	<ul style="list-style-type: none"> Dr Barbara Maidment appointed to undertake community consultation Results to be reviewed at strategic planning workshop

Table One – Summary of Progress for Key Projects

Evaluation

The following is an evaluation of the actions either undertaken or completed to date for 2009/10:

Goal	No. Strategies due 09/10	No. Completed 09/10	Percentage Completed	Percentage Progressed
1	5	1	20%	100%
2	4	0	0%	100%
3	6	5	83%	100%
4	8	2	25%	100%
5	7	1	14%	100%
6	9	7	78%	100%
7	5	1	20%	100%
Total	43	17	39%	100%

Table Two – Evaluation of Actions to Date

It should be noted that the above reflects efficiency outcomes. Many of the projects will prove their effectiveness in due course.

Key Issues to Note

Commentary has been provided throughout the Strategic Action Plan that draws the reader's attention to roadblocks and those matters brought forward, potential issues and further actions for consideration for subsequent action plans.

Goal 1: Economic Diversity

Roadblocks include the shire realistically doing one land development per year (both time and cost).

A tourism strategy is required and further commercialisation of the Shire e.g. a desirable location for the establishment of other industry. The Wheatbelt Prison Workcamp is an example of this.

Goal 2: Social and Community Well Being

There is an extensive range of projects or actions within this goal. The Newdegate Medical Centre will go into 20010/11.

Further recognition is required regarding the Hainsworth Building (interpretive funding was unsuccessful) and the Centenary of Lake Grace in 2011 will require a budget of \$129 000. There is even a need to develop a broader strategy regarding aged care (including infirm and dementia patients).

Goal 3: Financial Sustainability

The actions in this goal were for the most part operational in nature i.e. normal business practice. Possible expansion of the SARs system has strategic value.

Lotterywest will not consider any further applications for funding until the Flood Projects (\$508 720) are acquitted.

UHY Haines Norton has been asked to prepare a five year financial forecast to assist with future planning.

Goal 4: Roads

Action 4.2.1 regarding ensuring a works management structure was brought to align with the Capacity Audit undertaken for the Shire.

Goal 5: Infrastructure (Other than Roads)

A range of further actions that compliment the strategic action plan are underway, but require strategic recognition. Comments have been included that recognise the flood mitigation projects, natural resource management and the need for urban and rural design. A number of the Lotterywest flood funded projects have been completed. The remainder are required to be finished by 30 June 2010. NRM has now been addressed regarding the employing of an NRM Officer under Caring for Our Country and a project regarding land use and urban modelling for Lake Grace over the next 50 years implemented.

Goal 6: Leadership

Comments regarding community capacity building has been included regarding increased information and access for residents throughout the Shire. Coordination of volunteers has commenced (Visitor's Centre) and youth projects are underway (WYLD).

Goal 7: Organisational Excellence

A number of actions have been undertaken by staff to improve compliance, reporting and procedures. The 08/09 Annual Report was adopted as required and in keeping with best practice, a corporate planning cycle introduced by the CEO for all staff and the Resolution Action Sheet made more meaningful.

Strategy 7.2 has been brought forward as has 7.4 and 7.5 to reflect the development of the organisation. With 7.2, the policy review is nearing completion, the Strategic Planning Workshop is underway and the Budget was adopted within required timelines. With 7.4 – staff retention this is currently being addressed and with 7.5 the customer satisfaction process and model is underway.

Completion of Projects

At this point in time 39% of the projects for 2009/10 have been completed. Teething problems were experienced regarding the development and implementation of the Strategic Action Plan. Then there was a delay during July/August whilst Council selected a new Chief Executive Officer.

Projects that are expected not to be completed for 2009/10 include the Newdegate Medical Centre, the investigation into SARs and the majority of the asset management projects. This represents 14% of all projects or in other words 86% completion. The key issues here include how realistic

were the projects to start with, realistic timelines, the allocation of resources and the demands put on those to manage the various projects.

Strategic Planning Workshop

As advised in the Elected Member's Updates on 2 February 2010, a strategic planning workshop has been arranged for 9 – 10 April 2010 in Lake Grace. The purpose of the workshop is to review the strategic plan and to identify further actions required in time for the 2010/11 Budget. Allan Bandt will facilitate the workshop.

The President has asked that all elected members make themselves available for all or part of the Workshop.

The workshop will be held at the Village Hall in Lake Grace commencing at 9:00AM. It is anticipated that the workshop will wrap up by 12 Noon on the Saturday.

Other speakers at the Workshop will include:

- ✓ Dr Barbara Maidment regarding the Shire's customer satisfaction survey; and
- ✓ Michelle Slarke (Development Officer) regarding the demography of the Shire of Lake Grace and where it could be heading.

A dinner will be held on the Friday night at the Shire Office and partners are welcome to attend. Former CEO Jim Fraser and former councillor Royce Taylor have also been invited.

Legal Implications

Nil

Policy Implications

Nil

Consultation

External: Alan Bandt of Bandt Gatter and Associates

Internal: Senior Management Team

Financial Implications

\$7 000 is allocated in the budget for the workshop and \$4 000 is allocated in the budget for Council's annual dinner.

Strategic Implications

Shire of Lake Grace Strategic Plan

Voting Requirements

Simple majority required.

Officer's Recommendation/Resolution

MOTION 10950

Moved Cr Milton
Seconded Cr De Landgraft

That Council endorse:

1. The Strategic Action Plan as updated; and
2. The Strategic Planning Workshop in Lake Grace on 9 – 10 April 2010.

MOTION CARRIED 8/0

15.2 POLICY REVIEW – SECTION 3 FINANCE

2.21pm Cr Chamberlain left the meeting.

Applicant: Manager Corporate Services
File No. 0050
Attachments: Existing & Proposed Policies
Author: Mr Mark Burbridge
 Manager Corporate Services
Disclosure of Interest: Nil
Date of Report: 15 February 2010
Senior Officer: Mr Sean Fletcher
 Chief Executive Officer

Summary

This report recommends the review of Council Policy 3.5 (Investments) and the review and consolidation of Council Policies 3.7 (Purchasing) and 3.4 (Local Price Preference).

Background

At the suggestion of Council's auditors during the 2008/09 final audit, a review of Council's Investment, Purchasing and Local Price Preference Policies has been commenced to ensure their ongoing suitability and practicality.

Council's Audit Committee considered changes to these policies at its 18 November 2009 meeting; recommendations are presented for Council's consideration herewith.

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

The Investments Policy review has been carried out with the intention of providing staff with a clear definition of the form of investment Council wishes to employ. Thus the proposed policy now clearly defines a list of "approved investments" and introduces a credit rating requirement to manage investment risk.

The Policy as currently adopted by Council, as well as the proposed amended Investment Policy is attached.

The review of the Purchasing Policy has been undertaken with the view of streamlining the requirements for written quotations, where the value of a good or service is minimal, or where there is limited availability of suppliers within the region for a particular type of good or service.

The Audit Committee has held discussion regarding the required threshold for quotations, and the additional controls which are in place through the authorisation of purchase orders and the requirement to operate within budgetary limitations. The requirement to document verbal quotations using the “Record of Quotations” form has also been considered.

The operation of the Local Price Preference Policy in conjunction with the Purchasing Policy has also been considered. It is proposed that the Local Price Preference policy be incorporated as a clause into the Purchasing Policy in order to facilitate a clear and comprehensive procedure for staff to follow. This review does not propose to change the terms and values of the Local Price Preference, nor affect its current or ongoing operation.

The Policies as currently adopted by Council, as well as the proposed amended and amalgamated policy are attached.

Legal Implications

Local Government (Functions and General) Regulations 1996 – Part 4A
Regional price preference

Policy Implications

As above.

Consultation

Internal: Financial Consultant Bill Bond
Shire of Lake Grace Audit Committee

Financial Implications

Nil

Strategic Implications

7. Organisational Excellence

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

7.2 – Council to provide input and direction and effective leadership in line with the official code of conduct (Policy development and review).

Voting Requirements

Simple majority required.

Audit Committee Recommendation/Resolution

MOTION 10951

Moved Cr Milton
Seconded Cr Chappell

1. That Policy 3.5 (Investments) be amended as presented.
2. That Policy 3.7 (Purchasing) be amended as presented.
3. That Policy 3.4 (Local Price Preference) be revoked; and,
4. That the Policy Manual be updated.

MOTION CARRIED 7/0

15.3 CENTRAL COUNTRY ZONE (WALGA)

Applicant:	Central Country Zone
File No.	0030
Attachments:	Reports - <i>Minutes/Agendas are available at the Shire Office</i>
Author:	Mr Sean Fletcher Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	28 January 2010
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.

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

Comment

The author participated in the teleconference held on Thursday 28 January 2010 @ 10:00AM.

In summary the issues considered by the Zone included:

Proposed Water Services Bill

A presentation by WALGA will be conducted at the next in person meeting of the Zone to look at and provide comment on the proposed Bill. The aim of the Bill is to consolidate the current seven pieces of water legislation into one Act to allow easier and relevant reform. Some of the issues include water rights, farm dams and water management in general. The discussion paper is currently available and it is anticipated that proposed Bill will be released for public comment in April 2010.

Concerns on the rescheduling of the Country Local Government Fund Round Two (Royalties for Regions)

It is proposed to seek a commitment from the Government to reinstate the full level of funding for Round Two and for local government to participate in the development of future guidelines. WALGA President Cr Bill Mitchell advised that in discussions with Minister Grylls recently, the Minister said that Round Two Funding would be reinstated and split 50/50 and paid during Rounds Three and Four. However, as Cr Mitchell pointed out, this proposal is not listed in the Governments budget forward estimates.

Local Government Reform

As per item 15.5 in this agenda.

Development Assessment Panels

The Zone is seeking consideration for the assessment level for non-metropolitan local governments be increased from \$1M to \$10M. Also will stress concern at the lack of understanding demonstrated regarding the conducting of planning assessments in the country;

Development of Vacant Land Strategies

WALGA is proposing that all local governments implement a range of strategies to ensure pockets of vacant land are developed. This includes looking at charging double for rates and so on.

Grain Freight Task

Cr Mitchell confirmed the Transport Minister's recent announcements regarding funding for the Grain Freight Task.

Zone Elections

The following nominations have been received for the Zone:

Zone President

Cr Richard Chadwick

Mayor Don Ennis

Deputy President

Cr Jim Sullivan
Mayor Don Ennis

Executive

Mayor Don Ennis
Cr Steve Martin

A further representative from the floor may be required. This would be decided at the Pingelly meeting on 26 February 2010.

State Council Representatives

The following have been elected unopposed to WALGA State Council:

- Cr Steve Martin
- Mayor Don Ennis

Minutes of the 26 November Teleconference meeting and the December 2009 State Council meeting are also available at the Shire Office.

Next Meeting

The next meeting of the Central Country Zone is:

Teleconference:	26 March 2010 (CEO's Office)
In Person:	26 February 2010 (Pingelly)

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 10952

Moved Cr De Landgraft
Seconded Cr Sinclair

That Council receive the Chief Executive Officer's report regarding the Central Country Zone

MOTION CARRIED 7/0

15.4 LAKES VOLUNTARY REGIONAL ORGANISATION OF COUNCILS

2.25pm Cr Chamberlain re-entered the meeting.

Additional Information: The Chief Executive Officer distributed minutes of the inaugural Lakes VROC Meeting held on Monday 22 February 2010.

2.40pm Mr Peter Dittrich entered the meeting.

Applicant:	Lakes Voluntary Regional Organisation of Councils
File No.	0031
Attachments:	Letters - Minister Grylls, & Alannah McTiernan MLA
Author:	Mr Sean Fletcher Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	2 February 2010
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 resolved to sign a certificate of agreement to into in an MOU with the Shires of Kent and Dumbleyung to form the Lakes VROC. The MOU was subsequently signed on 18 August 2009.

The CEOs from Lake Grace and Dumbleyung, the Deputy CEO from Dumbleyung and the Manager Works from Dumbleyung met on 11 December 2009 in Lake Grace to discuss the initial parameters and projects for the VROC.

The discussions concluded that the following matters need consideration as VROC projects and initiatives:

1. Establishment of a regional planning scheme
2. Synchronised engineering infrastructure programs
3. Review of the financial and record keeping systems
4. Joint plant and equipment purchases
5. Review rubbish and waste management
6. Management of recreation ground surfaces
7. Pursue effective asset management

On the matter of the Country Local Government Fund Regional component that is due to be paid to the Lakes VROC once the respective CLGF1 funding has been spent in each shire, the following was discussed:

- Implementation of a housing project across the region;
- Implementation of aged housing across the region;
- Ensuring medical facilities are of a reasonable standard across the region; and
- Ensuring that the funding is spent equitably within each shire.

As mentioned previously, each shire must now spend all of its round one funding under the Country Local Government Fund (Royalties for Regions) before the regional component will be paid to the Lakes VROC. However, this will be impacted by the re-phasing of the Royalties for Regions program.

Comment

The first meeting of the Lakes VROC has been scheduled for 22 February 2010. This will be held in the Shire of Lake Grace Chambers commencing at 9:00AM.

It is proposed to hold monthly meetings until the VROC feels comfortable to hold bi-monthly meetings.

Those invited to attend according to the MOU are two council representatives and the CEO. For the Shire of Lake Grace this is the Shire President and the Deputy Shire President.

A report on the outcomes of the meeting of the Lakes VROC will be presented at the meeting.

Legal Implications

Nil

Policy Implications

Nil

Consultation

External: CEO Dumbleyung
CEO Kent

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 10953

Moved Cr Milton
Seconded Cr Chappell

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

MOTION CARRIED 8/0

15.5 LOCAL GOVERNMENT REFORM UPDATE

2.45pm Cr Farrelly left the meeting and returned at 2.46pm.

Applicant:	Local Government Reform Update
File No.	0552
Attachments:	Agenda – Local Government Forum Regional Transition Group Documents Letter from Minister Castrilli regarding Regional Transition Groups
Author:	Mr Sean Fletcher Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	2 February 2010
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 in response to WALGA's SSS report met with representatives from the Shires of Ravensthorpe, Kent and Jerramungup in Ravensthorpe to discuss resource sharing and the possible formation of a VROC.

February 2009

The Minister for Local Government, the Hon John Castrilli MLA, announced at a combined Zone Meeting held on 5 February 2009 in Exmouth the need for Local Government Reform. Guidelines were issued including the need to undertake a Sustainability Checklist, consultation with neighbours, community consultation, prepare a report regarding the impacts of reform on the Shire and 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

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 community consultations were 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.

July 2009

Round Two community consultations were undertaken on 27 and 28 July including consideration of no change (Status Quo), community member ideas; boundary realignments (Pingaring/Varley/Pingrup) and 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 were 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 Shires 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.

November 2009

Council resolved the following (Motion 10918):

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.*

The author met with met with Dean Taylor the Shire of Katanning CEO on 27 November 2009 to discuss issues of mutual interest regarding the reform process.

December 2009

Council resolved the following (Motion 10933):

That Council consider the next step of the Reform Process once we know the outcomes of the Regional Transition Groups.

Comment

Recent Developments

Local Government Reform Forum - During the last week in January 2010, the Minister for Local Government has made comments that would appear to indicate that Local Government Reform is over. A key sticking point was the "no opt out clause" for those shires who agree to work together in a Regional Transition Group (RTG). In other words, those in an RTG would have to amalgamate at some point. Minister Castrilli has agreed that local governments can now work together without the need to amalgamate.

What this means for the Shire of Lake Grace is that the Shire can now pursue a voluntary regional council with Dumbleyung and Kent in earnest. The Lakes VROC will consist of two council representatives and the respective CEOs from each of the member shires. As stated previously, the

purpose of this group will be to look at resource sharing e.g. streamlining computer systems and joint projects such as regional based housing. However, comments by the Minister in the West Australian on 3 February 2010 indicate that he is still pursuing the Reform process. The Shire President, Cr Chappell and the author attended the Local Government Reform Forum on 9 February 2010 to hear the latest from the Minister and others including WALGA, Minister Grylls and the Department of Local Government.

In particular, the Minister made it clear that the Reform process is not over. However, he stressed loud and clear it is voluntary process. He also made it clear that he has applied for funding to assist with the Reform process. This includes a State Budget submission and applying for funding from the Federal Government.

The Minister stated that the reform process would play out as follows:

- The 11 Local Governments that have indicated they want to merge will go ahead now;
- Those who still want to merge have until 2013;
- RTGs are to come in to play after this date; and
- Metro mergers or boundary adjustments are to happen last.

At this point it would appear that the Reform process is over because it is hard to see anyone else participating as the RTG process was soundly rejected.

The Minister pleaded with Local Government to at least do the business planning phase of the RTG process. Funding will be made available at this point and the potential partners can still bail out.

Minister Castrilli's final report will go to Cabinet at the end of March for its consideration. This is when it will emerge whether the process changes from the Minister's voluntary process or to the Government's formal process.

A copy of the agenda and questions to be raised with the Minister are attached.

Regional Transition Groups

The Shire has received a letter from the Minister outlining the benefits of Regional Transition Groups, a flow chart of how the RTG process will work as well as the draft agreement. The Minister has requested a response to his letter by 26 March 2010.

The stance of the other Lakes VROC members is to oppose the formation of an RTG, opting for the Lakes VROC instead. Both the Shires of Kent and Dumbleyung have written to the Minister regarding their stance accordingly. The author sees no advantage of the Shire of Lake Grace participating in an RTG at this point in time.

In the meantime the author has spoken to Tim Fowler and Dr Chris Berry from the Department regarding the RTG briefing to CEOs that is scheduled for 19 February 2010. Although the author commented that the reform process seemed over, Mr Fowler stressed that he still needs to discuss funding options regarding voluntary groupings of Councils such as the Lakes VROC. So it would appear that there will still be funding for those who will work cooperatively together.

The author will also be attending the 4WD meeting on the previous day which will also be attended by departmental representatives.

The author will provide an update on the meetings with Mr Fowler and Dr Berry.

Legal Implications

Nil

Policy Implications

Nil

Consultation

External

- Mr Tim Fowler, Department of Local Government;
- Mr Dean Taylor, CEO of Katanning;
- Mr Graeme McDonald, CEO Shire of Koorda;
- Mr Don Burnett, CEO City of Kalgoorlie - Boulder
- 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, Mr Wayne Scheggia and Ms Jo Burgess WALGA;
- Ms Pip Shields Senior Regional Officer Wheatbelt Development Commission;
- Mr Colin Holt Member for the Agricultural Region;
- Minister Waldron and Member for Wagin;
- 4WD members.

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.

Voting Requirements

Simple majority required.

Recommendation/Resolution

MOTION 10954

Moved Cr Chamberlain
Seconded Cr De Landgraft

That the Chief Executive Officer write to the Hon. John Castrilli the Minister for Local Government advising him that the Shire of Lake Grace will not participate in the Regional Transition Group Process.

MOTION CARRIED 8/0

15.6 BUSHFIRE ADVISORY COMMITTEE – APPOINTMENT OF FIRE CONTROL OFFICERS AND ANNUAL GENERAL MEETING

2.48pm Cr Farrelly left the meeting.

Applicant:	Bushfire Advisory Committee
File No.	0177
Attachments:	Minutes – Bushfire Advisory Committee AGM & documents relating to Westplan
Author:	Mrs Lee-Anne Trevenen Senior Administration Officer
Disclosure of Interest:	Nil
Date of Report:	16 February 2010
Senior Officer:	Mr Mark Burbridge Manager Corporate Services

Summary

For Council to appoint Bush Fire Control Officers for the 2010/2011 season, and to endorse submissions to the Upper Great Southern Bushfire District Operations Advisory Committee.

Background

The Annual General Meeting of the Bush Fire Advisory Committee was held on 15 February 2010 at the Newdegate Recreation Centre commencing at 3:30pm. Twenty six people attended the meeting.

Comment

All Bush Fire Control Officers will have to be gazetted once Council has ratified the appointments for the 2010/2011 season.

Discussion was held relating to the Westplan State Emergency Management Plan for Bushfires - Fire Weather Forecasting 3.2.2 Total Fire Ban (*Bushfire Act 1954 Section 22A*).

The implementation of the Total Fire Ban imposed by FESA and how it affects our Shire was discussed. A Total Fire Ban due to catastrophic weather forecast has been implemented on three occasions during the 2009/10 season. The Advisory Committee came to the consensus that they wish to submit a number of motions to the next Upper Great Southern District Operations Advisory Committee Meeting – refer Bushfire Advisory Committee Recommendation.

Legal Implications

Bush Fire Act 1954
Shire of Lake Grace Bush Fire Local Laws

Policy Implications

Nil

Community Consultation

Nil

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Simple majority required.

Bushfire Advisory Committee Recommendation/Resolution

MOTION 10955

Moved Cr Chappell
Seconded Cr Sinclair

That:

1. Council appoint the following Bushfire Control Officers for the 2010/2011 season.

a) Chief Fire Control Officer

Darcy Roberts

b) Deputy Chief Fire Control Officer

Doug Dunham

c) Deputy Chief Fire Control Officer

Bill Lloyd

d) Deputy Chief Fire Control Officer

Richard Metcalf

Fire Weather Officers

Lake Grace	Doug Dunham
Newdegate	Bill Lloyd
Varley	Steven Davies
Mt Madden	Lindsay Brownley
Lake King	Richard Metcalf

Deputy Fire Weather Officers

Lake Grace	Brad Watson
Newdegate	Wes Hall & Ian Lloyd
Varley	Craig Newman
Lake King	Hugh Roberts
Mt Madden	Peter Roberts

MOTION 10955 continued**Harvest Ban – CBH Advisory Officers**

Mt Madden	Lindsay Brownley
Lake King	Jason Sugg
Varley	Steven Davies
Newdegate	Bill Lloyd
Buniche	Tim Lloyd
Lake Grace	Scott Strevett
Kuender	Terry Smith
Dunn Rock	Peter Roberts

Fire Control Officers – Permit Issuing with Radio

North Lake Grace	Doug Dunham (Base) Brad Watson Leon Morgan Terry Willcocks Evan Wyatt
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South Lake Grace	Scott Strevett (Base) Kevin Naisbitt
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North Newdegate	Barry Ness (Base) Ron Shalders Craig Shalders Ian Lloyd Bill Lloyd John Dunkeld Tim Lloyd
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South Newdegate	Greg Dunkeld Geoff Cugley Matt Cugley Wes Hall Peter Kennedy Syd Walker Pete Walker
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Lake King/Varley	Geoff Richardson Ben Hyde Jason Sugg Arthur Sugg (Base) Garry Miles Callum Lumsden Craig Newman Steven Davies Richard Metcalf (Base) Hugh Roberts
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Mt Madden/Dunn Rock	Peter Roberts Darcy (G) Roberts David Roberts Lindsay Brownley
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MOTION 10955 continued

	Bob Allen
	Dwayne Allen
Newdegate Town	David Tonkin
Lake Grace Town	Rex Walker
Lake King Town	Ben Carlton
Varley Town	Steven Hyde
	Brent Hyde

Fire Control Officers – Non Permit Issuing (without Radio)

North Lake Grace	Mr Colin Jenks
	Mr Greg Carruthers
	Mr Ross Chappell
South Lake Grace	Mr Bill (WA) Willcocks
	Mr Noel Bairstow

Dual Fire Control Officers – Shire of Lake Grace

Ravensthorpe	Jerramungup	Dumbleyung
Peter Roberts	Peter Roberts	Kevin Naisbitt
		Leon Morgan
Kulin	Kent	Esperance
Evan Wyatt	Leon Morgan	Richard Metcalf
Doug Dunham		

2. The following be authorised to issue clover and proclaimed plant burning permits during the 2010/2011 season in conjunction with the closest available Fire Control Officer to the person making the application.

Chief Fire Control Officer
Deputy Chief Fire Control Officers
Chief Executive Officer
Manager Corporate Services

3. The following persons be authorised to supply information relating to harvest bans for general radio broadcasting during the 2010/11 season.

Chief Executive Officer
Chief Bush Fire Control Officer
Manager Corporate Services
Deputy Chief Bush Fire Control Officers
Base Radio Operators and their Spouses
Natural Resource Manager (in the absence of the Chief Executive Officer and the Manager Corporate Services.)

4. Council endorse the following submissions to the Upper Great Southern Bushfire District Operations Advisory Committee:

a) Mains Roads WA be requested to stop its practise of slashing roadsides due to fire hazard concerns.

b) Adopt a policy of a harvest ban and movement of vehicle ban when the Fire Danger reaches 'Very High' (currently 32 on the Grassland Fire Danger Meter) and that this level be adopted state wide.

MOTION 10955 continued

c) On Catastrophic Forecast days the Shire of Lake Grace Bushfire Advisory Committee retain the right to delay implementation of a Harvest Ban and Movement of Vehicle Ban until the Fire Danger reaches 'Very High' (currently 32 on the Grassland Fire Danger Meter), and to lift the Harvest Ban and Movement of Vehicle Ban when conditions become safe – below 'Very High' (currently 32 on the Grassland Fire Danger Meter).

MOTION CARRIED 7/0

15.7 EXTRAORDINARY ELECTION

2.54pm *Cr Farrelly re-entered the meeting.*

Applicant:	Western Australian Electoral Commission
File No.	0229
Attachments:	Letter
Author:	Mr Mark Burbridge Manager Corporate Services
Disclosure of Interest:	Nil
Date of Report:	17 February 2010
Senior Officer:	Mr Sean Fletcher Chief Executive Officer

Summary

For Council to appoint the Electoral Commissioner to be responsible for the conduct of an extraordinary election following the resignation of Councillor Dunkeld in February 2010, and decide that the method of conducting the election will be as a postal election.

Background

Notification of Councillor Dunkeld's resignation was received on 15 February 2010. Councillor Dunkeld represented the Newdegate Ward in a term expiring October 2011.

Section 4.8 of the Local Government Act 1995 (*the Act*) requires that if the office of a Councillor becomes vacant, an election to fill the office is to be held. Such an election is called an extraordinary election.

Furthermore, Section 4.9 of the *Act* requires that any poll needed for an extraordinary election is to be held on a day decided on and fixed by the council at a meeting held within one month after the vacancy occurs. An extraordinary election day cannot be more than 4 months after a vacancy occurs.

Section 4.20 of the *Act* provides that the Chief Executive Officer is the returning officer of a local government for each election unless Council appoints a person other than the CEO. Section 4.20(4) of the *Act* enables a local government to declare the Electoral Commissioner to be responsible for the conduct of the election having first obtained the Commissioner's written agreement.

Furthermore, section 4.61 of the *Act* enables a local government to conduct the election as a postal election.

In the attached letter, the Commissioner has agreed to be responsible for the conduct of an extraordinary election on a date to be determined by Council, and seeks Council's endorsement in accordance with the requirements of the *Act*.

Comment

Council has previously acknowledged the benefits of postal elections, namely:

- Increased voter participation;
- Convenience for electors;
- The availability of an experienced Returning Officer at “arms length” from local government business;
- Detailed candidates guides prepared by the Commissioner;
- All eligible electors being given information about the election; and
- Statutory requirements are fulfilled.

In addition, the holding of a postal election is cost effective and the Electoral Commissioner has previously allowed the cost to be allocated over two budget years, if necessary.

In appointing the Electoral Commissioner to be responsible for this election, Council will ensure that elections are conducted independently and with impartiality. In addition, through adopting postal voting, Council will employ a method of conducting elections that is more convenient for electors and typically achieves a much higher rate of voter participation.

Legal Implications

Local Government Act, 1995 – Part 4

Policy Implications

Council has previously agreed to conduct postal elections

Consultation

Internal – Chief Executive Officer

External – Western Australian Electoral Commission

Financial Implications

The Electoral Commission have estimated a cost of \$8,000 (Inc GST) to conduct this extraordinary election.

Council, in its 2009/10 Budget, has an allowance of \$9,000 for election expenses (Account E041040), though much of this allowance has already been committed to the conduct of the 2009 Ordinary Elections (final expenses not known at time of this report).

Strategic Implications

N/A

Recommendation

That Council:

1. Declare, in accordance with section 4.20(4) of the Local Government Act 1995, the Electoral Commissioner to be responsible for the conduct of an extraordinary election;
2. Decide, in accordance with section 4.61(2) of the Local Government Act 1995 that the method of conducting the extraordinary election will be as a postal election; and,
3. Determine the election date to be Thursday 20 May 2010.

Voting Requirements

Absolute Majority Required (5)

Resolution

Moved Cr

Seconded Cr

MOTION 10956

Moved Cr Milton
Seconded Cr De Landgraft

That Council:

1. Declare, in accordance with section 4.20(4) of the Local Government Act 1995, the Electoral Commissioner to be responsible for the conduct of an extraordinary election;
2. Decide, in accordance with section 4.61(2) of the Local Government Act 1995 that the method of conducting the extraordinary election will be as a postal election; and,
3. Determine the election date to be Thursday 20 May 2010.

MOTION CARRIED 8/0

15.8 LOCAL GOVERNMENT COMPLIANCE AUDIT – 1 JANUARY 2009 TO 31 DECEMBER 2009

Applicant:	Department of Local Government & Regional Development
File No:	0528
Attachments:	Compliance Return
Author:	Mrs Jeanette Bennett Executive Assistant
Disclosure of Interest:	Nil
Date of Report:	15 February 2010
Senior Officer:	Mr Sean Fletcher Chief Executive Officer

Summary

The purpose of this report is for adoption of the Statutory Compliance Audit Return for the year ending 31 December 2009 and endorsement of the required certification.

Background

The Department of Local Government & Regional Development produces a Statutory Compliance Audit Return for Local Government to use as a checklist of statutory obligations and compliance.

The return is to be approved by Council, certified by the President and Chief Executive Officer and submitted to the Director General Department of Local Government and Regional Development by 31 March 2010.

This year, Local Government Consultant, Mr Gary Martin was engaged to undertake the Compliance Audit Review independent of the Shire management. The conducting of an independent review every four to five years enhances the Shire's internal control processes to ensure compliance and improves operational management control by using "best practice" procedures.

Mr Martin conducted the Audit on-site during the first week of February. The standard of compliance was deemed satisfactory and showed a culture of awareness of compliance requirements. For context purposes, non compliance or partial non-compliance related to only 21 of the total 347 items included in the Compliance Return, an achievement of 94%.

Mr Martin found the Shire to have sound management systems given the considerable turn over of employees during the return period, which was found to contribute to the areas of non-compliance.

Mr Martin's report will be made available via the Information Bulletin.

Comment

The independent audit was timely in establishing a benchmark in respect to the standard of management in the Shire following the change of CEO in late 2009.

This year's return has been completed online and now requires certification.

The following non compliance issues are noted for information:

Delegations

Question 8 – Delegations to the CEO were not made in writing.

Question 9 – Delegations from the CEO to other employees were not made in writing.

Question 13 – No records were kept by persons exercising delegations.

Corrective Action - An "Instrument of Delegation" form is to be introduced and provided to existing employees and as a matter of course to new employees appointed to positions where a delegation has been made to the position.

Disclosures of Interest

Question 7 – Not all relevant employees had lodged an annual return by 31 August 2009.

Corrective Action – Requirements will be explained to the one employee who failed to lodge an annual return.

Elections

Questions 14, 31, 32, 33 & 34 – An Electoral Gift Register has not been kept.

Corrective Action – A review of the election record requirements is to be conducted.

Executive Functions

Question 10 – The Shire has not kept plans for the levels and alignments of public thoroughfares under its control or management.

Corrective Action – Awaiting implementation of the new Romans 11 software.

Employees

Question 7 – A senior employee position advertisement did not include details of the proposed contract period.

Corrective Action – Will be addressed in future.

Question 10 – An annual performance review was not conducted for all employees during the review period.

Corrective Action – Reviews are currently underway for all staff.

Question 14 & 15 – The contracts for senior employees do not contain adequate clear clauses regarding maximum amounts of money payable on termination.

Corrective Action – This is debateable, however will be addressed in due course.

Question 16 – Shire Policy 4.5 – Severance Pay does not contain adequate detail in respect of the circumstances or manner of assessing any payment.

Corrective Action – Requirements to be verified during next policy review.

Local Laws

Question 13 – The review of Local Laws within the eight year period requires attention.

Corrective Action – A consultant has been engaged during the current budget period to assist updating the Local Laws.

Meeting Process

Question 56 – The register of gifts has not been maintained.

Corrective Action – A new register to replace lost register is in place.

Tenders

Question 23 – A specific decision to invite tenders was not recorded in the register.

Corrective Action – Although listed in the budget for action, a decision to go to tender is still required unless the CEO is given delegation to do so. This will be addressed during the budget process.

Question 28 & 29 – Details of considerations of the accepted tenders were not consistently recorded in the register.

Corrective Action – Relates to one tender only – details were not completed on the coversheet.

Consultation

External: Mr Gary Martin
Internal: Chief Executive Officer
Manager Corporate Services
Executive Assistant
Senior Finance Officer
Senior Administration Officer
Environmental Health Officer
Building Officer

Legal Implications

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

Policy implications

N/A

Financial implications

N/A

Strategic implications

Shire of Lake Grace Strategic Plan

Organisational Excellence

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

Voting Requirements

Simple majority required

Recommendation/Resolution

MOTION 10957

Moved Cr Farrelly
Seconded Cr Newman

That:

1. The Local Government Statutory Compliance Return for the Shire of Lake Grace for the period 1 January 2009 to 31 December 2009 be adopted; and that,
2. The Certification contained within the Local Government Statutory Compliance Return be endorsed by the Shire President and the Chief Executive Officer.

MOTION CARRIED 8/0

3.00pm Meeting adjourned for afternoon tea.

3.35pm Meeting reconvened with all those previously present in attendance.

16.0 URGENT BUSINESS BY DECISION OF THE MEETING

None.

17.0 SCHEDULING OF MEETING

17.1 MARCH 2010 ORDINARY MEETING

Motion 10913 November 2009 states:

An Ordinary Meeting of Council will be held on Wednesday 24 March 2010, commencing at 1:00pm at the Varley Sports Pavilion, Varley.

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

MOTION 10958

Moved Cr Chappell
Seconded Cr Farrelly

That Council close the meeting to the public at this time, being 3.38pm, to discuss:

- Item 18.1 Newdegate Medical Centre – Tender Contract Variation
- Notice of Motion – Crs Milton & Chappell
- Item 18.2 Manager Corporate Services - Appointment

MOTION CARRIED 8/0

MOTION 10959

Moved Cr Newman
Seconded Cr De Landgraft

That the order of business be changed to bring Item 18.2 forward for consideration.

MOTION CARRIED 8/0

3.40pm

Mr Burbridge, Mrs Owen, Mr Dittrich and Mrs Bennett left the meeting.

18.2 MANAGER CORPORATE SERVICES – APPOINTMENT

Item forwarded under separate cover.

MOTION 10960

Moved Cr Newman
Seconded Cr Farrelly

That:

Council accepts the recommendation of the Chief Executive Officer to employ Mr Peter Dittrich in the position of Manager Corporate Services.

The use of the Common Seal on the contract be authorised.

MOTION CARRIED 8/0

3.45pm *Mr Burbridge, Mrs Owen and Mrs Bennett re-entered the meeting.*

18.1 NEWDEGATE MEDICAL CENTRE – TENDER CONTRACT VARIATION

Item forwarded under separate cover.

MOTION

Moved Cr Farrelly
Seconded Cr Milton

That Council:

1. Rejects all tenders for Tender 3/2009
2. Endorses the Chief Executive Officer to arrange for the construction of the Newdegate Medical Centre according to the original specification on the basis of the Shire being the owner/builder which includes engaging a suitable person to manage the project.
3. Is advised by the Chief Executive Officer of any further price increases outside a minor variation that would require a decision of Council.

Speaker against the motion: Cr Milton

Speaker for the motion: Cr Newman

4.12pm *Crs Newman, Chamberlain, De Landgraft and Sinclair left the meeting.*

MOTION NOT VOTED ON DUE TO LACK OF A QUORUM

4.17pm *As per Standing Orders 5.2 (1) (b) meeting was deemed to have been adjourned - this matter will resume at this point at the next Ordinary Meeting of Council and will be the first order of business.*

- 4.17pm Shire President and the Chief Executive Officer left the meeting to seek advice on the matter.
- 4.27pm Shire President and the Chief Executive Officer re-entered the meeting
- 4.29pm Shire President left the meeting to seek out those Councillors not present and advise them they needed to return to the meeting as a quorum was required to allow the meeting to close.
- 4.32pm Crs Chamberlain, Newman, De Landgraftt, Sinclair and the Shire President re-entered the meeting.

NOTE: Content of these minutes recorded as per:

- Local Government Act 1995 s. 5.25 (1) (f)
- Regulation 11 of the Local Government (Administration) Regulations 1996 as amended
- Shire of Lake Grace Standing Orders 5.2 (1) (b)

MOTION 10961

Moved Cr Chamberlain
Seconded Cr Sinclair

That Council re-open the meeting to the public at this time, being 4.33pm.

MOTION CARRIED 8/0

19.0 CLOSURE

The Shire President noted the recent resignation of Manager Corporate Services Mr Mark Burbridge and commended him on his many achievements during his nine years at the Shire of Lake Grace and wished him well for the future.

There being no further business, the Chairperson closed the meeting at 4.35pm.

20.0 CERTIFICATION

I Andrew James Walker certify that the minutes of the meeting held on the 24 February 2010 as shown were confirmed as a true record at the meeting held on the 24 March 2010.

Chairman

Date