

# SHIRE OF LAKE GRACE



# ***Minutes***

Ordinary Council Meeting

26 March 2008

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## SHIRE OF LAKE GRACE

### MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD AT THE VARLEY SPORTS PAVILION, VARLEY ON WEDNESDAY, 26 MARCH 2008.

#### 1.0 OPENING & ANNOUNCEMENT OF VISITORS

The Chairperson (President) opened the meeting at 1.04 pm.

#### 2.0 ATTENDANCE RECORD

##### 2.1 PRESENT

Cr AJ Walker	Shire President
Cr IG Chamberlain	Deputy Shire President
Cr JF De Landgraft	
Cr AJ Dunkeld	
Cr OP Farrelly	
Cr AI Milton	
Cr WA Newman	
Cr DP Sinclair	
Cr RP Taylor	
Mr HJ Fraser	Chief Executive Officer
Mr MW Burbridge	Manager Corporate Services
Mr LW White	Manager Community Services
Mrs J Bennett	Executive Assistant
Mr John Cornwall	President Varley Progress Association
Mrs Margaret Sullivan	Varley CWA Branch
Mrs Vicki McPhee	Varley community
Mrs Jane McPhee	Varley community
Mrs Dallas Strother	Varley Community
Mrs Marianne Rohrlach	Varley CWA Branch
Ms Helen Rohrlach	Varley community
Mrs Carla Hyde	Varley community
Mrs Sylvia Brandenburg	Shire Honorary Freeman, President Lake King Progress Association

1.43pm *Mr John Cornwall, Mrs Margaret Sullivan, Mrs Vicki McPhee, Mrs Jane McPhee, Mrs Dallas Strother, Mrs Marianne Rohrlach and Ms Helen Rohrlach left the meeting.*

**2.2      APOLOGIES**

None.

**2.3      LEAVE OF ABSENCE PREVIOUSLY GRANTED**

None.

**3.0    PUBLIC QUESTION TIME****3.1      MRS VICKI McPHEE – LAKE CAMM**

**Query:** If we wanted to have a community function for our “80<sup>th</sup> Year” celebration for Varley in the Hall this year are we likely to see any maintenance at all done this year i.e. disabled toilets?

**Reply:** *The Shire President replied that as everyone is aware there are issues with maintaining the Varley Hall at present. No significant funds were allocated in the 2007/08 budget for major maintenance, with \$4,000.00 being allocated to cover insurance and utilities.*

*Following investigations in 2007 it has been estimated that the cost to bring the Hall up to scratch to meet Public Building Standards would be approximately \$160,000.00. Council is in the process of seeking direction from the community on the future viability of the Hall so that Council can plan for the future and budgets can adequately reflect community needs.*

**Mrs McPhee:** Replied that she will not be happy should the planned function in the Hall during October not be able to go ahead and that at present the community are most unhappy at not being able to gain access to the Hall.

**3.2      MRS MARGARET SULLIVAN - VARLEY**

**Query 1:** Why is the whole Hall maintenance issue being added to this simple solution at this time?

**Query 2:** Halls come under General Revenue so why is the Shire talking specified area rating?

**Query 3:** Why, if all this work has to be done can the Shire not try for a Lotteries grant?

**Reply:** *The President replied that public hall maintenance is specified area rated i.e. the painting, repairing the ceiling and major capital works are general rated i.e. new disabled toilets and access ramp.*

**Mrs Sullivan:** Then queried the fact that this time last year the Hall was useable, then along came a simple ceiling repair job which was botched and the community has not been allowed in since. The ceiling was supposed to have been an insurance repair job, had it been attended to the Hall could have been used. Why has it not been fixed?

**Reply:** *The Shire President advised that apart from the ceiling other maintenance issues were identified at the time, hence its closure to the public.*

**Mrs Sullivan:** Requested Council adjourn the meeting so everybody could go and have a look and see what needs to be done.

**Reply:** *The President advised that it was not a good idea for such a large group of people to visit the Hall at this point in time.*

**Mrs Sullivan:** Stated the Hall is a community centre, the community needs the Hall and without it the community does not happen. When is the community going to be able to inspect the Hall?

**Reply:** *CEO, Mr Jim Fraser advised that Council's Building Surveyor would be requested to re-visit and re-assess the Varley Hall on his next visit – approximately three weeks away.*

**Mrs Sullivan:** Can the community be notified and be allowed to participate?

**Reply:** *Shire President agreed and advised that Lotterywest funding can be looked at when other funding avenues are considered.*

### **3.3            MR GARY STROTHER – HOLT ROCK**

The following questions and statements in writing were presented on behalf of Mr Gary Strother:

Why was the ceiling not repaired under insurance with a quality job?

Why has the Shire ignored requests by the Progress Association and other clubs and organisations over many years?

The Varley Hall was built around 1964 and constructed in conjunction with a local committee. It was rated as the best Hall in the Lakes Area.

The Shire Hall is a meeting place for many organisations eg. CWA, RSL, Progress Association, Church, CBH and other meetings convened at different times.

The loss of the Hall as has been spoken about would take the heart out of the District and even affect the price of land in our District and deprive the local community of normal social activities. This is not even an option in my view.

**Reply:** *Shire President advised Mr Strother's questions will be taken on notice and replied to in writing.*

### 3.4 **MRS SYLVIA BRANDENBURG**

Mrs Brandenburg empathised with the Varley community over the issues with the Hall, it was in 1996 that the first request for disabled toilets was made and nothing has progressed since.

Mrs Brandenburg congratulated the Shire on its progress with the Lake King Public Toilet building – the workmanship is fantastic and Council's Building Maintenance Officer, Wayne Trawinski is to be congratulated.

As part of the public toilet area development, the Lake King Progress Association has been successful in obtaining a grant through the ABC Radio's Gardening Program to establish a garden using recycled water.

The Lake King Town Streetscape Project has an allocation of \$40,000 in the current budget, no work has been done to this time, and the Progress Association is hoping Council will add another \$40,000 onto it this budget.

A Progress Association meeting will be held on 8 April to formalise the 2008/09 budget requests.

### 3.5 **MR JOHN CORNWALL**

**Query:** President of the Varley Progress Association - as a follow up from the Varley Progress meeting has a letter been sent to ratepayers?

**Query:** Has it been decided what costs will be specified area rated - maintenance, upgrade, capital?

**Query:** Are demolition costs available?

Mr Cornwall followed up his questions with further requests for the ratepayers letter to include clarification on specified area rate boundaries, actual rate costs. He also welcomed Council representatives to the Varley meetings and advised that if the Shire has issues they wish to raise please let the community know and they can advertise through their newsletters.

**Reply:** *CEO, Mr Jim Fraser apologised for the delay in getting the letter out to ratepayers, a map would be provided with the information and an indication given in relation to the cents in the dollar rate for every \$10,000 worth of specified area rate raised. Along with the letter ratepayers will also receive the voting package for the Varley Bowling Green upgrade.*

Mr Cornwall also requested Council approach the Kulin Shire for any contribution towards capital items.

### 3.6 MRS MARIANNE ROHRLACH

**Query:** Mrs Rohrlach gave a history of Hall requests since the 1990's including roof repairs and painting, toilet water pipes and an additional outside tap. In the 04/05 budget there was \$27,622 for parks and garden maintenance, and in the 05/06 budget \$22,622 – as maintenance is an ongoing item and as things get older more maintenance is needed not less – why is there less money?

They are advised plumbing is specified area rated and new toilets are general rated – but surely plumbing for new toilets should also come from general revenue - or not? Mrs Rohrlach advised she does not understand how that can be as it does not appear to make sense.

**Reply:** Shire President advised Specified Area Rating is a tricky business and very hard to understand, it certainly needs definition and Council is currently reviewing the policy.

The President thanked everyone for their attendance and advised that the questions would be taken on notice and everyone would receive a written reply.

The community requested that copies be made available to the Varley Progress Association and the Varley CWA.

## 4.0 APPLICATIONS FOR LEAVE OF ABSENCE

None.

## 5.0 MINUTES OF PREVIOUS COUNCIL MEETINGS

### 5.1 ORDINARY MEETING – 27 FEBRUARY 2008

#### Resolution

#### **MOTION 10574**

Moved Cr Taylor  
Seconded Cr De Landgraft

That the minutes of the Ordinary Meeting of Council held on the 27 February 2008 be confirmed as a true and accurate record.

**MOTION CARRIED 9/0**



## **6.0 DECLARATIONS OF INTEREST**

### **6.1 DECLARATIONS OF FINANCIAL INTEREST – LOCAL GOVERNMENT ACT 1995 SECTION 5.60A**

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

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

Cr Farrelly declared an interest of impartiality in Item 5.2.

## **7.0 NOTICES OF URGENT BUSINESS**

Cr Walker advised that he would be raising the issue of the Newdegate Landfill site and the upcoming deputation to the Albany Department of Environment and Conservation regarding the Newdegate Tip Site/Transfer Station. He seeks direction from Council on various options.

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

None.

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

None.

## **10.0 MEMBERS' REPORTS**

### **10.1 CR FARRELLY**

Reported attendance at the following recent meetings at Council Chambers:

- Audit Committee
- Mens Shed Meeting
- Department of Agriculture & Food – re non staffing of Lake Grace Office – not sure the meeting achieved very much.

### **10.2 CR MILTON**

Reported attendance at the Lake Grace Development Association Meeting, following main points:

- Annual General Meeting in April
- Looking to move on with community projects

- Community cropping program – they are the holder of the funds
- Letter to ministers were written regarding downgrading of Lake Grace District Agriculture Office and the removal of the Manager's position to Narrogin.

### **10.3 CR TAYLOR**

Reported on the community cropping program which has been put in place on Newdegate Research Station land leased to the community – he is the co-ordinator and it is all systems go. Originally it was intended to run sheep on part of the leased land, now the whole lot will be cropped, they are hoping to get enough people to share the workload. It will be a good money spinner and a great fundraiser for community facilities in both Newdegate and Lake Grace.

### **10.4 CR DE LANDGRAFFT**

Attended a recent Isolated Children's Parent's Association (ICPA) Conference. The conference highlighted how the community is reliant on education and vice versa – Mr Bill Mitchell, President of WA Local Government Association addressed the conference.

### **10.5 CR WALKER**

Along with Manager Corporate Services Mr Mark Burbridge, attended the Regional Road Group Sub Committee meeting and workshop in Dumbleyung. The importance of valid road counts was a main topic and that with no road count information Councils are unlikely to be funded. The workshop was to do with the scoring system for roads and linked to funding outcomes

Also attended the WALGA Central Country Zone Meeting in Kulin – the SSS Report was discussed – comment period is now open and individual Councils can comment back to WALGA. Future direction of our health services was also discussed. The bi-partisan agreement for road funding with the Federal Government was also raised – it will end in 2014.

A Local Emergency Management Meeting was held – the committee is in the process of reviewing the risk management document.

The CEO advised he had attended a District Emergency Management Meeting in relation to the Emergency Management Act 2005 and its effect on Local Government. There are now more onerous tasks for local government with no money from the Federal or the State to assist.

Cr Walker also attended a ceremony for the presentation of Red Cross Service Medals – these medals recognise a lot of hard work by the volunteers over many, many years.

There was no Executive Meeting held during March – everyone touched base at last week's CEO Selection Committee Meeting.

**10.6 CR CHAMBERLAIN**

Reported attendance at the CEO Selection Committee meeting held last week to set the CEO key performance areas and indicators. Also discussed was the need to be pro-active in the search for a new CEO. Current CEO Jim Fraser, whose contract expires at the end of next year, will make contact with the LGMA and invite them to publish a promotional article on Lake Grace.

2.00pm

*Cr Milton left the meeting and returned at 2.01pm.*

## **11.0 MATTERS FOR CONSIDERATION – WORKS & SERVICES**

*No items for consideration.*

## 12.0 MATTERS FOR CONSIDERATION – TOWN PLANNING

### 12.1 PROPOSED PLANNING AND DEVELOPMENT AMENDMENT (THIRD PARTY APPEALS) BILL 2007

<b>Correspondent:</b>	Dr Janet Woollard (MLA) - Member for Alfred Cove & Mr Milton Evans (JP) - Mayor of the City of Albany
<b>Applicant:</b>	N/A
<b>File No.</b>	0045
<b>Attachments:</b>	Attachment 1
<b>Author:</b>	Mr Joe Douglas & Mr Steve Pandevski Town Planning Consultant
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	18 March 2008
<b>Senior Officer:</b>	Mr Jim Fraser Chief Executive Officer

#### Summary

In October 2007, Dr Janet Woollard (MLA), Member for Alfred Cove wrote to all Western Australian local government authorities seeking comments on a proposed Private Member's Bill entitled Planning and Development Amendment (Third Party Appeals) Bill 2007 which seeks to introduce third party appeal rights on local government town planning decisions.

By correspondence dated 28 November 2007, Mr Milton Evans, the Mayor of the City of Albany wrote to all Western Australian local government authorities encouraging support for the Draft Private Member's Bill proposed to be introduced to Parliament in 2008 by Dr Janet Woollard.

The Bill intends to introduce a "head of power" and a process whereby objectors and third parties can appeal planning decisions made by any Local Government authority.

The State Council of the Western Australian Local Government Association (WALGA) at its meeting held on 8 February 2008 considered the draft Bill and resolved not to grant its support on behalf of member Local Governments.

The following report has been prepared to assist formulation of a response to the correspondence from Dr Woollard and Mr Evans and to provide advice to WALGA and the Minister for Planning and Infrastructure regarding the Lake Grace Shire Council's position on the proposed draft Bill.

### Background

As previously mentioned, in October 2007, Dr Janet Woollard (MLA), Member for Alfred Cove wrote to all Western Australian local government authorities seeking comments on a proposed Private Member's Bill which seeks to introduce third party appeal rights on local government planning decisions. In November 2007 Mr Milton Evans (JP), Mayor of the City of Albany wrote to all Western Australian Local Governments encouraging support for the proposed Bill (see attachment 1).

The Bill seeks to amend the Planning and Development Act 2005 to include provisions allowing objectors and third parties to appeal Local Government planning decisions and is proposed to be introduced to Parliament this year.

It is understood that the Bill is modelled on Victoria's Planning and Environment Act 1987, which according to Dr Woollard provides the broadest framework for third party rights to appeal.

The basis and justifications for preparation of the Bill and its objectives are not contained in the documentation provided by Dr Woollard nor are they provided in the follow up correspondence from Mr Evans. The only reason provided by Dr Woollard in support of the introduction of the proposed bill is that Western Australia is the only State in Australia that does not have third party appeal rights.

This is perhaps somewhat misleading as the appeal rights in other States in Australia are limited to specific matters. Notwithstanding, this reason alone is considered insufficient justification for the proposed changes which would have a significant impact on Local Government financial and staff resources.

Mr Evans, the Mayor of the City of Albany, by correspondence dated 28 November 2007 to Dr Woollard provides support for the proposed Bill. In the correspondence Mr Evans writes:

*"An applicant is allowed to challenge a planning decision of the local government authority, with no pre-requisition on the lodgement of the review (appeal). Conversely, the community that is affected by that decision is required to obtain standing before the State Administrative Tribunal, facilitated by complex legal arguments and considerable cost. The draft Planning and Development Amendment (Third Party Appeals) Bill 2007 seeks to address that inequity and I commend your actions in proceeding with the Private Member's Bill."*

This view is perhaps somewhat limited given that one of the two existing district zoning schemes currently operative within the City of Albany's municipal area contains provisions enabling third party appeal rights, and may not therefore be representative of the broader position of WALGA members. In fact, the State Council of WALGA at its meeting held on 8 February 2008 considered this matter and resolved that:

- “1. the member for Alfred Cove, Dr Janet Woollard MLA and the Minister for Planning and Development (sic), Hon Alannah MacTiernan be advised of the inaccuracies and duplications contained in the proposed Planning and Development Amendment (Third party Appeals) Bill 2007; and
2. as there is no justification for the proposed legislation and there are significant negative implications for Local Government, industry and the community, Local Government continues to be opposed to the introduction of third party appeal rights in Western Australia.”

In making the above resolution the State Council of WALGA considered a report prepared by its staff which summarised Dr Woollard's draft Bill as follows:

- (it) applies to discretionary decisions under a town planning scheme i.e., third party appeal rights would apply to development applications only, not subdivision applications;
- (it) provides that “any person who may be affected by the grant of a permit may object to the grant of a permit”. This very broad, undefined definition of a third party could be open to much interpretation and abuse;
- (it) sets out fairly complex administrative arrangements for development applications, registers, fees, record keeping, etc;
- (it) sets out procedural arrangements for information to be provided with the development application, and the advertising and referral requirements, which seem to duplicate provisions in the Model Scheme Text, and therefore local town planning schemes; and
- (it) appears to elevate the status of restrictive covenants placed on land titles by land developers above a local town planning scheme, requiring Local Governments to become involved in processes relating to restrictive covenants, which they are not a party to.

#### Comment

According to WALGA the introduction of third party appeal rights associated with all town planning decisions across the State was last considered by the Government in 2001 during debate on the new planning appeal system and in 2002 during consolidation and preparation of the current Planning and Development Act.

Advocates of third party appeal rights on local government planning decisions in Western Australia often point out (amongst other things) that:

- Western Australia is the only State without some form of uniform third party appeal rights on planning decisions;
- Third party appeal rights on planning matters is a vital component of accountable local government decision making processes; and
- Third party appeal rights will provide the local community with a voice and a mechanism in which to oppose undesirable development.

Critics of third party appeal rights on local government planning decisions in Western Australia often point out (amongst other things) that:

- The existing planning processes and legislative framework require Council's to have regard for the views of affected parties and the general community;
- Local government decision maker's (i.e. Councillor's), under the current legislative framework, are currently accountable to the Community. Section 2.10 of the Local Government Act 1995 identifies the role of a Councillor and states:

“A councillor –

- (a) represents the interests of electors, ratepayers and residents of the district;
  - (b) provides leadership and guidance to the community in the district;
  - (c) facilitates communication between the community and the Council;
  - (d) participates in the local government's decision-making processes at Council and committee meetings; and
  - (e) performs such other functions as are given to a councillor by this Act or any other written law.”
- If a member of the community is dissatisfied with the process by which a Local Government has made a decision, or believes that any process followed has been unusual or unlawful, there is a right to request the Local Government Ombudsman to investigate the matter;
  - If a member of the community is of the view that in making a decision the local government has failed to properly enforce, implement or observe the provisions and requirements of a local planning scheme, that member may make a representation to the Minister for Planning and Infrastructure, pursuant to section 211 of the Planning and Development Act 2005, to take action and rectify the situation;
  - Third party appeals could be lodged because of vexatious or commercial interests, not because of genuine planning matters and such appeals would cause additional costs for development, as even lodgment of an appeal would effectively put a development on “hold” pending determination of the appeal; and
  - Additional planning appeals would place further burden on already stretched Local Government resources. Local Governments would incur additional costs for new administrative steps in processing development applications, preparing for and responding to appeals lodged with the State Administrative Appeals Tribunal (SAT) including legal representation.

The content of the Bill proposed by Dr Woollard, if accepted by Parliament, would potentially provide a third party appeal right for every R-Code variation, development standards variation (setbacks, car



parking, landscaping etc), any proposal that requires advertising under the local planning scheme and local structure plan proposals. This list is not exhaustive and simply identifies examples of where third party appeal rights could be invoked if the proposed Bill were to be enacted.

#### Conclusion

It is concluded that the existing planning and legislative framework contains sufficient requirements and processes to enable local government authorities to have due regard for broader community interests in exercising their decision making responsibilities without the need to introduce third party appeal rights on such decisions. Furthermore, given the lack of support for the Bill by WALGA and the foreseeable negative implications for local government, the development industry and the community at large, it is the recommendation of this report that the Lake Grace Shire Council forms a view, similar to that of WALGA, not to support Dr Woollard's proposed Private Member's Bill.

#### Legal Implications

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

#### Policy Implications

Nil

#### Consultation

Not required.

#### Financial Implications

In the event that the proposed Private Member's Bill is successfully introduced into State Parliament and results in an amendment to the Planning and Development Act 2005, local government authorities across Western Australia will need to provide additional financial and human resources to prepare for and respond to third party appeal applications in the State Administrative Tribunal.

The total annual cost of preparing for and responding to such applications is unknown, however it is estimated that the average cost of preparing for and responding to each individual application could be in the order of \$10,000 to \$15,000 excluding GST.

#### Strategic Implications

Nil

#### Cultural Implications

Nil

#### Voting Requirements

Simple majority required.

Recommendation/Resolution

**MOTION 10575**

Moved Cr Newman  
Seconded Cr Milton

That Council resolves to:

1. Acknowledge receipt of the draft Private Member's Bill entitled *Planning and Development Amendment (Third Party Appeals) Bill 2007* proposed to be introduced to State Parliament in 2008 by Dr Janet Woollard MLA (Member for Alfred Cove) and circulated to all Western Australian local government authorities for review and comment.
2. Acknowledge receipt of correspondence from Mr Milton Evans, the Mayor of the City of Albany, dated 28 November 2007 encouraging support for the proposed Private Member's Bill entitled Planning and Development Amendment (Third Party Appeals) Bill 2007.
3. Acknowledge WALGA's resolution dated 8 February 2008 to "continue to be opposed to the introduction of third party appeal rights (for planning decisions) in Western Australia".
4. Form the view that:
  - i) The existing planning and legislative framework contains sufficient requirements and processes to enable local government authorities to have due regard for broader community interests in exercising their decision making responsibilities without the need to introduce third party appeal rights on such decisions; and
  - ii) The introduction of third party appeal rights in the manner proposed by the draft Private Member's Bill entitled Planning and Development Amendment (Third Party Appeals) Bill 2007 will have significant negative implications for Local Government, the development industry and the community at large, with particular reference to the Shire of Lake Grace municipal area, and is not therefore supported by the Lake Grace Shire Council.
5. Advise Dr Janet Woollard (Member for Alfred Cove), Mr Milton Evans (Mayor, City of Albany), the Western Australian Local Government Association and Mrs Alannah MacTiernan (Minister for Planning and Infrastructure) of Council's resolution in this matter.

**MOTION CARRIED 9/0**

## 12.2 PROPOSED AMALGAMATION OF LOTS 79 & 80 STUBBS STREET LAKE GRACE

**Applicant:** PH & KE Gow Licensed Surveyors on behalf of AD & RE Marshall  
**File No.** 0369  
**Attachments:** Plans 1 to 3  
**Author:** Mr Joe Douglas & Mr Steve Pandevski  
 Town Planning Consultant  
**Disclosure of Interest:** Nil  
**Date of Report:** 18 March 2008  
**Senior Officer:** Mr Jim Fraser  
 Chief Executive Officer

### Summary

The following report has been prepared in response to correspondence received from the Western Australian Planning Commission (WAPC) seeking Council's comment on the proposed amalgamation of Lots 79 and 80 Stubbs Street, Lake Grace into one (1) new individually titled lot.

In accordance with the specific requirements of section 142(2) of the Planning and Development Act 2005 the Shire of Lake Grace has forty two (42) days to provide the WAPC with any comments and/or recommendations considered relevant to the proposal. The 42 day period for comment expires on 26 March 2008, however the Shire by correspondence dated 4 March 2008 advised the WAPC that Council's next scheduled meeting is on 26 March 2008 and that Council's comments will be provided to the Commission by 2 April 2008.

An assessment of the application in the context of the Shire's current Local Planning Strategy and Local Planning Scheme and a final recommendation regarding the general suitability of the proposal are provided below to assist preparation of the necessary response to the WAPC.

### Background

Lots 79 and 80 Stubbs Street are immediately adjoining lots located centrally within the Lake Grace townsite on the southern side of Stubbs Street, west of Carruthers Street and east of Bishop Street. The lots have direct frontage to Stubbs Street which is constructed to a suitable urban standard and is a designated 'major road' within the Lake Grace townsite and a Right of Way (R.O.W) at the rear which appears to be constructed to a gravel standard (see Plan 1 – Location Plan).

According to the latest aerial imagery and data available from Landgate, Lots 79 and 80 comprise an area of approximately 1,074m<sup>2</sup> each. The lots are rectangular in shape, are relatively level and contain buildings, carparking and manoeuvring areas and external /storage display areas

associated with the approved use of the land as a hardware store. Lots 79 and 80 do not appear to contain any significant vegetation or landscaped areas (see Plan 2 – Aerial Site Plan).

Vehicle access to the property is currently facilitated via an existing crossover on Stubbs Street to Lot 80. The latest available aerial imagery from Landgate indicates that the R.O.W at the rear of the land is not used to provide vehicle access to the hardware store and that the rear boundary abutting the R.O.W. is fenced. Clientele carparking appears to occur primarily along the Stubbs Street road reserve within designated carparking bays.

#### Comment

PH & KE Gow Licensed Surveyors, on behalf of the landowners, Allan Douglas Marshall and Rita Elizabeth Marshall, have recently lodged an application with the WAPC seeking approval to amalgamate the subject land into one (1) new separately titled commercial lot to facilitate the proposed expansion of the existing building on Lot 79 which currently accommodates a hardware store. Specific details of the proposed amalgamation are shown on the attached Plan 3 – ‘Plan of Proposed Amalgamation’ and summarised in the following table:

Lot Particulars	Existing Land Area(Approx.)	Proposed Land Area(Approx.)
Existing Lot 79	1,074m <sup>2</sup>	-
Existing Lot 80	1,074m <sup>2</sup>	
Proposed Lot A	-	2,148m <sup>2</sup>

In considering the amalgamation application Council is required to have due regard for provisions contained in the Shire of Lake Grace Local Planning Strategy and Local Planning Scheme No.4 prior to formulating its response to the WAPC.

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

#### **Shire of Lake Grace Local Planning Strategy**

Lots 79 and 80 Stubbs Street, Lake Grace have been assigned a strategic land use classification of ‘Commercial’ under the Shire of Lake Grace Local Planning Strategy. The Local Planning Strategy identifies that the cost of providing essential service infrastructure is a significant influencing factor in the development of new or additional areas for commerce and industry within the Lake Grace townsite and to that extent the Strategy aims to maximise the use of existing appropriately located and serviced land for commercial and industrial purposes.

Lots 79 and 80 are located with direct frontage to the main east-west road through the Lake Grace townsite, providing excellent levels of vehicle access and commercial exposure. The land currently contains a well established hardware store.

The proposed amalgamation of the land into one title will facilitate the proposed expansion of the main building on the property and could be expected to lead to improvements in the operational efficiency of the existing use of the land for commercial purposes.

Taking into consideration the aims of the Local Planning Strategy and the intended purpose of the proposed amalgamation, it is the view formed by this report that the proposal is generally consistent with and will facilitate the objectives of the Shire of Lake Grace Local Planning Strategy as this applies to land assigned a strategic land use classification of 'Commercial'

#### **Shire of Lake Grace Local Planning Scheme No.4**

- Lots 79 and 80 Stubbs Street are currently classified 'Commercial' zone under Local Planning Scheme No.4 (LPS No.4). Council's stated objectives for land classified 'Commercial' zone are:
- To ensure that the zone develops and continues to function effectively as the principal place for retail shopping, commercial, civic and administrative activity within each townsite and the District generally.
- To encourage a high standard of development which serves to enhance the character of the zone.
- To encourage the retention and development of features which enhance the appearance of the zone, give it character or provide a sense of identity.
- To maintain the compatibility with the general streetscape for all new buildings in terms of scale, height, style, materials, street alignment and design of facades.
- To maintain safety and efficiency of traffic flows and ensure that adequate provision is made for the circulation and parking of vehicles.
- To preclude the storage of bulky and unsightly goods where they may be in public view.
- To provide for residential uses only where such uses are combined with a commercial use.
- To encourage and assist the restructuring of the built environment of the zone to enhance:
  - pedestrian movement systems;
  - the appearance of buildings, car parking areas and open spaces;
  - user convenience and safety; and
  - traffic management.

In considering the intended purpose of the proposed amalgamation of Lots 79 and 80 against the objectives of the land classified 'Commercial' zone under LPS No.4 it is the view of this report that the proposal does not prejudice or detrimentally affect those objectives. In fact it may be considered that the proposal:

- i. is consistent with the stated objectives of the land's current zoning classification;
- ii. will help to ensure that the land continues to be used for commercial purposes; and
- iii. will facilitate the proposed redevelopment of the site in a manner that satisfies the current landowners' commercial and business needs and enhances the overall standard of development on the land.

### **Conclusion**

It is concluded from an assessment of the application in the context of the Shire's Local Planning Strategy and Local Planning Scheme No.4 that the proposed amalgamation of Lots 79 and 80 Stubbs Street, Lake Grace into one (1) new separately titled commercial lot is aligned with the outcomes intended by the relevant planning framework and is therefore consistent with the principles of proper and orderly planning. Accordingly it is recommended that Council unconditionally supports the proposed amalgamation of the subject land as proposed.

### Legal Implications

Planning and Development Act 2005

Shire of Lake Grace Local Planning Scheme No.4

### Policy Implications

Nil

### Consultation

Not required.

### Financial Implications

Nil

### Strategic Implications

Shire of Lake Grace Local Planning Strategy

### Voting Requirements

Simple majority required.

Recommendation/Resolution

**MOTION 10576**

Moved Cr Taylor  
Seconded Cr Newman

That Council advise the Western Australian Planning Commission that it unconditionally supports the application submitted by PH & KE Gow Licensed Surveyors on behalf of the current landowners Allan Douglas Marshall and Rita Elizabeth Marshall to amalgamate Lots 79 and 80 Stubbs Street, Lake Grace into one (1) new separately titled commercial lot in accordance with the details of the plan submitted in support of the application.

**AMENDMENT**

Moved Cr Chamberlain  
Seconded Cr De Landgraft

That the following words be added after the word “application” in line 6:

“subject to the submission of a Planning Application and Building Application in relation to the future development of the land”.

**MOTION LOST 1/8**

The President then put the original motion:

Moved Cr Taylor  
Seconded Cr Newman

That Council advise the Western Australian Planning Commission that it unconditionally supports the application submitted by PH & KE Gow Licensed Surveyors on behalf of the current landowners Allan Douglas Marshall and Rita Elizabeth Marshall to amalgamate Lots 79 and 80 Stubbs Street, Lake Grace into one (1) new separately titled commercial lot in accordance with the details of the plan submitted in support of the application.

**MOTION CARRIED 9/0**

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

*No items for consideration.*



## 14.0 MATTERS FOR CONSIDERATION – FINANCE

### 14.1 ACCOUNTS FOR PAYMENT – FEBRUARY 2008

**Applicant:** Shire of Lake Grace  
**File No.** 0277  
**Attachments:** List of Creditors  
**Author:** Miss Rysha Bird  
Finance Officer  
**Disclosure of Interest:** Nil  
**Date of Report:** 19 March 2008  
**Senior Officer:** Mr Jim Fraser  
Chief Executive Officer

#### Summary

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

#### Background

List of invoices paid for the month of February 2008 through the Municipal Account is attached.

#### Comment

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

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

The attached list meets the requirements of the Financial Regulations.

#### Legal Implications

Local Government (Financial Management) Regulations 1996 – Reg 12  
Local Government (Financial Management) Regulations 1996 – Reg 13

#### Policy Implications

N/A

#### Consultation

N/A

Financial Implications

The list of creditors paid for the month of February 2008 from the Municipal Account amounts to \$296,884.51.

Strategic Implications

N/A

Cultural Implications

N/A

Voting Requirements

Simple majority required.

Recommendation/Resolution

**MOTION 10577**

Moved Cr Newman  
Seconded Cr Dunkeld

That Municipal Account cheques 33049 to 33071, Electronic Funds Transfers EFT3726 to EFT3783 and direct debits to the Municipal Accounts totalling \$296,884.51 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 9/0**

## 14.2 FINANCIAL STATEMENTS – FEBRUARY 2008

**Applicant:** Shire of Lake Grace  
**File No.** 0275  
**Attachments:** Financial Reports  
**Author:** Mrs Danielle Robertson  
Senior Finance Officer  
**Disclosure of Interest:** Nil  
**Date of Report:** 18 March 2008  
**Senior Officer:** Mr Jim Fraser  
Chief Executive Officer

### Summary

Consideration of the financial statements for the month ending 29 February 2008.

### 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 Expenditure and Operating Income Graphs
- Bank Reconciliation

### Legal Implications

Local Government Act 1995 – section 6.4

Local Government (Financial Management) Regulations 1996

### Policy Implications

N/A

### Consultation

N/A

### Financial Implications

Nil.

### Strategic Implications

N/A

### Voting Requirements

Simple majority required.

Recommendation/Resolution

**MOTION 10578**

Moved Cr Farrelly  
Seconded Cr Milton

That the financial reports for the month ending 29 February 2008 as attached be received.

**MOTION CARRIED 9/0**

### 14.3 INVESTMENT OF SURPLUS FUNDS

**Applicant:** Manager of Corporate Services  
**File No.** 0267  
**Attachments:** Nil  
**Author:** Mr Mark Burbridge  
 Manager Corporate Services  
**Disclosure of Interest:** Nil  
**Date of Report:** 19 March 2008  
**Senior Officer:** Mr Jim Fraser  
 Chief Executive Officer

#### Summary

Report on the investment of surplus funds for the Reserve and Municipal Funds.

#### Background

In accordance with Council Policy 3.5

#### Comment

The following surplus funds have been invested during February 2008:

Financial Institution	Fund	Lodgement	Maturity	Term	Amount	Interest Rate
Westpac	Municipal	17/01/08	17/02/08	1 Month	\$303,349.89	6.48%
			<i>Returned to Cheque Account</i>			
BankWest	Municipal	16/01/08	15/02/08	30 days	\$307,036.58	7.04%
			<i>Returned to Cheque Account</i>			
BankWest	Reserve	18/09/07	17/03/08	6 months	\$1,000,000.00	7.06%
			<i>Re-invested below:</i>			
		17/03/08	16/04/08	30 days	\$1,035,009.86	7.69%

Effective 29 February 2008 Council holds no Municipal funds in term deposits. Approximately \$1 Million is held in Council's Municipal Cheque account to meet upcoming cash expenditure requirements.

As no immediate need is foreseen for the expenditure of Reserve funds, the deposit of \$1 Million plus interest earned of \$35,009.86 has been re-invested for a further 30 days.

#### Legal Implications

Nil.

#### Policy Implications

As per Council Policy 3.5

Consultation

N/A

Financial Implications

N/A

Strategic Implications

N/A

Cultural Implications

N/A

Voting Requirements

Simple majority required.

Recommendation/Resolution

**MOTION 10579**

Moved Cr De Landgraft  
Seconded Cr Dunkeld

That the investment report for February 2008 be approved.

**MOTION CARRIED 9/0**

**14.4      2007/08 BUDGET REVIEW**

**Applicant:** Shire of Lake Grace  
**File No.** 0202  
**Attachments:** Financial Reports  
**Author:** Mr Mark Burbridge  
Manager of Corporate Services  
**Disclosure of Interest:** Nil  
**Date of Report:** 19 March 2008  
**Senior Officer:** Mr Jim Fraser  
Chief Executive Officer

**Summary**

For Council to endorse Audit Committee recommendations in relation to the 2007/08 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 met on 19 March 2008 during which it considered a review of Council's 2007/08 Budget, as prepared by the Chief Executive Officer, Jim Fraser, Manager of Community Services, Lance White, Manager of Corporate Services, Mark Burbridge, and finance consultant Bill Bond.

**Comment**

The Annual Budget Review of the Rate Setting Statement shows the proposed revised budget (highlighted in grey), and the estimated surplus at the end of the year of \$16,524.

Proposed revenue has dropped from \$5,037,516 to \$4,054,527 mainly as the result of capital grant income which has not been received, and this correlates to the reduced capital expenditure in the budget.

The estimated surplus brought forward has also been amended to coincide with the 2006-07 Annual Financial Statements.

Following a detailed discussion of the proposed changes in the 2007/08 Budget Review, the Audit Committee made the following recommendation to Council:

*Motion 0026*

*Moved Cr Taylor*

*Seconded Cr Milton*

*That the 2007/08 Budget Review as presented be approved and the following amendments be made to the 2007/08 Budget:*

*<Schedule of changes to Accounts as per Recommendation Below>*

MOTION CARRIED 3/0

Legal Implications

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

Policy Implications

Nil

Consultation

N/A

Financial Implications

Following a review of the financial statements, a surplus of \$16,524 has been identified. This surplus will be factored into 2008/09 budget deliberations.

Strategic Implications

N/A

Cultural Implications

N/A

Voting Requirements

Absolute majority (5) required.



Audit Committee Recommendation/Resolution**MOTION 10580**

Moved Cr Farrelly  
Seconded Cr Taylor

That the 2007/08 Budget Review, as recommended by Council's Audit Committee, be approved and the following amendments be made to the 2007/08 Budget:

Account E030220 (Valuation Expenses) be increased by \$4440 to \$20000  
 Account E030230 (Rates Collection Fees) be increased by \$2500 to \$4000  
 Account E041020 (Members Travelling) be increased by \$2076 to \$18500  
 Account E041065 (Deputy Presidents Allowance) be decreased by \$1000 to \$2500  
 Account E041120 (Council Annual Dinner Expenses) be decreased by \$6148 to \$1352  
 Account E041150 (Councillors Insurances) be increased by \$892 to \$19538  
 Account E041160 (Subscriptions) be decreased by \$120 to \$12880  
 Account E041170 (Councillor's Other Expenses) be increased by \$3000 to \$7800  
 Account E041196 (Sustainability Development) be decreased by \$4293 to \$15707  
 Account E041200 (Junior Council Expenses) be decreased by \$2000 to \$0  
 Account E041300 (Administration Allocated) be increased by \$8272 to \$231720  
 Account E042021 (Workers Compensation Insurance) be increased by \$2146 to \$20239  
 Account E042023 (Fringe Benefits Tax) be decreased by \$4000 to \$13488  
 Account E042024 (Staff Conference & Travel Exp.) be decreased by \$1000 to \$7000  
 Account E042026 (Staff Uniform Allowances) be increased by \$1000 to \$4000  
 Account E042027 (Professional Services Contract) be increased by \$3163 to \$7163  
 Account E042029 (Consultancy Charges) be increased by \$21524 to \$26524  
 Account E042080 (Telephone/Facsimile Expenses) be increased by \$5000 to \$20508  
 Account E042090 (Postage & Freight) be decreased by \$2000 to \$2000  
 Account E042120 (Bank Charges) be increased by \$400 to \$2596  
 Account E042245 (Insurances) be increased by \$892 to \$19468  
 Account E042250 (5 Banksia Place (DCEO)) be increased by \$136 to \$1289  
 Account E042275 (Community Concert) be decreased by \$5000 to \$0  
 Account E042285 (Lake Grace Centenary Celebrations) be decreased by \$9861 to \$139  
 Account E042300 (Administration Costs Allocated) be decreased by \$8272 to \$752870  
 Account E042547 (Administration Office Landscaping) be decreased by \$5000 to \$20000  
 Account E042549 (Shire Admin Centre Upgrade - Retention) be increased by \$3740 to \$28465  
 Account E042550 (Purchase Admin Vehicles) be decreased by \$39000 to \$57000  
 Account E042557 (Replace Front & Back Veranda - 23 Absolon St) be decreased by \$3461 to \$1539  
 Account E042558 (Renovate 5 Banksia Place, Lake Grace) be increased by \$2454 to \$10454  
 Account E042920 (Loss On Sale Of Assets) be decreased by \$4128 to \$5000  
 Account E051050 (Bushfire Insurance) be increased by \$69 to \$5885  
 Account E051060 (Maintain Bushfire Equipment) be increased by \$7577 to \$14758  
 Account E051285 (Protective Clothing) be decreased by \$1000 to \$4000  
 Account E051290 (Bushfire Travel & Brigade Exp) be decreased by \$800 to \$1200  
 Account E051360 (Lake King Fire Truck Exps) be decreased by \$200 to \$1773  
 Account E051370 (Varley Fire Truck Expenses) be increased by \$500 to \$2645  
 Account E051375 (Varley Fire Station Exp) be decreased by \$400 to \$225  
 Account E051564 (Newdegate Fire Station Exp) be increased by \$500 to \$1493  
 Account E051580 (Bushfire AGM Expenses) be increased by \$300 to \$800  
 Account E074011 (Contract Env Health Officer) be decreased by \$4000 to \$35243  
 Account E077011 (L/Grace Ambulance Centre -Expen) be decreased by \$50 to \$50  
 Account E077030 (8 Wattle Drive (Doctors Res)) be increased by \$1000 to \$3160  
 Account E077500 (Purchase Doctors Vehicle) be decreased by \$32000 to \$0  
 Account E093015 (9B Collier Street, Newdegate) be increased by \$5105 to \$9079  
 Account E093162 (A/C - Logchop Units) be decreased by \$606 to \$14394  
 Account E094018 (169A Pickernell Way, Lake King) be increased by \$8114 to \$9862  
 Account E094020 (48A Tamar Tce, Varley) be increased by \$700 to \$2127  
 Account E094023 (67A Bennett Street, Lake Grace) be increased by \$1010 to \$2524  
 Account E094025 (170A Pickernell Way, Lake King) be increased by \$450 to \$1976  
 Account E094027 (39A Maley St, Newdegate) be increased by \$2560 to \$3500  
 Account E094028 (39B Maley St, Newdegate) be increased by \$1560 to \$2500  
 Account E095050 (Village Grounds Maintenance) be decreased by \$1200 to \$1645  
 Account E095062 (Independent Living Units - Newdegate) be decreased by \$30000 to \$0  
 Account E101205 (Waste Management Initiatives) be decreased by \$20000 to \$5000  
 Account E102010 (Drum-Muster Expense Lake Grace) be increased by \$934 to \$6000  
 Account E102020 (Drum-Muster Expense Newdegate) be increased by \$2500 to \$4500

**MOTION 10580 continued**

Account E102030 (Drum-Muster Expense Lake King) be increased by \$1000 to \$2500  
 Account E102040 (Drum-Muster Expense Varley) be increased by \$500 to \$2000  
 Account E103163 (Upgrade Lake Grace Sewerage) be decreased by \$80000 to \$70000  
 Account E107010 (Lake Grace Cemetery Maintnce) be decreased by \$1000 to \$6112  
 Account E107020 (Newdegate Cemetery Maintenance) be increased by \$1000 to \$1700

Account E107030 (Lake King Cemetery Maintenance) be decreased by \$300 to \$200  
 Account E107040 (Varley Cemetery Maintenance) be increased by \$1500 to \$2000  
 Account E107110 (Lake Grace Public Toilet Expenses) be increased by \$1000 to \$4225  
 Account E107120 (Newdegate Public Toilet Expenses) be increased by \$2000 to \$15534  
 Account E107140 (Varley Public Toilet Expenses) be increased by \$2000 to \$7796  
 Account E1107256 (L/Grace Playground Restoration - Part 2) be decreased by \$112019 to \$0  
 Account E112016 (Workers Compensation Insurance) be increased by \$494 to \$5170  
 Account E112017 (Conference/Training Expenses) be increased by \$375 to \$2235  
 Account E112516 (Upgrade Chlorination System) be increased by \$2500 to \$8500  
 Account E113130 (L/Grace Playground Maintenance) be increased by \$67 to \$584  
 Account E113180 (L/Grace Parks & Gardens) be increased by \$9355 to \$46329  
 Account E113183 (Sports Oval Dam Upgrade) be decreased by \$156000 to \$74000  
 Account E113189 (Lake Grace Sporting Precinct Development) be decreased by \$349575 to \$240425  
 Account E113262 (Newdegate Tennis Pavilion Exps) be increased by \$244 to \$541  
 Account E113280 (Newdegate Parks & Gardens) be increased by \$4000 to \$58476  
 Account E113380 (Lake King Parks & Gardens) be increased by \$2000 to \$9258  
 Account E113450 (Varley Sports Pavilion Expense) be increased by \$800 to \$3045  
 Account E113480 (Varley Parks & Gardens) be increased by \$6000 to \$12015  
 Account E113535 (Pingaring Rec Ground Expenses) be increased by \$31 to \$61  
 Account E113700 (Dunn Rock-L/Camm Tennis Clubs) be increased by \$13 to \$118  
 Account E114281 (Expenditure Lake Grace - T V) be increased by \$2638 to \$4873  
 Account E114283 (Expenditure Lake King - T V) be increased by \$1405 to \$2285  
 Account E115022 (Newdegate Library Control Exp) be increased by \$100 to \$699  
 Account E115024 (Pingaring Library Operating Ex) be increased by \$60 to \$585  
 Account E121300 (Roadworks - Capital Upgrade) be decreased by \$165757 to \$183000  
 Account E122500 (Rural Road Maintenance) be decreased by \$45000 to \$1037469  
 Account E122600 (Town Street Maintenance) be decreased by \$5000 to \$302596  
 Account E123010 (Replace - Utes/Light Vehicles) be decreased by \$75406 to \$59594  
 Account E123011 (Replace - Roadworks Machinery) be decreased by \$25909 to \$24091  
 Account E126002 (Newdegate Airstrip Maint.) be increased by \$271 to \$2227  
 Account E126003 (Lake King Airstrip Maint.) be increased by \$875 to \$1875  
 Account E126206 (Lake Grace Airstrip Building Upgrade) be increased by \$4000 to \$10356  
 Account E126501 (L/Grace Airstrip Build Repairs) be decreased by \$1000 to \$971  
 Account E132028 (Brochures - Lotterywest Package) be decreased by \$19252 to \$0  
 Account E132100 (Men's Shed) be decreased by \$10000 to \$0  
 Account E132500 (Visitor Centre Improvements/Upgrade) be increased by \$10456 to \$34000  
 Account E132502 (Ngt Railway Building Upgrade) be decreased by \$50000 to \$0  
 Account E133050 (Contract Building Surveyor) be decreased by \$4000 to \$20236  
 Account E136003 (Lake Grace Town (Washdown) Standpipe Exp.) be increased by \$17 to \$647  
 Account E136004 (James Dam Standpipe Exp.) be increased by \$106 to \$361  
 Account E136005 (Kulin-LG Road (Nth) Standpipe Exp) be increased by \$1434 to \$2909  
 Account E136006 (Gimbel/Kulin Rd (Mordetta) Standpipe Exp.) be decreased by \$600 to \$387  
 Account E136008 (Bidly Camm/Nth Newdegate Standpipe Exp.) be decreased by \$100 to \$327  
 Account E136009 (Burngup Sth Rd Standpipe Exp.) be increased by \$4035 to \$6628  
 Account E136010 (Gimbel Road Standpipe) be increased by \$9 to \$739  
 Account E136011 (Newman Rd Standpipe Exp.) be increased by \$644 to \$859  
 Account E136012 (Lake Bidly/Roger Rd Standpipe Exp.) be increased by \$877 to \$1377  
 Account E136013 (Sth Jarring Rd Standpipe Exp.) be decreased by \$400 to \$250  
 Account E136014 (Pitt St, Varley Standpipe Exp.) be increased by \$180 to \$750  
 Account E136015 (Bidly Camm/Mission Rd Standpipe Exp.) be decreased by \$1202 to \$0  
 Account E136016 (Grdwater Exploration Mt Madden) be increased by \$33482 to \$33482  
 Account E136110 (Construct Water Tanks) be decreased by \$12500 to \$12500  
 Account E136115 (Ngt Town Dam Project (CBH Catchment Dam)) be increased by \$7938 to \$18590  
 Account E136117 (Magenta Community Dam) be increased by \$2535 to \$17577  
 Account E136119 (South East Newdegate Community Dam) be increased by \$306 to \$16725  
 Account E137250 (Lake King Residential Land) be decreased by \$20000 to \$0  
 Account E137500 (Lot 1 Development Costs) be decreased by \$95094 to \$5575  
 Account E141270 (Private Works Expenses) be decreased by \$22607 to \$411  
 Account E143013 (Long Service Leave ) be increased by \$18471 to \$18471  
 Account E143014 (RDO - WORKS) be increased by \$117 to \$117  
 Account E143018 (Prof.Indemnity/Liability Insu.) be increased by \$892 to \$16373  
 Account E143019 (Engineering Conference Expense) be decreased by \$2500 to \$0  
 Account E143020 (Travelling/Accommodation Exp.) be decreased by \$1000 to \$0

**MOTION 10580 continued**

Account E143025 (Vehicle Expenses MOW LG002) be increased by \$2000 to \$8780  
 Account E143035 (Inspection & Data Collection) be decreased by \$5000 to \$4620  
 Account E143060 (Workers Compensation Insurance) be increased by \$526 to \$38116  
 Account E143061 (Allowances - Outside Staff) be decreased by \$5000 to \$15712  
 Account E143120 (Relocation Allowances) be increased by \$6549 to \$8049  
 Account E143125 (Staff Recruitment) be increased by \$2666 to \$7666  
 Account E143130 (6 Banksia Place) be increased by \$919 to \$3983  
 Account E143136 (74 Stubbs Street) be decreased by \$2000 to \$2948  
 Account E143139 (3 Clark Avenue) be increased by \$5000 to \$10106  
 Account E143290 (Less Allocated To Works & Serv) be increased by \$11868 to \$588078  
 Account E143515 (Apprentice Carpenter - Wages) be decreased by \$34008 to \$22730  
 Account E143525 (Tool Replacement) be increased by \$500 to \$1500  
 Account E144010 (Plant - Fuel And Oils) be decreased by \$60000 to \$188513  
 Account E144015 (Plant - Tyres And Tubes) be increased by \$6000 to \$25807  
 Account E144032 (Apprentice Mechanic Wages) be decreased by \$26874 to \$9874  
 Account E144050 (Plant - Insurances & Licenses) be decreased by \$20000 to \$5138  
 Account E144290 (Less Allocated To Works & Serv) be increased by \$100874 to \$459505  
 Account E160107 (Interest On Overdraft) be increased by \$670 to \$820  
 Account I030101 (GRV Valuations) be increased by \$1435 to \$231718  
 Account I030135 (Interim Rates) be increased by \$4000 to \$4000  
 Account I030140 (Rates Collection Fee Recoup) be increased by \$2500 to \$4000  
 Account I030141 (Ex-Gratia Contribution - CBH) be increased by \$843 to \$27343  
 Account I030205 (Rates Account Enquiry Fees) be increased by \$305 to \$1800  
 Account I030206 (Plus Instalment Interest) be increased by \$2200 to \$10000  
 Account I030250 (Admin Fee - Rate Instalments) be increased by \$600 to \$6000  
 Account I030301 (Grants Commission - General) be increased by \$3024 to \$523157  
 Account I030302 (Grants Commission - Road Funds) be increased by \$7649 to \$953765  
 Account I041370 (Reimbursements) be increased by \$780 to \$780  
 Account I042100 (Admin Staff Housing Rents) be increased by \$560 to \$3200  
 Account I042105 (Project Administration - Lotterywest Package) be decreased by \$10000 to \$0  
 Account I042110 (Lake Grace Centenary - Spons/Grant) be decreased by \$10000 to \$0  
 Account I042370 (Reimbursements) be increased by \$28 to \$28  
 Account I042397 (Rebates & Commissions) be increased by \$447 to \$447  
 Account I042442 (Other Sundry Income) be increased by \$4226 to \$4226  
 Account I042450 (Sale Of Electoral Rolls/Maps) be decreased by \$127 to \$173  
 Account I042910 (Proceeds From Sale Of Vehicles) be decreased by \$40000 to \$35000  
 Account I042920 (Realisation Of Assets) be increased by \$40000 to \$35000  
 Account I042990 (Profit On Sale Of Assets) be decreased by \$8307 to \$0  
 Account I052400 (Dog Infringements) be decreased by \$200 to \$100  
 Account I052420 (Dog Registration Fees) be increased by \$180 to \$1880  
 Account I053103 (Grant - Community Safety & Crime Prevention) be increased by \$6200 to \$6200  
 Account I077600 (Proceeds From Sale Of Vehicle) be decreased by \$25000 to \$0  
 Account I077910 (Profit On Sale Of Assets) be decreased by \$1838 to \$0  
 Account I077920 (Realisation Of Assets) be increased by \$25000 to \$0  
 Account I093410 (Logchop Housing Rents) be decreased by \$1290 to \$22710  
 Account I101410 (Refuse Removal Charges) be decreased by \$3055 to \$35565  
 Account I101412 (Recycling Charge) be decreased by \$1729 to \$36491  
 Account I101415 (Refuse Removal Charges - Additional Bins) be decreased by \$411 to \$10249  
 Account I101416 (Waste Management Grant) be decreased by \$20000 to \$5000  
 Account I102430 (Drum-Muster Reimbursements) be increased by \$4934 to \$15000  
 Account I103450 (Sewerage Rates) be increased by \$237 to \$90249  
 Account I103751 (L/Grace Sewerage-Tsfr From Res) be decreased by \$120000 to \$30000  
 Account I106110 (Town Planning Fees) be increased by \$2400 to \$3000  
 Account I107410 (Cemeteries Fees And Charges) be increased by \$50 to \$2050  
 Account I107411 (Grant - LG Cemetery Repairs - Lotterywest Community Package) be decreased by \$112019 to \$0  
 Account I107750 (Works & Svc-Tsf From Reserve) be increased by \$40000 to \$40000  
 Account I111410 (Hall And Equipment Hire Fees) be increased by \$49 to \$160  
 Account I112410 (Pool Admission fees - LG) be increased by \$2672 to \$13672  
 Account I113188 (Interest Loan 183 Sportsman Club Reimb) be increased by \$2380 to \$2380  
 Account I113189 (CRSFF Flood Funding) be decreased by \$220000 to \$100000  
 Account I113190 (Grant - On The Sheep's Back Project) be decreased by \$10000 to \$0  
 Account I113201 (Grant - Ngt ARC Program) be increased by \$205 to \$5205  
 Account I113420 (Lake Grace Sport & Rec - GRV) be decreased by \$343 to \$125560  
 Account I113421 (Lake Grace Sport & Rec - UV) be decreased by \$1170 to \$279066  
 Account I113422 (Newdegate Sport & Rec - GRV) be increased by \$4004 to \$30838  
 Account I113423 (Newdegate Sport & Rec - UV) be increased by \$667 to \$180252  
 Account I113424 (Lake King Sport & Rec - GRV) be decreased by \$3 to \$3461  
 Account I113425 (Lake King Sport & Rec - UV) be increased by \$4 to \$54270

**MOTION 10580 continued**

Account I113426 (Varley Sport & Rec - GRV) be decreased by \$4 to \$2271  
 Account I113427 (Varley Sport & Rec - UV) be decreased by \$4 to \$30219  
 Account I113430 (Newdegate Indoor Rec Ctr - GRV) be increased by \$448 to \$2524  
 Account I113434 (Ngt Rec Council - Affil Fees) be decreased by \$218 to \$13124  
 Account I113440 (Sports Pavilion Hire Fees) be increased by \$273 to \$273  
 Account I113446 (LG Sporting Precinct - CSRFF Funding) be decreased by \$100000 to \$145000  
 Account I113447 (LG Sporting Precinct - Rec Council) be decreased by \$100000 to \$100000  
 Account I113448 (LG Sporting Precinct - Other) be decreased by \$112956 to \$0  
 Account I113450 (Ngt Pavilion Hire Fees) be increased by \$50 to \$50  
 Account I113710 (Loan 183 Sportsman Club Reimbursement) be increased by \$416 to \$416  
 Account I114401 (Charges - Lake Grace - T V) be decreased by \$673 to \$3509  
 Account I114402 (Charges - Newdegate - T V) be increased by \$869 to \$3140  
 Account I114403 (Charges - Lake King - T V) be increased by \$1489 to \$2675  
 Account I115320 (Lake Grace Resource Cent - GRV) be decreased by \$11 to \$3885  
 Account I115321 (Lake Grace Resource Cent - UV) be decreased by \$18 to \$8261  
 Account I115325 (Newdegate Resource Cent - GRV) be increased by \$220 to \$1698  
 Account I115326 (Newdegate Resource Cent - UV) be increased by \$6 to \$7223  
 Account I121700 (Grant - Lotterywest - AIM Pathway) be decreased by \$12157 to \$0  
 Account I121701 (Grant - Lotterywest - Street Furniture) be decreased by \$113600 to \$0  
 Account I121702 (Grant - Lotterywest - Town Entry Statements) be decreased by \$40000 to \$0  
 Account I122076 (Grant - Tree Planting/Roadside Vegetation) be decreased by \$45000 to \$0  
 Account I122077 (Grant - Lotterywest - Flood Markers) be decreased by \$5000 to \$0  
 Account I122364 (Proceeds Sale Of Materials) be increased by \$800 to \$800  
 Account I122367 (Harvest Mass Management Scheme) be decreased by \$73 to \$6427  
 Account I123100 (Transfer From Reserves) be decreased by \$50000 to \$0  
 Account I123115 (Proceeds From Sale Of Vehicles) be decreased by \$118210 to \$39091  
 Account I123910 (Profit On Sale Of Assets) be decreased by \$25933 to \$0  
 Account I123920 (Realisation Of Assets) be increased by \$118210 to \$39091  
 Account I125300 (Commission Transport) be increased by \$2000 to \$27253  
 Account I132410 (Grant -LG Visitor Centre Upgrade/Brochures) be decreased by \$8796 to \$34000  
 Account I132411 (Grant - Ngt Railway Building Upgrade) be decreased by \$50000 to \$0  
 Account I132412 (Grant - Men's Shed) be decreased by \$10000 to \$0  
 Account I133410 (Building Permit Fees) be increased by \$10000 to \$12300  
 Account I136100 (Sale Of Standpipe Water) be increased by \$1416 to \$7181  
 Account I136166 (Grant - Varley Community Water Supply) be decreased by \$50000 to \$50000  
 Account I136167 (Grant - Groundwater ExplorationMt Madden) be increased by \$30000 to \$30000  
 Account I137100 (Grant - DLGRD Headworks) be decreased by \$36217 to \$0  
 Account I137600 (Transfer From Reserve) be decreased by \$104452 to \$20000  
 Account I137900 (Proceeds - Sale of Land) be increased by \$50000 to \$50000  
 Account I141460 (Private Works Income) be decreased by \$22607 to \$411  
 Account I141461 (Private Works - Profit) be decreased by \$5714 to \$40  
 Account I144210 (Vehicle Reimbursements) be decreased by \$5000 to \$7240  
 Account I144350 (Insurance Recoups) be increased by \$6889 to \$6889  
 Account I146300 (Gross Salaries & Wages) be increased by \$6009 to \$6009  
 Account I160210 (Interest On Investment - General Fund) be decreased by \$15000 to \$45000

**MOTION CARRIED BY ABSOLUTE MAJORITY 9/0**

## 15.0 MATTERS FOR CONSIDERATION – ADMINISTRATION

### 15.1 RANGER – APPOINTMENT & AUTHORISATION

**Applicant:** Great Southern Ranger Services  
**File No.** 0384  
**Attachments:** Nil  
**Author:** Mr Lance White  
Manager Community Services  
**Disclosure of Interest:** Nil  
**Date of Report:** 12 March 2008  
**Senior Officer:** Mr Jim Fraser  
Chief Executive Officer

#### Summary

This report recommends Council appoint Mr Phil Gough, Great Southern Ranger Services, as Dog Control Officer, Dog Registration Officer and other authorisations as listed.

#### Background

Council currently utilises WA Ranger Services under agreement, whom are gazetted to work within the Shire under various authorisations.

Mr Phil Gough, Great Southern Ranger Services, whom resides in Narrogin, currently services the Shires of Brookton, Pingelly, Kulin and Kondinin and has written to Council offering his services to the Shire of Lake Grace.

#### Comment

Mr Gough offers his services for \$35.00 per hour for time spent within the Shire and a current kilometre rate of 71.5 cents per kilometre indexed to inflation and given Mr Gough operates within a close proximity, his appointment under contract would enhance the Ranger Services offered within the Shire.

Staff believe the quoted costs to be very acceptable and recommend Mr Phil Gough to be authorised to act as:

Dog registration Officer under the provisions of the Dog Act 1976,

Be authorised to act under the provisions of the:

- Control of Vehicles (Off Road Areas) Act 1978

- Dog Act 1976 and associated regulations
- Bush Fires Act 1954 and associated regulations
- Litter Control Act 1979 and associated regulations
- Caravan and Camping Grounds Act 1995 and associated regulations
- Local Government Act 1995 and associated regulations
- Local Government Act 1995 (Miscellaneous Provisions) Act 1960 and associated regulations

#### Legal Implications

Acts of Parliament.

- Control of Vehicles (Off Road Areas) Act 1978
- Dog Act 1976 and associated regulations
- Bush Fires Act 1954 and associated regulations
- Litter Control Act 1979 and associated regulations
- Caravan and Camping Grounds Act 1995 and associated regulations
- Local Government Act 1995 and associated regulations
- Local Government Act 1995 (Miscellaneous Provisions) Act 1960 and associated regulations

#### Policy Implications

There is no Council policy applicable to this report.

#### Consultation

Internal: Chief Executive Officer.

External: Mr Phil Gough, Great Southern Ranger Services.

#### Financial Implications

Funding has been allocated for Ranger Services in the 2007/08 budget.

#### Strategic Implications

Improved services to residents.

#### Cultural Implications

Nil

#### Voting Requirements

Absolute majority (5) required.

Recommendation/Resolution

**MOTION 10581**

Moved Cr Newman  
Seconded Cr Farrelly

1. That Council appoint Mr Phil Gough under agreement, to be reviewed annually, as a Dog Registration Officer, Ranger and Pound Keeper under the Dog Act 1976.
2. That Council authorise Mr Phil Gough to enforce the Dog Act 1976, including the 'registering of dogs', 'impounding of dogs', 'seize', 'detain', and 'dispose of dogs' in accordance with the provisions of that Act.
3. That Council appoint Phil Gough under agreement, to be reviewed annually as an authorised officer within the control of the following:
  - Control of Vehicles (Off Road Areas) Act 1978 and Regulations
  - Bush Fires Act 1954 and Regulations
  - Litter Control Act 1979 and Regulations
  - Caravan and Camping Grounds Act 1995 and Regulations
  - Local Government Act 1995 and Regulations
  - Local Government (Miscellaneous Provisions) Act 1960 and Regulations.

**MOTION CARRIED BY ABSOLUTE MAJORITY 9/0**

**15.2      VALUATION ON LOT 293 STUBBS ST LAKE GRACE**

2.40pm      *Cr Farrelly declared an interest of impartiality in Item 15.2 and left the meeting. The owners of Lot 293 are his brother-in-law and sister-in-law.*

**MOTION 10582**

Moved Cr Taylor  
Seconded Cr Newman

That Cr Farrelly's interest in Item 15.2 be considered trivial and that he be allowed to participate in the debate but not vote on the matter.

**MOTION CARRIED 8/0**

2.42pm      *Cr Farrelly re-entered the meeting and the President advised him of the outcome of Resolution 10582.*

<b>Applicant:</b>	Mr Steve Curtin
<b>File No.</b>	0265
<b>Attachments:</b>	Correspondence and valuations, Locality Plan, Copy of Section 6.28 Local Government Act 1995
<b>Author:</b>	Mr Jim Fraser Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	12 March 2008
<b>Senior Officer:</b>	Mr Jim Fraser Chief Executive Officer

Summary

This reports recommends a re-assessment of the Gross Rental Value of Lot 293 Stubbs Street Lake Grace.

Background

Mr Steve Curtin wrote to Council in September 2007 requesting Council to consider a re-assessment of the system for rating Lot 293 Stubbs Street Lake Grace. Mr Curtin subsequently attended the September 2007 Ordinary Meeting of Council speaking to his correspondence and received an assurance that the then Chief Executive Officer **is only too happy to work with Mr Curtin to help sort the situation out.**



Mr Curtin subsequently attended the Ordinary Meeting of Council held on 27 February 2008 and again raised the issue with Council.

The author of the report has since assessed the subject matter.

Mr Curtin reports that he purchased the land in 1995 and completed the construction of a residence in 1999. Mr Curtin has provided details of the valuations for the land as provided by the Valuer General's Office (see attachment). Revaluations are normally carried out every five (5) years and form the basis for the levying of rates.

### Comment

The subject land is within the Lake Grace townsite boundary. The land was zoned 'Rural' under the previous Town Planning Scheme No.3 and is zoned Rural Residential under Local Planning Scheme No.4.

The basis for valuations within townsites is Gross Rental Values and the basis for valuations outside townsites is Unimproved Values (attachment Sect 6.28 LGA 1995)

To enable a suitable comparison to be made with the subject lot:

1. There are minimal small holdings within the Shire either within townsites or in the agricultural areas.
2. There is a small holding on Biddy-Camm Road relatively close to the Lake Grace townsite.
3. There are six lots on the western boundary which form part of a broad acre farming enterprise.

An adjoining Lot (Lot 327) within the Lake Grace townsite which has a shed erected on it has Gross Rental Value currently \$1,050.00.

The zoning of the land has also been assessed against the Local Government Operational Guidelines No.2 – Changing Methods of Valuation of Land (May 2002). The land (Lot 293) was zoned 'Rural' under the recently gazetted Local Planning Scheme No.4. Adjoining Lots 327 and 1 are similarly zoned with Lot 1 being outside the townsite.

The Gross Rental Valuation method is based on the expected rental that could be obtained for that property. During the revaluation process carried out by staff from the Valuer Generals Office an assessment is made of the current rents being paid in the district.

The Unimproved Valuation method is based on the value of the land without improvements and recent sales are assessed to determine the values.

Council staff do not have an involvement in the process other than to provide information when requested.

The author has sought information from the Valuer General's Office in relation to the matter. There was a revaluation undertaken in 2007 with the new valuations coming into effect as of 1 July 2007.

Whilst the period of time to appeal a valuation has expired, an application to the Valuer General's Officer querying the valuation methodology would be accepted. There is no 'provision' to go back further than the current valuation.

Mr Curtin has drawn attention to the historical increase in rates for the property. As well as imposing Specified Area rates the Local Government Act allows for the introduction of Differential rates. It is the author's experience that this action is normally taken to 'differentiate' between various land uses typically in relation to pastoral and mining activities. There can be significant differences in the rate imposed by Councils for these industries.

The introduction of a differential rating system would require a great deal of research.

#### Legal Implications

Local Government Act 1995  
Local Planning Scheme No.4

#### Policy Implications

Policy 3.3 Specified Area Rates

#### Consultation

External: -Valuer General's Office  
- Planning Enterprises

#### Financial Implications

A reduction in the Gross Rental Value would result in a reduction in both general and specified area rates.

#### Strategic Implications

N/A

Cultural Implications

N/A

Recommendation

1. The Valuer General's Office be requested to re-assess the current valuation for Lot 293 Stubbs Street Lake Grace.
2. The basis for rating Lot 293 Stubbs Street Lake Grace remains as Gross Rental Value.

Voting Requirements

Simple majority required.

Resolution

**MOTION 10583**

Moved Cr Newman  
Seconded Cr Milton

The item be tabled until further information can be provided on the changing of town boundaries and how other Shires deal with rural residential lots.

**MOTION CARRIED 8/0**

**REASON FOR CHANGE**

***Council requires further information on the matter.***

### 15.3 AUDIT COMMITTEE – COMMUNITY REPRESENTATIVE

**Applicant:** Shire of Lake Grace  
**File No.** 0202  
**Attachments:** Applications  
**Author:** Mr Mark Burbridge  
Manager of Corporate Services  
**Disclosure of Interest:** Nil  
**Date of Report:** 18 March 2008  
**Senior Officer:** Mr Jim Fraser  
Chief Executive Officer

#### Summary

For Council to consider the appointment of a community representative to the Audit Committee.

#### Background

Council's Audit Committee terms of reference specify that the committee shall consist of four members with three elected and one external person. All members shall have full voting rights. External persons appointed to the committee will have business or financial management/reporting knowledge and experience, and be conversant with financial and other reporting requirements.

Council previously appointed Mr Alex Burt, Business Solutions Manager with BankWest to the Audit Committee for the period October 2005 to September 2007.

As a result of Councillor Elections in October 2007, new appointments from the elected members were required; no meeting of the committee has since been held.

At Council's December 2007 Ordinary Meeting, it was resolved to appoint Crs Milton, Farrelly and Taylor to the Audit Committee, with an advertisement to be placed for a community representative.

#### Comment

A notice was placed in local newspapers on 28 February 2008 seeking nominations for a community representative for the Audit Committee.

The following nominations have been received:

- Mr Maurice Gilson

Mr Gilson is a former employee of the Shire of Lake Grace who was employed in the Parks and Gardens area. Mr Gilson is an active member of the community and is the current Chairperson of the Lake Grace Development Association. Mr Gilson has not detailed any financial management/reporting skills in his nomination.

- Mrs Anke Stoffberg

Mrs Stoffberg has a Bachelors Degree in Accounting Science and has worked in the accounting industry in both South Africa and Australia for over 12 years. Mrs Stoffberg currently runs her own accounting business locally and works for a number of local businesses.

- Mr Joe McEncroe

Mr McEncroe is a former Shire Clerk & Chief Executive Officer of the Shire of Lake Grace for approximately 12 years until 1999. Mr McEncroe has considerable Local Government experience and would have a good understanding of the audit requirements of Council. Whilst Mr McEncroe has not detailed any financial management/reporting skills in his nomination, his working history will have provided him with a high level of exposure in this area. However, Mr McEncroe has noted that he may not be able to attend all Audit Committee meetings due to other personal commitments.

External persons appointed to the Audit Committee are required to have business or financial management/reporting knowledge and experience. Whilst it is pleasing to see a good level of interest in the position from a variety of members of the community, it is the opinion of the author that the applicant with the greatest level of knowledge and experience specific to the *financial* field would be the most suitable for this position. Mrs Stoffberg, through her qualifications and working experience, will bring a high level of financial reporting knowledge to the Audit Committee, which would best suit the purpose for which the committee exists.

The term of appointment can be for a maximum of two years, after which nominations will be called for a new community representative.

### Legal Implications

Local Government Act 1995 - Section 7.1A states:

(1) *A local government is to establish an audit committee of 3 or more persons to exercise the powers and discharge the duties conferred on it.*

(2) *The members of the audit committee of a local government are to be appointed\* by the local government and at least 3 of the members, and the majority of the members, are to be council members.*

*\* Absolute majority required.*

(3) *A CEO is not to be a member of an audit committee and may not nominate a person to be a member of an audit committee or have a person to represent him or her as a member of an audit committee.*

(4) *An employee is not to be a member of an audit committee.*

### Policy Implications

N/A

### Consultation

External: Community representation has been sought through advertisements in local newspapers.

### Financial Implications

Legislation prevents a meeting fee being paid to an external person but it is permissible for a payment to be made, commensurate with the expertise and knowledge of the person appointed to the Audit Committee.

No payments are expected to be required, with the possible exception of travel reimbursements should a meeting be held somewhere other than Council Chambers.

### Strategic Implications

N/A

### Cultural Implications

N/A

### Voting Requirements

Absolute majority (5) required.

Recommendation/Resolution

**MOTION 10584**

Moved Cr Chamberlain  
Seconded Cr Milton

That Council appoint Mrs Anke Stoffberg to the Shire of Lake Grace Audit Committee with the term to expire in October 2009.

**MOTION CARRIED BY ABSOLUTE MAJORITY 9/0**

## 15.4 PROPOSED MENS SHED – LAKE GRACE

**Applicant:** Mens Shed Committee Interim Chairman –  
Mr Joe McEncroe  
**File No.** TBA  
**Attachments:** Nil  
**Author:** Mr Jim Fraser  
Chief Executive Officer  
**Disclosure of Interest:** Nil  
**Date of Report:** 17 March 2008  
**Senior Officer:** Mr Jim Fraser  
Chief Executive Officer

### Summary

This report recommends the establishment of a committee of Council to investigate the development of a men's shed for Lake Grace.

### Background

Lotterywest has advised that a \$500,000.00 funding package will be made available to Lake Grace to assist with the completion of projects following the floods of January 2006. As part of this process a comprehensive community consultation was carried out resulting in a range of projects including the development of a Mens Shed.

The Lake Grace Lions Club through their deliberations, also agreed to investigate a Mens Shed as one of their ongoing projects.

Council agreed to the contents of the Lotterywest package at its 27 June 2007 Ordinary Meeting.

### Comment

A sub committee of the Lake Grace Lions Club has been actively engaging the community and held a meeting on 21 February 2008.

An issue raised at the meeting was the status of a committee which may be formed to further the investigation of the project.

Through the Lotterywest grant process, Council will be the recipient and therefore the responsible entity for the management and acquittal of the funds.



It was agreed that the most benefit to the community would arise if the committee was elected under the provisions of the Local Government Act 1995. The Act allows for committee membership to be made up of Councillors, Staff and Community Members.

At the community meeting members nominated to form a committee included:

- Mr Joe McEncroe
- Mr John DeVree
- Mr Alan Duckworth
- Mr Donald Wallace
- Mr Phil Clarke
- Mr Arthur Slarke
- Mr Craig Reeves

It was recommended that a Councillor also be involved with the committee and the Shire President Cr Andrew Walker requested Cr Ollie Farrelly be the nominee.

A meeting was held on 18 March 2008 and it was agreed that visits be made to several localities where Mens Sheds are operating.

Legal Implications

Local Government Act 1995

Policy Implications

N/A

Consultation

External: Lake Grace Lions Club  
Community Meeting 21 February 2008

Internal: Development Officer

Financial Implications

Core funding to investigate the construction of a Mens Shed will be available through the Lotterywest Lake Grace Community Package.

Strategic Implications

N/A

Cultural Implications

Establishment of a mens shed in Lake Grace will enhance the quality of life and social interaction opportunities for residents.

Voting Requirements

Simple majority required.

Recommendation/Resolution

**MOTION 10585**

Moved Cr Taylor  
Seconded Cr Newman

1. That a Committee of Council be formed under the provisions of Section 5.9 (2) (d) of the Local Government Act 1995 to investigate the development of a Mens Shed for Lake Grace.

2. The Committee to consist of:

Cr Ollie Farrelly  
Mr Joe McEncroe  
Mr John DeVree  
Mr Alan Duckworth  
Mr Donald Wallace  
Mr Phil Clarke  
Mr Arthur Slarke  
Mr Craig Reeves

**MOTION CARRIED 9/0**

## 15.5 **CHIEF EXECUTIVE OFFICER REVIEWS - AREAS & INDICATORS**

**Applicant:** CEO Selection Committee  
**File No.** 0011  
**Attachments:** Nil  
**Author:** Mrs Jeanette Bennett  
Executive Assistant  
**Disclosure of Interest:** Nil  
**Date of Report:** 24 March 2008  
**Senior Officer:** Mr Jim Fraser  
Chief Executive Officer

### Summary

This report recommends Council endorse the key performance areas and indicators for the current Chief Executive Officer's Performance Reviews as developed by the CEO Selection Committee.

### Background

The CEO Selection Committee held a meeting at Council Chambers on Wednesday 19 March 2008 commencing at 8.30am.

The business of the meeting was to workshop and develop performance areas and indicators for the CEO's Performance Reviews.

The CEO's Contract of Employment states as follows"

#### **8.0 PERFORMANCE REVIEWS**

(1) *The Council shall ensure that a review of the CEO's performance is conducted annually or more frequently if the Council or the CEO perceives there is a need to do so.*

(2) *The Council shall give the CEO a minimum of ten working days notice in writing that a performance review is to be conducted to enable the CEO sufficient time to prepare.*

(3) *Where an external facilitator is to be used, both parties shall agree to the nominated facilitator.*

(4) *The CEO shall prepare and submit to the council and/or facilitator an assessment of his/her own performance prior to the assessment by the council.*

(5) *The final report on the performance of the CEO is to be forwarded to the Council for it to consider and decide whether to accept or reject the report.*

Comment

The Minutes of the CEO Selection Committee Meeting will be published in the March 2008 Information Bulletin.

The Contract of Employment with the Chief Executive Officer allows for more frequent performance reviews and the Committee has indicated the first review will be held in July 2008.

Legal Implications

Contract of Employment with the Chief Executive Officer.

Policy Implications

N/A

Consultation

Internal: CEO Selection Committee Members  
Chief Executive Officer

External: Consultants

Financial Implications

N/A

Strategic Implications

N/A

Cultural Implications

N/A

Voting Requirements

Simple majority required.

CEO Selection Committee Recommendation/Resolution

**MOTION 10586**

Moved Cr Farrelly  
 Seconded Cr Dunkeld

That Council endorse the Key Performance Areas and Key Performance Indicators for the Chief Executive Officer’s Performance Reviews as follows:

<b>FINANCIAL</b>	<b>HUMAN RESOURCES</b>	<b>SHIRE OPERATIONS</b>	<b>ROADWORKS</b>	<b>MAJOR PROJECTS</b>
<b>Quarterly (Budget) Reporting:</b> <ul style="list-style-type: none"> <li>• First assessment - presented to Council by November</li> <li>• Second assessment, statutory requirement – presented to Council by March</li> <li>• Third assessment – presented to Council by May</li> <li>• Fourth assessment, statutory requirement – present to Council by August</li> </ul>	<b>Senior Management Positions Adequately Filled:</b> <ul style="list-style-type: none"> <li>• Manager of Works</li> <li>• Manager Corporate Services</li> <li>• Manager Community Services</li> </ul>	<b>Project Management:</b> <ul style="list-style-type: none"> <li>• Key projects - Council determined – monthly reports physical &amp; financial</li> <li>• Physical framework to be developed by July 08</li> <li>• Implementation of physical framework by December 2008</li> </ul>	<b>Reporting:</b> <ul style="list-style-type: none"> <li>• Construction works schedule – to be developed within the budget process</li> <li>• Policy Manual Review – by Jun 08</li> </ul>	<b>Sporting Facilities:</b> <ul style="list-style-type: none"> <li>• Lake Grace Sporting Precinct – Stage One</li> <li>• Newdegate Swimming Pool – management &amp; upgrade</li> </ul>
<b>Development of Major Projects – Specific Financial Reporting:</b> <ul style="list-style-type: none"> <li>• Stage One – August 08 (=framework &amp; skeleton components)</li> <li>• Big ticket projects to budget – report to Council by December 08</li> </ul>	<b>Staff Stability:</b> <ul style="list-style-type: none"> <li>• Turnaround of positions – 3 years</li> </ul>			<b>Townsites:</b> <ul style="list-style-type: none"> <li>• Newdegate Town Rejuvenation Project</li> <li>• Varley Hall</li> </ul>
<b>Plan for the Future:</b> <ul style="list-style-type: none"> <li>• As per statutory requirements Plant Management</li> <li>• Asset Management Principal Activities</li> <li>• Workforce Plan Strategic Plan</li> </ul>	<b>Occupational Health &amp; Safety:</b> <ul style="list-style-type: none"> <li>• Committee meets quarterly</li> <li>• Statutory Requirements</li> </ul>			<b>Land Development:</b> <ul style="list-style-type: none"> <li>• Newdegate Light Industrial Land</li> <li>• Lake Grace Light Industrial Land</li> <li>• Lake Grace Residential Land</li> <li>• Lake King Residential Land</li> <li>• Lake King Industrial Land</li> </ul>
	<b>Staff Reviews:</b> <ul style="list-style-type: none"> <li>• Minimum 12 monthly</li> </ul>			<b>Waste Management/Sewerage:</b> <ul style="list-style-type: none"> <li>• Newdegate Landfill Site</li> <li>• Lake King Recycling</li> <li>• Lake Grace Expansion</li> <li>• Lake Grace Sewerage Scheme</li> </ul>

**MOTION CARRIED 9/0**

## 16.0 URGENT BUSINESS BY DECISION OF THE MEETING

3.32pm            *Cr Chamberlain left the meeting and returned at 3.38pm.*  
 3.33pm            *Cr Sinclair left the meeting and returned at 3.34pm.*

### 16.1            NEWDEGATE LANDFILL SITE/TRANSFER STATION

The Shire President requested Council direction for the meeting/deputation with the Department of Environment and Conservation (DEC) in Albany. The meeting is scheduled for 11am next Monday 31 March 2008.

Cr Walker provided background on the matter and advised Councillors he is seeking input with regard to the deputation on suitable sites and reasons as to why a transfer station is no longer the preferred option.

The CEO is working with Council's Environmental Health Officer gathering the relevant information.

After discussion it was agreed that Lindsay Stephens to be approached re joining the deputation.

Reasons why we are turning away from the transfer station idea include the one off cost for establishment of the site may be hard to manage, ongoing running and site management costs are prohibitive, it is environmentally friendlier to have one tip rather than farmers all having their own tip sites, the ability to recycle and that transferring waste to larger sites is just shortening the lifetime of those sites.

#### Resolution

#### **MOTION 10587**

Moved Cr Milton  
 Seconded Cr Taylor

That Council authorise the delegation to utilise the contents of the Lindsay Stephens Newdegate Landfill Site Report in discussions with the Department of Environment & Conservation at the 31<sup>st</sup> March 2008 meeting in Albany.

**MOTION CARRIED 9/0**

## 17.0 SCHEDULING OF MEETING

### 17.1 APRIL 2008 ORDINARY MEETING

**Motion 10528 November 2007 states:**

An Ordinary Meeting of Council will be held on Wednesday 23 April 2008, commencing at 1.00pm at Council Chambers, Lake Grace.

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

None.

## 19.0 CLOSURE

There being no further business, the Chairperson closed the meeting at 3.50pm.

## 20.0 CERTIFICATION

I \_\_\_\_\_ certify that the minutes of the meeting held on the 26 March 2008 as shown were confirmed as a true record at the meeting held on the 23 April 2008.

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Date