

SHIRE OF LAKE GRACE



Minutes

Ordinary Council Meeting

26 July 2006

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SHIRE OF LAKE GRACE

MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD AT THE LAKE GRACE SPORTSMANS CLUB, STUBBS ST LAKE GRACE, ON WEDNESDAY, 26 JULY 2006.

1.0 OPENING & ANNOUNCEMENT OF VISITORS

The Chairperson (President) opened the meeting at 1.32 pm.

2.0 ATTENDANCE RECORD

2.1 PRESENT

Cr G.E.J. Roberts	Shire President
Cr A.J. Walker	Deputy Shire President
Cr H.R. Bennett	
Cr I.G. Chamberlain	
Cr O.P. Farrelly	
Cr W.A. Newman	
Cr D.P. Sinclair	
Cr D.M.McL. Stewart	
Cr R.P. Taylor	
Mr C.G. Jackson	Chief Executive Officer
Mr Jim Fraser	Project Officer
Mrs J. Bennett	Executive Assistant
Ms Rysha Bird	Clerical Trainee
Mrs Nancye Perkins	Lake King
Mrs Trish Nicholls	Lake King
Mr Peter Pelham	Lake Grace
Mr Jesse Brampton	Trail Planning Consultant

2.2 APOLOGIES

2.3 LEAVE OF ABSENCE PREVIOUSLY GRANTED

None.

3.0 PUBLIC QUESTION TIME

3.1 MRS NANCYE PERKINS – LAKE KING TOILET BLOCK

Mrs Perkins, on behalf of the Lake King Community expressed concern over the intention to reduce the budget allocation for the Lake King Toilet Block in the upcoming 2006/07 budget deliberations. Mrs Perkins made reference to two letters, one from the Lake King Progress Association and one from the local storekeeper.

Mrs Perkins stated that Lake King is in urgent need of a quality style public toilet. The Lake King townsite is becoming littered with human waste and paper and the facility needs to be located at the proposed rest-a-while opposite the local store. Mrs Perkins requested Council move the project along and send costed concept plans to the community for comment.

Mrs Perkins also presented Council with a petition containing 92 signatures which had been placed in the local store over a two day period.

Shire President, Darcy Roberts thanked Mrs Perkins for her attendance at the meeting and advised:

- During Council's recent road inspection tour, Councillors had inspected the Kulin Shire's new public toilet facility located at the Pingaring Store and encouraged Lake King residents to also take a look if the opportunity arose.
- The petition will be formally responded to in due course.

3.2 MR PETER PELHAM – GORDON ROAD LAKE GRACE

Mr Pelham addressed Council on issues in relation to access to Gordon Road which Council had previously considered at its 28 June 2006 Ordinary Meeting. Mr Pelham expressed his disappointment in the result of the decision made at that meeting and distributed handouts to Councillors which outlined the history and spoke to the following points:

Notes to Item 10, Shire meeting 26 June 2006.

Gordon road Lake Grace-Proposed road works and access to Roe location 24 (Pelham)

- *1 There is currently no legal access problem to location 24 as I own both location 24 and 41. Nor is there likely to be in the foreseeable future. Nor was the question of legal access raised in my submission to the council.
- *2 Not true. The two sections were upgraded by the installation of two new culverts widening and resurfacing sometime during the nineties.
- *3 The money allocated by council at the special works committee meeting in June 1988 and the works negotiated with myself were for the provision of a new emergency access road to location 24 to be used during times of flood.
- *4 The gravelling of the new access road was done in 1988, following the construction by me of a small causeway incorporating a new culvert.
- *5 Not true. The road was formed and gravelled in 1988 and is easily visible to anybody who took the trouble to check.
- *6 The fence shown on plan 2 by Mr Peter Gow is the original boundary fence, no longer in use. There is a newer although still an old fence which follows the edge of the salt lake as indicated on the plan which has been used by Clarkes and ourselves as a more practical boundary fence for many years. The new access road follows this fence line on Clarkes side being the closest practical position to the edge of the salt lake. The new access road therefore required a realignment of the original gazetted road which incidentally was the road which was originally planned to service location 24 and our property. The new road as it stands certainly provides adequate access to location 24 especially during times of flood. The intended course of this road was well known and understood by myself, Doug Clarke, Ross Ainsworth and council at the time of its construction in 1988.
- *7 There is no practical way of making Gordon Road passable during the quite frequent flood events which render it impassable for extended periods. See my original submission. Any raising of the levels of the flood ways will create further flooding, salinity and loss of arable land to my farm and all those lying up stream from me.
- *8 As in note one the problem is not one of legal access at the point indicated in plan 1 (easement), but of physical access at the two floodways on Gordon Road as per my submission.
- *9 The state of W.A. did in fact provide a dedicated road reserve to service location 24 as previously mentioned close to the course of the new access road.
- *10 Any repairs to Gordon road should not raise the level of the surface as to do so would be unacceptable to any upstream land holders without major expenditure on below road drainage. I understand however that the proposed repairs may include stabilizing the surface and this would reduce the cost of future repairs.

The President thanked Mr Pelham for his attendance and advised that in light of the information presented, the matter will be taken back to Council for further consideration.

1.50pm *Mr Pelham left the meeting.*

4.0 APPLICATIONS FOR LEAVE OF ABSENCE

No applications received.

5.0 MINUTES OF PREVIOUS COUNCIL MEETINGS

5.1 ORDINARY MEETING – 28 JUNE 2006

Resolution

MOTION 10223

Moved Cr Walker
Seconded Cr Taylor

That the minutes of the Ordinary Meeting of Council held on the 28 June 2006 be confirmed as a true and accurate record.

MOTION CARRIED 9/0

6.0 NOTICES OF URGENT BUSINESS

No items of urgent business.

7.0 MOTIONS OF WHICH NOTICE HAS BEEN RECEIVED

7.1 CR WALLY NEWMAN – RATES POLICY ON UNDERGROUND POWER SUPPLIES

Recommendation

MOTION 10224

Moved Cr Newman
Seconded Cr Chamberlain

To maintain consistency and integrity of Council's Rating Policy: any underground commercial power distribution services within the towns of the Shire will not be funded from general rate revenue.

MOTION LOST 3/6

Recorded voting for the Motion: Crs Newman, Chamberlain & Sinclair, recorded voting against the motion Crs Taylor, Bennett, Walker, Stewart Farrelly & Roberts.

STAFF COMMENT

Background

In September 2002, Council resolved to underground the power lines from the Bishop St corner to Franks St in Lake Grace.

At Council's November 2005 ordinary meeting it was resolved as follows (refer attached copy of the minute relating to this matter):

That:

- 1. The Shire of Lake Grace enter into agreement with The Honourable Minister for Energy and Western Power for the Lake Grace Underground Power Project,*
- 2. The Shire President and Chief Executive Officer be authorised to sign the agreement and affix the Shire Seal,*
- 3. The Chief Executive Officer is requested to prepare a report on options for recoup of expenditure costs for the project and be presented as part of the 2006/2007 budget deliberations.*

Council also resolved in June 2004 to transfer funds of \$152,282 from the Works and Services Reserve to cover the contribution towards underground power in Stubbs Street Lake Grace.

Comment

As per the November 2005 motion, Council is now formally committed to the project with a contribution up to \$199,500 towards the underground power component (indications are that this could be reduced). A further allocation is required to cover the costs of upgrade to the footpath in Stubbs Street. This has also been Council's intent following the original application that was prepared in 2003 and approved in September 2004. The Draft budget will include a transfer from the Works & Services Reserve of \$199,500 for the under ground power and a separate allocation of \$40,000 towards the upgrade of the footpath.

The Local Government Act, under section 6.38 does allow a local government to impose a Service Charge for providing certain prescribed services. Under Section 54 of the Financial Regulations underground electricity is prescribed. The Service Charge is similar to Specified Area Rates in that all the funds raised must be used for that purpose solely. There are examples in large metro councils where this charge has been used to cover the costs of underground power particularly in broader residential and large commercial areas. There are also recent examples of Councils such as Plantagenet (Mt Barker) and Port Hedland which have used general revenue to cover the costs. In the case of Mt Barker which has also upgraded its main street the cost of the underground power has been covered by general revenue as it was clearly identified that it would benefit the whole area. These works have recently been completed and have made a

significant improvement to Mt Barker which in turn is providing benefits to the whole district.

If Council was to impose a service charge it would be difficult to determine which properties would be charged. For example, if \$200,000.00 was to be raised against properties in Stubbs St based on a GRV basis, the cost per property would vary between \$57,000.00 down to \$1,200.00.

If the charge was imposed on the whole townsite the charge would be \$583.00 per property. The alternative to this could be the raising of a loan with the repayments then covered by the service charge. Further detail of these types of options will be presented at the meeting. The introduction of a service charge is not recommended.

When the original application was made for the State Underground Power Program a survey of properties in Stubbs Street was undertaken. Whilst there was overwhelming support for both the application to the program and the project and the benefits that it will bring to the whole area, there was a clear indication that these property owners did not believe that they should be hit with the cost.

The Shire has many other examples of infrastructure upgrades such as footpaths, townscape and drainage improvements which have in past and continue in the draft budget to be covered by general revenue. A good example of this is the drainage works that have been undertaken at Lake King which will continue this financial year. Any upgrade of infrastructure and services in each of the towns within the Shire should be considered to be for the betterment of all ratepayers within the Shire together with the tourists and other users of town facilities.

There is no question that public toilets, town halls or various sections of streetscapes and roads be covered by a rate that is directed solely to the properties adjoining the development or just particularly users. Services such as the main street in Lake Grace and Newdegate, Lake King and Varley are provided for the whole district and not for one section of the community. Given the size of our communities it would be hard to justify directing a service charge to just the properties that adjoin any underground power developments or to the town. Future under grounding of power could be undertaken in Newdegate and Lake King which should also be considered in terms of the benefits that bring to the whole district.

Council has previously given a commitment both through the provision of funds from reserve, and through the signing of the agreement, that funding for this project will be met as part of the total operation of the Shire and not from one sector.

Staff Recommendation

That the costs associated with the Underground Power Project for Lake Grace continue to be funded from general revenue and that all future requests for underground power in other parts of the Shire also be considered on the same basis.

8.0 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

8.1 JESSE BRAMPTON – KULBARDI HILL CONSULTING

Jesse Brampton, Trails Design Consultant has developed a Trails Masterplan for the Shire of Lake Grace and presented the report to Council.

The presentation included the background to the Trails Planning project, project brief, outcomes from community workshops, suggested prioritisation of projects and costings. Funding for the project was received through the Department of Sport & Recreation Trails Program and the Premier's Physical Activity Taskforce Program.

Mr Brampton sees the projects as valuable assets to the community and encouraged Council to pursue the projects in the future.

The Shire President thanked Mr Brampton for his presentation and commented he can be rest assured the community will ensure the document is not put on the bottom of the pile and forgotten.

3pm Meeting adjourned for afternoon tea and a Citizenship Ceremony for Mrs Risa Kerr of Lake Grace.

3.30pm Meeting reconvened with all those previously present in attendance with the exception of Ms Bird, Mr Brampton, Mrs Perkins and Mrs Nicholls.

9.0 MEMBERS' REPORTS

9.1 CR FARRELLY

Crs Farrelly and Taylor attended the Australian Local Government National Roads Congress held in Alice Springs on July 9 & 10 2006.

Cr Farrelly's report included the following:

Funding

- The need to keep pressure on the Federal Government to have the Roads To Recovery Program extended beyond 2009 and get a commitment for funding to be permanently ongoing, it is the only way Councils can maintain their road infrastructure.
- Many Councils have financial difficulties – both financially and with skills shortage. It is estimated Councils are under funded by \$404 million

annually. We need a fair share of Federal funding. \$14 billion is collected in fuel tax and \$2.5 million returned to roads.

- The question is what would Councils do with more money – a convincing argument needs to be put. Councils sometimes don't spend the money in time or how it is supposed to be spent. Lack of skills is hindering work getting completed and needs to be addressed. Councils need to be pro active with Federal and State Governments.

Leslie Riggs – Department of Transport & Regional Services

- By and large Auslink is a program in local hands. A small sample of Councils in NSW showed lack of compliance – many CEO's did not read the requirements of the program and conditions of funding, the jobs did not comply with signage and money was spent on different projects than what it was supposed to have been spent on.
- Of 90 Councils audited nationally, 53 failed to comply with requirements.
- Many reports from Local Government were wrong – figures did not work out and many reports were returned to be corrected. If job priorities change or something is not clear there is help available.
- Local Government have a responsibility and doing the right thing strengthens the cause for continuous funding.

Comments from the Congress

- The trucking industry is under charged and the car motorists are paying more than their share.
- There are no national agreed standards for the 3 tiers of Government to work together.
- Neither the Commissioner for Main Roads or the WA Transport Minister was in attendance.

Conclusion

In considering if we as a Shire should attend the Conference:

- It is a great way of networking.
- Good experience as a Councillor.
- Good Councillor development and education.
- Keeps us aware of where funding is from and how necessary and fragile it could be if we don't remain pro-active and play our part in fulfilling the obligations towards to the funding. It could also become harder to justify why we should continue to receive it.

Councillors were given a copy of a national roads and transport strategy endorsed at The Conference. The draft strategy was presented to the Conference and subsequently revamped over the two days to the satisfaction of those present at the conference. The strategy is designed to address critical issues for Local Government i.e. safety, congestion, pollution, affordability and accountability in implementing local road and transport grants.

9.2 CR ROBERTS

Cr Roberts reported visiting Dumbleyung with CEO, Chris Jackson and Project Officers Jim Fraser and Michelle Slarke to attend meetings with surrounding Shires.

The first meeting had to do with the development of a Crime Prevention Strategy for Lake Grace and surrounding Shires. Michelle Slarke will coordinate the project.

A follow on meeting with Kent, Dumbleyung, Kulin & Wickepin discussed the structural reform package, main points as follows:

- Everyone wishes to retain their Council and identity
- Main benefits for us is resource sharing
- Meeting was positive and it was agreed to try and meet regularly as a group of Councils to talk about issues in common.
- It was felt the Regional Road Group was the best mix of Councils and these meetings could be held on the same day as RRG sub group meetings.

10.0 MATTERS FOR CONSIDERATION – WORKS & SERVICES

No items for consideration.

11.0 MATTERS FOR CONSIDERATION – TOWN PLANNING

11.1 PROPOSED NEW LIGHT INDUSTRIAL SUBDIVISION – VARIOUS CROWN LANDHOLDINGS DEWAR ST LAKE GRACE

Applicant:	Shire of Lake Grace
File No.	0369
Attachments:	Plans 1 & 2 and Attachment 2
Author:	Mr Joe Douglas & Mr John Culmer Town Planning Consultants
Disclosure of Interest:	Nil
Date of Report:	12 July 2006
Senior Officer:	Mr Chris Jackson Chief Executive Officer

Summary

This report summarises the findings of a recent engineering investigation undertaken by consulting civil engineers David Wills and Associates on the servicing requirements and cost estimates for the proposed new light industrial subdivision comprising various Crown landholdings on Dewar Street, Lake Grace. Recommendations on how to progress the project are also provided.

Background

The engineering investigation report for the proposed new twenty nine (29) lot light industrial subdivision comprising various Crown landholdings on Dewar Street, Lake Grace has been completed. The proposed plan of subdivision used by David Wills and Associates as the basis for preparation of the report and associated cost estimate is exhibited in Plan 1 of this report.

This report item summarises the key findings of the engineering investigation and advises Council of the final total cost estimate and cost per lot of developing the proposed subdivision.

Comment

Council should note that as the proposed subdivision has not yet been approved by the Western Australian Planning Commission (WAPC) the consultant engineer has, for the purpose of preparing the cost estimate, made a number of assumptions regarding the conditions of subdivision likely to be imposed by the WAPC in issuing approval.

The following provides a summary of the key findings of the engineering investigation:

Roads and Drainage

Two (2) new roads are required to be constructed to service the proposed light industrial lots, with the total length of road to be constructed being approximately 670 metres. The consultant engineer has advised that the junctions of Dewar Street with South Road and Mather Street will not require any additional upgrade as part of the subdivisional works.

In relation to the cost estimates for roads and drainage the consultant engineer has allowed for roads to be constructed 7.4 metres wide with no kerbing allowance and with a surface finish consisting of a three (3) coat seal (i.e. similar to the current standard of Dewar Street). It should be noted that the design levels of the roads and lots maintain existing contours to enable natural drainage of the area and, as such, the road design makes no provision for stormwater piping. As discussed with the Shire, no drainage provision is included at this stage pending the outcome of a drainage investigation for the Lake Grace townsite.

CEO Comment

Council's Manager of Works has briefly reviewed the plans and cost estimate submitted by the Engineer. Significant savings can be made on the construction of roads and drainage.

Services

Water Reticulation

In accordance with Water Corporation policy, new 150uPVC water mains are proposed for the subdivision, following the new road alignments. Separate water connections are proposed for fifteen (15) of the newly created lots, with the balance of lots included for a deferred water service. The Water Corporation will provide connections for the balance of lots when an application for water connection is received.

Sewerage Reticulation

There is currently no reticulated sewerage available within the subdivision area. Notwithstanding this fact the consultant engineer has noted that the proposed lot sizes are sufficient to allow for on-site effluent disposal subject to moderate water usage (i.e. up to 540 litres of wastewater per lot per day).

Underground Power

The cost for underground power is influenced largely by the location of the subdivision relative to the electricity zone substation. Power headwork charges can only be calculated following the submission of a detailed design and assessment to Western Power. This information will only be available when and if the subdivision proceeds. For the purpose of this exercise the consultant engineer has included indicative costs for both the supply and headwork charges as provided by Jenkins Clifford: Consulting Electrical Engineers.

Telstra

Telstra has advised that fibre optic cables are present in the western verge of South Road. The cost estimate includes an allowance for the protection of these existing fibre optic cables for the proposed road connection to South Road. The allowance does not allow for the relocation of any cables or any additional protection methods Telstra may require.

Earthworks, Retaining Walls and Fencing

No allowance has been made for bulk earthworks or retaining walls for the proposed subdivision. All clearing is limited to the proposed road reserves only. An allowance has been made for boundary fencing where the proposed lots abut the railway reserve to account for the likelihood of the WAPC imposing a condition in this regard.

Geotechnical and Environmental Investigation

As part of standard practice the WAPC will condition any subdivision approval issued requiring a geotechnical investigation and report. An allowance for this has been included in the cost estimate.

In light of the fact there are no major environmental constraints affecting the subject land, no provision for an environmental investigation has been included in the subdivision cost estimate as it is unlikely to be required.

Suggested Modification to Subdivision Plan

The consultant engineer has identified an existing 150uPVC water main installed parallel to South Road and located within the subdivision area that impacts upon the proposed plan of subdivision. Due to the likely easement restrictions and the future use requirements by the Water Corporation of this water main it is considered appropriate to modify the proposed plan of subdivision to delete the proposed lot on the corner of South Road and create a larger corner entry lot. This will bring the lot yield down to a total of twenty eight (28) lots (see Plan 2).

Summary of Estimated Construction Cost

The total estimated construction cost for the proposed subdivision is approximately **\$1,388,000.00 (i.e. \$48,000.00 per lot) excluding GST**. The full preliminary estimated development cost breakdown prepared by David Wills and Associates is provided in Attachment 1.

Council should note that the estimate provided does not take into consideration the cost of land, professional fees, marketing / selling costs or off site works that may be required by other statutory authorities.

As noted by the consultant engineer, any additional Western Australian Planning Commission subdivision conditions or constraints revealed from the geotechnical investigation may have potential to further increase the cost of the project. As such the consulting engineer has recommended

that Council revise the cost estimates following the issuance of subdivision approval by the WAPC.

Legal Implications

Nil

Policy Implications

Nil

Community Consultation

Not required under the provisions of the Planning and Development Act 2005 however there may be obligations to undertake public advertising to satisfy the specific requirements of the Local Government Act as this relates to major land transactions.

Further investigation of Council's obligations in this regard under the Local Government Act is recommended once Council makes a final decision on whether or not to proceed with the project.

Financial Implications

There are a number of financial implications in regards to the proposed subdivision. The preliminary cost estimates were prepared based on construction rates for typical subdivisional works. With the current level of construction activity and construction rates increasing rapidly the cost estimate is subject to a plus or minus 20% variation. It is therefore recommended that Council revise the cost estimates following the issuance of subdivision approval by the WAPC.

In order to offset the costs of the project the Shire may make application to the Department of Local Government and Regional Development for funding assistance under the Regional Headworks Program. The Shire can also make application to LandCorp for funding assistance under the Townsite Development Program. Notwithstanding the potential to secure funding assistance for the project from these sources, it should be noted that the timeframes typically associated with securing this assistance are usually long and could delay the release and sale of the proposed lots.

Given the significant costs associated with undertaking the subdivision it is also recommended that Council consider staging the development and release of lots in accordance with market demand. In so-doing the costs of the project could be spread over an extended period of time. Whilst this approach will add to the total cost of the project in the longer term it will reduce the amount of money that needs to be outlaid upfront to undertake each stage of development.

Strategic Implications

The development and release of additional industrial land in the Lake Grace townsite is consistent with the strategic direction provided by the Shire's proposed new Local Planning Strategy and could be expected to

make a positive contribution to the future economic development of the Lake Grace townsite and the district generally.

Voting Requirements

Simple majority required.

Recommendation/Resolution

MOTION 10225

Moved Cr Newman
Seconded Cr Sinclair

1. That the outcomes from the engineering investigation report prepared by David Wills and Associates documenting the servicing requirements and cost estimates for the proposed light industrial subdivision of various Crown landholdings on Dewar Street, Lake Grace be received by Council.
2. That Council authorise the Shire Administration to prepare and lodge a subdivision application with the Western Australian Planning Commission seeking formal approval to subdivide the various Crown landholdings on Dewar Street, Lake Grace into twenty eight (28) new light industrial lots as per the details of the plan prepared by Planning Enterprises and subject to the minor modification recommended by David Wills and Associates.
3. Following the issuance of subdivision approval by the Western Australian Planning Commission, that Council identify its preferred location for stage 1 of the project, including the number of lots to be developed and released, and refer this information to consulting civil engineers David Wills and Associates with a request to prepare a detailed cost estimate.
4. Following receipt of the detailed cost estimate for stage 1 of the project from David Wills and Associates, that Council make application to LandCorp and the Department of Local Government and Regional Development and other identified agencies for funding assistance to construct stage 1.

MOTION CARRIED 9/0

12.0 MATTERS FOR CONSIDERATION – HEALTH & BUILDING**12.1 LAKE GRACE TOWNSITE SEWERAGE SCHEME – WASTEWATER SERVICES - CUSTOMER SERVICE CHARTER**

Applicant:	Environmental Health Officer
File No.	0499
Attachments:	Shire of Lake Grace Customer Service Charter for Wastewater Services for the Lake Grace Townsite Sewerage Scheme - July 2006.
Author:	Mr Maurice Walsh Environmental Health Officer
Disclosure of Interest:	Nil
Date of Report:	17 July 2006
Senior Officer:	Mr Chris Jackson Chief Executive Officer

Summary

The Shire of Lake Grace's Customer Service Charter for Wastewater Services for the Lake Grace Townsite Sewerage Scheme has been updated and requires adoption by Council and formal approval by the Economic Regulation Authority.

Background

The Shire of Lake Grace provides a sewerage wastewater collection and disposal service to customers/ratepayers in the Lake Grace townsite. The service is operated in accordance with the requirements of a License issued to the Shire by the Economic Regulation Authority under the provisions of the Water Services Licensing Act 1995.

The Licence requires that the Shire of Lake Grace has a Customer Service Charter that relates to the wastewater services provided by the Lake Grace townsite sewerage scheme. The intent of the Customer Service Charter is to inform customers/ratepayers serviced by the Lake Grace townsite sewerage scheme of their rights in accordance with the provisions of the license, including services provided, maintenance requirements, interruptions, levels of service, connections, charges and a complaints procedure.

The Operating Licence requires that the Shire of Lake Grace's Customer Service Charter for Wastewater Services for the Lake Grace Townsite Sewerage Scheme is updated every 3 years.

Comment

Council is also required to engage in a customer/ratepayer consultative process as part of the reviewing and updating of the Shire of Lake Grace's Customer Service Charter for Wastewater Services for the Lake Grace Townsite Sewerage Scheme.

The document is therefore required to be advertised in a local newspaper and made available for public comment prior to forwarding it to the Economic Regulation Authority for formal approval.

Once the Shire of Lake Grace's Customer Service Charter for Wastewater Services for the Lake Grace Townsite Sewerage Scheme has been adopted by Council and any public comments are considered the document is required to be forwarded to the Economic Regulation Authority (Licensing Authority) for formal approval.

Legal Implications

Environmental Protection Act 1986 (as amended).

Health Act 1911 (as amended).

Local Government Act 1995 (as amended).

Water Agencies (Powers) Act 1984 (as amended).

Water Services Licensing Act 1995 (as amended).

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Simple majority required.

Recommendation/Resolution

MOTION 10226

Moved Cr Taylor
Seconded Cr Farrelly

That Council:

1. Approve the Shire of Lake Grace's updated Customer Service Charter for Wastewater Services for the Lake Grace Townsite Sewerage Scheme and advertise the document for public comment; and,
2. Consider any relevant public comments relating to the Shire of Lake Grace's updated Customer Service Charter for Wastewater Services for the Lake Grace Townsite Sewerage Scheme and refer back to Council if substantial objections or changes are recommended by the community and if not forward the Charter to the Economic Regulation Authority for formal approval.

MOTION CARRIED 9/0

13.0 MATTERS FOR CONSIDERATION – FINANCE**13.1 ACCOUNTS FOR PAYMENT JUNE 2006**

Applicant: Shire of Lake Grace
File No. 0277
Attachments: List of Creditors
Author: Ms Leonie McIlree
Deputy Chief Executive Officer
Disclosure of Interest: Nil
Date of Report: 19 July 2006
Senior Officer: Mr Chris Jackson
Chief Executive Officer

Summary

For Council to ratify expenditures incurred for the month of June 2006.

Background

List of invoices paid for the months of June 2006 through the Municipal and Trust 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

Community Consultation

N/A

Financial Implications

The list of creditors paid for the month of June 2006 from the Municipal account amounts to \$704,233.90, direct debits from the Municipal account amounting \$70,085.19 and Trust accounts amounts \$2,653.89.

Strategic Implications

N/A

Voting Requirements

Simple majority required.

Recommendation/Resolution

MOTION 10227

Moved Cr Stewart
Seconded Cr Bennett

That Municipal Account cheques 32009 to 32030, 400292 to 400313, Electronic Funds Transfers EFT1668 to EFT1783, totalling \$704,233.90, Direct Debits from the Municipal Account totalling \$70,085.19 and Trust Account cheque 511 totalling \$2,653.89 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

13.2

FINANCIAL STATEMENTS – INTERIM YEAR ENDED 30 JUNE 2006

Applicant: Shire of Lake Grace
File No. 0275
Attachments: Financial Statements
Author: Ms Leonie McIlree
Deputy Chief Executive Officer
Disclosure of Interest: Nil
Date of Report: 18 July 2006
Senior Officer: Mr Chris Jackson
Chief Executive Officer

Summary

For Council to receive detailed interim financial statements for the period ending 30 June 2006 in accordance with the requirements of the Local Government Act 1995 and Regulations.

Background

The following financial reports are included for your information:

- Statement of Financial Activity
- Operating Statement
- Capital Statement

Comment

The financial reports provided are an interim report, prior to audit, for the year ended 30 June 2006.

As per the requirements of Section 6.4 of the Local Government Act 1995 and Regulations 35 (1) (c) (d) and (e) of the Local Government Accounting (Financial Reports) Regulations 1996, the following Financial Reports for the twelve months ending 30 June 2006 are attached.

Voting Requirements

Simple majority required.

Recommendation/Resolution

MOTION 10228

Moved Cr Farrelly
Seconded Cr Newman

That the Interim Financial Reports for the twelve months ending 30 June 2006 as attached be approved.

MOTION CARRIED 9/0

14.0 MATTERS FOR CONSIDERATION – ADMINISTRATION

14.1 POLICY MANUAL REVIEW – SECTION 2 COMMUNITY SUPPORT

Applicant: Project Officer
File No. 0055
Attachments: Current Policy Manual
Author: Mr Jim Fraser
 Project Officer
Disclosure of Interest: Nil
Date of Report: 4 July 2006
Senior Officer: Mr Chris Jackson
 Chief Executive Officer

Summary

This report recommends changes to Policies 2.1 Charitable Works, 2.2 CWA Playground Water Rates & Consumption/Shire /Rates and Charges Donation, 2.3 St John Ambulance Association Donation, 2.4 Lions Club Donation, 2.5 Joint Venture Housing and 2.7 Australia Day Breakfast – Donation of Entry Fees.

Background

The last review of policies was undertaken by Council in February 2004, however there has been ad hoc alterations up to December 2005.

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 Manual be updated*

The Project Officer under the direction of the Chief Executive Officer has commenced a review of the Policy Manual.

For the purposes of the review each of the seven sections will be independently reviewed and submitted to Council for consideration.

Comment

Section 2 Community Support

POLICY 2.1 - CHARITABLE WORKS

Existing Policy

POLICY	All donations of “in kind” work to charitable organisations are to be a decision of Council.
OBJECTIVES	For Council to determine level of support and use of its equipment for charitable purposes

Proposed Amendments

<p>Policy All donations of in-kind work to charitable organisations is to be a decision of Council.</p> <p>Objectives For Council to determine the level of support and use of its equipment for charitable purposes.</p> <p>Guidelines In determining the eligibility of a charitable organisation Council may make the assessment in line with guidelines/definitions as provided by the Department of Consumer and Protection ‘Charitable Works’ pamphlets.</p> <p>Submissions to Council shall contain an estimate of the actual costs for carrying out of “in-kind” works.</p>
--

POLICY 2.2 - CWA PLAYGROUND WATER RATES & CONSUMPTION/SHIRE RATES & CHARGES DONATION

Existing Policy

POLICY	Council will donate an amount equal to the cost of water consumption charges payable in respect to 32 Bennett Street, Lake Grace and will write off Shire rates and charges payable on the property.
OBJECTIVES	To meet costs associated with the land provided by CWA for the purpose of a children’s playground
GUIDELINES	A written request from CWA is required as is Council’s decision by absolute majority in respect to the writing off of rates

Proposed Amendments

Policy

That in respect to the Country Women's Association property at 32 Bennett St Lake Grace, Council will donate on an annual basis:

- a) An amount equal to the cost of water rates and consumption charges; and;
- b) The rates and charges raised and levied by the Shire of Lake Grace on the said property.

Objectives

To meet the costs of water rates and consumption costs and rates and charges and levies raised by the Shire of Lake Grace in recognition of the Country Women's Association making available part of 32 Bennett St Lake Grace for the purpose of a children's playground.

Guidelines

The determination of the amount of the donation will be considered as part of the normal municipal budget considerations.

Note: The policy has been amended in an endeavour to ensure Council is aware of their financial obligation to the Country Women's Association i.e .water rates, water consumption charges, rates (including Specified Area Rates), rubbish and sewerage charges and the Emergency Services Levy.

POLICY 2.3 ST JOHN AMBULANCE ASSOCIATION DONATION

Existing Policy

- POLICY** Council will donate an amount equal to the cost of water rates, water consumption and sewerage charges payable in respect to St John Ambulance Depots located within the Shire of Lake Grace.
In addition, Council will write-off Shire rates and charges payable on these properties.
- OBJECTIVES** To provide support for this essential community service
- GUIDELINES** A written request from St John Ambulance is required as is Council's decision by absolute majority in respect to the writing off of rates

Proposed Amendments

Policy

That in respect to land held within the Shire of Lake Grace by the St John Ambulance Association for the purpose of Ambulance Depot, Council will donate on an annual basis:

1. In the townsite of Lake Grace:
 - a) an amount equal to the cost of water rates and consumption; and,
 - b) the rates and charges raised and levied by the Shire of Lake Grace.

2. In the townsite of Newdegate:
 - a) an amount equal to the cost of water and sewerage rates and water consumption charges; and,
 - b) the rates and charges raised and levied by the Shire of Lake Grace.

3. In the townsite of Lake King:
 - a) an amount equal to the cost of water rates and water consumption charges; and,
 - b) the rates and charges raised and levied by the Shire of Lake Grace.

4. In the townsite of Varley:
 - a) an amount equal to the cost of water rates and consumption charges; and,
 - b) the rates and charges raised and levied by the Shire of Lake Grace.

Objectives

To provide support for this essential community service.

Guidelines

The determination of the amount of the donation will be considered as

Note: There has been a major change in policy by the St Johns Ambulance organisation to the provision of ambulances to country sub centres. Previously sub centres wishing to upgrade their ambulances were required to raise the necessary funds locally. This resulted in a system whereby as an example, sub centres with main highways to serve in the more remote areas generated substantial funding from insurance claims allowing them to upgrade their ambulances on a more regular basis.

The current system operates on the basis that ambulances utilised in the metropolitan area for periods of up to four years with average kilometres

travelled between 120,000kms and 150,000kms are provided to country sub centres through an application process at no cost to the sub centre.

Their current vehicle is acquired by the Association and depending on condition is offered to another sub centre or sold with the proceeds going into a pool of funds. These funds are then utilised to refurbish the ambulances prior to them being despatched to country sub centres.

There is little likelihood that, in the foreseeable future, Council will be requested to provide substantial funds for the replacement of local ambulances. The updated policy allows Council to recognise the important role the ambulance volunteers contribute to their local communities.

POLICY 2.4 - LIONS CLUB DONATION

Existing Policy

POLICY Council will donate an amount equal to the cost of water rates and water consumption payable on the Lake Grace Lions Park being Lot 1 of Williams Location 14092.

The property is listed as a Shire property for the purposes of rates

OBJECTIVES To clarify responsibility for expenses

GUIDELINES Water account to be directed to the Shire

Proposed Amendments

Policy

That in respect to Lot 1 Williams Location 14092 currently utilised as the Lake Grace Lions Park, Council will donate on an annual basis to the Lake Grace Lions Club an amount equal to the cost of water rates and consumption charges.

Objectives

To clarify responsibility for and to determine a mechanism for the reimbursement of the expenditure by the Lake Grace Lions Club.

Guidelines

The determination of the amount of the donation will be considered as part of the normal municipal budget procedure.

POLICY 2.5 - JOINT VENTURE HOUSING

Existing Policy

Policy That Council support joint venture housing projects on a needs basis by way of providing land, landscaping and works and services.

Objectives To define minimum extent of Council support for these projects

Guidelines The level of contribution towards the construction of housing is determined by the Department of Housing and Works

Proposed Amendments

Policy

That Council support joint venture housing projects on a needs basis with the level of contribution being in accordance with the requirements of the Department of Housing and Works.

Objectives

To document Council support for joint venture housing projects.

Guidelines

The level of contribution towards joint venture housing projects is determined by the Department of Housing and Works and normally includes the provision of suitably zoned land, services, earthworks and landscaping.

Note: A representative from the Department of Housing and Works has advised that the requirements for joint venture housing are being "tightened" and will be included in the application documentation for future projects. Application forms should be available in October/November of each year.

POLICY 2.7 - AUSTRALIA DAY FUNCTION – COUNCIL SUPPORT

Existing Policy

POLICY Pool admission fees be donated to assist community organizations in the hosting of the annual Australia Day Function at the Lake Grace Swimming Pool

OBJECTIVES To provide support for community organizations hosting the Australia Day function and encourage attendance at the formal announcement of Council's annual Australia Day Awards.

GUIDELINES A letter of request is to be received from the organization conducting the event.
Motion 9156 – March 2002

Proposed Amendments

Policy

An Australia Day function will be held at the Lake Grace Swimming Pool for the formal announcement of Council's Annual Australia Day Awards.

To encourage community participation in the event, Council, when framing its annual budget may resolve by Absolute Majority to waive pool admittance fees on the day.

Objectives

To encourage attendance at the formal announcement of Council's annual Australia Day Awards.

Guidelines

Council will seek the assistance of local groups and organisations to host the Australia Day function at the Lake Grace Swimming Pool and in addition to waiving admittance fees on the day may also provide a financial incentive by way of a donation.

Note: The changes are intended to simplify the process and to encourage community participation in the event. There will still be a requirement for Council to ensure qualified staff are on hand for the event.

The Australia Day function may become the catalyst for other aquatic activities on the day.

Legal Implications

There are no legal requirements pertaining to the review of the Policy Manual.

Policy Implications

The Policy Manual will be amended to reflect the decisions of Council.

Community Consultation

There has not been any community consultation.

Financial Implications

There are more generally defined cost areas eg Water Corporation rates that may impact on future budgets.

Strategic Implications

Nil.

Recommendation

That the review of Policy's 2.1 Charitable Works, 2.2 CWA Playground Water Rates & Consumption/Shire /Rates and Charges Donation, 2.3 St John Ambulance Association Donation, 2.4 Lions Club Donation, 2.5 Joint Venture Housing and 2.7 Australia Day Breakfast – Donation of Entry Fees as follows be adopted and the Policy Manual updated accordingly.

POLICY 2.1 CHARITABLE WORKS

Policy

All donations of in-kind work to charitable organisations is to be a decision of Council.

Objectives

For Council to determine the level of support and use of its equipment for charitable purposes.

Guidelines

In determining the eligibility of a charitable organisation Council may make the assessment in line with guidelines/definitions as provided by the Department of Consumer and Protection 'Charitable Works' pamphlets.

Submissions to Council shall contain an estimate of the actual costs for carrying out of "in-kind" works.

POLICY 2.2 CWA PLAYGROUND WATER RATES & CONSUMPTION/SHIRE /RATES AND CHARGES DONATION

Policy

That in respect to the Country Women's Association property at 32 Bennett St Lake Grace, Council will donate on an annual basis:

- a) An amount equal to the cost of water rates and consumption charges; and;
- b) The rates and charges raised and levied by the Shire of Lake Grace on the said property.

Objectives

To meet the costs of water rates and consumption costs and rates and charges and levies raised by the Shire of Lake Grace in recognition of the Country Women's Association making available part of 32 Bennett St Lake Grace for the purpose of a children's playground.

Guidelines

The determination of the amount of the donation will be considered as part of the normal municipal budget considerations.

POLICY 2.3 ST JOHN AMBULANCE ASSOCIATION DONATION

Policy

That in respect to land held within the Shire of Lake Grace by the St John Ambulance Association for the purpose of Ambulance Depot, Council will donate on an annual basis:

1. In the townsite of Lake Grace:
 - a) an amount equal to the cost of water rates and consumption; and,
 - b) the rates and charges raised and levied by the Shire of Lake Grace.
2. In the townsite of Newdegate:
 - a) an amount equal to the cost of water and sewerage rates and water consumption charges; and,
 - b) the rates and charges raised and levied by the Shire of Lake Grace.
3. In the townsite of Lake King:
 - a) an amount equal to the cost of water rates and water consumption charges; and,
 - b) the rates and charges raised and levied by the Shire of Lake Grace
4. In the townsite of Varley:
 - a) an amount equal to the cost of water rates and consumption charges; and,
 - b) the rates and charges raised and levied by the Shire of Lake Grace.

Objectives

To provide support for this essential community service.

Guidelines

The determination of the amount of the donation will be considered as part of the normal municipal budget considerations.

POLICY 2.4 LIONS CLUB DONATION

Policy

That in respect to Lot 1 Williams Location 14092 currently utilised as the Lake Grace Lions Park, Council will donate on an annual basis to the Lake Grace Lions Club an amount equal to the cost of water rates and consumption charges.

Objectives

To clarify responsibility for and to determine a mechanism for the reimbursement of the expenditure by the Lake Grace Lions Club.

Guidelines

The determination of the amount of the donation will be considered as part of the normal municipal budget procedure.

POLICY 2.5 JOINT VENTURE HOUSING

Policy

That Council support joint venture housing projects on a needs basis with the level of contribution being in accordance with the requirements of the Department of Housing and Works.

Objectives

To document Council support for joint venture housing projects.

Guidelines

The level of contribution towards joint venture housing projects is determined by the Department of Housing and Works and normally includes the provision of suitably zoned land, services, earthworks and landscaping.

POLICY 2.7 AUSTRALIA DAY BREAKFAST – DONATION OF ENTRY FEES

Policy

An Australia Day function will be held at the Lake Grace Swimming Pool for the formal announcement of Council's Annual Australia Day Awards.

To encourage community participation in the event, Council, when framing its annual budget may resolve by Absolute Majority to waive pool admittance fees on the day.

Objectives

To encourage attendance at the formal announcement of Council's annual Australia Day Awards.

Guidelines

Council will seek the assistance of local groups and organisations to host the Australia Day function at the Lake Grace Swimming Pool and in addition to waiving admittance fees on the day may also provide a financial incentive by way of a donation.

Voting Requirements

Simple majority required

Resolution

MOTION 10229

Moved Cr Cr Bennett
Seconded Cr Chamberlain

That the review of Policy 2.1 Charitable Works Fees as follows be adopted and the Policy Manual updated accordingly.

POLICY 2.1 CHARITABLE WORKS

Policy

All donations of in-kind work to charitable organisations is to be a decision of Council.

Objectives

For Council to determine the level of support and use of its equipment for charitable purposes.

Guidelines

In determining the eligibility of a charitable organisation Council may make the assessment in line with guidelines/definitions as provided by the Department of Consumer and Protection 'Charitable Works' pamphlets.

Submissions to Council shall contain an estimate of the actual costs for carrying out of "in-kind" works.

MOTION CARRIED 9/0

Resolution

MOTION 10230

Moved Cr Taylor
Seconded Cr Stewart

That the review of Policy 2.2 CWA Playground Water Rates & Consumption/Shire /Rates and Charges Donation as follows be adopted and the Policy Manual updated accordingly.

POLICY 2.2 CWA PLAYGROUND WATER RATES & CONSUMPTION
-SHIRE /RATES AND CHARGES DONATION

Policy

That in respect to the Country Women's Association property at 32 Bennett St Lake Grace, Council will donate on an annual basis:

- a) An amount equal to the cost of water rates and consumption charges; and;
- b) The rates and charges raised and levied by the Shire of Lake Grace on the said property.

Objectives

To meet the costs of water rates and consumption costs and rates and charges and levies raised by the Shire of Lake Grace in recognition of the Country Women's Association making available part of 32 Bennett St Lake Grace for the purpose of a children's playground.

Guidelines

The determination of the amount of the donation will be considered as part of the normal municipal budget considerations.

MOTION CARRIED 9/0

Resolution

MOTION 10231

Moved Cr Cr Newman
Seconded Cr Chamberlain

That the review of Policy 2.3 St John Ambulance Association Donation as follows be adopted and the Policy Manual updated accordingly.

POLICY 2.3 ST JOHN AMBULANCE ASSOCIATION DONATION
Policy

That in respect to land held within the Shire of Lake Grace by the St John Ambulance Association for the purpose of Ambulance Depot, Council will donate on an annual basis:

- 1) In the townsite of Lake Grace:
 - a) an amount equal to the cost of water rates and consumption charges; and,
 - b) the rates and charges raised and levied by the Shire of Lake Grace.
- 2) In the townsite of Newdegate:
 - a) an amount equal to the cost of water and sewerage rates and water consumption charges; and,
 - b) the rates and charges raised and levied by the Shire of Lake Grace.
- 3) In the townsite of Lake King:
 - a) an amount equal to the cost of water rates and water consumption charges; and,
 - c) the rates and charges raised and levied by the Shire of Lake Grace
- 4) In the townsite of Varley:
 - a) an amount equal to the cost of water rates and consumption charges; and,
 - b) the rates and charges raised and levied by the Shire of Lake Grace.

Objectives

To provide support for this essential community service.

Guidelines

The determination of the amount of the donation will be considered as part of the normal municipal budget considerations.

MOTION CARRIED 9/0

Resolution

MOTION 10232

Moved Cr Stewart
Seconded Cr Taylor

That the review of Policy 2.4 Lions Club Donation as follows be adopted and the Policy Manual updated accordingly.

POLICY 2.4 LIONS CLUB DONATION

Policy

That in respect to Lot 1 Williams Location 14092 currently utilised as the Lake Grace Lions Park, Council will donate on an annual basis to the Lake Grace Lions Club an amount equal to the cost of water rates and consumption charges.

Objectives

To clarify responsibility for and to determine a mechanism for the reimbursement of the expenditure by the Lake Grace Lions Club.

Guidelines

The determination of the amount of the donation will be considered as part of the normal municipal budget procedure.

MOTION CARRIED 9/0

Resolution

MOTION 10233

Moved Cr Chamberlain
Seconded Cr Stewart

That the review of Policy 2.5 Joint Venture Housing as follows be adopted and the Policy Manual updated accordingly.

POLICY 2.5 JOINT VENTURE HOUSING

Policy

That Council support joint venture housing projects on a needs basis with the level of contribution being in accordance with the requirements of the Department of Housing and Works.

Objectives

To document Council support for joint venture housing projects.

Guidelines

The level of contribution towards joint venture housing projects is determined by the Department of Housing and Works and normally includes the provision of suitably zoned land, services, earthworks and landscaping.

MOTION CARRIED 9/0

Resolution

MOTION 10234

Moved Cr Bennett
Seconded Cr Newman

That the review of Policy 2.7 Australia Day Breakfast – Donation of Entry Fees as follows be adopted and the Policy Manual updated accordingly.

POLICY 2.7 AUSTRALIA DAY BREAKFAST
DONATION OF ENTRY FEES

Policy

An Australia Day function will be held at the Lake Grace Swimming Pool for the formal announcement of Council's Annual Australia Day Awards.

To encourage community participation in the event, Council, when framing its annual budget may resolve by Absolute Majority to waive pool admittance fees on the day.

Objectives

To encourage attendance at the formal announcement of Council's annual Australia Day Awards.

Guidelines

Council will seek the assistance of local groups and organisations to host the Australia Day function at the Lake Grace Swimming Pool and in addition to waiving admittance fees on the day may also provide a financial incentive by way of a donation.

MOTION CARRIED 9/0

14.2 POLICY MANUAL REVIEW – SECTION 4 STAFF

Applicant:	Project Officer
File No.	0055
Attachments:	Existing Policy Manual
Author:	Mr Jim Fraser Project Officer
Disclosure of Interest:	Nil
Date of Report:	10 July 2006
Senior Officer:	Mr Chris Jackson Chief Executive Officer

Summary

This report recommends changes to Policy 4.1 Army Reserve and Local Emergency Service Organisation Members, 4.2 Staff Subsidy Owner Occupied Housing, 4.3 Senior Employees and 4.4 Water Consumption for Council Houses.

Background

The last review of policies was undertaken by Council in February 2004, however there has been ad hoc alterations up to December 2005.

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 Manual be updated*

The Project Officer under the direction of the Chief Executive Officer has commenced a review of the Policy Manual.

For the purposes of the review each of the seven sections will be independently reviewed and submitted to Council for consideration.

Comment**Section 4 – Staff****POLICY 4.1 ARMED SERVICES RESERVES AND LOCAL EMERGENCY SERVICES ORGANISATION MEMBERS.****Existing Policy**

POLICY Council will maintain the salaries or wages of any of its' employees who are engaged on armed services reserve duties or who are members of local emergency service organizations and are called upon to perform duties during working hours.

OBJECTIVES To identify Council's support for the Reserve's services and members of the local emergency services.

Proposed Amendments

Policy

Council employees who are members of a reserve unit of the armed services engaged on reserve duties will have their salaries and wages maintained by Council for the duration of the engagement.

Council employees who are members of the St John Ambulance Association participating in voluntary activities during normal working hours will have their salaries and wages maintained by Council.

Council employees who are members of Fire and Emergency Service funded organisations participating in voluntary activities during normal working hours will have their salaries and wages maintained by Council.

Council employees actively engaged in the control of bush fires outside of normal working hours shall be paid at the appropriate overtime rate.

Objectives

To identify Council's support for employees involved with reserve units of the armed forces and the various local emergency services.

Guidelines

To ensure that employees are fit to work, Council's supervising staff are to be aware of the Award provisions in relation to the need for a ten hour break after working extended hours.

Note: The policy has been substantially redrafted to clarify the various sectors under the general heading of local emergency services. An endeavour has been made to differentiate between attendance at a bush fire and other emergency activities.

In a bush fire situation staff would normally be required to operate items of Council plant such as loaders and graders for extended periods obviously depending on the severity of the fire.

In other emergency situations the relevant equipment is normally provided by others. There will also be occasions where (as an example) Council staff may be involved in a lengthy search and rescue situation. The policy is a guide only and all other situations can be assessed at the time of occurrence.

The guideline has been added to ensure the Occupational Safety & Health of staff is considered during and after incidences that may have an effect on those staff.

POLICY 4.2 - STAFF SUBSIDY – OWNER OCCUPIED HOUSING

Existing Policy

- POLICY** All permanent full time staff homeowners living in their own home within the Shire shall receive a subsidy equal to the Shire rates payable in respect to that property.
- OBJECTIVES** To provide equity with staff receiving rental subsidies in Shire owned housing
- GUIDELINES** Beneficiaries are to first pay their rates and lodge with the DCEO a claim for recoup

Proposed Policy

Policy

All permanent staff registered on the certificate of title as an owner in fee simple, and residing in the residence within the Shire of Lake Grace, shall receive a subsidy equal to the rates and charges raised by the Shire of Lake Grace payable in respect to that property.

Beneficiaries are to first pay the account and lodge a claim for recoup.

Objectives

To provide equity with staff receiving rental subsidies in Shire owned housing.

Guidelines

A permanent staff member can be employed in either a full time or a part time capacity in a substantive position to qualify for the subsidy.

A permanent staff member residing in a residence on a farming property can make application to Council for an ex gratia payment equal to the average subsidy paid to employees.

Note: The wording has been altered to make it clear that the intent of the policy is to pay a subsidy equal to all the charges contained within the Shire of Lake Grace rate notice.

The policy has been extended to include permanent part time employees in substantive positions i.e. those positions within the current staffing structure.

POLICY 4.3 SENIOR EMPLOYEES

Existing Policy

POLICY Council designates the following employees as senior employees for the purposes of s5.39:

- Chief Executive Officer
- Deputy Chief Executive Officer
- Engineer / Manager of Works
- Manager Environmental Health & Building Services

OBJECTIVES

GUIDELINES *Local Government Act 1995 – s5.39*

Proposed Policy

Policy

Under the provisions of Sections 5.37 and 5.39 of the Local Government Act 1995 and the current staffing structure the following positions are designated Senior Employees:

- Deputy Chief Executive Officer
- Manager of Works

Objectives

To recognize the Senior Employee designations under the current staffing structure.

Guidelines

Sections 5.37 and 5.39 of the Local Government Act 1995.

POLICY 4.4 – WATER CONSUMPTION FOR COUNCIL HOUSES

Existing Policy

POLICY Council will meet the cost of the first 600 kilolitres per annum.

OBJECTIVES To ensure that Council housing gardens are maintained.

Proposed Policy

Policy

Where, as part of their conditions of employment with Council, a residence is made available to an employee 600 kilolitres of water per annum will be made available at no charge to the tenant to ensure the upkeep and presentation of the property.

If the annual consumption for the property is in excess of 600 kilolitres the tenant will be charged at the relevant levels imposed by the Water Corporation.

Objectives

To provide an incentive to employees occupying Council provided rental properties to maintain the properties at an acceptable standard.

Guidelines

In the event of a change of tenancy in any one year the new employee will be deemed to have accumulated the benefit at the rate of 50 kilolitres per month.

Tenants will be charged at the relevant Water Corporation levels for all water used in excess of 600 Kilolitres per year.

Council can negotiate individual contracts with senior employees that may vary from this policy.

Note: An attempt has been made to make the policy clearer particularly when there is a change of tenancy during the year.

POLICY 4.5 – SEVERANCE PAY

Note: As there are likely to be changes associated with the new Federal Industrial Laws this policy has not been the subject of a review. Any required changes will be reported to Council as a separate item.

Legal Implications

There are no legal requirements pertaining to the review of the Policy Manual.

Policy Implications

The Policy Manual will be amended to reflect the decisions of Council.

Community Consultation

There has not been any community consultation. The Project Officer has sought the assistance of the Chief Executive Officer for input and advice and advice has also been requested from the Secretary, Great Eastern Country Zone of the Western Australian Local Government Association.

Financial Implications

The intent to include permanent part time staff in the policy will impact on Council. The rates and charges on an average three/four bedroom brick and tile house in Lake Grace with a valuation of approximately \$5,500 including General Rates, Sewerage, Television and radio rebroadcasts, Resource Centre SAR, Sport and Recreation SAR, Rubbish and the Emergency Services Levy are approximately \$1,350.00.

Strategic Implications

The retention of staff will be addressed in the Strategic Plan.

Recommendation

That the review of Policy's 4.1 Army Reserve and Local Emergency Service Organisation Members, 4.2 Staff Subsidy Owner Occupied Housing, 4.3 Senior Employees and 4.4 Water Consumption for Council Houses as follows be adopted and the Policy Manual updated accordingly:

POLICY 4.1 ARMY RESERVE AND LOCAL EMERGENCY SERVICE ORGANISATION MEMBERS

Policy

Council employees who are members of a reserve unit of the armed services engaged in training duties will have their salaries and wages maintained by Council for the duration of the training.

Council employees who are members of the St John Ambulance Association participating in voluntary activities during normal working hours will have their salaries and wages maintained by Council.

Council employees who are members of Fire and Emergency Service funded organisations participating in voluntary activities during normal working hours will have their salaries and wages maintained by Council.

Council employees actively engaged in the control of bush fires outside of normal working hours shall be paid at the appropriate overtime rate.

Objectives

To identify Council's support for employees involved with reserve units of the armed forces and the various local emergency services.

Guidelines

To ensure that employees are fit to work, Council's supervising staff are to be aware of the Award provisions in relation to the need for a ten hour break after working extended hours.

That staff undertake a further review of the staff subsidy owner occupied housing policy that will further encourage home ownership within the Shire.

POLICY 4.2 STAFF SUBSIDY OWNER OCCUPIED HOUSING

Policy

All permanent staff registered on the certificate of title as an owner in fee simple, and residing in the residence within the Shire of Lake Grace, shall receive a subsidy equal to the rates and charges raised by the Shire of Lake Grace payable in respect to that property.

Beneficiaries are to first pay the account and lodge a claim for recoup.

Objectives

To provide equity with staff receiving rental subsidies in Shire owned housing.

Guidelines

A permanent staff member can be employed in either a full time or a part time capacity in a substantive position to qualify for the subsidy.

A permanent staff member residing in a residence on a farming property can make application to Council for an ex gratia payment equal to the average subsidy paid to employees.

POLICY 4.3 SENIOR EMPLOYEES

Policy

Under the provisions of Sections 5.37 and 5.39 of the Local Government Act 1995 and the current staffing structure the following positions are designated Senior Employees:

- Deputy Chief Executive Officer
- Manager of Works

Objectives

To recognize the Senior Employee designations under the current staffing structure.

Guidelines

Sections 5.37 and 5.39 of the Local Government Act 1995.

4.4 WATER CONSUMPTION FOR COUNCIL HOUSES

Policy

Where, as part of their conditions of employment with Council, a residence is made available to an employee 600 kilolitres of water per annum will be made available at no charge to the tenant to ensure the upkeep and presentation of the property.

If the annual consumption for the property is in excess of 400 kilolitres the tenant will be charged at the relevant levels imposed by the Water Corporation.

Objectives

To provide an incentive to employees occupying Council provided rental properties to maintain the properties at an acceptable standard.

Guidelines

In the event of a change of tenancy in any one year the new employee will be deemed to have accumulated the benefit at the rate of 50 kilolitres per month.

Council can negotiate individual contracts with senior employees that may vary from this policy.

Voting Requirements

Simple majority required.

Resolution**MOTION 10235**

Moved Cr Bennett
Seconded Cr Farrelly

That the review of Policy's 4.1 Army Reserve and Local Emergency Service Organisation Members as follows be adopted and the Policy Manual updated accordingly:

POLICY 4.1 ARMY RESERVE AND LOCAL EMERGENCY SERVICE
ORGANISATION MEMBERS

Policy

Council employees who are members of a reserve unit of the armed services engaged *in training duties* will have their salaries and wages maintained by Council for the duration of the *training*.

Council employees who are members of the St John Ambulance Association participating in voluntary activities during normal working hours will have their salaries and wages maintained by Council.

Council employees who are members of Fire and Emergency Service funded organisations participating in voluntary activities during normal working hours will have their salaries and wages maintained by Council.

Council employees actively engaged in the control of bush fires outside of normal working hours shall be paid at the appropriate overtime rate.

Objectives

To identify Council's support for employees involved with reserve units of the armed forces and the various local emergency services.

Guidelines

To ensure that employees are fit to work, Council's supervising staff are to be aware of the Award provisions in relation to the need for a ten hour break after working extended hours.

MOTION CARRIED 9/0

Resolution

MOTION 10236

Moved Cr Chamberlain
Seconded Cr Stewart

POLICY 4.2 STAFF SUBSIDY OWNER OCCUPIED HOUSING

That staff undertake a further review of the staff subsidy owner occupied housing policy that will further encourage home ownership within the Shire.

MOTION CARRIED 9/0

Resolution

MOTION 10237

Moved Cr Bennett
Seconded Cr Taylor

That the review of Policy 4.3, Senior Employees as follows be adopted and the Policy Manual updated accordingly:

POLICY 4.3 SENIOR EMPLOYEES

Policy

Under the provisions of Sections 5.37 and 5.39 of the Local Government Act 1995 and the current staffing structure the following positions are designated Senior Employees:

Deputy Chief Executive Officer
Manager of Works

Objectives

To recognize the Senior Employee designations under the current staffing structure.

Guidelines

Sections 5.37 and 5.39 of the Local Government Act 1995.

MOTION CARRIED 9/0

Resolution

MOTION 10238

Moved Cr Walker
Seconded Cr Bennett

That the review of Policy 4.4 Water Consumption for Council Houses as follows be adopted and the Policy Manual updated accordingly:

4.4 WATER CONSUMPTION FOR COUNCIL HOUSES

Policy

Where, as part of their conditions of employment with Council, a residence is made available to an employee **400** kilolitres of water per annum will be made available at no charge to the tenant to ensure the upkeep and presentation of the property.

If the annual consumption for the property is in excess of **400** kilolitres the tenant will be charged at the relevant levels imposed by the Water Corporation.

Objectives

To provide an incentive to employees occupying Council provided rental properties to maintain the properties at an acceptable standard.

Guidelines

In the event of a change of tenancy in any one year the new employee will be deemed to have accumulated the benefit at the rate of 50 kilolitres per month.

Tenants will be charged at the relevant Water Corporation levels for all water used in excess of **400** Kilolitres per year.

Council can negotiate individual contracts with senior employees that may vary from this policy.

MOTION CARRIED 9/0

14.3 POLICY MANUAL REVIEW – SECTION 5 WORKS

Applicant: Project Officer
File No: 0050
Attachments: Existing Policy Manual
Author: Mr Jim Fraser
Project Officer
Disclosure of Interest: Nil
Date of Report: 17 July 2006
Senior Officer: Mr Chris Jackson
Chief Executive Officer

Summary

This report recommends changes to Policy 5.1 Private Works, 5.2 Annual Plant Report, 5.3 Council Equipment – Private Use, 5.4 Hire of Council Plant, 5.5 Garden and General Refuse – Pick up, 5.6 Road Making Materials, 5.7 Street Trees, 5.12 Storm Water Drainage and 5.13 Drainage and Water Pipeline.

Background

The last review of policies was undertaken by Council in February 2004, however there has been ad hoc alterations up to December 2005.

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 Manual be updated*

The Project Officer under the direction of the Chief Executive Officer has commenced a review of the Policy Manual.

For the purposes of the review each of the seven sections will be independently reviewed and submitted to Council for consideration.

Comment

Section 5 - Works

POLICY 5.1 PRIVATE WORKS

Existing Policy

- POLICY** All private works are to be subject to a written agreement between the private party and the Shire.
Where works are to be carried out on behalf of a ratepayer or other private person, the estimated cost of the works shall be pre-paid. Any additional cost is to be met by the private party or any balance remaining on completion of the works shall be refunded.
- OBJECTIVES** To ensure proper use of Council equipment.
- GUIDELINES** A request in the prescribed form is to be completed by the applicant and lodged with the Manager of Works and Services.
(see attached Form)

Proposed Amendments

Policy

All private works are to be subject to a written agreement between the applicant (entity) and the Shire of Lake Grace.

Where works are to be carried out on behalf of a ratepayer the estimated cost of the works shall be prepaid.

Any additional cost is to be met by the ratepayer and any balance remaining on completion of the works shall be refunded.

Where works are to be carried out on behalf of an entity other than ratepayer the estimated total cost of the works shall be prepaid or covered by a pre arranged payment schedule which may include a form of a bank guarantee.

Objectives

To ensure proper use of Shire equipment in the carrying out of private works for ratepayers and to ensure a suitable payment system for private works on larger projects for private developers, Government Departments and Agencies.

Guidelines

A request in the prescribed form (as attached) is to be submitted by the applicant and lodged with the Manager of Works.

POLICY 5.2 - ANNUAL PLANT REPORT

Existing Policy

POLICY The Engineer / Manager of Works shall prepare an annual report detailing kilometre/hours for each machine and cost of repairs undertaken.

OBJECTIVES To provide Council with overview of plant costs

Proposed Amendments

Policy

The Chief Executive Officer or a delegated officer shall prepare an annual report detailing the kilometres travelled or plant hours worked, the availability and cost of repairs undertaken for each major item of plant.

Objectives

To provide Council with an overview of plant costs to assist in the preparation and assessment of a ten year plant replacement programme.

Guidelines

The report is not intended to include minor items of plant or motor vehicles which are replaced at agreed timelines or kilometres travelled.

POLICY 5.3 – COUNCIL EQUIPMENT – PRIVATE USE

Existing Policy

POLICY Council equipment is not available for use by non Shire employees.
Council plant items such as loaders, graders and trucks are not available for private use by employees.
Council employees may, with the written approval of the Shire Engineer/Manager of Works, use Council's small items of equipment such as lawnmowers, chainsaws and light vehicles subject to:

- the employee being trained in the use of the equipment (where necessary)
- the use being limited to work associated with the employee's/Council property

the employee meeting cost of consumables eg. fuel, discs etc.

OBJECTIVES A local government has the right to allow private use of its resources but the use must be open and accountable to the public.

GUIDELINES The equipment is not available for employees to undertake work for profit or for non-employees other than recognized charitable groups.

The employee is to be responsible for the care, maintenance, damage and repair of the equipment.

The employee accepts liability for any injury incurred by themselves or other person or body whilst using the equipment.

Proposed Amendments

Policy

Council employees may, with the approval of the Chief Executive Officer or the Manager of Works, use Council's small items of equipment such as lawn mowers, chainsaws, power tools and light vehicles subject to:

- The employee being trained in the use of the equipment.
- The use being limited to work associated with the employees and/or Council property.
- The employee meeting the cost of consumables eg. Fuel.

Major items of plant such as loaders, graders and trucks are not available for private use by employees.

Subject to Policy 2.1, Charitable Works, Council equipment is not available for use by non Shire employees.

Objectives

To provide an open and accountable process for the private use of Council's resources by employees

To minimise the insurance risks associated with the use of Council resources by employees.

Guidelines

The equipment is not available to employees to undertake work for profit.

The employee is responsible for the care and maintenance of the equipment and will be responsible for the costs of any repairs required and/or damage to the equipment.

The employee accepts liability for any injury incurred to themselves and/or others whilst using the equipment.

POLICY 5.4 – HIRE OF COUNCIL PLANT

Existing Policy

- POLICY** Shire plant or equipment that has a driver/operator compartment shall not be hired out without its driver/operator.
- OBJECTIVES** To ensure the safe and careful use of Shire property.
- GUIDELINES** All requests to be in writing and directed to the Engineer / Manager of Works

Proposed Policy

Policy

Shire plant and equipment that has a driver/operator compartment shall only be hired out with a driver operator competent in the operation of the plant and equipment.

Objectives

To ensure the safe and careful use of Shire property.

Guidelines

In assessing the request for the hire of Council's plant and equipment the Manager of Works will take into consideration the suitability of the plant and equipment to undertake the tasks and the competence of the driver/operator to execute the task.

Note: There may be occasions when the competence of an operator (eg. Final trim operator) is required to operate a grader other than the grader normally allocated to him in the completion of a difficult task.

POLICY 5.5 - GARDEN AND GENERAL REFUSE – PICK UP

Existing Policy

- POLICY** An annual Garden Refuse pick up will be carried out for each town within the Shire.
- OBJECTIVES** To provide the community with an opportunity to clear excess household/garden waste.
- GUIDELINES** Engineer / Manager of Works is to advertise collection giving a minimum of 4 weeks notice.

Proposed Amendments

Policy

An annual garden and general refuse pick up will be carried out for each town within the Shire.

A minimum of four weeks notice will be given to each of the towns advising the relevant dates.

Objectives

To provide the communities of the towns of Lake Grace, Newdegate, Lake King and Varley with an opportunity to dispose of excess garden and general refuse.

Guidelines

To comply with disposal requirements the doors of refrigerators will be removed prior to pick up.

The removal of motor vehicle bodies will require prior notice to Council staff and may result in a separate charge being levied.

POLICY 5.6 - ROAD MAKING MATERIALS

Existing Policy

POLICY Should it be necessary to obtain road making materials from private property, then any compensation is to be at a flat rate per cubic meter, as prescribed in Council's annual budget and is to be evidenced by a written agreement [see Attachment 5.6(a)] endorsed by the Engineer / Manager of Works and countersigned by the Chief Executive Officer.

OBJECTIVES To ensure proper written evidence of Council's obligations

GUIDELINES

- To document agreements with landholders for the supply of road making materials
- To outline any conditions relating to the taking of road making materials
- Property owner not required to obtain Extractive Industries licence as it is the Shire that is operating the pit
- To specify compensation payable
- To prescribe rehabilitation requirements
- To prevent disputes arising from removal of road making materials

Proposed Amendments

Policy

Where it is necessary to obtain road making materials from private property and the property owner has requested compensation such compensation is to be at a flat rate per cubic metre as prescribed in Council's Annual Budget.

Where it is necessary to obtain road making materials from private property and the property owner has not requested compensation any special rehabilitation requirements are to form part of the agreement.

A written agreement in the form of Attachment 5.6(a) endorsed by the Manager of Works and countersigned by the Chief Executive Officer shall be prepared in each instance.

Objectives

To ensure that each party to the agreement is aware of their obligations under the agreement.

Guidelines

1. To document agreements with landholders for the supply of road making materials.
2. To outline any conditions relating to the taking of road making materials.
3. To specify compensation payable.
4. To prescribe rehabilitation requirements.
5. To prevent dispute arising from removal of road making materials.
6. It is noted that the property owner is not required to obtain an Extractive Industry licence as it is the Shire of Lake Grace that is operating the pit.

Note: The policy has been amended to reflect a situation where the property owner does not require compensation but may have special requirements relating to the rehabilitation of the pit.

POLICY 5.7 - STREET TREES (NEW SUBDIVISIONS)

*Note: It is recommended that the policy be **cancelled** at this time and that the matter of street trees be considered from a Town Planning perspective.*

TPS4 outlines the procedure for making or amending a Local Planning Policy (clause 2.4).

There are various references within the Scheme in relation to the landscaping within certain zones.

POLICY 5.8 - PROPERTY ACCESS AND CROSSOVERS

(No changes proposed)

Note: The policy outlines Council's responsibility to construct a crossover to appropriate gravel standards to residential, industrial and commercial and rural properties. The policy also commits Council to fund 50% of the costs to provide a two coat seal subject to standard requirements.

POLICY 5.9 - ROAD CLASSIFICATION

Note: The Project Officer has not re-assessed the Road Classifications. It is suggested that:

- *The Manager of Works undertake a review prior to 31 March 2007. This would allow Council to consider the matter in line with the 2007/08 budget deliberations.*
- *Council's early deliberation relating to the Magenta and Old Ravensthorpe Roads are also noted.*

POLICY 5.11 - UNSEALED ROADS – STANDARDS

Note; The Project Officer has not reviewed the policy nor examined the guidelines established by the Australian Road Research Board.

POLICY 5.12 - STORMWATER DRAINAGE

Existing Policy

POLICY	Property owners shall be permitted to drain storm water from their properties into the main roadside drainage system.
OBJECTIVES	To provide for control of water given the high clay content of soils.
GUIDELINES	Requires prior approval of Council's Engineer / Manager of Works & Building Inspector

Proposed Amendments

Policy

Property owners within the townsites of Lake Grace, Newdegate, Lake King and Varley shall be permitted to drain storm water from their properties into the main roadside drainage system.

Objectives

To allow stormwater from properties in townsites within the Shire of Lake Grace to be disposed of into Council's roadside drainage.

Guidelines

Permission to dispose of stormwater into Council's roadside drainage system must be provided by the Manager of Works.

Note: The policy has been amended to reflect that it only pertains to townsites within the Shire.

POLICY 5.13 DRAINAGE AND WATER PIPELINE

Existing Policy

POLICY Landowners to be advised that under section 19 of the Local Government (Uniform Local Provisions) Regulations it is illegal for any person to interfere with the natural flow of surface water, on across or through any thoroughfare under the care and control of Council which will cause damage to that thoroughfare unless authorised to do so.

If a landowner wishes to discharge or divert water on, across or through a road under the care and control of Council and is of no benefit to that road, then the landowner is responsible for all costs associated with doing so.

If a landowner wishes to discharge or divert water on, across or through a road under the care and control of Council and is of benefit to the road, costs may be negotiated upon application to Council.

Water Pipeline Policy

- The pipe is to be buried 600mm beneath the roadway.
- The pipe be placed inside a larger diameter steel pipe.
- White posts marked “Water Pipe” be placed at either end of the line where it crosses the road reserve.
- The landowner is responsible for any damage that may occur to the pipeline.

OBJECTIVES To establish the extent of Council’s responsibility for drainage and water pipeline works.

GUIDELINES Applications to Council for consideration will be guided by the natural drainage contours and its impact upon Council’s roads.

Proposed Amendments

Policy

Under the provisions of Section 19 of the Local Government (Uniform Local Provisions) Regulations it is illegal for any person to interfere with the natural flow of surface water, on, across or through any thoroughfare under the care and control of Council which will cause damage to that thoroughfare unless authorised to do so.

A landowner wishing to discharge or divert water on, across, or through a thoroughfare under the care and control of Council will first make application outlining their proposed works.

If the proposed works are of no benefit to Council the landowner will be responsible for all costs associated with the works.

If the proposed works are considered to be of benefit to Council and, subject to a decision of Council the cost may be negotiated.

Objectives

To establish the extent of Council's responsibility for drainage and water pipeline works.

Guidelines

Applications to Council for drainage will be guided by the natural drainage contours and its impact on Council's road network.

Applications for water pipelines will be guided by the following:

- The pipe is to be buried inside a larger diameter steel pipe.
- White posts marked 'WATER PIPE' are to be placed at either end of the line where it crosses the road reserve.
- The landowner is responsible for any damage that may occur to the pipeline.

Note: The Project Officer has not fully researched the implications of the introduction of deep drains and other drainage initiatives on Council's existing policy. There is a lack of a policy framework at the State level which restricts local government in their endeavours to draw up a range of policies to cover the situations which are emerging throughout the Wheatbelt regions.

There are funding avenues through the Avon Catchment Council as well as other natural resource Management funding sources and staff will continue to monitor these for opportunities.

Legal Implications

There are no legal requirements pertaining to the review of the Policy Manual.

Policy Implications

The Policy Manual will be amended to reflect the decisions of Council.

Community Consultation

There has not been any community consultation.

The Project Officer has sought the assistance of various local governments, the Natural Resource Management section with WALGA and various government agencies.

Financial Implications

There are no financial implications.

Strategic Implications

N/A

Recommendation

1. That the review of Policy's 5.1 Private Works, 5.2 Annual Plant Report, 5.3 Council Equipment – Private Use, 5.4 Hire of Council Plant, 5.5 Garden and General Refuse – Pick up, 5.6 Road Making Materials, 5.12 Storm Water Drainage and 5.13 Drainage and Water Pipeline as follows be adopted and the Policy Manual updated accordingly; and;

POLICY 5.1 PRIVATE WORKS

Policy

All private works are to be subject to a written agreement between the applicant (entity) and the Shire of Lake Grace.

Where works are to be carried out on behalf of a ratepayer the estimated cost of the works shall be prepaid.

Any additional cost is to be met by the ratepayer and any balance remaining on completion of the works shall be refunded.

Where works are to be carried out on behalf of an entity other than ratepayer the estimated total cost of the works shall be prepaid or covered by a pre arranged payment schedule which may include a form of a bank guarantee. Requests for private works in excess of \$10,000 shall be referred to Council.

Objectives

To ensure proper use of Shire equipment in the carrying out of private works for ratepayers and to ensure a suitable payment system for private works on larger projects for private developers, Government Departments and Agencies.

Guidelines

A request in the prescribed form (as attached) is to be submitted by the applicant and lodged with the Manager of Works.

POLICY 5.2 ANNUAL PLANT REPORT

Policy

The Chief Executive Officer or a delegated officer shall prepare an annual report detailing the kilometres travelled or plant hours worked, the availability and cost of repairs undertaken for each major item of plant.

Objectives

To provide Council with an overview of plant costs to assist in the preparation and assessment of a ten year plant replacement programme.

Guidelines

The report is not intended to include minor items of plant or motor vehicles which are replaced at agreed timelines or kilometres travelled.

POLICY 5.3 COUNCIL EQUIPMENT – PRIVATE USE

Policy

Council employees may, with the approval of the Manager of Works use Council's small items of equipment such as lawn mowers, chainsaws, power tools and light vehicles subject to:

- The employee being trained in the use of the equipment.
- The use being limited to work associated with the employees and/or Council property.
- The employee meeting the cost of consumables eg. Fuel.

Major items of plant such as loaders, graders and trucks are not available for private use by employees.

Subject to Policy 2.1, Charitable Works, Council equipment is not available for use by non Shire employees.

Objectives

To provide an open and accountable process for the private use of Council's resources by employees

To minimise the insurance risks associated with the use of Council resources by employees.

Guidelines

The equipment is not available to employees to undertake work for profit.

The employee is responsible for the care and maintenance of the equipment and will be responsible for the costs of any repairs required and/or damage to the equipment.

The employee accepts liability for any injury incurred to themselves and/or others whilst using the equipment.

POLICY 5.4 HIRE OF COUNCIL PLANT

Policy

Shire plant and equipment that has a driver/operator compartment shall only be hired out with a driver operator competent in the operation of the plant and equipment.

Objectives

To ensure the safe and careful use of Shire property.

Guidelines

In assessing the request for the hire of Council's plant and equipment the Manager of Works will take into consideration the suitability of the plant and equipment to undertake the tasks and the competence of the driver/operator to execute the task.

POLICY 5.5 GARDEN AND GENERAL REFUSE PICK UP

Policy

An annual garden and general refuse pick up will be carried out for each town within the Shire.

A minimum of four weeks notice will be given to each of the towns advising the relevant dates.

Objectives

To provide the communities of the towns of Lake Grace, Newdegate, Lake King and Varley with an opportunity to dispose of excess garden and general refuse.

Guidelines

To comply with disposal requirements the doors of refrigerators will be removed prior to pick up.

The removal of motor vehicle bodies will require prior notice to Council staff and may result in a separate charge being levied.

POLICY 5.6 ROAD MAKING MATERIALS

Policy

Where it is necessary to obtain road making materials from private property and the property owner has requested compensation such compensation is to be at a flat rate per cubic metre as prescribed in Council's Annual Budget.

Where it is necessary to obtain road making materials from private property and the property owner has not requested compensation any special rehabilitation requirements are to form part of the agreement.

A written agreement in the form of Attachment 5.6(a) endorsed by the Manager of Works and countersigned by the Chief Executive Officer shall be prepared in each instance.

Objectives

To ensure that each party to the agreement is aware of their obligations under the agreement.

Guidelines

1. To document agreements with landholders for the supply of road making materials.
2. To outline any conditions relating to the taking of road making materials.
3. To specify compensation payable.
4. To prescribe rehabilitation requirements.
5. To prevent dispute arising from removal of road making materials.
6. It is noted that the property owner is not required to obtain an Extractive Industry licence as it is the Shire of Lake Grace that is operating the pit.

POLICY 5.12 STORM WATER DRAINAGE

Policy

Property owners within the townsites of Lake Grace, Newdegate, Lake King and Varley shall be permitted to drain storm water from their properties into the main roadside drainage system.

Objectives

To allow stormwater from properties in townsites within the Shire of Lake Grace to be disposed of into Council's roadside drainage.

Guidelines

Permission to dispose of stormwater into Council's roadside drainage system must be provided by the Manager of Works.

Policy 5.13 Drainage and Water Pipeline

Policy

Under the provisions of Section 19 of the Local Government (Uniform Local Provisions) Regulations it is illegal for any person to interfere with the natural flow of surface water, on, across or through any thoroughfare under the care and control of Council which will cause damage to that thoroughfare unless authorised to do so.

A landowner wishing to discharge or divert water on, across, or through a thoroughfare under the care and control of Council will first make application outlining their proposed works.

If the proposed works are of no benefit to Council the landowner will be responsible for all costs associated with the works.

If the proposed works are considered to be of benefit to Council and, subject to a decision of Council the cost may be negotiated.

Objectives

To establish the extent of Council's responsibility for drainage and water pipeline works.

Guidelines

Applications to Council for drainage will be guided by the natural drainage contours and its impact on Council's road network.

Applications for water pipelines will be guided by the following:

1. The pipe is to be buried inside a larger diameter steel pipe.
2. White posts marked 'WATER PIPE' are to be placed at either end of the line where it crosses the road reserve.
3. The landowner is responsible for any damage that may occur to the pipeline.

Voting Requirements

Simple majority required.

Resolution

MOTION 10239

Moved Cr Farrelly
Seconded Cr Bennett

That the review of Policy's 5.1 Private Works as follows be adopted and the Policy Manual updated accordingly.

POLICY 5.1 PRIVATE WORKS

Policy

All private works are to be subject to a written agreement between the applicant (entity) and the Shire of Lake Grace.

Where works are to be carried out on behalf of a ratepayer the estimated cost of the works shall be prepaid.

Any additional cost is to be met by the ratepayer and any balance remaining on completion of the works shall be refunded.

Where works are to be carried out on behalf of an entity other than ratepayer the estimated total cost of the works shall be prepaid or covered by a pre arranged payment schedule which may include a form of a bank guarantee.

Requests for private works in excess of \$10,000 shall be referred to Council.

Objectives

To ensure proper use of Shire equipment in the carrying out of private works for ratepayers and to ensure a suitable payment system for private works on larger projects for private developers, Government Departments and Agencies.

Guidelines

A request in the prescribed form (as attached) is to be submitted by the applicant and lodged with the Manager of Works.

MOTION CARRIED 9/0

Resolution

MOTION 10240

Moved Cr Chamberlain
Seconded Cr Taylor

That the review of Policy 5.2 Annual Plant Report as follows be adopted and the Policy Manual updated accordingly.

POLICY 5.2 ANNUAL PLANT REPORT

Policy

The Chief Executive Officer or a delegated officer shall prepare an annual report detailing the kilometres travelled or plant hours worked, the availability and cost of repairs undertaken for each major item of plant.

Objectives

To provide Council with an overview of plant costs to assist in the preparation and assessment of a ten year plant replacement programme.

Guidelines

The report is not intended to include minor items of plant or motor vehicles which are replaced at agreed timelines or kilometres travelled.

MOTION CARRIED 9/0

Resolution

MOTION 10241

Moved Cr Chamberlain
Seconded Cr Sinclair

Refer Policy 5.3 to Council's insurance broker Tim Stevens for comment in relation to indemnity provisions.

MOTION CARRIED 9/0

Resolution

MOTION 10242

Moved Cr Stewart
Seconded Cr Farrelly

1. That the review of Policy 5.4 Hire of Council Plant as follows be adopted and the Policy Manual updated accordingly.

POLICY 5.4 HIRE OF COUNCIL PLANT

Policy

Shire plant and equipment that has a driver/operator compartment shall only be hired out with a driver operator competent in the operation of the plant and equipment.

Objectives

To ensure the safe and careful use of Shire property.

Guidelines

In assessing the request for the hire of Council's plant and equipment the Manager of Works will take into consideration the suitability of the plant and equipment to undertake the tasks and the competence of the driver/operator to execute the task.

MOTION CARRIED 9/0

Resolution

MOTION 10243

Moved Cr Walker
Seconded Cr Farrelly

1. That the review of Policy 5.5 Garden and General Refuse – Pick up as follows be adopted and the Policy Manual updated accordingly.

POLICY 5.5 GARDEN AND GENERAL REFUSE PICK UP

Policy

An annual garden and general refuse pick up will be carried out for each town within the Shire.

A minimum of four weeks notice will be given to each of the towns advising the relevant dates.

MOTION 10243 continued

Objectives

To provide the communities of the towns of Lake Grace, Newdegate, Lake King and Varley with an opportunity to dispose of excess garden and general refuse.

Guidelines

To comply with disposal requirements the doors of refrigerators will be removed prior to pick up.

The removal of motor vehicle bodies will require prior notice to Council staff and may result in a separate charge being levied.

MOTION CARRIED 9/0

Resolution

MOTION 10244

Moved Cr Stewart
Seconded Cr Bennett

That staff further review Policy 5.6 Road Making Materials.

MOTION CARRIED 9/0

Resolution

MOTION 10245

Moved Cr Bennett
Seconded Cr Farrelly

That Policy 5.7 Street Trees be cancelled.

MOTION CARRIED

Resolution

MOTION 10246

Moved Cr Farrelly
Seconded Cr Taylor

1. That the review of 5.12 Storm Water Drainage as follows be adopted and the Policy Manual updated accordingly.

POLICY 5.12 STORM WATER DRAINAGE

Policy

Property owners within the townsites of Lake Grace, Newdegate, Lake King and Varley shall be permitted to drain storm water from their properties into the main roadside drainage system.

Objectives

To allow stormwater from properties in townsites within the Shire of Lake Grace to be disposed of into Council's roadside drainage.

Guidelines

Permission to dispose of stormwater into Council's roadside drainage system must be provided by the Manager of Works.

MOTION CARRIED 9/0

5.02pm Cr Farrelly left the meeting.
5.05pm Cr Farrelly re-entered the meeting.
5.11pm CEO Mr Chris Jackson left the meeting.

Resolution

MOTION 10246

Moved Cr Bennett
Seconded Cr Stewart

1. That the review of Policy Drainage and Water Pipeline as follows be adopted and the Policy Manual updated accordingly.

POLICY 5.13 DRAINAGE AND WATER PIPELINE

Policy

Under the provisions of Section 19 of the Local Government (Uniform Local Provisions) Regulations it is illegal for any person to interfere with the natural flow of surface water, on, across or through any thoroughfare under the care and control of Council which will cause damage to that thoroughfare unless authorised to do so.

A landowner wishing to discharge or divert water on, across, or through a thoroughfare under the care and control of Council will first make application outlining their proposed works.

If the proposed works are of no benefit to Council the landowner will be responsible for all costs associated with the works.

If the proposed works are considered to be of benefit to Council and, subject to a decision of Council the cost may be negotiated.

Objectives

To establish the extent of Council's responsibility for drainage and water pipeline works.

Guidelines

Applications to Council for drainage will be guided by the natural drainage contours and its impact on Council's road network.

Applications for water pipelines will be guided by the following:

1. The pipe is to be buried inside a larger diameter steel pipe.
2. White posts marked 'WATER PIPE' are to be placed at either end of the line where it crosses the road reserve.
3. The landowner is responsible for any damage that may occur to the pipeline.

MOTION CARRIED 9/0

14.4 POLICY – VEHICLE LICENCE PLATES – SPECIAL LOCAL AUTHORITY SERIES

5.13pm CEO Mr Chris Jackson re-entered the meeting.

Applicant: Project Officer
File No: 0050
Attachments: Nil
Author: Mr Jim Fraser
 Project Officer
Disclosure of Interest: Nil
Date of Report: 17 July 2006
Senior Officer: Mr Chris Jackson
 Chief Executive Officer

Summary

This report recommends the adoption of a new policy for the disposal of the Local Authority Special Series vehicle licence plates.

Background

There are several variations available throughout the Shire of Special Series vehicle licence plates. These include licence plates for townsites and sporting bodies. Generally the allocation is undertaken by a community representative.

The Lake Grace Shire Special Series vehicle licence plates are the exception as these are managed by Council through the normal vehicle licensing agency.

The number plates have a number followed by the prefix LG, Council's crest and the slogan 'The Growing Centre' embossed on them.

Comment

When first considered by Council the method of allocation was determined to be by auction. This was considered to be the fairest method at the time. The plates have now been available for approximately ten years and there is now only sporadic interest in their acquisition.

At the Council Meeting held on 15 December 2004, Council resolved in part to remove the auction restrictions and to make the plates available on a first offer basis setting the price at \$225.00. This was made up of \$115.00 to cover the cost of the plate leaving \$110.00 available to be donated to a community based project of the purchasers choice.

Whilst it may be assumed the intent was for the donation to be made to a locally based project this was not clear.

The process for acquisition is by application to Council. The number plates are then ordered specifically and the relevant fee paid for this process. It is the opinion of staff that the number plates are therefore not owned by Council and thus the provisions of Section 3.58 and 3.59 of the Local Government Act 1995 referring to the disposition of property do not apply.

In drafting the policy staff have specifically referred to community based projects within the Shire of Lake Grace.

POLICY 2.8 ALLOCATION OF SPECIAL SERIES VEHICLE LICENCE PLATES

Proposed New Policy

Policy

Those persons wishing to purchase Special Series Vehicle Licence Number Plates being numerical LG embossed with the 'The Growing Centre' and Council crest are to make application as per guidelines.

A component of the fee as determined by Council from time to time will be allocated to a group or organisation represented within the Shire of Lake Grace.

Objectives

To provide a mechanism for the acquisition of Special Series Vehicle Licence Number Plates, and to outline the method of distribution of portion of the fee to local groups and organisations.

Guidelines

1. Staff will ensure that the application is correctly completed.
2. Any applications for the same numbers will be referred to Council.
3. Application to be made on specified Department of Transport, Series Special Number Plates Application Form.
4. When a buyer elects to donate the profit margin from the sale of the Special Series Vehicle Licence Plates to a community based project the following points will be used in determining the acceptability of that project:
 - a) Projects to be of a tangible nature i.e. new buildings or major additions/renovations to existing buildings.
 - b) Projects to be of benefit to the Shire or particular community at large.
 - c) Project to have in place an established and functioning committee.

Legal Implications

Section 3.1 of the Local Government Act 1995 General Provisions

Policy Implications

When adopted by Council the policy will be included in the Manual under Section 2 Community Support – Policy 2.8 Allocation of Special Series Vehicle Licence Plates

Community Consultation

There has not been any community consultation.

Financial Implications

There are no financial implications.

Strategic Implications

Nil

Voting Requirements

Simple majority required.

Recommendation/Resolution

MOTION 10247

Moved Cr Bennett
Seconded Cr Taylor

That Policy 2.8 Allocation of Special Series Vehicle Licence Plates be adopted and the Policy Manual updated accordingly:

**POLICY 2.8 ALLOCATION OF SPECIAL SERIES
VEHICLE LICENCE PLATES**

Policy

Those persons wishing to purchase Special Series Vehicle Licence Number Plates being numerical LG embossed with the 'The Growing Centre' and Council crest are to make application as per guidelines.

A component of the fee as determined by Council from time to time will be allocated to a group or organisation represented within the Shire of Lake Grace.

Objectives

To provide a mechanism for the acquisition of Special Series Vehicle Licence Number Plates, and to outline the method of distribution of portion of the fee to local groups and organisations.

MOTION 10247 continued

Guidelines

1. Staff will ensure that the application is correctly completed.
2. Application to be made on specified Department of Transport, Series Special Number Plates Application Form.
3. When a buyer elects to donate the profit margin from the sale of the Special Series Vehicle Licence Plates to a community based project the following points will be used in determining the acceptability of that project:
 - a) Projects to be of a tangible nature i.e. new buildings or major additions/renovations to existing buildings.
 - b) Projects to be of benefit to the Shire or particular community at large.
 - c) Project to have in place an established and functioning committee.

MOTION CARRIED 9/0

14.5 PINGARING COMMUNITY CENTRE – PROPOSED MANAGEMENT AGREEMENT

5.12pm Cr Newman left the meeting.

Applicant: Pingaring Progress Association
File No: 0436
Attachments: Draft Agreement
Author: Mr Jim Fraser
Project Officer
Disclosure of Interest: Nil
Date of Report: 17 July 2006
Senior Officer: Mr Chris Jackson
Chief Executive Officer

Summary

This report recommends the acceptance of a management agreement between the Pingaring Progress Association (PPA) and the Shires of Lake Grace and Kulin.

Background

At its June 2006 Ordinary Meeting, Council resolved that:

Negotiations continue with the Pingaring Progress Association and the Shire of Kulin to reach agreement on a new Management Agreement.

Comment

The Chief Executive Officer and Project Officer have had discussions with the CEO of the Shire of Kulin, Mr Greg Hadlow. It is evident from the discussions that the position of the Shire of Kulin has not altered and that the Shire will continue its support for the Pingaring Progress Association. The relevant clause in the Agreement has been included as a safeguard to ensure the Shire of Kulin has some control mechanism in relation to the expenditure incurred by the Pingaring Progress Association.

On that basis it is recommended that the agreement be accepted.

The costs associated with the Pingaring Community Centre will continue to be funded from the Specified Area Rates for the Lake Grace Ward.

As well as the general allocation of \$4,000.00 the draft budget for the 2006/07 year includes funding for a new front fence, tree lopping and external painting of the Centre.

Legal Implications

Section 6.37 of the Local Government Act 1995 Specified Area Rating.

Policy Implications

Policy 3.3 Specified Area Rating.

Community Consultation

Representatives of the Pingaring Progress Association attended Council's June 2006 Ordinary Meeting.

Financial Implications

The 2006/07 draft budget refers.

Strategic Implications

The delivery of services to the community is an important aspect of the strategic directions of Council.

Voting Requirements

Simple majority required.

Recommendation/Resolution

MOTION 10248

Moved Cr Stewart
Seconded Cr Farrelly

That:

- 1 The Management Agreement as attached between the Pingaring Progress Association and the Shires of Kulin and Lake Grace for the management of the Pingaring Community Centre be adopted.
2. The Shire President and the Chief Executive Officer be authorised to sign the Agreement and affix the Common Seal.

MOTION CARRIED 8/0

14.6 WA LOCAL GOVERNMENT ASSOCIATION – ANNUAL GENERAL MEETING 2006

5.15pm Cr Newman re-entered the meeting.

Applicant: WA Local Government Association
File No. 0029
Attachments: Extracts from Agenda
Author: Mr Chris Jackson
Chief Executive Officer
Disclosure of Interest: Nil
Date of Report: 13 July 2006
Senior Officer: Mr Chris Jackson
Chief Executive Officer

Summary

The purpose of this report is to draw to Council's attention those items on the Agenda for the 2006 WA Local Government Association's Annual General Meeting that may impact upon the Shire of Lake Grace.

Background

The WA Local Government Association has released its Agenda for this year's Annual General Meeting which is to be held on Sunday 6 August 2006 during Local Government Week.

Council has previously nominated Crs Roberts and Walker as its voting delegates for the meeting.

Included in the Agenda are the following items of business:

COMMUNITY

- 1.1 Graffiti Management
- 1.2 Control of Bushfire Brigades
- 1.3 Country Medical Foundation
- 1.4 State Government Employee Housing
- 1.5 Transfer of Police Officers Between Districts

DEVELOPMENT

- 2.1 Proposed Building Act and Qualification Requirements for Building Surveyors.
- 2.2 Impact of Overlapping Legislation on Local Government Planning Functions.

GOVERNANCE

- 3.1 Fringe Benefits Tax Legislation (013.2 Zone Tax Rebate Reform).
- 3.3 State Administrative Tribunal Retirement Villages Rates Exemption.
- 3.4 Establishment of a General Agreement between State and Local

- Government for the Transfer of Staff Entitlements.
- 3.5 Image Enhancement Strategies.
- 3.6 Advertising Campaign Promoting Local Government.
- 3.7 Training Programmes for Local Government Industry.
- 3.8 Extension of Protection for Local Government Councillors – Section 9.56 of the Local Government Act 1995.

TRANSPORT AND ROADS

- 4.1 Reach Foundation Funding Proposal.
- 4.2 Vehicle Licensing Services.

WALGA MANAGEMENT

- 5.1 Terms of Office for Zone Office Bearers.
- 5.2 Proposed Amendments to the Constitution of the Western Australian Local Government Association.

Comment

Background information and comment on each item is included in the Agenda and copies are attached for Council's information.

Council may wish to include in its recommendation that the voting delegates are able to change their position on the vote following debate on the item to reflect the best interests of this Shire.

Legal Implications

Voting on the proposed motions will be in accordance with WALGA's constitution.

Policy Implications

N/A

Community Consultation

N/A

Financial Implications

N/A

Strategic Implications

N/A

Voting Requirements

Simple majority required.

Recommendation/Resolution

MOTION 10249

Moved Cr Farrelly
Seconded Cr Bennett

1. That Council provide the following direction to its voting delegates to this year's Annual General Meeting of the Western Australian Local Government Association:
 - Item 1.1 Support
 - Item 1.2 Support
 - Item 1.3 Support
 - Item 1.4 Support
 - Item 1.5 Support
 - Item 2.1 Support
 - Item 2.2 Support
 - Item 3.1 Support
 - Item 3.2 Support
 - Item 3.3 Support
 - Item 3.4 Support
 - Item 3.5 Support
 - Item 3.6 Support
 - Item 3.7 Support
 - Item 3.8 Support
 - Item 4.1 Support
 - Item 4.2 Support
 - Item 5.1 Support
 - Item 5.2 Support

2. That Council authorise its delegates to change their position on voting following debate on the item to reflect the best interests of the Shire.

MOTION CARRIED 9/0

14.7 LAKE KING FACILITIES LICENCE AGREEMENT

Applicant: Department of Education and Training
File No. 0548
Attachments: Attachment 1 & Agreement
Author: Mr Chris Jackson
 Chief Executive Officer
Disclosure of Interest: Nil
Date of Report: 18 July 2006
Senior Officer: Mr Chris Jackson
 Chief Executive Officer

Summary

For Council to approve entering into a licence agreement with the Minister for Education for the use of shire facilities at Lake King.

Background

The Department of Education and Training has advised that it is required to enter into a formal agreement when utilising shared facilities. As such the Department has prepared a draft licence agreement to formalise the use of the Shire's oval, hard courts, hall, pavilion and library resource centre by the Lake King Primary School at Lake King.

Comment

The Lake King Primary School has for many years utilised shire facilities as part of the operation of the school. Various informal agreements have been in place in the past which the agreement now sets out in detail.

The agreement relates to the oval, hard courts, hall, pavilion and library located on Shire Reserve 20321 (see Attachment 1). The term of the agreement is 21 years expiring on the 31 December 2026. The Minister will contribute 25% towards the cost of wages, electricity, fertiliser, chemicals, tractor maintenance, mower maintenance, licences, consultancy, reticulation maintenance, insurance, freight and fuel. The Department currently only reimburses the Lake King Progress Association for 25% of the running costs of the oval and as the Association is not incorporated this payment will now come via the shire through this agreement.

Legal Implications

The agreement sets out the shires responsibilities in relation to the department's use of facilities located

Policy Implications

N/A

Community Consultation

N/A

Financial Implications

Income to be received for use of Council facilities by the Lake King School will increase with the adoption of this Agreement.

Strategic Implications

N/A

Voting Requirements

Simple majority required.

Recommendation/Resolution

MOTION 10250

Moved Cr Farrelly
Seconded Cr Sinclair

- 1) That the Shire of Lake Grace enter into a licence agreement with the Minister for Education for use of Shire facilities located at Lake King which includes the Oval, Hard Courts, Hall, Pavilion and Library Resource Centre by the Lake King Primary School.
- 2) The Shire President and Chief Executive Officer be authorised to sign the agreement and affix the common seal.

MOTION CARRIED 9/0

15.0 URGENT BUSINESS BY DECISION OF THE MEETING

None.

16.0 SCHEDULING OF MEETING

As per Motion 10131 December 2005:

An Ordinary Meeting of the Council will be held on Wednesday 23 August 2006 at the Lake King Town Hall, Lake King commencing at 1.30 pm.

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

No confidential business.

18.0 CLOSURE

Prior to closure of the Meeting, the President expressed his disappointment in that information from the Draft Budget discussion session held on 19 July 2006 had been disclosed to members of the public directly following the meeting.

There being no further business, the Chairperson closed the meeting at 5.42pm.

19.0 CERTIFICATION

I _____ certify that the minutes of the meeting held on the 26 July 2006 as shown on page numbers _____ to _____ were confirmed as a true record at the meeting held on the 23 August 2006.

Chairman

Date