

SHIRE OF LAKE GRACE



Minutes

Ordinary Council Meeting

22 March 2006

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SHIRE OF LAKE GRACE

MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD AT THE VARLEY SPORTS PAVILION, VARLEY, ON WEDNESDAY, 22 FEBRUARY 2006.

1.0 OPENING & ANNOUNCEMENT OF VISITORS

The Chairperson (President) opened the meeting at 1.31pm.

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	
Mr C.G. Jackson	Chief Executive Officer
Mrs J. Bennett	Executive Assistant
Mr B. Hyde	Observer

2.2 APOLOGIES

None.

2.3 LEAVE OF ABSENCE PREVIOUSLY GRANTED

Motion No 10145 22 February 2006 Ordinary Meeting

Cr Taylor previously approved Leave of Absence from 14th to 23rd March 2006.

3.0 PUBLIC QUESTION TIME**3.1 MR BEN HYDE**

Commended the Shire on assisting the Varley community in regard to town gardening and raised the following:

- Varley cemetery in regard to recent request for reticulation and plants?
- Progress on the Varley Fire shed?
- Situation regarding the Varley Rubbish Tip?
- Program for sealing of Varley South Road?
- Budgets for fire truck equipment repairs and maintenance?

The Shire President, CEO and Deputy CEO provided information and updates as requested on all of the above.

4.0 APPLICATIONS FOR LEAVE OF ABSENCE

None received.

5.0 MINUTES OF PREVIOUS COUNCIL MEETINGS**5.1 ORDINARY MEETING – 22 FEBRUARY 2006**

Resolution

MOTION 10163

Moved Cr Newman
Seconded Cr Bennett

That the minutes of the Ordinary Meeting of Council held on the 22 February 2006 be confirmed.

MOTION CARRIED 8/0

6.0 NOTICES OF URGENT BUSINESS

Late items 14.3, 17.1 & 17.2 as previously advised.

7.0 MOTIONS OF WHICH NOTICE HAS BEEN RECEIVED

Nil.

8.0 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil.

9.0 MEMBERS' REPORTS**9.1 CR CHAMBERLAIN**

Advised Council of onsite meeting held last week at Newdegate with Crs Roberts, Stewart, Newman, Walker and the CEO re the following:

- Light Industrial Area – looked at alternative sites
- Proposed new garden shed – location
- Potential proposed rubbish tip site – visited site and measured distance from town

Cr Chamberlain reported the meeting to be very productive and that it provided ideas for staff as to community thoughts.

9.2 CR NEWMAN

Reported on recent landholders meeting held re Magenta & South East Newdegate Community Dams. The sites were inspected, landholders agreed in principle to the leasing of their land and the projects can now move forward. David Hillier, Department of Water Project Manager's concerns with regard to the engineering designs of the dams have been resolved.

9.3 CR STEWART

Attended Newdegate Trails Planning Workshop along with Cr Newman on Monday 20 March 2006. The meeting was interesting and productive with the following main points:

- CALM reserves are not available for the establishment of walk trails
- Recreation reserve at Lake Bidy identified as a potential site
- Town recreation trail will be first priority with several good alternatives put forward
- Money will need to be put aside in the future for development of these trails

9.4 CR WALKER

Advised Council he has been approached to open next week's Seniors Games in Lake Grace and judge banners and make presentations to the winning teams. 140 seniors will be participating in the games.

10.0 MATTERS FOR CONSIDERATION – WORKS & SERVICES

10.1 TENDER 1/2006 – SCHEDULE OF RATES FOR MACHINERY HIRE

Applicant: N/A
File No. 0468
Attachments: Copy of advertisement & Tender Specifications
 Under separate cover – tenders & evaluations
Author: Mr Chris Jackson
 Chief Executive Officer
Disclosure of Interest: Nil
Date of Report: 13 March 2006
Senior Officer: Mr Chris Jackson
 Chief Executive Officer

Summary

For Council to approve tenders for rates of hire for machinery.

Background

Tenders requesting rates of hire for the following machinery were advertised in the West Australian on the 22 February 2006 and closed on Friday 10 March 2006:

Padfoot Rollers, Multityre Rollers, Front End Loaders, Tippers, Water Trucks, Bulldozers, Excavators and Graders.

Comment

Tenders have been received from the following:

Name	Details
M & D & L Gordon	Tipper
RA McDonald & Co	Front End Loader
Davmin Holdings	Bulldozer
Jacobson Grading Contractor	Grader
Wagin Earthmoving	Tipper, Water Truck
Mayday Earthmoving	Various
Darkan Earthmoving	Bulldozer, Excavators
EarthEx Logistics Pty Ltd	Various
RA & AM Furphy	Bulldozer
Coates Hire	Rollers
National Hire	Various
TW & PM Henderson	Front End Loader, Grader
I & B Lynch Earthmoving	Various

Given the need to undertake significant flood damage repairs and to complete other roads works Council agreed to proceed to tender at its ordinary meeting held 22 February 2006. Tenders have been evaluated using the following criteria and weightings: Refer attached assessment sheets.

- **Tender Price** (Subject to Council's Regional Price Preferencing Policy) 40%
- **Considered ability to meet requirements of tender specification** 30%
- **Condition and Specification of Plant** 15%
- **Experience in similar types of supply and service** 10%
- **References** 5%

Based on the assessments and Councils Regional Price Preferencing Policy it is recommended that Council approve a list of the preferred machinery hire contractors in order of preference as per the recommendation below.

Legal Implications

Local Government Act 1995 s3.57

Local Government (Functions and General) Regulations 1996 Part 4

Policy Implications

In accordance with Council's tender process, Regional Price Preference Policy, and 2005/06 budget.

Community Consultation

N/A

Financial Implications

Various road construction and maintenance accounts including flood damage.

Strategic Implications

N/A

Recommendation/Resolution

MOTION 10164

Moved Cr Newman
Seconded Cr Walker

That the Schedule of Rates for Machinery Hire Tender 1/2006 preferred contractors be listed as follows (in order of preference) for a 12 month period expiring on the 31 March 2007. Machinery is to be available on an as needs basis, with contractor to be contracted dependant on availability and machine size requirements.

MOTION 10164 continued

Padfoot Rollers & Multityre Rollers

- 1) Coates Hire (Dry Hire)
 - 2) National Hire (Dry Hire)
 - 3) Mayday Earthmoving (Dry Hire)
 - 4) I & B Lynch Earthmoving (Dry Hire Multityre Rollers)
-
- 1) EarthEx Logistics (Wet Hire Padfoot Rollers)

Front End Loaders

- 1) EarthEx Logistics
- 2) RA McDonald & Co
- 3) TW & PM Henderson
- 4) Mayday Earthmoving
- 5) I & B Lynch Earthmoving

Graders

- 1) TW & PM Henderson)
- 2) Jacobson Grading Contractor
- 3) EarthEx Logistics
- 4) I & B Lynch Earthmoving
- 5) Mayday Earthmoving

Excavators

- 1) EarthEx Logistics
- 2) Mayday Earthmoving
- 3) Darkan Earthmoving

Tippers

- 1) EarthEx Logistics
- 2) Wagin Earthmoving
- 3) I & B Lynch Earthmoving
- 4) Mayday Earthmoving
- 5) M & D & L Gordon

Water Trucks

- 1) EarthEx Logistics
- 2) Wagin Earthmoving
- 3) I & B Lynch Earthmoving

Bulldozers

- 1) Davmin Holdings
- 2) EarthEx Logistics
- 3) RA & AM Furphy
- 4) Darkan Earthmoving

MOTION CARRIED 8/0

11.0 MATTERS FOR CONSIDERATION – TOWN PLANNING

11.1 LOT 152 SUGG ROAD LAKE KING – REQUEST TO FREEHOLD

Applicant:	Department of Planning & Infrastructure – Land Asset Management Services
File No.	0456
Attachments:	Attachment 1 & 2 and Plan 1
Author:	Mr Joe Douglas & Mr Steve Pandevski Town Planning Consultant
Disclosure of Interest:	Nil
Date of Report:	14 March 2006
Senior Officer:	Mr Chris Jackson Chief Executive Officer

Summary

This report provides details and recommendations in respect of a request received by the Department for Planning and Infrastructure – Land Asset Management Services (DPI-LAMS) by the current lessee of Lot 152 Sugg Road, Lake King to release the land from the State estate and acquire it as freehold lot. DPI-LAMS seek comments from the Shire prior to determining the matter.

Background

Lot 152 Sugg Road is located in the north-west sector of the newer part of the Lake King townsite (see Plan 1).

On correspondence dated 17 January 2006 DPI-LAMS sought comments from the Shire of Lake Grace regarding a request from the current lessee of Lot 152 Sugg Road, Lake King for the land to be released from the State estate and for the current lessee to be afforded the opportunity to acquire the land in freehold ownership. As a result of the request DPI-LAMS is now seeking comments from the Shire of Lake Grace (see Attachment 1).

On 17 March 1995 the Shire of Lake Grace granted a Building Licence approval for a steel framed shed to operate as a commercial venture. An inspection of the premises by Shire staff in late February 2006 indicates that the site is being used for mechanical repairs, including tyre repair and replacement, and the sale of petroleum products (lubricants). Shire staff are satisfied that the building complies with the conditional building licence approval granted in March 1995.

A comprehensive search of the Shire records on 1 March 2006 failed to locate a planning approval for the existing use/development on Lot 152.

Comment

Lot 152 Sugg Road is currently classified 'Lake King' zone under the Shire of Lake Grace Town Planning Scheme No.3 (TPS No.3). The current zoning classification requires all development to be consistent with a development plan adopted as a policy by Council. A Development Plan for the area exists and identifies the land for industrial purposes. To that extent the existing development and use of the land is consistent with the adopted development plan, and therefore the current TPS No.3 zoning classification of the land.

The draft Shire of Lake Grace Town Planning Scheme No.4 (TPS No.4) was adopted by Council in March 2005 and is currently awaiting final approval from the Western Australian Planning Commission (WAPC) and the Hon. Minister for Planning and Infrastructure. Lot 152 Sugg Road is classified 'General Industry' zone under TPS No.4. The existing development and use of the land is permissible within the zone.

Notwithstanding the permissibility of the activity on the subject land under the current and proposed local authority town planning scheme, the development has not received Council's planning approval. For the purpose of administrative completeness and compliance with relevant planning legislation, it is recommended that Council instructs the administration to write to DPI LAMS and the lessee advising that the current activity on the subject land has not obtained planning approval under TPS No.3 and that the lessee is required to submit a completed planning application for consideration and determination by Council.

An application for planning approval will allow Council (amongst other things) to consider the appropriateness of external storage of materials on the site (see Attachment 2) in the context of the Shire's current and proposed town planning scheme and the general amenity and character of the area. It may be considered reasonable to require the landowner to submit a completed planning application with the Shire within 60 days of the Shire so requesting.

Requiring retrospective planning approval eleven (11) years after granting a building licence may attract some criticism, and the Shire may be asked to explain why a building licence approval was granted without first requiring an application for planning approval. Although some may consider this a valid criticism, as it has historically tended to be the position of local government to not grant a building licence approval until a planning approval has first been granted, it should be noted that there does not appear to be any specific legislative requirement for a local authority to not grant a building licence prior to it granting a planning approval. In fact the granting of a building licence prior to a planning approval does not prejudice the landowner's obligation under the Planning Act and TPS No.3 to obtain a planning approval prior to physical commencement of the development. Notwithstanding, there is also scope

for Council to consider and determine a planning application seeking approval for development that already exists.

The above matters do not necessarily influence or affect the provision of comments by Council to DPI-LAMS on the intention to freehold Lot 152 Sugg Road, Lake King, thereby alienating it from the State estate, however by advising the State of the requirement to legitimise the activity on the subject land by complying with planning legislation and the provisions of TPS No.3, Council has acknowledged the anomaly and has acted appropriately.

To that extent the intention to freehold Lot 152 Sugg Road, Lake King does not raise any local planning concerns and therefore this report does not raise any objections to the request on the proviso that DPI-LAMS is advised of the requirement for the owner of the land to apply for planning approval pursuant to the provisions of the current Planning Act and TPS No.3.

Conclusion

The request to freehold Lot 152 Sugg Road, Lake King does not raise any planning concerns. Notwithstanding, it is noted that the existing activity and development on the site has not obtained planning approval under TPS No.3. A building licence has however been granted (1995). For the purpose of legitimising the existing activities on the subject land and complying with planning legislation and the provisions of TPS No.3, Council should instruct the administration to advise DPI-LAMS, as the current owner of the land, that a completed application for planning consent is required to be lodged with the Shire of Lake Grace within sixty (60) days of date of the correspondence for consideration and determination.

Legal Implications

- Land Administration Act 1997 (as amended) – in relation to the process and requirements of transferring State land to freehold land – to be determined by DPI-LAMS.
- Town Planning and Development Act 1928 (as amended) – stipulates the requirement for an application seeking planning approval.
- Shire of Lake Grace Town Planning Scheme No.3 – stipulates the requirement for an application seeking planning approval and provisions for the assessment and determination of such an application.
- Shire of Lake Grace Town Planning Scheme No.4 (adopted by Council 23rd March 2005) – upon gazettal will replace TPS No.3 in stipulating the requirement for an application seeking planning approval and provisions for the assessment and determination of such an application.

Policy Implications

Nil

Community Consultation

Consultation is not required by TPS No.3.

Financial Implications

- Upon an application for planning consent being lodged with the Shire a relevant planning application fee will be received as well.
- The Shire is likely to incur costs associated with the processing and assessment of the planning application, perhaps including the cost of consultants and community consultation if required. Adequate funds are available in the 2005/2006 operational budget.

Strategic Implications

Nil

Voting Requirements

Simple majority required.

Recommendation/Resolution

MOTION 10165

Moved Cr Bennett
Seconded Cr Farrelly

That Council advise the Department for Planning and Infrastructure – Land Asset Management Services division (DPI-LAMS) that:

- a) it does not have any objections to the proposal to freehold Lot 152 Sugg Road, Lake King;
- b) according to Shire records, the existing physical improvements and land use on Lot 152 Sugg Road, Lake King have not to-date obtained Council's planning consent under the operational Shire of Lake Grace District Town Planning Scheme, currently being Town Planning Scheme No.3; and,
- c) a completed application for planning consent with appropriate plans are required to be submitted to the Shire detailing the existing improvements and the nature of the land use on Lot 152 Sugg Road, Lake King for consideration and determination by Council.

MOTION CARRIED 8/0

11.2 LOT 201 NEWDEGATE NORTH ROAD, NEWDEGATE – PLANNING APPLICATION PROPOSED CARETAKERS DWELLING NEWDEGATE CARAVAN PARK

Crs Newman & Chamberlain declared a proximity interest in Item 11.3 in that they own adjoining land. Council considered their interest to be trivial and that they remain and participate in the debate and vote on the matter.

Applicant: JC & J Robinson
File No. 0455
Attachments: Attachment 3 & Plans 2 to 6
Author: Mr Joe Douglas & Mr Steve Pandevski
 Town Planning Consultant
Disclosure of Interest: Nil
Date of Report: 14 March 2006
Senior Officer: Mr Chris Jackson
 Chief Executive Officer

Summary

This report provides details and recommendations in respect of an application for Council's planning consent submitted by JC & J Robinson on behalf of the current landowner, Galipet Pty Ltd, to install a portable building to be used as a caretakers dwelling, in addition to the existing managers residence, and to relocate the existing campers kitchen building from its current position next to the manager's residence to further west next to two (2) accommodation buildings on the grounds of the Newdegate Caravan Park, being Lot 201 Newdegate North Road, Newdegate. In support of the proposal the applicant submits that there are medical reasons for requiring a second caretakers dwelling to allow for an additional caretaker to manage the caravan park at certain times.

Background

By way of background it is understood that JC & J Robinson have entered into a conditional contract to purchase the Newdegate Caravan Park with the view of becoming owner / operators. The Newdegate Caravan Park (Lot 201) is located in the eastern portion of the Newdegate townsite. Lot 201 is approximately 2.084 hectares in area, has approximately 130 metres of direct frontage to Newdegate North Road and also has access from Phascogale Street (see Plan 2).

The application seeks Council's planning consent to:

- i) install a portable building to be used as a caretakers dwelling proposed to be located 4 metres to the east of the existing manager's residence on the property; and
- ii) to relocate the existing campers kitchen building to a location further west on the property in proximity to two (2) existing accommodation

buildings. The reason for relocating the campers kitchen building is that the proposed new caretakers dwelling is to be sited on the current location of the campers kitchen building (See Plans 3 & 4).

The details of the portable caretakers dwelling are as follows:

- a) dimensions: 14.6m (length), 4.2m (width) and 2.97m (height – to the ridge)
- b) external cladding material: vinyl
- c) external cladding colour: heritage gold
- d) internal layout: two (2) bedroom, living/meals area, bathroom, laundry and separate w/c (See Plans 5 & 6)

In support of the proposal the applicant has submitted correspondence advising there are medical reasons for the application (see Attachment 3).

Comment

Shire of Lake Grace Town Planning Scheme No.3

Lot 201 is currently classified 'Special Use – Caravan Park' zone in the Shire of Lake Grace Town Planning Scheme No.3 (TPS No.3). The specific TPS No.3 provisions applicable to the land require all development to be consistent with plans and management requirements as approved by Council. To that extent, and without specific reference to use class permissibility in Table 1 'Zoning' in TPS No.3, the Council is afforded discretion to approve any form of development on the subject land if it is satisfied that the development proposed is consistent with the principles of proper and orderly planning and consistent with the normal needs and operations of a caravan park.

Shire of Lake Grace Town Planning Scheme No.4

Under the Shire's proposed new Local Planning Strategy and Town Planning Scheme No.4 (TPS No.4) adopted by Council at its Ordinary Meeting held on the 23rd March 2005, the subject landholding's current 'Special Use' zoning classification will remain unchanged. TPS No.4 similarly requires all development on the site to be approved by Council prior to its commencement

To this extent it is considered that the application satisfies the procedural requirements of both TPS No.3 and proposed TPS No.4.

Planning Comment

The proposed caretakers dwelling and relocated campers kitchen building is considered to be generally consistent with the use of the site as a caravan park. Normally one (1) caretakers dwelling is considered appropriate for the purpose of maintaining buildings or grounds associated with a commercial activity. Currently the existing manager's residence on the caravan park site provides for caretakers accommodation. However, it is noted that the applicant, which is also understood to be the contracted

purchaser, has submitted that the reason for requiring the second caretakers dwelling is to assist during periods when the applicant is not available due to ongoing medical reasons.

The location of the proposed caretakers dwelling is central within the caravan park grounds and is not considered to impact upon the established amenity of the locality or the internal functionality of the caravan park.

The proposed relocation of the campers kitchen building to a position adjoining the two (2) existing accommodation buildings closest to Newdegate North Road is also considered acceptable. The campers kitchen building is proposed to be located “in-line” with the accommodation buildings (as viewed from Newdegate North Road) therefore maintaining a consistent setback and streetscape appearance.

To that extent it may be reasonable that Council considers the proposal consistent with principles of proper and orderly planning and incidental to the use of the site as a caravan park, and accordingly exercises discretion and resolves to grant its approval.

Conclusion

It is concluded from an assessment of the application in the context of the Shire’s current Town Planning Scheme No.3 and proposed new Town Planning Scheme No.4 that the proposal may be considered consistent with the normal functions associated with a caravan park. Under the circumstances, Council may grant its approval subject to conditions ensuring that:

- i) The caretakers dwelling is restricted to occupation by a person /or persons responsible for maintaining buildings or grounds of the caravan park.
- ii) The caretakers dwelling and the relocated campers kitchen building are connected to an adequate waste water management system to the specification and satisfaction of the Shire of Lake Grace and the Department of Health Western Australia.
- iii) Stormwater drainage produced by the proposed caretakers dwelling and the relocated campers kitchen building is managed and disposed of to the satisfaction of the Shire of Lake Grace.

Legal Implications

- Town Planning and Development Act 1928 (as amended)
- Shire of Lake Grace Town Planning Scheme No.3
- Shire of Lake Grace Town Planning Scheme No.4 (adopted by Council 23rd March 2005)
- Caravan Parks and Camping Grounds Regulations 1997 (as amended)

Policy Implications

Nil

Community Consultation

Community consultation is not required by TPS No.3.

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Simple majority required.

Recommendation/Resolution

MOTION 10166

Moved Cr Stewart
Seconded Cr Sinclair

That Council resolve to **approve** the planning application submitted by JC & J Robinson on behalf of the landowner, Galipet Pty Ltd, to install a portable building to be used as a caretakers dwelling and relocate the existing campers kitchen building on the grounds of the Newdegate Caravan Park being Lot 201 Newdegate North Road, Newdegate in accordance with the details of the submitted plans and subject to the following conditions:

1. This approval only permits occupation of the caretakers dwelling by a person or persons responsible for maintaining the building and or grounds of the Newdegate Caravan Park.
2. All development shall be completed within two (2) years of the date of Council's issuance of planning consent.
3. A building licence shall be obtained from the Shire prior to the commencement of any works on the site associated with the development.
4. All stormwater drainage shall be managed to the specifications and satisfaction of the Shire.
5. The discharge of all wastewater shall be managed to the specifications and satisfaction of the Shire and the Department of Health Western Australia.

MOTION CARRIED 8/0

11.3 LOT 226, 1 DUNHAM ST LAKE GRACE – PLANNING APPLICATION – PROPOSED COLORBOND/STEEL FRAMED SHED

Applicant: Marianne Kuchling
File No. 0454
Attachments: Plans 7 to 9
Author: Mr Joe Douglas & Mr Steve Pandevski
 Town Planning Consultant
Disclosure of Interest: Nil
Date of Report:
Senior Officer: Mr Chris Jackson
 Chief Executive Officer

Summary

This report provides details and recommendations in respect of an application for Council's planning consent submitted by Marianne Kuchling to construct a new colorbond / steel framed shed at the rear of Lot 226 (No.1) Dunham Street, Lake Grace.

Background

The application seeks Council's planning approval to construct a new 9 metre long, 6 metre wide and 3.1 metre high (3 metre wall height) colorbond shed at the rear of Lot 226 Dunham Street, Lake Grace for the parking / storage of private vehicles (see Plans 8 & 9).

Under the terms of the site development plan submitted in support of the application (i.e. Plan 8) the shed is proposed to have a minimum setback of approximately 1.8 metres from the land's rear and northern-side boundaries.

Comment

Lot 226 is located in the central part of the Lake Grace townsite in a designated residential area. It covers a total area of 1,109m² and has direct frontage to Dunham Street along its western boundary and a right-of-way along its southern boundary (see Plan 7).

The subject land has been developed for residential purposes and comprises a single storey detached dwelling constructed on the front half of the property.

Lot 226 is currently classified 'Residential' zone in the Shire of Lake Grace Town Planning Scheme No.3 (TPS 3) and is proposed to retain this zoning classification in the Shire's proposed new Local Planning Strategy and Town Planning Scheme No.4 (TPS 4).

Council's stated objective for land classified 'Residential' zone is to ensure that the zone adequately provides for the residential needs of the District in a manner consistent with maximum residential amenity and public

safety. To achieve this objective Council will adopt Residential Planning Codes consistent with the residential character of the areas, and which will enable residential uses other than single houses to be appropriately located.

Under the terms of the land's current zoning classification the construction of a single house and ancillary outbuildings (i.e. garage, shed etc.) is permitted subject to compliance with the relevant standards and requirements laid down in Town Planning Scheme No.3 and the Residential Design Codes of Western Australia.

Council's planning approval is however required for the construction of an ancillary outbuilding on a lot where a Class 1 Building is constructed (i.e. a dwelling house) where the total floor area of the proposed outbuilding exceeds 50m². This can be attributed to the specific requirements of Clause 22 of the Town Planning (Buildings) Uniform General By-Laws 1989.

Given that the shed proposed to be constructed at the rear of Lot 226 has a total floor area of 54m² Council's planning approval is required prior to the commencement of construction.

In considering the application Council should note that clause 3.10.1P1 of the Residential Design Codes affords the Council discretion to approve an outbuilding on 'Residential' zoned land if that outbuilding does not detract from the streetscape or the visual amenity of residents or neighbouring properties. Given that the proposed shed will be located in the rear corner of Lot 226 and setback significantly from the street and neighbouring / adjoining dwellings, it may be reasonable for Council to form the view that the proposed shed will not detract from the streetscape or the visual amenity of residents or neighbouring properties.

Alternatively, if Council forms the view that the scale and siting of the proposed shed may have a detrimental impact on neighbouring / adjoining properties it may require the shed, in accordance with clause 3.10.1A1 of the Residential Design Codes, to have a maximum wall height not exceeding 2.4m, a maximum ridge height not exceeding 4.2m and a side boundary setback of 1.5m.

Conclusion

It is concluded from a detailed assessment of the application in the context of the Shire's current Town Planning Scheme No.3 that the proposal to construct a new colorbond shed at the rear of Lot 226 Dunham Street, Lake Grace is capable of being implemented in a proper and orderly manner subject to compliance with a number of conditions to ensure that the proposed development proceeds in accordance with the details of the plans submitted in support of the application and does not have a negative impact upon the general amenity, character, functionality and safety of the immediate locality.

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

The need to ensure the preparation and submission of satisfactory building plans to the Shire for the issuance of a building license prior to the construction of the proposed shed;

The need to ensure that the proposed shed is not used for any purposes other than those permitted under the Town Planning Scheme and/or specifically approved by Council;

The need to ensure that the proposed shed does not have a negative impact upon the character and visual amenity of the immediate locality by virtue of its height, finish and general appearance;

The need to ensure that the proposed shed is located on Lot 226 so as to have an adequate setback from all boundaries and existing essential services; and

The need to ensure adequate management of on-site stormwater drainage.

Legal Implications

Town Planning and Development Act 1928 (as amended)
Shire of Lake Grace Town Planning Scheme No.3
Shire of Lake Grace Town Planning Scheme No.4 (Draft)
Town Planning (Buildings) Uniform General By-Laws 1989

Policy Implications

Nil

Community Consultation

Not required

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Simple majority required.

Recommendation/Resolution

MOTION 10167

Moved Cr Newman
Seconded Cr Farrelly

That Council resolve to approve the application for planning consent submitted by Marianne Kuchling to construct a new colorbond/steel framed shed at the rear of Lot 226 (No.1) Dunham Street, Lake Grace subject to compliance with the following conditions:

1. Completion of all development within two (2) years of the date of Council's issuance of planning consent.
2. A satisfactory building license application and plans being submitted to and approved by the Shire.
3. The proposed shed shall be used for domestic storage purposes only unless otherwise approved by Council.
4. The proposed shed shall be of colorbond construction and shall have a total floor area not exceeding 54m².
5. The proposed shed shall have a minimum setback of one (1) metre from the land's rear boundary and one (1) metre from the land's side boundary.
6. The proposed shed shall have a maximum wall height of 3.0 metres as per the details of the plans submitted in support of the application.
7. The proposed shed shall have adequate clearance from any existing underground essential service infrastructure (e.g. reticulated sewerage, water etc.) as required by the relevant service agencies.
8. All stormwater drainage shall be managed to the specifications and satisfaction of the Shire.

MOTION CARRIED 8/0

12.0 MATTERS FOR CONSIDERATION – HEALTH & BUILDING

No items for consideration.

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

Applicant: Shire of Lake Grace
File No. 14.3.4
Attachments: List of Creditors
Author: Ms Leonie McIlree
Deputy Chief Executive Officer
Disclosure of Interest: Nil
Date of Report: 14 March 2006
Senior Officer: Mr Chris Jackson
Chief Executive Officer

Summary

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

Background

List of invoices paid for the month of February 2006 through the Municipal Account is attached.

Comment

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

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

The attached list meets the requirements of the Financial Regulations.

Legal Implications

Local Government (Financial Management) Regulations 1996 - Reg 12

Local Government (Financial Management) Regulations 1996 - Reg 13

Policy Implications

N/A

Community Consultation

N/A

Financial Implications

The list of creditors paid for the month of February 2006 from the Municipal account amounts to \$200,210.96, electronic funds transfers from the Municipal account amounting \$175,296.79 and direct debits to the Municipal Account totalling \$62,744.81.

Strategic Implications

N/A

Voting Requirements

Simple majority required.

Recommendation/Resolution

MOTION 10168

Moved Cr Chamberlain
Seconded Cr Walker

That Municipal Account cheques 31789 to 31847, totalling \$200,210.96, Electronic Funds Transfers EP001324 to EP001402, totalling \$175,296.79, direct debits to the Municipal Account totalling \$62,744.81, having been checked and certified in accordance with the Financial Management Regulation 12, be confirmed, and passed for payment against the respective accounts as shown on the summary of Accounts for Payment schedule.

MOTION CARRIED 8/0

FINANCIAL STATEMENTS - JANUARY 2005

2.00pm *Mr Hyde left the meeting.*

Applicant: Shire of Lake Grace
File No. 0275
Attachments: Financial Reports
Author: Ms Leonie McIlree
Deputy Chief Executive Officer
Disclosure of Interest: Nil
Date of Report: 14 March 2006
Senior Officer: Mr Chris Jackson
Chief Executive Officer

Summary

Consideration of the financial statements for the month ending 31 January 2006.

Background

The following financial reports are included for your information:

- Statement of Financial Activity
- Function Report
- Capital Expenditure Summary
- Bank Reconciliation

Legal Implications

Local Government Act 1995 – section 6.4

Local Government (Financial Management) Regulations 1996

Policy Implications

N/A

Community Consultation

N/A

Financial Implications

Nil.

Strategic Implications

N/A

Recommendation

That the financial reports for the month ending 31 January 2006 as attached be received.

Voting Requirements

Simple majority required.

Recommendation/Resolution

MOTION 10169

Moved Cr Farrelly
Seconded Cr Bennett

That the financial reports for the month ending 31 January 2006 as attached be received.

MOTION CARRIED 8/0

13.3

FINANCIAL STATEMENTS – FEBRUARY 2006

Applicant: Shire of Lake Grace
File No. 0275
Attachments: Financial Reports
Author: Ms Leonie McIllree
Deputy Chief Executive Officer
Disclosure of Interest: Nil
Date of Report: 14 March 2006
Senior Officer: Mr Chris Jackson
Chief Executive Officer

Summary

Consideration of the financial statements for the month ending 28 February 2006.

Background

The following financial reports are included for your information:

- Statement of Financial Activity
- Function Report
- Capital Expenditure Summary
- Bank Reconciliation

Legal Implications

Local Government Act 1995 – section 6.4

Local Government (Financial Management) Regulations 1996

Policy Implications

N/A

Community Consultation

N/A

Financial Implications

Nil.

Strategic Implications

N/A

Voting Requirements
Simple majority required.

Recommended/Resolution/

MOTION 10170

Moved Cr Newman
Seconded Cr Sinclair

That the financial reports for the month ending 28 February 2006 as attached be received.

MOTION CARRIED 8/0

13.4

AUDIT COMMITTEE - MINUTES

Applicant: Audit Committee
File No. 0202
Attachments: Minutes – 13 March 2006
Author: Ms Leonie McIlree
Deputy Chief Executive Officer
Disclosure of Interest: Nil
Date of Report: 14 March 2006
Senior Officer: Mr Chris Jackson
Chief Executive Officer

Summary

For Council to receive the minutes of the Audit Committee Meeting held on 13 March 2006.

Background

N/A

Comment

During the meeting, the Audit Committee considered and adopted meeting dates for 2006, specifications for an Audit Tender commencing 2006/07 year, reviewed and resolved to adopt an increase in Audit Fees for the 2005/06 Audit and reviewed the Financial Management Review undertaken during 2004.

Legal Implications

N/A

Policy Implications

Nil.

Community Consultation

N/A

Financial Implications

The increase in audit fees for the 2005/06 year requires a budget amendment of \$2,050 to account E042200.

A provision will also be made in draft 2005/06 budget deliberations for a Financial Management Review to be undertaken.

Strategic Implications

Nil.

Voting Requirements

Absolute Majority required.

Recommended/Resolution**MOTION 10171**

Moved Cr Farrelly
Seconded Cr Stewart

That Council receive the minutes of the Audit Committee held 13 March 2006 and endorse the following:

1. Meeting dates for the Shire of Lake Grace Audit Committee:

<u>Date</u>	<u>Time</u>	<u>Venue</u>
21 June 2006	11.00am	Lake Grace Sportsmans Club
16 August 2006	11.00am	Lake Grace Sportsmans Club
15 November 2006	11.00am	Council Chambers

2. Call for tenders for Audit Services for the period 1 July 2006 to 30 June 2009.

3. Amend Account E042200 Audit Fees to \$7,700.

4. Make provision in the 2006/07 draft Budget deliberations for a Financial Management Review to be undertaken

MOTION CARRIED BY ABSOLUTE MAJORITY 8/0

13.5 **BUDGET 2005/06 REVIEW – MARCH 2006**

Applicant: Deputy Chief Executive Officer
File No. 0272
Attachments: Budget Review and supporting notes
Author: Leonie McIlree
Deputy Chief Executive Officer
Disclosure of Interest: Nil
Date of Report: 15 March 2006
Senior Officer: Chris Jackson
Chief Executive Officer

Summary

For Council to receive the 2005/06 Budget Review and adopt amendments to the 2005/06 Budget.

Background

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

Comment

All accounts in the adopted and amended 2005/06 budget have been extensively reviewed by Council staff.

Significant variances to the adopted budget are detailed in the attachments.

The forecast budget deficit will be \$6,285 which can be identified in the budget amendments for additional expenditure on the Newdegate Toilet Block of \$20,155.

Legal Implications

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

Policy Implications

N/A

Community Consultation

Not Applicable.

Financial Implications

The forecast budget deficit will have to be covered in the 2006/07 Budget deliberations.

Strategic Implications

Nil.

Voting Requirements

Absolute majority required.

Recommendation/Resolution

MOTION 10172

Moved Cr Bennett
Seconded Cr Newman

That the 2005/06 Budget Review as presented be adopted.

MOTION CARRIED 8/0

13.6 **NEWDEGATE TOWN GARDENING EQUIPMENT - AUTHORISATION OF UNBUDGETED EXPENSE**

Further information was tabled for this item and an alternative recommendation put forward – refer Financial Implications

Applicant: Newdegate Town Maintenance
File No. 0529
Attachments: Quotes – available at the meeting.
Author: Ms Leonie McIlree
 Deputy Chief Executive Officer
Disclosure of Interest: Nil
Date of Report: 15 March 2006
Senior Officer: Mr Chris Jackson
 Chief Executive Officer

Summary

For Council to authorise the unbudgeted expenditure of \$36,025 for purchase of gardening equipment and storage shed for the Newdegate Town Gardener.

Background

Council, at its February 2006 Ordinary meeting resolved to source quotes for suitable gardening equipment for use at Newdegate, Lake King and Varley. Refer to motion 10159.

Comment

Quotes for the purchase of various gardening equipment have been obtained, as attached.

- | | |
|-----------------------|---------------------------|
| • Toro Mower | \$26,000 |
| • Pump | \$1,600 |
| • Sprayer | \$625 |
| • Trailer | \$2,800 |
| • Storage Shed/Garage | \$5,000 (includes labour) |

Council's Mechanic recommends against purchasing a smaller ride on mower as this would most likely result in higher maintenance expenses and a shorter serviceable life.

The current equipment utilised in Lake Grace can continue to be used at Newdegate, Lake King and Varley in the interim until the 2006/07 budget has been adopted.

Whilst it is accepted that the equipment needs to be purchased there is concern that expenditure of \$36,025 is significant and should be deferred until the 2006/07 Budget.

Legal Implications

Section 6.8 of the Local Government Act 1995 states:

A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure (b) is authorised in advance by resolution. Absolute Majority required.

Policy Implications

N/A

Community Consultation

N/A

Financial Implications

Account E122047 Depot Tools and Miscellaneous Items has a budget of \$10,000 to date of which only \$4,317 has been expended. The remaining balance of \$5,683 could be used to cover the purchase of the pump, sprayer and gardening shed. The purchase of the mower and trailer at a total cost of \$28,800 is not allowed for the Council's 2005/06 Budget.

FURTHER INFORMATION:

Following review of the budget further savings have been identified:

<i>E053100 Donation to Ambulance</i>	<i>\$15,000</i>
<i>E123021 Replace minor road making plant</i>	<i>\$5,854</i>
<i>E123046 Replace loader – savings</i>	<i><u>\$19,000</u></i>
	<u>\$39,854</u>

Strategic Implications

N/A

Recommendation

1. That expenditure of \$36,025 for the purchase of the following items:

Toro Mower	\$26,000
Pump	\$1,600
Sprayer	\$625
Trailer	\$2,800
Storage Shed/Garage	\$5,000 (includes labour)

be deferred;

2. That existing equipment located in Lake Grace continue to be used to assist with operations in Newdegate, Lake King & Varley until new equipment is purchased during 2006/07.

ALTERNATIVE RECOMMENDATION

That Council authorise the unbudgeted expenditure to a maximum of \$36,025 for the purchase of gardening equipment for Newdegate

Voting Requirements

Absolute majority required.

Recommendation/Resolution

MOTION 10173

Moved Cr Bennett
Seconded Cr Newman

That Council authorise the unbudgeted expenditure to a maximum of \$36,025.00 for the purchase of gardening equipment for Newdegate.

MOTION CARRIED BY ABSOLUTE MAJORITY 8/0

2.55pm Meeting adjourned or afternoon tea.

14.0 MATTERS FOR CONSIDERATION – ADMINISTRATION

3.20pm Meeting reconvened with all those previously in attendance present with the addition of Helen Le Gresley Community Arts Network WA (CANWA) who gave a short address to Council on the Cultural Planning Process.

CANWA works with local governments through its Local Government Cultural Planning Program to encourage communities to find ways to express their culture in ways that are meaningful to them.

The Shire President thanked Ms Le Gresley for travelling from Perth to attend the meeting at Varley and for her informative presentation,

14.1 LAKE GRACE SPORTING PRECINCT – STAGE ONE DEVELOPMENT

Applicant: Lake Grace Sporting Precinct Redevelopment Working Group
File No: 0403
Attachments: Minister for Sport & Recreation approval letters/media releases
 Community workshop presentation
 Community information package & ballot paper
Author: Mr Chris Jackson
 Chief Executive Officer
Disclosure of Interest: Nil
Date of Report: 9 March 2006
Senior Officer: Mr Chris Jackson
 Chief Executive Officer

Summary

For Council to proceed with development of Stage One improvements to the Lake Grace Sporting Precinct.

Background

At Council's October 2005 ordinary meeting Council resolved
 That

- 1) The Lake Grace Sporting Precinct Key Issues Paper and Master Plan for redevelopment of the Lake Grace Sporting Precinct be adopted. Council reserves the right to amend the plan following further community consultation or other influencing factors.
- 2) The Shire of Lake Grace proceed with and support an application to the Department of Sport and Recreation for CSRFF funding in the 2006/2007 Funding Round with a view to commencing Stage One of the Lake Grace Sporting Precinct Master Plan in 2006/2007.
- 3) In accordance with Council Policy 3.3 Specified Area Rates a community survey (postal vote of ratepayers in the Lake Grace prescribed area) be undertaken for Stage One and to be concluded by the 28 February 2006.

- 4) *Community consultation take place which is to include but not limited to presentations to community organisations and to be concluded by the 28 February 2006.*
- 5) *The outcomes of the CSRFF funding application, community survey and community consultation to be presented to Council's March 2006 ordinary meeting for final approval to proceed with a tender for Stage One of the project or for the works to be carried out in house by Council. Approval to proceed with the awarding of a contract or commencement of works for the redevelopment will be subject to suitable budget allocations in Councils 2006/2007 Budget.*

Comment

The Minister for Sport and Recreation the Hon John Kobelke has advised that funding from the CSRFF has been successful with a grant of \$245,000 in the 2007/2008 financial year - letters attached.

The Department of Sport and Recreation have confirmed that if the Shire is sure it can deliver the project and have it claimed in the 2006/2007 financial year then the funds can be moved forward to allow this to happen.

A community survey has also been undertaken with 70% of returned votes being in favour of the proposal (refer detail under policy implications).

Stage one redevelopment includes the following works.

- Relocation and construction of the netball/basketball courts;
- Relocation and construction of the tennis courts;
- Construction of toilets and change rooms;
- Relocation of practice cricket nets;
- Grassing of western oval for expansion;
- Development of new entry and parking;
- Associated infrastructure (lighting, access ways, parking, etc) and removal of old infrastructure and amenities.

It was originally planned that redevelopment works would commence as soon as funding was confirmed but given that Shire equipment and staff will be focused on flood recovery, CSRFF can not be claimed until 2006/2007 and the need for Council to include funds in the budget, it is recommended that the project proceed commencing during the 2006/2007 financial year.

It is further recommended that tenders be called now for both the toilet and change room facilities together with the sports surfaces for the netball/basketball and tennis courts. This will allow the project to proceed immediately following the end of the football, hockey and netball seasons in August 2006.

Legal Implications

Local Government Act 1995 S3.57

Local Government (Functions & General Regulations 1996 Part 4

Policy Implications

Council Policy 3.3 Specified Area Rating:

That all Shire capital contributions for sport and recreation facilities be funded by way of specified area rate.

That capital projects with a cost greater than \$50,000 (excluding Council works if applicable) be first approved by way of a community survey being a postal vote of ratepayers within the prescribed area.

When voting in ratepayer surveys on capital projects exceeding \$50,000 in cost, each ratepayer in the specified area has one vote. In the case of multiple owners of a property, a maximum of two votes applies and in the case of companies as land owners, two nominees have one vote each.

That the cost of a required survey be borne by the applicant organization.

A “yes” result is more than 50% of returned voters being in favour of the proposal.

A community survey was issued on the 14 February to Lake Grace ratepayers closing on the 3 March 2006. The question asked is as follows

‘Do you support Stage One of the Lake Grace sporting Precinct Redevelopment and the Shire of Lake Grace’s intent to borrow \$278,978 over 20 years with the principal and interest payment to be funded from the Lake Grace Specified Area Rate for this development’

Surveys were mailed to Lake Grace ratepayers mid February, closing date for returns was 4pm Friday 3 March 2006.

The results are as follows.

- Yes votes 217 (70% of returned votes)
- No Votes 90
- Total votes received 307 (57% return rate)
- Total votes sent out 533

Community Consultation

The Lake Grace Sporting Precinct Redevelopment Working Group has met five times on the 2nd May 2005, 18th July 2005, 20th September 2005, 4th October 2005 and 15 November 2005. Prior to the community survey community information presentations were also held on the 31st January 2006 and 7th February 2006.

Financial Implications

Expenditure

Netball/Basketball Courts	\$188,500
Tennis Courts	\$220,600
Toilets & Change Rooms	\$200,000
Hockey Ground Lights	\$2,000
Cricket Nets	\$8,000
Works on Hockey Ground	\$5,350
Playground	\$40,000

BBQ	\$4,500
Parking Areas	\$41,186
Roads	\$61,000
Paving	\$8,325
Site Works	\$20,000
District Allowance 5%	\$37,473
Total	\$836,934

Income	
CSRFF	\$245,000
Loan funds	\$278,978
Rec Council Trust Funds	\$200,000
Community In-kind & Other	\$112,956
Total	\$836,934

Strategic Implications

Redevelopment of the Lake Grace sporting Precinct has been listed as a priority for many years.

Recommendation

That

- 1) Stage one redevelopment of the Lake Grace Sporting Precinct proceed with work to commence during the 2006/2007 financial year;
- 2) Funding be included in the 2006/2007 budget with total capital expenditure of \$836,934 and income of CSRFF \$245,000, Loan funds \$278,978 Rec Council Trust Funds \$200,000 and community In-kind & other \$112,956;
- 3) Tenders be called for the construction of toilet and change room facilities with construction works to be undertaken during 2006/2007;
- 4) Tenders be called for sports surfaces to include flexi pave surface finish for the netball/basketball courts and a super grass surface for the tennis courts with the works to be undertaken during 2006/2007; and,
- 5) Tender specifications to be drawn up in consultation with the Lake Grace Sport Precinct Working Group.

Voting Requirements

Simple majority required

Resolution

MOTION 10174

Moved Cr Chamberlain
Seconded Cr Newman

That

- 1) Stage one redevelopment of the Lake Grace Sporting Precinct proceed with work to commence during the 2006/2007 financial year.
- 2) Funding be included in the 2006/2007 budget with total capital expenditure of \$836,934 and income of CSRFF \$245,000, Loan funds \$278,978 Rec Council Trust Funds \$200,000 and community In-kind & other \$112,956.
- 3) Tenders be called for the construction of toilet and change room facilities with construction works to be undertaken during 2006/2007.
- 4) Tenders be called for sports surfaces to include flexi pave surface finish for the netball/basketball courts and a super grass surface for the tennis courts with the works to be undertaken during 2006/2007.
- 5) Tender specifications to be drawn up in consultation with the Lake Grace Sport Precinct Working Group.
- 6) That in accordance with Council Policy 3.3 Stage One of the Lake Grace Sporting Precinct Redevelopment be funded by way of Specified Area Rates.

MOTION CARRIED 7/1

REASON FOR CHANGE

Council included No 6 in the interests of clarity for future reference to the project.

14.2 LOCAL GOVERNMENT COMPLIANCE AUDIT – 1 JANUARY 2005 TO 31 DECEMBER 2005

Applicant:	Department of Local Government
File No:	0528
Attachments:	Compliance Return
Author:	Mr Chris Jackson Chief Executive Officer
Disclosure of Interest:	N/A
Date of Report:	13 March 2006
Senior Officer:	Mr Chris Jackson Chief Executive Officer

Summary

Adoption of Statutory Compliance Return for the year 2005 and endorsement of the required Certification.

Background

The Department of Local Government produces a Statutory Compliance Return for Local Government to use as a check-list of statutory obligations and compliance.

The return is to be certified by the President and CEO and submitted to the Director General Department of Local Government and Regional Development by 31 March 2006.

Comment

The return has been completed by the Chief Executive Officer and Deputy CEO. Areas of non compliance in this year's return have been identified in the area of executive functions, thoroughfares, tenders and meeting process.

- 1) Executive Functions-Section 3.18 (3) of the Local Government Act is unclear and the Department of Local Government & Regional Development will be requested to provide guidance on compliance with this section.
- 2) Thoroughfares - The Shire does not have all plans of the level and alignment of streets for all its townsites.
- 3) Tenders - Following termination of the tendered contract with Coromup Contracting for substandard works various contractors were used to complete the works which has exceeded \$50,000. Tenders have recently been called to overcome this problem. Payments to one contractor who has been contracted to the Shire for many years undertaking various roadworks and drainage has also been identified as exceeding \$50,000. Discussion is taking place to resolve this situation with options that include tendering the works during 2006/2007 or employment.

- 4) Meeting Process - A review of the Code of Conduct will be undertaken in May 2006.

Community Consultation

N/A

Legal Implications

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

Policy implications

N/A

Financial implications

N/A

Strategic implications

N/A

Voting Requirements

Simple majority required

Recommendation/Resolution

MOTION 10175

Moved Cr Stewart
Seconded Cr Newman

That:

- 1) The Local Government Statutory Compliance Return for the Shire of Lake Grace for the period 1 January 2005 to 31 December 2005 be adopted; and,
- 2) The Certification contained within the Local Government Statutory Compliance Return be endorsed by the Shire President and the Chief Executive Officer

MOTION CARRIED 8/0

14.3 INSURANCE BROKER - APPOINTMENT

Applicant: N/A
File No. 0512
Attachments: Nil
Author: Mr Chris Jackson
 Chief Executive Officer
Disclosure of Interest: Nil
Date of Report: 20 March 2006
Senior Officer: Mr Chris Jackson
 Chief Executive Officer

Summary

To confirm appointment of an Insurance Broker.

Background

The following letter has been received from Tim Stevens Westcourt General Insurance Brokers.

"As you are aware your insurance program is up for renewal on the 30th June 2006 and last renewal I showed that I can compete well in the insurance market and have proven that I am able to supply very competitive quotes.

What I propose is to seek an appointment from you to act as your insurance broker for the next twelve months and to act independently on your behalf to ensure that you obtain the best deal available for this renewal. The aim will be to keep you in the three schemes but to watch and monitor your contributions to ensure that these are in line with similar types of products that can be obtained from the insurance market place.

In relation to the other classes i.e. motor fleet, personal accident etc. these can be placed else where with little problem as there are a number of markets available to me to place same. All the insurers I use are safe and secure and in most cases well know to you.

In addition to my broking services I will provide a full claims service which will involve the management of all claims during the policy year. This will include the monitoring of any scheme claims that may occur to ensure that you are maximising the amount that is due to you. Naturally my risk management and OSH skills will also be available. I will and can provide a service of excellence in all aspects of your insurance needs.

I attached a letter of appointment for you to sign and return should you decide to proceed with this proposal. However in the mean time if you have any questions please do not hesitate in contacting me."

Comment

Currently Municipal Insurance Broking Services (MIBS) act as Council's insurance brokers sourcing insurance from various insurers which includes the Municipal Property Scheme, Municipal Liability Scheme, and Municipal Workcare Scheme.

Tim Stevens Risk Solutions has for a number of years provided risk management and occupational safety & health advice to the Shire. Prior to the 2005/2006 financial year alternative insurance options were

considered through Westcourt General Insurance Brokers. At the time there may have been some benefits in using an alternative service but given time constraints it was not considered further.

An opportunity now exists to consider an alternative insurance broking service. It is recommended that Council trial for a 12 month period the use of an alternative insurance broking service.

Legal Implications

N/A

Policy Implications

N/A

Community Consultation

N/A

Financial Implications

Dependant on insurance placement and to come from existing insurance accounts.

Council's annual insurance expenditure exceeds \$150,000 and is broken up into a number of major components which includes public liability \$27,000, workers compensation \$45,000, property \$31,000, plant & machinery \$30,000, bushfire \$6,500, Councillors/Officer liability \$5,000 and smaller areas.

Strategic Implications

N/A

Voting Requirements

Simple majority required.

Recommendation/Resolution

MOTION 10176

Moved Cr Farrelly
Seconded Cr Walker

That Tim Stevens Risk Solutions as an authorised representative of Westcourt Group Insurance Brokers be appointed as Insurance Broker for the Shire of Lake Grace for a 12 month period with this appointment to be reviewed in March 2007.

MOTION CARRIED 8/0

15.0 URGENT BUSINESS BY DECISION OF THE MEETING

16.0 SCHEDULING OF MEETING

As per Motion 10131 December 2005:

An Ordinary Meeting of the Council will be held on Wednesday 26 April 2006 at the Lake Grace Sportsmans Club, Lake Grace commencing at 1.30 pm.

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

MOTION 10177

Moved Cr Walker
Seconded Cr Farrelly

That Council close the meeting to the public at this time, being 4.09pm, to discuss the appointment of an Acting CEO and Project Officer and the appointment of a Manager of Works and Services.

MOTION CARRIED 8/0

4.09pm Ms Le Gresley & Ms McIlree left the meeting.

17.1 PROJECT OFFICER/ACTING CEO - APPOINTMENT

Applicant: N/A
File No.
Attachments: Nil
Author: Mr Chris Jackson
Chief Executive Officer
Disclosure of Interest: Nil
Date of Report: 17 March 2006
Senior Officer: Mr Chris Jackson
Chief Executive Officer

Summary

For Council to endorse the appointment of a project officer and acting CEO for a short period of time.

Background

The Chief Executive Officer has annual leave planned for the period 18 April until the 28 April 2006.

Together with dealing with issues associated with the January floods, a large number of projects are currently being worked on and assistance with a number of these projects would ensure that these developments continue to progress.

Comment

It is recommended that Mr Jim Fraser be appointed as a project officer to under take some work with the Shire for the period before and after the CEO has leave. Jim is available for contract work and is currently based in Geraldton. He has been in Local Government for many years including 5 years with the Shire of Coolgardie as CEO. I believe that he may be known to some Councillors through involvement with the Holland Track. Jim's CV will be available at the meeting.

Some of the project work could include:

- Construction of the 4 community dams and the Pallarup tank upgrade
- Newdegate hall, doctor's surgery and aged unit developments
- Waste management issues
- Assistance with preparation of the budget including the road program
- Tenders for audit

- Various day to day matters and relief CEO for a two week period.

It is recommended that the Shire President and the CEO meet with Jim in Geraldton on the 3rd or 4th April at the Annual Roads Conference to confirm his suitability and for him to start work on Monday 10th April for a two month period.

Legal Implications

N/A

Policy Implications

N/A

Community Consultation

N/A

Financial Implications

To be covered under existing salary arrangements which are underspent due to various staff not being replaced.

Costs will be allocated direct to the cost of some projects.

Strategic Implications

N/A

Voting Requirements

Simple majority required.

Recommendation/Resolution

MOTION 10178

Moved Cr Newman
Seconded Cr Stewart

1) That the appointment of Mr Jim Fraser as a project officer for a two month period commencing 10 April 2006 be endorsed subject to a favourable meeting with the Shire President and CEO in Geraldton on the 3rd or 4th April 2006 (Annual Roads Conference).

2) Subject as above; Mr Jim Fraser be appointed Acting CEO for the period 15 April until the 30 April 2006 inclusive.

MOTION CARRIED 8/0

17.2 MANAGER OF WORKS & SERVICES - APPOINTMENT

Applicant:	Council
File No.	Personal Files
Attachments:	Nil
Author:	Mr Chris Jackson Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	21 March 2006
Senior Officer:	Mr Chris Jackson Chief Executive Officer

Summary

To inform Council of the appointment of a Manager of Works & Services (senior employee) and to confirm changes to the staff structure.

Background

In July 2005 following resignation of the previous Manager of Works & Services this position was advertised. The position was offered following an interview process to one of the applicants but was subsequently turn down in favour of an alternative position with another local authority.

The Manager of Works & Services position together with the vacant Technical Support Officer position was again advertised in December 2005. No suitable candidates were received for either position.

Since July 2005, Mr Garry Moulds through LOGO Appointments, has been employed on contract as Acting Manager of Works & Services. Following the January 2006 flooding event Mr Bill McKenna was appointed as Assistant Works Manager on a temporary basis.

Comment

Following discussion over many months Garry Moulds has accepted an offer of employment as Manager of Works & Services for a two year period. Garry has developed a good understanding of what is expected in the manager's role and will be a welcome fulltime employee with the Shire. Garry has a wealth of experience in works and services and has already proved to be a valuable member of the shires small team.

The employment of the Assistant Works Manager has clearly highlighted the benefits of a position which is hands on and has direct supervision of the works crew. This provides the day to day support to both the Manger of Works and CEO and would allow the Manager to be more involved at a strategic level in the operations of works & services and the shire in general.

Bill McKenna has already shown that he can effectively manage the works crew, assist with planning and budgeting and provide training/guidance to the works crew in the operation of plant and machinery. Bill has been offered the position of Works Supervisor subject to Council confirming changes to the organisational structure.

Given the time that a elapsed since Ian Bartlett resigned as Manager of Works & Services, the proven skills of the temporary staff arrangements and the urgent need to stabilise the works operations; it is recommended that Council accept the appointment of Garry Moulds to the position of Manager Works & Services and accept the changes to the organizational structure to include a Works Supervisor position.

Legal Implications

5.37 (2) Senior Employees “The CEO is to inform the council of each proposal to employ or dismiss a senior employee and the council may accept or reject the CEO’s recommendation but if the council rejects a recommendation, it is to inform the CEO of the reasons for doing so.”

Policy Implications

Policy 4.3 Senior Employees -The Manager of Works position is designated senior employee.

Community Consultation

N/A

Financial Implications

Manager of Works & Services Salary Package \$103,000 (Cash component \$70,000).

Works Supervisor Salary \$54,000 plus normal salary arrangements.

Strategic Implications

N/A

Voting Requirements

Simple majority required.

Recommendation/Resolution

MOTION 10179

Moved Cr Newman
Seconded Cr Bennett

That:

1) Council accept the appointment of Garry Moulds to the position of Manager of Works & Services for a 2 (two) year period.

2) The change of the Shire organizational structure to include a Works Supervisor position to replace the Technical Support Officer position be endorsed.

MOTION CARRIED 8/0

MOTION 10180

Moved Cr Newman
Seconded Cr Farrelly

That Council re-open the meeting to the public at this time, being 4.23pm.

MOTION CARRIED 8/0

4.23pm Ms McIllree & Le Gresley re-entered the meeting.

The CEO read aloud motions 10179 & 10180 for the benefit of members of the public who may be present.

18.0 CLOSURE

There being no further business, the Chairperson closed the meeting at 4.25pm.

19.0 CERTIFICATION

I _____ certify that the minutes of the meeting held on the 22 March 2006 as shown on page numbers _____ to _____ were confirmed as a true record at the meeting held on the 26 April 2006.

Chairman

Date