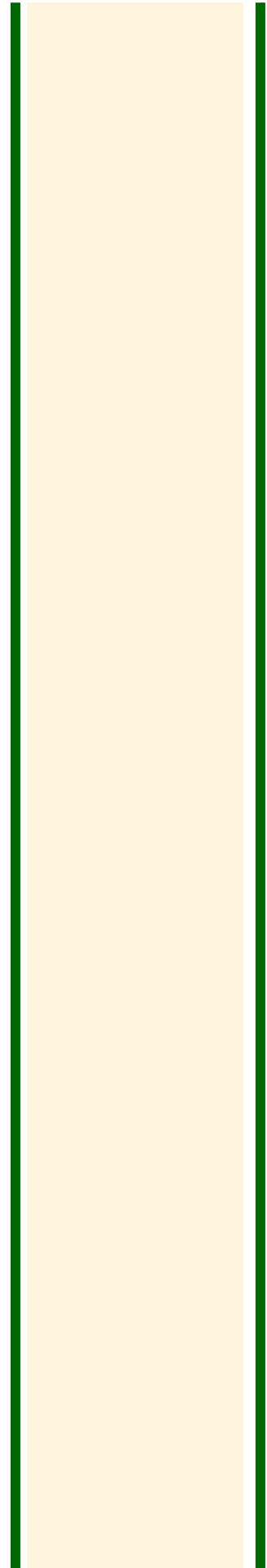


Shire of Lake Grace

Ordinary Council Meeting

Minutes

22 October 2014



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SHIRE OF LAKE GRACE

Minutes of the Ordinary Meeting of Council held at Council Chambers 1 Bishop St Lake Grace, WA on Wednesday 22 October 2014.

1.0 OPENING & ANNOUNCEMENT OF VISITORS

The Shire President opened the meeting at 2.00 pm and welcomed all those in attendance.

2.0 ATTENDANCE RECORD

2.1 PRESENT

Cr AJ Walker	Shire President
Cr JF De Landgraft	Deputy Shire President
Cr LW Armstrong	
Cr R Chappell	
Cr DS Clarke	
Cr SG Hunt	
Cr AD Marshall	
Cr DP Sinclair	
Cr MG Stanton	
Mr N Hale	Chief Executive Officer
Mr N Mitchell	Manager Corporate Services
Mr L Shopov	Manager Infrastructure Services
Ms L Holben	Manager Community Services
Mrs J Bennett	Executive Assistant
Mr M Owen	Community Emergency Services Manager
Mr B Watson	Chief Bush Fire Control Officer
Mrs N Owen	Observer
Ms T French	Wheatbelt Business Network

2.2 APOLOGIES

None.

2.3 LEAVE OF ABSENCE PREVIOUSLY GRANTED

None.

3.0 PUBLIC QUESTION TIME

3.1 MR BRAD WATSON – CHIEF BUSHFIRE CONTROL OFFICER

Question

I am asking on behalf of the Lake Grace Shire Volunteer Bush Fire Brigade in my capacity as Chief if the position of Marcus Owen as Emergency Service Manager will be advertised and a replacement found?

If, in the event that you are required to use this person in conjunction with another shire, e.g. Nyabing or Dumbleyung, that the successful applicant be able to work out of the Lake Grace Shire Offices as this would a central point from the eastern end of our shire to the western end of either of the other shires?

Reply

The President advised that the matter of a regional CESM will be dealt with in today's meeting (Item 15.3) and had been on the agenda at the recent 4WDL Meeting (i.e. Voluntary Regional Organisation of Councils including the Shires of Wagin, Woodanilling, West Arthur, Williams, Dumbleyung, Kent and Lake Grace) where it was discussed and agreed that the Shires of Lake Grace, Dumbleyung & Kent each take the matter back to their respective Shires for discussion.

In reply to Mr Watson's question, the CEO advised that, subject to Council's decision this afternoon discussion will be entered into with neighbouring Shires and DFES (Department Fire & Emergency Services), the major funding partner to determine if the position will be shared between Shires. Once this is resolved and bearing in mind this will influence where the position is based, the position will be advertised. Lake Grace will certainly argue the central nature of Lake Grace as being the most advantageous base for the position.

4.0 APPLICATIONS FOR LEAVE OF ABSENCE

4.1 CR SINCLAIR

Resolution

MOTION 11916

Moved Cr Stanton
Seconded Cr Armstrong

That Cr Sinclair is granted leave of absence for the 19 November 2014, being the day of the next Ordinary Meeting of Council.

MOTION CARRIED 9/0

5.0 MINUTES OF PREVIOUS COUNCIL MEETINGS

5.1 ORDINARY MEETING – 24 SEPTEMBER 2014

Resolution

MOTION 11917

Moved Cr Armstrong
Seconded Cr Chappell

That the minutes of the Ordinary Meeting of Council held on the 24 September 2014 be confirmed as a true and accurate record.

MOTION CARRIED 9/0

6.0 DECLARATIONS OF INTEREST

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

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

6.3 DECLARATIONS OF IMPARTIALITY INTEREST – ADMINISTRATION REGULATION SECTION 34C

Cr Walker declared impartiality interest in regard to Items 12.1 & 12.2.

7.0 NOTICES OF URGENT BUSINESS

The President advised that there will be a Late Agenda Item of Confidential Business to be considered in regard to the outcome of the CEO's 12 month review.

8.0 MOTIONS OF WHICH NOTICE HAS BEEN RECEIVED

None.

9.0 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

9.1 WHEATBELT BUSINESS NETWORK – TANYA FRENCH

Tanya French the Business Advisor for the Wheatbelt South introduced herself to Councillors in that the Wheatbelt Business Network has recently been awarded the contract from the Small Business Development Corporation to take care of the Southern Wheatbelt area after the closure of the Small Business Centre – Narrogin. The position covers nine Shires.

She runs a guest house in Wagin and is actively involved in small business and has a passion for the job. She is based at home and has been out and about introducing herself. During November there will be an event in Lake Grace introducing social media for business. Ultimately there will be a schedule of events for the area.

Tanya asked that her details be passed on to any businesses in the area who may benefit from any professional help. Tanya's contact details are:

Tanya French
 Business Advisor
 Wheatbelt Business Network
 Mobile: 0429 879 430
 Email: ba@wheatbeltbusinessnetwork.com.au
 Web: www.wheatbeltbusinessnetwork.com.au

2.13 pm Ms French left the meeting.

10.0 MEMBERS' REPORTS

10.1 CR SINCLAIR

Thanked Shire representatives for attending the Varley Progress Association Meeting on 15 October and reported all roads in his area are in good condition after the rainfall on the weekend.

10.2 CR CLARKE

Friday 26 September 2014

Councillor Chappell and I attended the Seniors meeting at the Lakes Villlage Hall regarding the Uniting Church

Ross read the briefing notes that had been provided by Neville Hale. Ross and Debby answered questions to the best of their ability (we were not sure what type of asbestos was in the building or the cost involved in transporting or demolishing the building).

Feed back from the meeting is:

- There needs to be a public meeting so that all of the community can be informed, similar to the public meeting held regarding the hospital
- They want the opportunity to look at the church to see what condition the building is in
- The historical society needs to meet to have a stance on the building as they were assuming that the church would be where they were to be based
- They want either a staff member or Elected Member to attend their monthly meetings so that they are kept informed or can ask questions regarding council issues This used to be done the Community Services section.
- They would like an update on what is happening for seniors week and ask that it be sent to the hospital to be put into the newsletter

Saturday 27 September 2014

I volunteered for Driver Reviver. There were many cars passing through, however due to the weather conditions very few stopped.

Monday 6 October 2014

I attended the Lake Grace Development Association meeting and reports were received from, Lake Grace Regional Health Advisory, Lake Grace Artist Group, Community Bus Committee – there was some discussion on another bus, bigger or smaller, WA Grains Group (WAGG), Lake Grace Camera Club – off to Newdegate to do some photography for the John Holland Way, 100 yrs Committee, Lake Grace and Districts Seniors Group, All Ages Playground, Lake Grace Day Care Group, Shire report.

15 September 2014

I travelled to Lake King with Neville Hale, Lee Holben and Councillor Chappell, where Lee and I attended the Lake King Progress meeting with Lee and Ross and Neville went on to the Varley meeting. The Lake King meeting was well attended. The previous meeting did not have a quorum. We received an update on the Tractor Museum, mosquitoes, illegal camping, gazebo.

There were queries on the water pump, booking of premises, Lake King repeater, insurance of tractor and mower, weed reduction, RV dumps, pavilion upgrade. Peter from the school put forward a proposal to improve the technology in the Hall, Lake Grower Group.

16 September 2014

I attended the LEMC meeting, disappointing that there were so many that did not attend to either submit reports or send in their reports in their absence.

18 September 2014

I attended the Lake Grace School 100 yr celebrations, a very successful day with many people in attendance.

20 September 2014

I attended the Bush Fire training course at Newdegate, this was well run and well attended by 25 people with some apologies on the day due to the weather.

10.3 CR STANTON

This is Cr Stanton's first report for two months due to his absence at the September Meeting:

3 & 4 September 2014

Attended the Newdegate Field Days, a very successful event.

9 October 2014

Attended the Annual Varley Bowls Event, it was a very good day.

18 October 2014

Attended the Lake Grace District High School Centenary, an excellent event.

22 October 2014

Attended the CEO's Review with Anne Lake.

10.4 CR DE LANDGRAFFT**15 October 2014**

Attended the Lake King Progress Association Meeting.

10.5 CR ARMSTRONG**10 October 2014**

Cr Armstrong attended the Rural Water Council Meeting in Northam with Cr Chappell. He advised it was reported that farmers in the northern and eastern agricultural areas are experiencing drought conditions.

This Friday, Cr Armstrong will be attending the Elected Member Meeting Procedures training day being held in Ravensthorpe.

During September and October, Cr Armstrong has been assisting the Newdegate Church building volunteers with the pruning of trees and cleaning up of the church yard. He made comment that the church is hardly ever used these days and the building is managed by Mr Terry Gladish of the Lake Grace Parish, and should this discontinue the building will fall into disrepair.

10.6 CR CHAPPELL**Thursday 25 September 2014**

Attended and chaired the Bushfire meeting held in Newdegate.

Friday 26 September 2014

Cr. Clarke and I met with Seniors at the Lakes Village Hall in regards to hearing their views on the Uniting Church. You would have received an email of the outcome from Cr. Clarke.

Thursday 2 October 2014

Lee Holben, Cheryl and I went to Kulin to see Kulin by Night, this was a Roving Theatrical Experience where you are taken on a tour of the their main street and you stop outside or inside their old buildings and actors appear and tell you about the history of the building or a particular person. This is the second year that Kulin have done this and it is sponsored by the Shire, CRC and Kulin Bush Races.

Saturday 4 October 2014

Lake Grace St. Ambulance had crew and ambulance attend the Kulin Bush Races to assist Kulin St. John with their day, fortunately we had a quiet day.

Monday 6 October 2014

Attended the Lake Grace Development Association Meeting.

Friday 10 October 2014

Cr. Armstrong and I travelled to Northam to attend a Rural Water Council meeting.

Wednesday 15 October 2014

The CEO, Lee Holben Manager of Community Services, Cr. Clarke and I travelled to Lake King where the CEO and I then proceeded to Varley so that we could all attend their Progress Meetings.

Friday 17 October 2014

Attended a Gopher Workshop held at the Lakes Village Hall. Presenters on the day Sophie Witter from Independent Living Centre, Peter Borgese from Calibre Care in Albany and Sergeant Martin Downey from Lake Grace Police

Saturday 18 October 2014

Attended the Lake Grace District High School 100 Years Celebration. Cr. Clarke and I also did a turn with ambulance duties at the first aid post.

That night Lake Grace St John Ambulance catered for steak teas at the Lake Grace Sportsman's Club where we catered for nearly two hundred meals. All proceeds will go towards the new Sub Centre building. Then Cheryl and I attended the Lake Grace Dance held in the Town Hall.

Wednesday 22 October 2014

Attended the CEO review with Anne Lake.

10.7 CR WALKER**6 October 2014**

Attended the Lake Grace Development Association Meeting.

7 October 2014

Attended a meeting at the Shire with local freight operators. The meeting was convened in order to source information from local freight operators regarding significant freight routes and destinations in our Shire. The information was then taken to a Regional Road Group Meeting in Wickepin.

9 October 2014

Attended, together with Louka Shopov, Manager Infrastructure Services, a WALGA / MRWA Regional Road Group Meeting held in Wickopin. The MRWA Regional Road Group are undertaking a review of heavy vehicle routes in the region and required information from Wheatbelt shires.

As part of the MRWA Lakes Sub Group, the Shire of Lake Grace had good discussions on traversing Shires with our neighbours and determined several major routes to be submitted for consideration by MRWA as continuous freight routes.

14 October 2014

Attended the 4WDL Meeting in Williams with the Chief Executive Officer. Points of discussion at the meeting:

- Application to the National Stronger Regions Funding for the Well Aged Persons Housing Project.
- Possible Regional CESH Position for Shires of Lake Grace, Dumbleyung & Kent - refer Item 15.3.
- Baad Cop Stock Theft Prevention Devices, a proposal put forward by the Shire of Dumbleyung for Shires to consider contributing to.

16 October 2014

Chaired LEMC Meeting in Lake Grace, it was poorly attended.

18 October 2014

Attended the Lake Grace District High School Centenary Event which was extremely well attended, an estimated 800 people attended.

11.0 MATTERS FOR CONSIDERATION – WORKS & SERVICES

11.1 TENDER 7/2014 –SUPPLY OF BITUMEN AND AGGREGATE

Applicant: Infrastructure Services
File No. 0586
Attachments: *Under Separate Cover*
Author: Mr Louka Shopov
 Manager Infrastructure Services
Disclosure of Interest: Nil
Date of Report: 10 October 2014
Senior Officer: Mr Neville Hale
 Chief Executive Officer

Summary

This report recommends the various actions in relation to Tender 7/2014.

Background

An advertisement for the calling of tenders for supply and lay of bitumen and supply of aggregate was placed in the Western Australian newspaper on Wednesday 3rd September 2014. The scope of the supply of bitumen and aggregate is listed in Table 1.

Road Name	Work Type	Volume(m ³) x Size(mm)	Area (m ²)	Project Funds
Holt Rock South Rd 11.65-14.65 SLK	Reseal	175 x 10	21,000 (7m seal)	Regional Road Group
Holt Rock South Rd 16.08-18.08 SLK	Reconstruct & Seal	120 x 14	14,000 (7m seal)	Roads to Recovery
Holt Rock South Rd 16.08-18.08 SLK	Reseal	120 x 10	14,000 (7m seal)	Roads to Recovery
Varley South Rd 00 to 4.00 SLK	Reseal	235 x 10	28,000 (7m seal)	Regional Road Group
Newdegate North Rd 1.7 to 4.7 SLK	Reseal	175 x 10	21,000 (7m seal)	Regional Road Group

Table 1: Bitumen and aggregate requirements for 2014-2015 program.

The tender price schedule was divided into two (2) parts as separable portions or whole of contract. This enabled the Shire to determine if economies could be made with the supply and delivery of aggregate.

The tendered prices have been assessed together with qualitative and specification criteria to determine the most advantageous outcome to the Shire.

The assessment criteria applied was:

- Cost 80%
- Relevant Experience 10%
- Organisational Capacity & Resources 5%
- Demonstrated Understanding 5%

The extent to which a Tender demonstrates greater satisfaction of each of these criteria will result in a greater score. The aggregate score of each Tender has been used in the final assessment of the qualitative criteria and in the overall assessment of value for money.

Comment

The Tenders were reviewed by an evaluation panel including the:

- Manager Infrastructure Services, Mr Louka Shopov
- Co-Ordinator Finance and Administration, Mrs Lee-Anne Trevenen
- Technical Officer, Mr Rohan Bishop

The evaluation panel scoring is tabulated below providing the final ranking of tender submissions.

Tenderer	Ranking		
	Part 1(A) Aggregate Supply	Part 1(B) Bitumen Supply	Part 2 Aggregate and Bitumen Supply
Fyfe Transport	58.8	No Tender	No Tender
Bitutek	57.7	57.3	57.9
Fulton Hogan Industries	55.9	55.1	56.4
Boral Asphalt	55.5	56.2	53.9
COLAS	No Tender	56.4	56.7

Table 2: Evaluation ranking

The tendered prices were assessed together with qualitative and specification criteria to determine the most advantageous outcome to the Shire. Local knowledge and demonstrated experience in providing timely and quality service factored in the overall weighting of the tender assessment. Based on the above evaluation it is recommended that the Shire separate the contract into separable portions for the supply and place of bitumen and supply of aggregate.

The preferred supplier of aggregate is Fyfe Transport which has long history of local transport business within the Shire of Lake Grace. The price offered by Fyfe Transport was a fixed price at \$86,625.

The preferred bitumen supplier is Bitutek contracting who also has a team with extensive experience within the industry. It is recommended Bitutek be awarded the contract to supply bitumen subject to fixed price at \$375,200.

Both contractors are capable of providing the supply of goods and services within the timelines required by the Shire of Lake Grace.

Legal Implications

Local Government Act 1995

Local Government (Functions and General) Regulations 1996

Policy Implications

Nil

Consultation

Internal: Works Supervisor

Financial Implications

Allowances have been made within the road program budget for sealing program.

Strategic Implications

The contract is required to enable the completion of road sealing program.

Voting Requirements

Simple majority required.

Recommendation/Resolution

MOTION 11918

Moved Cr Hunt
Seconded Cr Sinclair

That:

1. The contract for the supply of aggregate for the 2014/15 financial year be awarded to Fyfe Transport for the lump sum of \$86,625 (GST inclusive), (\$105.00 per m³).
2. The contract for the supply, place and compact of bitumen for the 2014-2015 financial year is awarded to Bitutek Pty Ltd for \$375,200 (GST inclusive), (14 000 m² x \$ 6.1 per m² for 14/10 mm two coats seal and 84,000 m² x \$3.45 per m² for 10 mm single coat seal).

MOTION CARRIED 9/0

12.0 MATTERS FOR CONSIDERATION – PLANNING

12.1 PLANNING APPLICATION – PROPOSED EXPANSION CBH GRAIN HANDLING AND STORAGE FACILITY, LOT 11 KULIN LAKE GRACE ROAD, LAKE GRACE

Cr Walker declared an interest of impartiality in that he is a seasonal employee of Co-operative Bulk Handling.

Applicant:	Co-operative Bulk Handling Limited
File No.	0365
Attachments:	Plans 1 to 5
Author:	Mr Joe Douglas & Mr Carlo Famiano Urban & Rural Perspectives -Town Planning Consultants
Disclosure of Interest:	Nil
Date of Report:	14 October 2014
Senior Officer:	Mr Neville Hale Chief Executive Officer

Summary

This report recommends that a planning application submitted by Co-Operative Bulk Handling Limited (CBH) to construct a new open grain storage bulkhead and associated infrastructure on portion of Lot 11 (No.7059) Kulin-Lake Grace Road, Lake Grace be approved subject to conditions.

Background

Co-operative Bulk Handling Limited (CBH) is seeking Council's planning approval to construct a new open grain storage bulkhead and associated infrastructure to expand its existing grain handling and storage facilities on Lot 11 (No.7059) Kulin-Lake Grace Road, Lake Grace.

Lot 11 is located immediately adjacent to the northern boundary of the Lake Grace townsite. The land is irregular in shape, comprises a total area of approximately 34.045 hectares, has direct frontage and access to Kulin-Lake Grace Road along its western boundary and direct frontage to an operational railway reserve along its eastern and southern boundaries (see Plans 1 & 2).

Lot 11 has been extensively cleared as a result of its previous development and usage for both broadacre agriculture and 'Rural Industry' type purposes and is devoid of any significant native vegetation. The land contains a number of structures and infrastructure associated with CBH's existing grain handling and storage facilities on the land (i.e. grain storage bins, sheds, weighbridge, sampling hut, vehicle accessways and stormwater drainage infrastructure) (see Plan 3).

Under the terms of the information and plans submitted in support of the application the following is proposed:

- i) Construction of one (1) new 335 metre long, 35 metre wide open grain storage bulkhead and associated 'dog stacker' on a compacted, cement stabilised gravel base with a total storage capacity of 33,500 tonnes (see Plans 4 & 5);
- ii) The proposed grain storage bulkhead will have a setback of approximately 211 metres from the land's frontage to Kulin-Lake Grace Road, a setback of approximately 55 metres to the land's northern side boundary and a setback of approximately 105 metres to the land's eastern rear boundary;
- iii) Construction of a new compacted, cement stabilised gravel access way around the periphery of the proposed grain storage bulkhead to provide practical access and assist with the loading and unloading of grain; and

- iv) Modifications to the existing stormwater drainage system on the land including installation of a new drainage culvert to help manage all stormwater flows arising from the proposed development.

Comment

Current Zoning & Land Use Permissibility

That portion of Lot 11 subject to this application is classified 'General Agriculture' zone under the Shire's current operative Local Planning Scheme No.4 (LPS No.4).

A key objective of the land's current 'General Agriculture' zoning classification is to ensure the continuation of broad hectare farming as the principle land use within the district, protect the rural landscape/character, control the fragmentation of agricultural land through further subdivision and consider non-rural uses where they can be shown to be of benefit to the district.

The proposed development and use of the relevant portion of Lot 11 by CBH for grain handling and storage purposes is most appropriately defined in Schedule 1 of LPS No.4 as a 'Rural Industry'.

Under the terms of the Zoning Table contained in LPS No.4 the development and use of any land classified 'General Agriculture' zone for the purposes of a 'Rural Industry' is listed as a discretionary (i.e. 'D') use which means it is not permitted unless Council has exercised its discretion by granting planning approval.

Given that:

- a) the proposed development and use of the subject land for 'Rural Industry' type purposes is generally consistent with the objectives of its current 'General Agriculture' zoning classification in LPS No.4;
- b) Council has previously granted conditional planning approval for the development and use of the northern portion of Lot 11 for 'Rural Industry' purposes; and
- c) this latest application represents a minor expansion to the previously approved development and use of the land by CBH for 'Rural Industry' purposes,

the reporting officers have formed the view the application has considerable scope to be supported and approved by Council subject to any valid conditions considered appropriate in the circumstances.

Compliance with Development Standards

LPS No.4 does not contain any specific standards governing the development and use of any land classified 'General Agricultural' zone for the purposes of a 'rural industry'. As such the application has been assessed with due regard for the general development standards contained in LPS No.4 including those that apply specifically to all land classified 'General Agricultural' zone.

Having regard for the information submitted in support of the application, the reporting officers' have concluded that the proposal satisfies the various general development standards prescribed by LPS No.4 as these relate to boundary setbacks, compatibility of land usage, site characteristics and vehicle access.

Notwithstanding this general conclusion, Council should note the proposed development will lead to an increase in the area of impermeable surfaces on the land therefore placing greater reliance upon the existing stormwater drainage infrastructure, particularly the existing dam located immediately south of the proposed works which is proposed to be used to capture all stormwater flows. Given the history of flooding in the Lake Grace townsite during extreme storm events, it is considered appropriate that Council require CBH to engage a suitably qualified civil engineer to certify that the

dam proposed to be used to collect all storm water flows is of sufficient capacity to contain a 1 in 100 year storm event and that the drainage conditions of the locality will not be impaired as a result of the proposed development. The imposition of a range of conditions on any planning approval issued by Council to address this potential issue is consistent with the objectives and requirements of clause 5.35 of LPS No.4 as this applies specifically to storm water drainage management requirements.

Conclusion

It is concluded from a detailed assessment of the application that CBH's proposal to construct a new open grain storage bulkhead and associated infrastructure on portion of Lot 11 (No.7059) Kulin-Lake Grace, Lake Grace to provide additional grain storage capacity is unlikely to have a negative impact on the general amenity, character, functionality and safety of the immediate locality and may therefore be approved by Council subject to the imposition of a number of conditions to ensure the development proceeds in a proper and orderly manner. It is therefore recommended that Council exercise its discretion and grant conditional approval to the application.

Legal Implications

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

Policy Implications

Nil

Consultation

Community consultation not required.

Financial Implications

Nil

Strategic Implications

The proposed development and use of Lot 11 for grain handling, storage and distribution purposes (i.e. a 'Rural Industry') is consistent with the strategic land use planning direction afforded to the land in the Shire's endorsed Local Planning Strategy.

Voting Requirements

Simple majority required.

Recommendation/Resolution

MOTION 11919

Moved Cr Armstrong
Seconded Cr Stanton

That the application for planning approval submitted by Co-Operative Bulk Handling Limited (CBH) to construct a new open grain storage bulkhead and associated infrastructure on portion of Lot 11 (No.7059) Kulin-Lake Grace, Lake Grace be approved subject to compliance with the following conditions and advice notes:

MOTION 11919 continued

Conditions

1. The development shall be undertaken in a manner consistent with the information and plans submitted in support of the application unless otherwise approved by Council.
2. The applicant / landowner shall engage a suitably qualified civil engineer to certify that the existing dam located immediately south of the proposed works intended to be used to collect all stormwater flows from the proposed development is of sufficient capacity to contain a 1 in 100 year storm event and that the drainage conditions of the locality will not be impaired or compromised. The certification and any associated report prepared by the consulting civil engineer shall be submitted to the Shire for review, consideration and approval prior to commencement of any development on the land.
3. Pursuant to the findings from Condition 2 above, the applicant / landowner shall undertake all additional works considered necessary by the Shire to ensure the existing dam located immediately south of the proposed works is of sufficient capacity to contain a 1 in 100 year storm event and that the drainage conditions of the locality will not be impaired or compromised.
4. The applicant / landowner shall implement appropriate dust management measures to minimise dust nuisance arising from the development and use of the land for the approved purpose.

Advice Notes

1. The proposed development shall be completed within a period of two (2) years from the date of this approval. If the development is not completed within this period the approval will lapse and be of no further effect. Where an approval has lapsed, no development shall be carried out without the further approval of the Shire of Lake Grace having first been sought and obtained.
2. A completed building permit application must be submitted to and approved by the Shire's Building Surveyor prior to the commencement of any construction on the land.
3. The proposed development is required to comply in all respects with the National Construction Code of Australia. Plans and specifications which reflect these requirements are required to be submitted with the building permit application.
4. The noise generated by any activities on-site including machinery motors or vehicles shall not exceed the levels as set out under the Environmental (Noise) Regulations 1997.
5. No construction works shall commence on the land prior to 7am without the Shire of Lake Grace's written approval.
6. Failure to comply with any of the conditions of this planning approval constitutes an offence under the provisions of the *Planning and Development Act 2005* and the Shire of Lake Grace Local Planning Scheme No.4 and may result in legal action being initiated by the local government.

MOTION CARRIED 9/0

12.2 PLANNING APPLICATION – PROPOSED EXPANSION TO CBH GRAIN HANDLING AND STORAGE FACILITY LOT 107 VARLEY ROAD LAKE KING

Cr Walker declared an interest of impartiality in that he is a seasonal employee of Co-operative Bulk Handling.

Applicant:	Co-operative Bulk Handling
File No.	0456
Attachments:	Plans 6 to 10
Author:	Mr Joe Douglas & Ms Elle O'Connor Urban & Rural Perspectives -Town Planning Consultants
Disclosure of Interest:	Nil
Date of Report:	14 October 2014
Senior Officer:	Mr Neville Hale Chief Executive Officer

Summary

This report recommends that a planning application submitted by Co-Operative Bulk Handling Limited (CBH) to construct two (2) new open grain storage bulkheads and associated infrastructure on portion of Lot 107 Varley Road, Lake King be approved subject to conditions.

Background

Co-operative Bulk Handling Limited (CBH) are seeking Council's planning approval to construct two (2) new open grain storage bulkheads and associated infrastructure to expand its existing grain handling and storage facility on Lot 107 Varley Road, Lake King.

Lot 107 is located within and immediately adjacent to the northern boundary of the Lake King townsite. The land is irregular in shape, comprises a total area of approximately 22.325 hectares and has direct frontage and access to Varley Road along its north-eastern boundary (see Plans 6 & 7).

Lot 107 has been partially developed and used for 'Rural Industry' type purposes and contains a number of structures and infrastructure associated with CBH's existing grain handling and storage facilities on the land (i.e. grain storage bins, sheds, weighbridge, sampling hut, vehicle accessways and stormwater drainage infrastructure) (see Plan 8). It is significant to note that the area subject to this planning application contains significant stands of native vegetation which has been identified in a previous flora survey (i.e. Bennett Environmental Consulting, 2003) as being in very good to excellent condition throughout with very few weed species.

Under the terms of the information and plans submitted in support of the application the following is proposed:

- i) The clearing of approximately 2.25 hectares of native vegetation from the south-eastern portion of Lot 107 and all associated earthworks where the new storage bulkheads are proposed to be sited;
- ii) Construction of two (2) new 175 metre long, 35 metre wide open grain storage bulkheads and associated 'dog stacker' on an asphalt sealed base with a total combined storage capacity of 35,000 tonnes (see Plan 9);
- iii) The proposed grain storage bulkheads will have a setback of approximately 60 metres from the land's frontage to Varley Road along its eastern boundary and a setback of approximately 30 metres to the land's south side boundary;

- iv) Construction of a new compacted and sealed access way around the periphery of the proposed grain storage bulkheads to provide practical access and assist with the loading and unloading of grain; and
- v) Additions and modifications to the existing stormwater drainage system on the land including connections to existing open drainage channels which direct all stormwater flows to two adjoining Crown landholdings (i.e. Unallocated Crown Land immediately west and Reserve 21238 immediately south).

Comment

Current Zoning & Land Use Permissibility

Lot 107 is classified 'General Industry' zone under the Shire of Lake Grace's current operative Local Planning Scheme No.4 (LPS No.4). It is significant to note that this zoning classification was put in place during preparation of LPS No.4 in recognition of:

- i) CBH's existing graining handling and storage facilities on the land;
- ii) CBH's intent to undertake further expansion works in future years and the need to provide suitable controls for any such development; and
- iii) the general unsuitability of the land's 'Parkland & Recreation' reserve classification in the Shire's former Town Planning Scheme No.3.

In order to secure the Environmental Protection Authority's (EPA's) agreement and formal clearance to the land's current 'General Industry' zoning classification in LPS No.4 and its proposed development and use by CBH thereafter, Council resolved to reclassify Unallocated Crown Land Lots 147 and 207 and Crown Reserve 24435 located immediately west and south-west of the property (i.e. the Damnosa Nature Reserve) from 'Parkland & Recreation' to 'Conservation' reserve. The reservation of these Crown landholdings in LPS No.4, which comprise a total combined area of approximately 177 hectares and contain vast tracts of environmentally significant native vegetation, was supported and approved by the EPA as an offset to the clearing of Lot 107 and a number of other newly zoned parcels of land within and adjacent to the Shire's four (4) main townsites to accommodate future development and growth.

The key objective of the 'General Industry' zoning classification now applicable to Lot 107 under LPS No.4 is to provide for general, light and service industries which by the nature of their operations should be separated from residential areas and to provide employment opportunities for residents of the district.

The proposed development and use of the relevant portion of Lot 107 by CBH for grain handling and storage purposes is most appropriately defined in Schedule 1 of LPS No.4 as a 'Rural Industry'.

Under the terms of the Zoning Table contained in LPS No.4 the development and use of any land classified 'General Industry' zone for the purposes of a 'Rural Industry' is listed as a discretionary (i.e. 'D') use which means it is not permitted unless Council has exercised its discretion by granting planning approval.

Given that:

- a) the proposed development and use of Lot 107 for 'Rural Industry' type purposes, including clearing of the existing native vegetation thereon, was contemplated and supported by various government agencies including the EPA during preparation of the Shire's current Local Planning Strategy and LPS No.4;

- b) the proposed development and use of Lot 107 for 'Rural Industry' type purposes is generally consistent with the aims and objectives of the Shire's adopted Local Planning Strategy and the land's current 'General Industry' zoning classification in LPS No.4;
- c) Council has previously granted conditional planning approval for the development and use of Lot 107 for 'Rural Industry' purposes;
- d) this latest application represents a minor expansion to the previously approved development and use of the land by CBH for 'Rural Industry' purposes;
- e) CBH have submitted an environmental assessment report prepared by Cardno in June 2014 which concludes that the proposed clearing of approximately 2.25 hectares of native vegetation from the south-eastern portion of Lot 107 to accommodate the proposed development is exempt from the requirement to obtain a clearing permit under the *Environmental Protection Act 1986* and *Environmental Protection (Clearing of Native Vegetation) Regulations 2004*; and
- f) The EPA and Department of Environment Regulation have chosen not to provide a written response to the Shire's formal referral of the planning application to them in August 2014 for review and comment regarding potential clearing impacts but have orally confirmed the area proposed to be cleared is considered insignificant in the context of the protections now afforded by LPS No.4 to the large stands of native vegetation within the adjoining Damnosa Nature Reserve,

the reporting officers have formed the view the application has considerable scope to be supported and approved by Council subject to any valid conditions considered appropriate in the circumstances.

Compliance with Development Standards

Assessment of the proposal in the context of the general development standards contained in LPS No.4 as well as those that apply specifically to all land classified 'General Industry' zone has confirmed it is generally compliant except for boundary fencing and stormwater drainage. The following is a brief discussion of these non-compliant elements:

- **Boundary Fencing**

Clause 5.9.8 of LPS No.4 expressly states that the minimum standard fence for all lots classified 'General Industry' zone shall be a 1.8 metre high link mesh security fence unless otherwise approved by Council.

Furthermore, clause 5.99 of LPS No.4 states that:

- a) Fencing shall be provided to all boundaries for any land classified 'General Industry' zone abutting reserved land to prevent vehicular ingress and egress; and
- b) Such fencing shall be of a uniform design, colour, material and height, to the satisfaction of the local government, so as to not detract from the amenity of the reserved land and the general amenity of the surrounding area.

It is noted the land is not currently fenced and the application does not propose the erection of any new boundary fencing. Given the specific objectives and requirements of LPS No.4 and the fact that Lot 107 is located immediately adjacent to Unallocated Crown Land and Crown Reserve 21238, both of which contain large stands of native vegetation and have been set aside as reserves under LPS No.4 for both conservation and recreation purposes, it is considered fair and reasonable to require CBH to erect 1.8 metre high link mesh security fencing along the common boundary with these adjoining landholdings to prevent any form of access in the future and help ensure the long term protection of the existing native vegetation thereon.

- **Storm Water Drainage**

It is noted from reviewing the plans submitted in support of the application as well as the latest available aerial photography from Landgate that no provision has been made **on-site** for the collection, treatment and disposal of storm water drainage. The plans and aerial photography confirm that all storm water generated by both the existing and proposed development of Lot 107 will continue to be discharged **off-site** via open drainage channels across the land into the immediately adjoining Unallocated Crown Land and Crown Reserve 21238.

Having regard for the objectives and requirements of clause 5.35 of LPS No.4 as these apply specifically to storm water drainage management for the development and use of all land within the Shire as well as the nature and intensification of land usage on Lot 107, the reporting officers have formed the view that all current and proposed arrangements for storm water drainage management (i.e. off-site disposal onto adjoining Crown landholdings) are inappropriate and need to be addressed to ensure:

- i) the effective and efficient discharge of all stormwater captured from impermeable surfaces on the land;
- ii) the existing drainage conditions of the immediate locality are not impaired or contribute to rising groundwater or increased salinity; and
- iii) the quality of all stormwater runoff collected from impermeable surfaces on the land are of an acceptable standard and do not cause harm to humans, native flora and fauna or the natural environment.

In light of the above requirements and concerns it is recommended that Council consider imposing a suitable condition on any planning approval issued requiring CBH to prepare and implement a suitable Drainage Management Plan for the land including the carrying out of appropriate site works to contain and treat all stormwater collected from impermeable surfaces on the land to the specifications and satisfaction of the Shire's Manager Infrastructure.

Conclusion

It is concluded from a detailed assessment of the application that CBH's proposal to construct two (2) new open grain storage bulkheads and associated infrastructure on portion of Lot 107 Varley Road, Lake King to provide additional grain storage capacity is unlikely to have a negative impact on the general amenity, character, functionality and safety of the immediate locality or any natural resources and may therefore be approved by Council subject to the imposition of a number of conditions to ensure the development proceeds in a proper and orderly manner. It is therefore recommended that Council exercise its discretion and grant conditional approval to the application.

Legal Implications

- Shire of Lake Grace Local Planning Scheme No.4
- Planning and Development Act 2005
- Environmental Protection Act 1986
- Environmental Protection (Clearing of Native Vegetation) Regulations 2004

Policy Implications

- *Environmental Protection of Native Vegetation in Western – Clearing of Native Vegetation with Particular Reference to the Agricultural Area – Position Statement No.2*, December 2000, Environmental Protection Authority, Perth, Western Australia

- *State Planning Policy 2.9 - Water Resources*, Western Australian Planning Commission, Perth, Western Australia
- *Better Urban Water Management*, Western Australian Planning Commission, Perth, Western Australia

Consultation

Community consultation not required however as previously mentioned the application was referred to the EPA and Department of Environment Regulation on 21 August 2014 for review and comment regarding the potential clearing impacts arising from the proposed development of the land for the intended purposes. Despite not having provided a formal written response to the Shire's request for comment they have orally confirmed the area proposed to be cleared is considered insignificant in the context of the protections now afforded by LPS No.4 to the large stands of native vegetation within the adjoining Damnosa Nature Reserve.

Financial Implications

Nil

Strategic Implications

The proposed development and use of Lot 107 for grain handling, storage and distribution purposes (i.e. a 'Rural Industry') is consistent with the strategic land use planning direction afforded to the land in the Shire's endorsed Local Planning Strategy.

Voting Requirements

Simple majority required.

Recommendation/Resolution

MOTION 11920

Moved Cr Sinclair
Seconded Cr De Landgraftt

That the application for planning approval submitted by Co-Operative Bulk Handling Limited (CBH) to construct two (2) new open grain storage bulkheads and associated infrastructure on portion of Lot 107 Varley Road, Lake King be approved subject to compliance with the following conditions and advice notes:

Conditions

1. The development shall, with the exception of stormwater drainage, be undertaken in a manner consistent with the information and plans submitted in support of the application unless otherwise approved by Council.
2. The applicant / landowner shall erect 1.8 metre high link mesh security fencing along the common boundary between Lot 107, the Unallocated Crown Land located immediately west and Crown Reserve 21238 located immediately south within ninety (90) days of the date of issuance of planning approval by Council to prevent any form of access to these adjoining Crown landholdings in the future and help ensure the long term protection of the existing native vegetation thereon.

MOTION 11920 continued

3. The applicant / landowner shall prepare and submit a suitable Drainage Management Plan for the land in accordance with the standards and requirements of all current State Government policies governing stormwater drainage management for consideration and approval by the Shire's Manager Infrastructure within ninety (90) days of the date of issuance of planning approval by Council.
4. The Drainage Management Plan required by Condition 3 above shall be implemented, including the carrying out of appropriate site works to contain and treat all stormwater collected from impermeable surfaces on the land, to the specifications and satisfaction of the Shire's Manager Infrastructure within six (6) months of the date of issuance of planning approval by Council.
5. The applicant / landowner shall implement appropriate dust management measures to minimise dust nuisance arising from the development and use of the land for the approved purpose.

Advice Notes

1. The proposed development shall be completed in its entirety within a period of two (2) years from the date of this approval. If the development is not completed within this period the approval will lapse and be of no further effect. Where an approval has lapsed, no development shall be carried out without the further approval of the Shire of Lake Grace having first been sought and obtained.
2. A completed building permit application must be submitted to and approved by the Shire's Building Surveyor prior to the commencement of any construction on the land.
3. The proposed development is required to comply in all respects with the National Construction Code of Australia. Plans and specifications which reflect these requirements are required to be submitted with the building permit application.
4. Prior to commencement of any development on the land, including the proposed clearing works, it is strongly recommended that the applicant consult with the Commonwealth Department of Environment to ensure compliance with the specific requirements of the *Environment Protection and Biodiversity Conservation Act 1999* as this applies to the protection and management of nationally and internationally important flora, fauna and ecological communities. This advice is provided having regard for the findings contained in the Cardno Environmental Assessment Report for the land dated June 2014 which clearly stated that a total of four (4) flora species and nine (9) fauna species listed under the *Environment Protection and Biodiversity Conservation Act 1999* were identified as having potential to occur on Lot 107 or within one (1) kilometre of the land.
5. The noise generated by any activities on-site including machinery motors or vehicles shall not exceed the levels as set out under the Environmental (Noise) Regulations 1997.
6. No construction works shall commence on the land prior to 7am without the Shire of Lake Grace's written approval.
7. Failure to comply with any of the conditions of this planning approval constitutes an offence under the provisions of the *Planning and Development Act 2005* and the Shire of Lake Grace Local Planning Scheme No.4 and may result in legal action being initiated by the local government.

MOTION CARRIED 9/0

12.3 PROPOSED LOCAL PLANNING POLICY 6.5 – ADVERTISING SIGNAGE

Applicant:	Shire of Lake Grace
File No.	0525
Attachments:	Attachments 1 & 2
Author:	Mr Joe Douglas & Mr Carlo Famiano Urban & Rural Perspectives -Town Planning Consultants
Disclosure of Interest:	Nil
Date of Report:	14 October 2014
Senior Officer:	Mr Neville Hale Chief Executive Officer

Summary

This report recommends that Council adopt without modification proposed Policy No.6.5 entitled 'Advertising Signage' as a local planning policy under the Shire of Lake Grace Local Planning Scheme No.4.

Background & Comment

As advised in previous reports the Shire of Lake Grace currently has very limited statutory or policy guidance in its local planning framework to guide the development and use of land for advertising purposes. As such the Shire has little control over the potential proliferation of advertising signage throughout the municipality.

In light of the above concerns and the potential negative impacts that advertising signage can have on local amenity and safety, a draft local planning policy was recently prepared by the reporting officers. The proposed policy provides future guidance for the development and use of advertising signs throughout the municipality including the processes required to obtain the necessary approvals (see Attachment 1).

At its Ordinary Meeting held on 27 August 2014, the Lake Grace Shire Council considered the draft policy and resolved to adopt it under the Shire's Local Planning Scheme No.4 (LPS No.4). Council also resolved to authorise the Shire administration to advertise the policy for public comment (Item 12.1).

The policy was recently advertised for public comment for the minimum required period of twenty one (21) days in accordance with the specific requirements of Clause 2.4.1 of LPS No.4. This process included appropriate notice in a newspaper circulated within the district (i.e. Lakes Link News), correspondence to relevant government agencies and public display of the policy at the Shire's administration centre. At the conclusion of public advertising a total of two (2) submissions were received by the Shire, neither of which raised any objections to the proposed policy. The submission received from Main Roads Western Australia (MRWA) did however recommend a minor wording change to one policy provision to reflect the preferred terminology for its policy and application guidelines for advertising signs. A summary of the submissions received is provided in the attached Schedule of Submissions (see Attachment 2).

Given the outcomes from the recently completed public advertising process it is concluded that the local community and referral agencies have no objections to the introduction and application of the proposed policy by the Shire. It is therefore recommended that Council resolve to finally adopt the policy subject to a minor modification to policy provision No.5 to reflect the recommendation contained in the submission received from MRWA.

Legal Implications

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

Policy Implications

The proposed local planning policy aims to ensure that all planning applications for the development and use of advertising signs in the Shire are accompanied by sufficient relevant information and demonstrate compliance with a number of objectives, provisions and standards.

It should be noted that the proposed policy, if finally adopted, will not bind Council in respect of any one application for planning approval. Council is however required to have due regard for the provisions of the policy and the objectives which the policy is designed to achieve before making its decision on any planning application received for the erection of advertising signage in the municipality.

Consultation

Public consultation completed in accordance with the specific requirements of Clause 2.4.1 of LPS No.4 for the minimum required period of twenty one (21) days

Financial Implications

The Shire is responsible for meeting all costs associated with the preparation, advertising and adoption of the proposed new Local Planning Policy. The total cost of the project is estimated to be approximately \$3,500.00 excluding GST which will be covered by the Shire's current budget allowance for general town planning work in the 2014/2015 financial year.

Strategic Implications

The development and use of advertising signage throughout the Shire has potential to have a number of negative impacts on the amenity, character, functionality and safety of areas in which they are located. Clear planning guidance is therefore required to ensure that the erection of signage throughout the Shire of Lake Grace proceeds in a proper and orderly manner with minimal impact on local streetscapes, visual landscape values or the safety of pedestrians and motorists.

Voting Requirements

Simple majority required.

Recommendation/Resolution**MOTION 11921**

Moved Cr De Landgrafft
Seconded Cr Hunt

That Council:

1. Note the two (2) submissions received in respect of Local Planning Policy No.6.5 entitled 'Advertising Signage', both of which raised no objections to the policy;
2. Finally adopt the policy entitled 'Advertising Signage' as Local Planning Policy No.6.5 under the Shire of Lake Grace Local Planning Scheme No.4 (LPS No.4) subject to policy provision No.5 being modified so that all reference to Main Roads Western Australia's "*Control of Advertising Regulations 1996*" is deleted and replaced with the words "*Policy and Application Guidelines for Advertising Signs Within and Beyond State Road Reserves*"; and,
3. Update the Policy Manual accordingly.

MOTION CARRIED 9/0

12.4 PROPOSED LOCAL PLANNING POLICY 6.4 – TIMBER PLANTATIONS

Applicant:	Shire of Lake Grace
File No.	0525
Attachments:	Attachment 3 – Draft Local Planning Policy 6.4 - Timber Plantations
Author:	Mr Joe Douglas & Ms Elle O'Connor Urban & Rural Perspectives -Town Planning Consultants
Disclosure of Interest:	Nil
Date of Report:	14 October 2014
Senior Officer:	Mr Neville Hale Chief Executive Officer

Summary

This report provides details of a proposed revised draft local planning policy outlining Council's future possible position regarding the development of timber plantations throughout the Shire. It recommends that Council initiate the process required to provide for the future possible adoption of the policy under Local Planning Scheme No.4 including commencement of the required public advertising process.

Background

In 2012 the Shire's town planning consultant prepared a draft local planning policy entitled 'Timber Plantations' following instructions received from the Shire's administration. The policy was prepared in response to issues raised by Council and the local community regarding the future potential negative impacts of timber plantation developments within the Shire.

Council considered the draft policy at its Ordinary Meeting held on 23 May 2012 and resolved that it be tabled until the Shire administration liaises with the Shires of Jerramungup and Ravensthorpe to ensure it is consistent and generally in keeping with their recently adopted timber plantation policies.

In accordance with the above resolution and further instructions received from the Shire's administration approximately three (3) months ago, the reporting officers' have now:

- a) liaised with the Shires of Jerramungup and Ravensthorpe and reviewed their respective timber plantation policies;
- b) checked the State Planning Framework to determine if any changes have been made to the general planning guidance and statutory requirements for timber plantation development throughout the State subsequent to preparation of the original draft timber plantation policy for the Shire of Lake Grace; and
- c) made minor amendments to the wording of the draft policy as required.

The primary objectives of the proposed new policy are as follows:

- To facilitate a more consistent, efficient and effective planning process for timber plantation development throughout the Shire of Lake Grace;
- To encourage the establishment, management and harvesting of timber plantations in accordance with the Code of Practice for Timber Plantations in Western Australia 2006, State Planning Policy 3.7: Planning for Bushfire Risk Management, the Department of Fire and Emergency Service's (DFES's) Guidelines for Plantation Fire Protection 2011 and all other relevant policies, guidelines and regulations;

- To support and encourage the development of timber plantations on land classified 'General Agriculture' zone in the Shire for its combined economic, environmental and social benefits and its overall contribution to sustainability in agricultural areas;
- To ensure there are appropriate means of access to all timber plantations within the municipal district and that the Shire's existing and proposed road networks and public safety are not detrimentally affected by heavy haulage vehicles;
- To protect and enhance native remnant vegetation, wetlands and watercourses and minimise the potential for land degradation including salinity, water logging and soil erosion;
- To encourage planting areas with linkages to existing remnant vegetation on the same lot or adjacent lots; and
- To achieve agroforestry and plantation designs which do not compromise the fire safety of the local community or the biodiversity conservation and management of reserved land.

A copy of the proposed revised draft policy is provided in Attachment 3 to this report.

Comment

Under the terms of the Shire of Lake Grace's current operative Local Planning Scheme No.4 the establishment of 'agroforestry' or 'plantation' type uses on land classified 'General Agriculture' zone requires Councils' planning approval prior to the commencement of development.

Despite a number of broader provisions contained in LPS No.4 which can be used by Council to help control the future development and use of agricultural land for 'agroforestry' or 'plantation' type purposes, there are no specific provisions contained within the scheme which provide clear guidance for the development and use of such land for these purposes.

Following a detailed review of the adopted Timber Plantation policies for the Shires of Jerramungup and Ravensthorpe, the reporting officers' have formed the opinion that the proposed draft policy is in keeping with the intent and objectives of adjoining Local Governments.

Given this fact and the issues recently raised by Council and the local community regarding the future potential impacts of timber plantation developments within the Shire, it is considered appropriate that Council consider preparing a local planning policy to outline its position in relation to the development of timber plantations throughout the Shire and the processes required to obtain the necessary approvals.

It should be noted that the proposed new policy, if finally adopted, will not bind Council in respect of any one application for planning approval. Council is however required to have due regard for the provisions of the policy and the objectives which the policy is designed to achieve before making its decision on any application received.

Should Council resolve to endorse the proposed draft policy, arrangements will be made by the Shire administration to advertise the policy for public comment for a minimum period of twenty one (21) days in accordance with the specific requirements of Clause 2.4 of LPS No.4.

Following completion of the required public advertising process a follow up report will be prepared for consideration by Council. This report will provide details of the outcomes from public advertising (i.e. a summary of all submissions received), suggested modifications to the draft policy and a recommendation regarding its final adoption.

Statutory Implications

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

Policy Implications

The proposed local planning policy 6.4 aims to ensure that all planning applications for the development of 'agroforestry' or 'plantation' type uses on land classified 'General Agriculture' zone in the Shire are accompanied by sufficient relevant information and demonstrate compliance with a number of objectives, provisions and standards.

Consultation

A community consultation process is required to be undertaken by the Shire to formalise adoption of the proposed policy as a Local Planning Policy under Local Planning Scheme No.4. Community consultation will be undertaken for a minimum period of twenty one (21) days in accordance with the specific requirements of Clause 2.4.1 of LPS No.4.

Financial Implications

The Shire is responsible for meeting all costs associated with the preparation, advertising and adoption of the proposed new Local Planning Policy. The total cost of the project is estimated to be approximately \$4,000.00 excluding GST which will be covered by the Shire's current budget allowance for general town planning work in the 2014/2015 financial year.

Strategic Implications

The development of 'agroforestry' or 'plantation' type uses on land classified 'General Agriculture' zone could be expected to have a number of significant long term benefits for the development and growth of the Shire's local economy and the natural environment. Clear planning guidance is however required to ensure that any such development proceeds in a proper and orderly manner and with minimal impact.

Voting Requirements

Simple majority required.

Recommendation/Resolution**MOTION 11922**

Moved Cr Armstrong
Seconded Cr De Landgraft

That Council adopt the draft policy entitled 'Timber Plantations' as Local Planning Policy No.6.4 under the Shire of Lake Grace Local Planning Scheme No.4 (LPS No.4) and authorise the Shire administration to advertise the policy for public comment in accordance with the procedures and requirements of Clause 2.4.1 of LPS No.4.

MOTION CARRIED 9/0

13.0 MATTERS FOR CONSIDERATION – HEALTH & BUILDING

13.1 ROE REGIONAL ENVIRONMENTAL HEALTH SERVICES SCHEME MOU – USE OF THE COMMON SEAL

Applicant:	Shire of Corrigin
File No.	0753
Attachments:	1. Operational Guidelines 2. Budget 3. Memorandum of Understanding
Author:	Mr Neville Hale Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	7 October 2014
Senior Officer:	Mr Neville Hale Chief Executive Officer

Summary

For Council to endorse the participation of the Shire of Lake Grace in the Roe Regional Environmental Health Services Scheme (RREHSS) for the provision of environmental health services and authorise the use of the Common Seal.

Background

Since 1 January 2014, the Shire has previously engaged, on a fee for service basis, the services of an environmental health officer from the Shire of Corrigin on as required basis.

This arrangement has proven to be very successful and a number of Shires in the region have utilised the service to the point where it has grown to a sufficient size to warrant a more formal arrangement that will allow for the expansion of services and engagement of additional resources to meet specific needs.

The establishment of the Roe Regional Environmental Health Services Scheme will give direct involvement of each member shire in the management of the scheme and will provide access to a number of staff on a cost sharing basis.

Comment

The attached Operational Guidelines details the services that will be provided through this scheme. As can be seen from the list, the services are wide and varied. Having access to more than one EHO through this Scheme will ensure a high quality outcome, provide coverage for each officer whilst on leave and ensure peer support is available.

Since 1 January 2014, the shift to a regional service provider has demonstrated savings in travel time and cost whilst participation in the RREHSS will maximise the efficiency of these arrangements where savings will be directly reflected in shared cost arrangements.

A major point of focus over the coming year will be to address issues raised in recent audits of the Shire's waste management facilities and will require an increased level of service than what has been available previously but at a comparable cost.

Legal Implications

Health Act 1911

Local Government Act 1995

Policy Implications

Shire Policy 1.11 – Use of the Common Seal

Consultation

External: Shire of Corrigin
Department of Health

Financial Implications

The anticipated cost modelling suggests saving in excess of 15% over those previously incurred using a Perth based sole contractor.

The Shire has included sufficient funds in its 2014/15 budget to meet the anticipated cost.

Strategic Implications*Shire of Lake Grace Strategic Community Plan*

Economics

- Ec3 – Maintain community built infrastructure

Voting Requirements

Simple majority required.

Recommendation/Resolution**MOTION 11923**

Moved Cr Armstrong

Seconded Cr Hunt

That Council endorse the participation of the Shire of Lake Grace in the Roe Regional Environmental Health Services Scheme (RREHSS) for the provision of environmental health services and authorise the President and the Chief Executive Officer to affix the Common Seal to the Memorandum of Understanding.

MOTION CARRIED 9/0

2.47 pm Mrs N Owen left the meeting.

14.0 MATTERS FOR CONSIDERATION – FINANCE

14.1 ACCOUNTS FOR PAYMENT – SEPTEMBER 2014

Applicant:	Shire of Lake Grace
File No.	0277
Attachments:	List of Creditors
Author:	Mrs Lynda Trawinski Finance Officer
Disclosure of Interest:	Nil
Date of Report:	10 October 2014
Senior Officer:	Mr Niel Mitchell Manager Corporate Services

Summary

For Council to ratify expenditures incurred for the month of September 2014.

Background

List of payments for the month September 2014 through the Municipal and Trust accounts are attached.

Comment

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

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

The attached list meets the requirements of the Financial Management Regulations.

Legal Implications

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

Policy Implications

N/A

Consultation

N/A

Financial Implications

The list of creditors paid for the month of September 2014 from the Municipal and Trust Account Total \$ 593,587.10

Strategic Implications*Shire of Lake Grace Strategic Community Plan*

- EC1.3 Ensure the Shire's capital investment program is cost effective and financially sustainable.

Voting Requirements

Simple majority required.

2.49 pm *Cr De Landgraft left the meeting.*

Recommendation/Resolution**MOTION 11924**

Moved Cr Chappell
Seconded Cr Marshall

That Council ratify the list of payments totalling \$593,587.10 as presented for the month of September 2014 incorporating:

- Trust Account Cheques:	789 to 800	\$ 2,974.45
- Electronic Funds Transfer:	EFT 13047 to EFT 13152	\$ 362,411.40
- Municipal Account Cheques:	35584 to 35618	\$ 77,806.08
- Direct Debits:	DD5204.1 to DD5250.1	\$ 150,395.17

MOTION CARRIED 8/0

14.2 FINANCIAL STATEMENTS – AUGUST 2014

2.51 pm *Cr De Landgraft returned to the meeting.*

Applicant: Shire of Lake Grace
File No. 0275
Attachments: Financial Reports
Author: Mrs Lee-Anne Trevenen
 Coordinator Finance/Administration
Disclosure of Interest: Nil
Date of Report: 10 October 2014
Senior Officer: Mr Niel Mitchell
 Manager Corporate Services

Summary

Consideration of the financial statements for the month ending 31 August 2014.

Background

The following financial reports are included for your information:

1. Monthly Statement of Financial Activity
2. Financial Activity Variances
3. Significant Accounting Policies
4. Statement of Objective
5. Acquisition of Assets
6. Disposal of Assets
7. Information on Borrowings
8. Reserves
9. Net Current Assets
10. Rating Information
11. Trust Funds
12. Operating Statement
13. Balance Sheet
14. Financial Ratios
15. Capital Road Works Graphs
16. Operating Revenue & Expenditure Graphs
17. Bank Reconciliation

Comment

Nil

Legal Implications

Local Government Act 1995 – section 6.4

Local Government (Financial Management) Regulations 1996

Policy Implications

N/A

Consultation

Nil

Financial Implications

Nil

Strategic Implications*Shire of Lake Grace Strategic Community Plan*

- Ec1.3 Ensure the Shire's capital investment program is cost effective and financially sustainable.

Voting Requirements

Simple majority required.

Recommendation/Resolution**MOTION 11925**

Moved Cr Hunt

Seconded Cr Stanton

That Council, in accordance with Regulation 34 of the Local Government (Financial Management) Regulations 1996, receives the Statement of Financial activity for the period ended 31 August 2014 as attached is received.

MOTION CARRIED 9/0

14.3 FINANCIAL STATEMENTS – SEPTEMBER 2014

Applicant:	Shire of Lake Grace
File No.	0275
Attachments:	Financial Reports
Author:	Mrs Lee-Anne Trevenen Coordinator Finance/Administration
Disclosure of Interest:	Nil
Date of Report:	11 September 2014
Senior Officer:	Mr Niel Mitchell Manager Corporate Services

Summary

Consideration of the financial statements for the month ending 30 September 2014.

Background

The following financial reports are included for your information:

1. Monthly Statement of Financial Activity
2. Financial Activity Variances
3. Significant Accounting Policies
4. Statement of Objective
5. Acquisition of Assets
6. Disposal of Assets
7. Information on Borrowings
8. Reserves
9. Net Current Assets
10. Rating Information
11. Trust Funds
12. Operating Statement
13. Balance Sheet
14. Financial Ratios
15. Capital Road Works Graphs
16. Operating Revenue & Expenditure Graphs
17. Bank Reconciliation

Comment

Nil

Legal Implications

Local Government Act 1995 – section 6.4

Local Government (Financial Management) Regulations 1996

Policy Implications

N/A

Consultation

Nil

Financial Implications

Nil

Strategic Implications*Shire of Lake Grace Strategic Community Plan*

- Ec1.3 Ensure the Shire's capital investment program is cost effective and financially sustainable.

Voting Requirements

Simple majority required.

Recommendation/Resolution**MOTION 11926**

Moved Cr Armstrong
Seconded Cr Chappell

That Council in accordance with Regulation 34 of the *Local Government (Financial Management) Regulations 1996* receives the Statement of Financial activity for the period ended 30 September 2014 as attached is received.

MOTION CARRIED 9/0

14.4 **LAKE KING LIBRARY – REPLACEMENT AIR CONDITIONER - UNBUDGETED EXPENDITURE**

Applicant: Shire of Lake Grace
File No. 0391
Attachments: Air Response quote
Author: Ms Lee Holben
 Manager Community Services
Disclosure of Interest: Nil
Date of Report: 8 October 2014
Senior Officer: Mr Neville Hale
 Chief Executive Officer

Summary

For Council to consider unbudgeted expenditure of \$4,676 inclusive of GST, for the replacement of a Toshiba air conditioner at the Lake King Library.

Background

The air conditioner at the Lake King Library was investigated for repairs July 2014. It is financially unviable to repair the unit due to the amount of repairs needed.

Comment

There is an Agreement between the Shire of Lake Grace and the Minister for Education that covers the Lake King Oval, Hard Courts, Hall, Pavilion and Library Resource Centre. The Agreement covers the cost sharing arrangement of the Oval only.

The Lake King Primary School has declined the request to contribute towards the cost of replacing the air conditioner due to the school needing to finance damage done to the school and the school grounds during August (high winds).

It is proposed that Council approve unbudgeted expenditure of \$4,676 inclusive of GST, for the replacement of a Toshiba air conditioner at the Lake King Library from a new capital expenditure account LIBLKCAP which will need to be created.

Legal Implications

Local Government Act 1995 - Section 6.8.1(b) requires a local government not incur any expenditure that is not included in its budget unless authorized by resolution by absolute majority and Section 6.11.2(b).

Policy Implications

Nil

Consultation

Internal: Chief Executive Officer
 Building Supervisor

External: Air Response

Financial Implications

A new capital expenditure account LIBLKCAP will need to be created from which funds are to be expended.

The majority of the unbudgeted expenditure will be funded from budget savings within the Lake King Library operational account together with savings identified within the mid-year budget review.

Strategic Implications***Shire of Lake Grace Strategic Community Plan***

- Ec3: Maintain community built infrastructure to ensure it is appropriate for all towns in the Shire.
- Ec5: Encourage and support the community and individuals to maintain and aspire to a healthy wellbeing (i.e. mental, social and physical) and balanced lifestyle.

Voting Requirements

Absolute majority (5) required.

Recommendation/Resolution**MOTION 11927**

Moved Cr Stanton
Seconded Cr Chappell

That Council:

1. Approve unbudgeted expenditure of \$4,676 inclusive of GST, from Account LIBLKCAP for the installation of Toshiba air conditioner at the Lake King Library; and,
2. Approve the creation of new capital expenditure account LIBLKCAP to be included in its 2014/15 budget provisions.

MOTION CARRIED BY ABSOLUTE MAJORITY 9/0

15.0 MATTERS FOR CONSIDERATION – COMMUNITY SERVICES
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15.1 SHIRE OF LAKE GRACE EMERGENCY RISK MANAGEMENT PLAN & LOCAL EMERGENCY MANAGEMENT PLAN FOR THE PROVISION OF WELFARE SUPPORT

Applicant:	Shire of Lake Grace Local Emergency Management Committee
File No.	0240
Attachments:	1. Local Emergency Risk Management Plan 2. Local Emergency Management Plan for the Provision of Welfare Support
Author:	Mr Marcus Owen Community Emergency Services Manager
Disclosure of Interest:	Nil
Date of Report:	10 September 2014
Senior Officer:	Ms Lee Holben Manager Community Services

Summary

The purpose of this report is for Council to endorse;

1. The Shire of Lake Grace Emergency Risk Management Plan (2013 to 2018); and,
2. Local Emergency Management Plan For The Provision Of Welfare Support (February 2014).

Background

1. To comply with its responsibilities under the *Emergency Management Act 2005* the Shire of Lake Grace, with funding assistance from AWARE (All West Australians Reducing Emergencies), conducted a 5 yearly review of its Emergency Risk Management Plan.

A community survey was disseminated via the Progress and Development Associations to identify the order of the highest perceived risk of emergency. The Local Emergency Management Committee also completed the survey the results of which can be seen within the document.

At a work shop, held during the LEMC meeting in August 2013, the top five risks were entered into the risk register and a 'level of risk', low, moderate, high or extreme, determined by using the risk matrix.

A risk treatment plan was then formulated for each of those risks. The top 5 risks identified by the community were exactly the same as those identified in 2008; bushfire, drought, pest infestation, transport and severe storms.

2. The Local Emergency Management Plan for the Provision of Welfare Support is an integral part of the Local Emergency Management Arrangements for the Shire of Lake Grace.

The Department of Child Protection & Family Support is the lead agency when it comes to the provision of welfare, with the support of the Shire, in the event of an incident. Neville Blackburn, DCP&FS, updated this document together with information supplied by the Shire.

Comment

Following the Ordinary Council Meeting held 27 August 2014, *Item 15.1 - Shire of Lake Grace Emergency Risk Management Plan & Local Emergency Management Plan for the Provision of Welfare Support* was tabled to allow for further development of the documents.

These documents are 'live' documents.

A question was raised as to the process for Pingaring, Lake King and Varley. Pingaring, Lake King and Varley are small communities and do not have a designated relocation centre.

Depending on the type and size of the emergency the families in these small communities should, where possible, be encouraged to 'self' relocate to family or friends in the short term; in the long term they could be relocated to a larger centre with more facilities/services, this may not necessarily be within the Shire of Lake Grace but possibly Kulin, Hyden or even Narrogin.

Emergencies can be extremely stressful, even more so where relocation is involved. To avoid adding to this stress by telling a family 'you must go here', families could be encouraged to relocate to a familiar place with an offer of 'you can go here if you need to'.

Each emergency situation is different and, to reflect that, plans need to be flexible and accommodating.

Legal Implications

- *Emergency Management Act 2005* Section 41 Emergency Management Arrangements in Local Government
- State Emergency Management Committee policy 2.5 - Emergency Management in Local Government District and policy 2.9 – Management of Risk

Policy Implications

Nil

Consultation

Internal – Shire of Lake Grace Local Emergency Management Committee

Chief Executive Officer

Shire of Lake Grace Councillors

External – Community consultation

Neville Blackburn, Child Protection & Family Support

Cr Debrah Clarke

Financial Implications

Nil

Strategic Implications

Shire of Lake Grace Strategic Community Plan

- Social S3 – Maintain and improve social/community infrastructure to support community wellbeing

Voting Requirements

Simple majority required.

Committee Recommendation/Resolution

MOTION 11928

Moved Cr Hunt
Seconded Cr De Landgraft

That Council endorse:

1. The Shire of Lake Grace Emergency Risk Management Plan (2013 to 2018); and,
2. Local Emergency Management Plan for the Provision of Welfare Support (February 2014)

MOTION CARRIED 9/0

15.2 DUAL FIRE CONTROL OFFICERS – NEIGHBOURING SHIRES

Applicant:	Community Emergency Services Manager on behalf of the Shire of Lake Grace Bushfire Advisory Committee
File No.	0177
Attachments:	Nil
Author:	Mr Marcus Owen Community Emergency Services Manager
Disclosure of Interest:	Nil
Date of Report:	14 October 2014
Senior Officer:	Ms Lee Holben Manager Community Services

Summary

The purpose of this report is for Council to authorise the listed Dual Fire Control Officers to act as Fire Control Officers in the Shire of Lake Grace.

Background

Dual Fire Control Officers are appointed by their respective shires to perform the duties of a Fire Control Officer in either shire in the event of a bush fire passing from one shire into another.

The following Dual Fire Control Officers have been appointed by their respective Shires for the 2014/15 season and now also require appointment by the Shire of Lake Grace:

Shire of Kent	Kelvin Holmes – 0429 701 045
Shire of Kondinin	John Read – 9889 1006 or 0429 891 006 Tom Mulcahy - 0427 805 292
Shire of Kulin	P Riseborough - 0427 804 060 B Holmes - 9880 5078 CG Varone - 0429 800 033 G Strother - 0428 752 024
Shire of Dumbleyung	Damian Leo - 0427 646 043 Mark Pearce – 0428 959 106
Shire of Jerramungup	Paul Hislop – 0427 354 037

Comment

The Shire of Ravensthorpe position is not currently filled.

Shire of Lake Grace Fire Control Officers will be notified of these appointments once authorised by Council.

Legal Implications *Bushfires Act 1954*

Policy Implications

Nil

Consultation

Internal: Nil

External: Shires of Kulin, Kondinin, Dumbleyung, Kent, Ravensthorpe, and Jerramungup.

Financial Implications

Nil

Strategic Implications

Shire of Lake Grace Strategic Community Plan

- En 3. Manage and protect the natural environment,
- En 3.4 Maintain effective bushfire control and management through support and resourcing of bushfire brigades and volunteers.

Voting Requirements

Simple majority required

Recommendation/Resolution

MOTION 11929

Moved Cr Chappell
Seconded Cr Clarke

That Council appoint the following Dual Fire Control Officers for the 2014/15 season;

Shire of Kent
- Kelvin Holmes

Shire of Kondinin
- John Read
- Tom Mulcahy

Shire of Kulin
- P Riseborough
- B Holmes
- CG Varone
- G Strother

Shire of Dumbleyung
- Damian Leo
- Mark Pearce

Shire of Jerramungup
- Paul Hislop

MOTION CARRIED 9/0

15.3 COMMUNITY EMERGENCY SERVICES MANAGER

Applicant: Shire of Lake Grace
File No. 0176/0012
Attachments: Nil
Author: Mr Neville Hale
Chief Executive Officer
Disclosure of Interest: Nil
Date of Report: 14 October 2014
Senior Officer: Mr Neville Hale
Chief Executive Officer

Summary

For Council to consider the appointment of a regional Community Emergency Services Manager for the Shires of Lake Grace, Kent and Dumbleyung.

Background

Mr Marcus Owen, Community Emergency Services Manager has recently given notice of his resignation to take effect from 28 November 2014 but will be taking leave as from 14 November 2014.

Mr Owen's three (3) year contract of employment was due to expire on 2 March 2015. Mr Owen's resignation affords the opportunity to revisit the appointment of a regional officer with costs shared.

The Department of Fire and Emergency Services (DFES) supports such a proposal which is consistent with that recently put in place for the Shires of West Arthur, Wagin and Woodanilling.

Comment

Prior to the appointment of Mr Owen, in April 2011, the Shire of Kent had put forward to the then Lakes VROC a proposal to enter into a group scheme or via the VROC structure a proposal to employ a Community Emergency Services Officer.

Duties of the proposed officer included ranger services. The Shire of Kent had indicated that it was prepared to host the Scheme. As a result of this proposal, the Shire of Lake Grace went alone and engaged its own CESM on a 70% - 30% DFES/Shire funding arrangement.

Since that time, the complexities and requirements of the Bush Fires Act 1954 and the Emergency Management Act 2005 have become more demanding and complex, placing increased expectations upon community volunteers and the requirements for training.

In addition to planning and reporting requirements of the Emergency Management Act, there are obligations for community education, mitigation measures and a host of other emergency management matters including Emergency Management Plans and Recovery Plans.

Whilst the work load is significant, the Shire has also had its CESM officer engaged in other activities related to emergency services such as the roll out of the swipe card controllers on its standpipes and other water management activities.

Legal Implications

Local Government Act 1995
Emergency Management Act 2005
Bush Fires Act 1954

Policy Implications

N/A

Consultation

External: Department of Fire and Emergency Services
4WDL VROC
Shire of Dumbleyung
Shire of Kent

Financial Implications

The Shire's 2014/15 Budget makes provision of \$128,235 for costs associated with the employment of the CESM, excluding the capital cost of the vehicle. These costs are shared 70% funding from DFES (\$90,000) and 30% (\$38,235) funded.

Under the proposed regional arrangements the Shire's cost would be shared with other participating shire(s).

Strategic Implications

Shire of Lake Grace Strategic Community Plan

Social – to have a shire community that is valued and connected

- S10: Support and recognise and grow the number of volunteers

Civic leadership

- CL: foster a united approach between our communities

Voting Requirements

Simple majority required.

Recommendation/Resolution

MOTION 11930

Moved Cr Hunt

Seconded Cr Armstrong

That the Council:

1. Support the engagement of a regionally based Community Emergency Services Officer on a further three year contract subject to 70% of the cost being met by the Department of Fire and Emergency Services; and,
2. Request the Chief Executive Officer to enter into negotiations with the Department of Fire and Emergency Services, the Shire of Kent and the Shire of Dumbleyung to determine appropriate arrangements and report back to Council.

MOTION CARRIED 9/0

16.0 MATTERS FOR CONSIDERATION - ADMINISTRATION

16.1 RISK MANAGEMENT GOVERNANCE FRAMEWORK - POLICY 1.13

Applicant: Chief Executive Officer
File No. 0052
Attachments: 1. Policy 1.13 – Risk Management Framework
 2. Risk Assessment Matrix
Author: Mr Neville Hale
 Chief Executive Officer
Disclosure of Interest: Nil
Date of Report: 10 October 2014
Senior Officer: Mr Neville Hale
 Chief Executive Officer

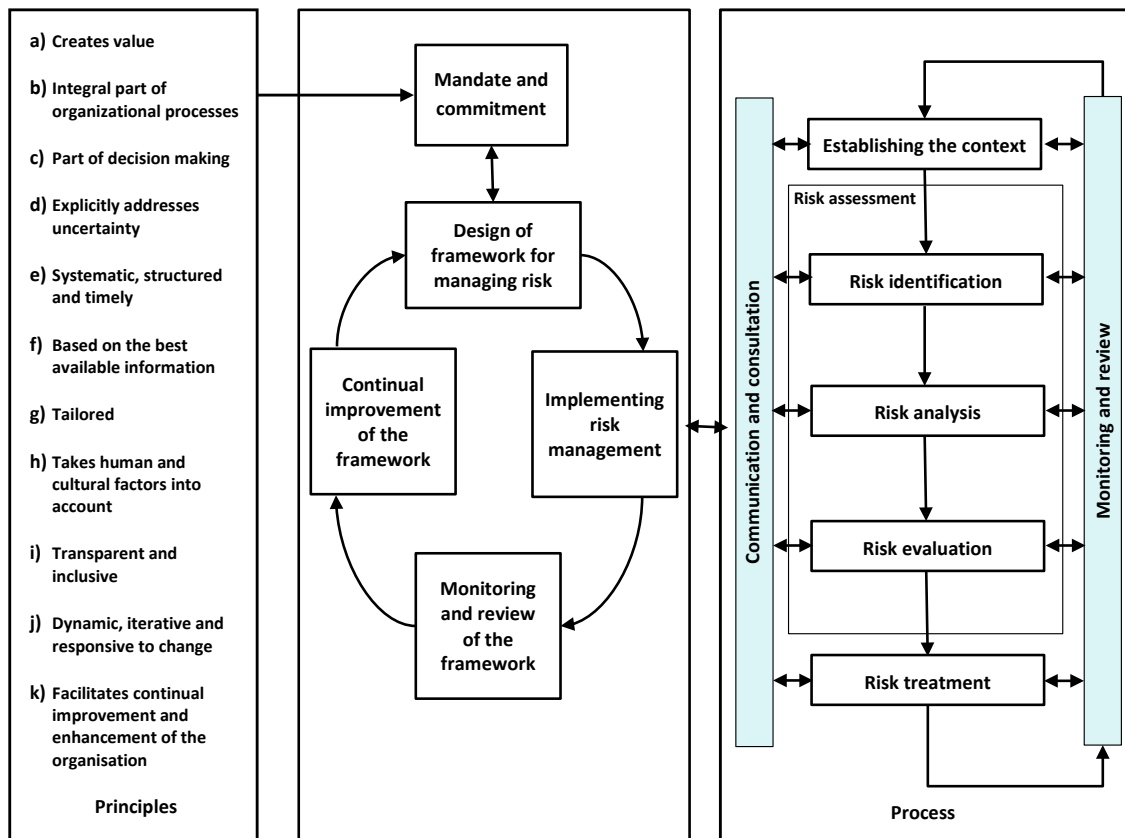
Summary

For Council to adopt a draft Policy titled “Risk Management” together with the Council’s inaugural Risk Management Governance Framework.

Background

Whilst risk management in Local Government is now required by law, since 2013, the principles of managing risk are not new.

The Policy and associated Risk Management Governance Framework embeds procedures for implementing the Policy within the organisation by Management and employees.



Comment

Adoption of a Policy will guide the Chief Executive Officer and Management in what predominant risks exist and provide guidance as to Council's appetite for each of those risks. It will also provide a more thorough and documented process for the administration to manage those risks, day to day.

As noted in the framework, Risk Management is not a destination but more of a journey. In other words – risks constantly evolve and or are discovered or “detailed”.

It should not be expected that the organisation will document “every risk” and have put in place controls to manage every risk.

The attached Framework will establish processes by which the Chief Executive Officer, Management and employees can quantify or evaluate risks to be managed by treatments or controls, or if unable or unwilling, to transfer or accept them.

Legal Implications

On 8 February 2013, a new Regulation, number 17, was inserted into the Local Government (Audit) Regulations 1996 which requires the Chief Executive Officer to undertake certain additional “new tasks” required by that legislation.

In accordance with this regulation, the first review must be undertaken by no later than December 2014 (i.e. within two calendar years).

Local Government (Audit) Regulations 1996 states;

“17. CEO to review certain systems and procedures

- (1) *The CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to —*
 - (a) *risk management; and*
 - (b) *internal control; and*
 - (c) *legislative compliance.*
- (2) *The review may relate to any or all of the matters referred to in sub regulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review at least once every 2 calendar years.*
- (3) *The CEO is to report to the audit committee the results of that review.”*

In accordance with this review the Chief Executive Officer recommends the following Policy and attached Framework, which will guide staff in preparing the review to the Audit committee in coming months.

Policy Implications

The proposed Policy and Framework is based on Australia/New Zealand Standard ISO 31000:2009 Risk Management.

The Policy proposed is as follows and is repeated in the Risk Management Governance Framework pursuant to Attachment 1.

Risk Management Policy

Purpose

The Shire of Lake Grace's ("the Shire") Risk Management Policy documents the commitment and objectives regarding managing uncertainty that may impact the Shire's strategies, goals or objectives.

Policy

It is the Shire's Policy to achieve best practice (aligned with AS/NZS ISO 31000:2009 Risk management), in the management of all risks that may affect the Shire, its customers, people, assets, functions, objectives, operations or members of the public.

Risk Management will form part of the Strategic, Operational, Project and Line Management responsibilities and where possible, be incorporated within the Shire's Integrated Planning Framework.

The Shire's Management Team will determine and communicate the Risk Management Policy, Objectives and Procedures, as well as direct and monitor implementation, practice and performance.

Every employee within the Shire is recognised as having a role in risk management, from the identification of risks, to implementing risk treatments and shall be invited and encouraged to participate in the process.

Subject to budget constraints consultants may be retained at times to advise and assist in the risk management process or management of specific risks or categories of risk.

Definitions (from AS/NZS ISO 31000:2009)

Risk: Effect of uncertainty on objectives.

Note 1: An effect is a deviation from the expected – positive or negative.

Note 2: Objectives can have different aspects (such as financial, health and safety and environmental goals) and can apply at different levels (such as strategic, organisation-wide, project, product or process).

Risk Management: Coordinated activities to direct and control an organisation with regard to risk.

Risk Management Process: Systematic application of management policies, procedures and practices to the activities of communicating, consulting, establishing the context, and identifying, analysing, evaluating, treating, monitoring and reviewing risk.

Risk Management Objectives

- *Optimise the achievement of our vision, mission, strategies, goals and objectives.*
- *Provide transparent and formal oversight of the risk and control environment to enable effective decision making.*
- *Enhance risk versus return within our risk appetite.*
- *Embed appropriate and effective controls to mitigate risk.*
- *Achieve effective corporate governance and adherence to relevant statutory, regulatory and compliance obligations.*
- *Enhance organisational resilience.*
- *Identify and provide for the continuity of critical operations.*

Risk Appetite

The Shire has quantified its risk appetite through the development and endorsement of the Shire's Risk Assessment and Acceptance Criteria (Appendix A). The criteria and Risk

Management Procedures may be reviewed by the CEO from time to time in keeping with the objectives of this Policy.

All organisational risks to be reported at a corporate level are to be assessed according to the Shire's Risk Assessment and Acceptance Criteria to allow consistency and informed decision making. For operational requirements such as projects or to satisfy external stakeholder requirements, alternative risk assessment criteria may be utilised, however these cannot exceed the organisations appetite and are to be noted within the individual risk assessment.

Roles, Responsibilities & Accountabilities

The CEO is responsible for the allocation of roles, responsibilities, and accountabilities. These are documented in the Risk Management Procedures that may be amended from time to time by the CEO (Organisation Procedure Manual).

Monitor & Review

The CEO will implement and integrate a monitor and review process to report on the achievement of the Risk Management Objectives, the management of individual risks and the ongoing identification of issues and trends.

This policy will be reviewed by the Council as required."

Consultation

As the Policy is "inward" and operationally focused, no external community consultation is proposed nor is it required at law.

The Chief Executive Officer will need to ensure that employees are engaged with the Policy's implementation. The Policy and Framework is based on best practice guidance supplied by the Shire's Insurance Broker, Local Government Insurance Services (LGIS) as part of a Regional approach through the 4WDL.

Financial Implications

There are known financial implications upon either the Council's current Budget or Long Term Financial Plan.

Strategic Implications

The report and officer recommendation is consistent with Council's adopted Mission and Vision and assists to achieve the following specific adopted Strategic Objectives and Goals.

Shire of Lake Grace Strategic Community Plan

Civic Leadership

- CL1.3 – Improve organisational capability and capacity

Voting Requirements

Simple majority required.

Recommendation/Resolution

MOTION 11931

Moved Cr Hunt
Seconded Cr Armstrong

That Council;

1. Adopt the Risk Management Policy as detailed within the Report;
2. Update the Policy Manual accordingly; and,
3. Endorse the initial Risk Assessment Matrix (Appetite for Risk)
(labelled Attachment No 2 to this Report);

MOTION CARRIED 9/0

16.2 **WA LOCAL GOVERNMENT ASSOCIATION – POLL PROVISIONS ADVOCACY POSITION**

Applicant:	WA Local Government Association
File No:	0020
Attachments:	WALGA Infopage
Author:	Mr Neville Hale Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	14 October 2014
Senior Officer:	Mr Neville Hale Chief Executive Officer

Summary

For Council to determine its response to a request by WALGA for comment on its Poll Provisions advocacy position

Background

In the attached Infopage, the subject of WALGA's advocacy on the Poll Provisions contained in Schedule 2.1 of the Local Government Act 1995, is outlined.

In view of the comments contained within the Infopage, Council is being asked whether it supports the Local Government Act 1995 being amended so that the community of a Local Government could demand a poll when one of the following conditions apply:

1. Under any boundary change proposal; or,
2. A significant variation in population or rateable properties or revenue; or,
3. Any alternative criteria to define when a local government would be "significantly affected"

See attached Fax Back

Comment

As indicated in the comment made in the attached information:

"There is a general view that a minor boundary change, perhaps to fix an anomaly, should not be the subject of a potential poll of electors. There is also a general view that, where one or more Local Governments will be abolished or a Local Government's viability could be affected by a boundary change proposal, electors should have a right to demand a poll."

Council would appreciate that the running of a poll can be expensive and to do so for every boundary change would incur unnecessary costs, particularly in circumstances where, for example, the change impacts on a single property owner seeking to incorporate contiguous landholdings into one shire.

Accordingly, the suggested option to demand a poll for every boundary change is not supported.

There is then the question: "what defines a significant change?"

Options to address this matter are presented by WALGA in the attached Infopage.

One needs to ensure that the residents of a local government that has a small population is not disadvantaged should a larger neighbour seek to impose a boundary change.

It may be appropriate to set different criteria for each of population, rateable properties or revenue rather than use a single number such as e.g. 20%.

In considering this matter one needs to also look at the net result of any proposed boundary changes. Whilst there may be an impact upon the existing area of a local authority that may meet the criteria, there may be other compensating boundary changes that reduce the overall impact to something less. In such a circumstance, the original local government community has still changed.

The current provisions of Schedule 2.1 of the Local Government Act, 1995 relate to circumstances of amalgamation but not boundary changes.

Legal Implications

Local Government Act 1995: Schedule 2.1

Cl 8. *Electors may demand poll on a recommended amalgamation*

(1) *Where the Advisory Board recommends to the Minister the making of an order to abolish 2 or more districts (the districts) and amalgamate them into one or more districts, the Board is to give notice to affected local governments, affected electors and the other electors of districts directly affected by the recommendation about the recommendation.*

(2) *The notice to affected electors has to notify them of their right to request a poll about the recommendation under subclause (3).*

(3) *If, within one month after the notice is given, the Minister receives a request made in accordance with regulations and signed by at least 250, or at least 10%, of the electors of one of the districts asking for the recommendation to be put to a poll of electors of that district, the Minister is to require that the Board's recommendation be put to a poll accordingly.*

(4) *This clause does not limit the Minister's power under clause 7 to require a recommendation to be put to a poll in any case.*

[Clause 8 amended by No. 64 of 1998 s. 52(3).]

Policy Implications

N/A

Consultation

External: WA Local Government Association

Financial Implications

None

Strategic Implications

Civic Leadership: good governance – united communities

The poll provisions enable the community to have a say in regards to proposals that may impact on their relationship with their local government or on factors such as changes to potential rate income variations that impact on future viability.

Voting Requirements

Simple majority required.

Recommendation/Resolution**MOTION 11932**

Moved Cr Stanton
Seconded Cr Chappell

That Council advise WALGA that the poll provisions should apply when there is a variation in population by 250 electors or 25% of electors, rateable properties or revenue.

MOTION CARRIED 9/0

16.3 BAAD COP – PREVENTATIVE LIVESTOCK TRACKING DEVICE

3.30 *Cr Marshall left the meeting and returned at 3.32 pm.*

Applicant: Shire of Dumbleyung
File No. 0733
Attachments: 1. Baad Cop Presentation
 2. Costing Sheet
Author: Mr Neville Hale
 Chief Executive Officer
Disclosure of Interest: Nil
Date of Report: 15 October 2014
Senior Officer: Mr Neville Hale
 Chief Executive Officer

Summary

For Council to be informed of an initiative raised by the Shire of Dumbleyung regarding a proposal to mitigate the theft of livestock.

Background

Marketforce Creative developed an initiative to prevent stock theft which was to be funded by the State. Following withdrawal of State funding, the Shire of Dumbleyung has been approached to present the initiative to the 4WDL VROC Regional Group to ascertain whether funding could be provided by local government.

The proposal is based on one sheep in each mob being fitted with a GPS tracker. If the mob is stolen then the tracker could be used to find the mob, similar to what can be done with lost mobile phones.

Signs would be placed around farms to alert thieves that a sheep is fitted with the device which would, hopefully, act as a deterrent to thieves.

In the attached costing sheet, it suggests shires provide \$19,181 towards this project primarily for the Media Plan and associated advertising. A summary of the proposal costing is as follows:

Item	Proposed Shire(s) Costs \$	Proposed Farmer Costs \$
Farm signage per unit		30.00
Bumper Stickers per 1,000		500.00
Shire signage x 4 each Shire	450.00	
Animal Tag Costs per 10 (tbc)		99.00
Production of Radio 3 Commercials	\$3,591.00	
Production of Press Advertisements	\$1,000.00	
Production of online banner adverts	\$1,500.00	
Media Plan – Total Cost	\$12,640	
Total Cost	\$19,181.00	\$629.00

Comment

In considering this request, the following issues arise:

- There is no guarantee, if only one sheep in a mob is fitted with a “tracker”, that that sheep would be taken when many such thefts take a small number of sheep so as not to be obvious;

- The tracking device could be removed;
- The proposal is a form of insurance, one best left to the property owner;
- Farmer organisations such as WAFF/PGA would be better placed to promote this media plan together with other industry partners such as stock agents;
- The cost of an effective signage roll-out in an area as extensive as Lake Grace could be significant if it is funded by local government and limited to the 12 main access points, namely Gorge Rock Road, North Lake Grace – Karlgarin Road, Aylemore Road, Newdegate North Road Brookton Hwy (Varley Mt Madden) Taylor Road (Old Ravensthorpe), Magenta Road, Newdegate (Pingrup) Road, South Road, Collie Lake King Road and Norseman Road it would still cost approx. \$6,000 excluding the fixing of these signs;
- Participating farmers would need to be responsible for signage on their properties;
- the costs associated with advertisements and radio commercials would be recurrent and most likely increase over time.

At the 4WDL meeting, it was further suggested that funding may be available from the “Proceeds of Crime” scheme.

Legal Implications

N/A

Policy Implications

N/A

Consultation

External: 4WDL VROC
Shire of Dumbleyung

Financial Implications

A limited roll out of signage would incur a cost in the order of \$6,000 plus \$2,500 approx. to erect/fix the signs. The media Plan and associated advertising should be the responsibility of the beneficiaries.

Strategic Implications

Civic Leadership

Good governance – financial management

Voting Requirements

Simple majority required.

Recommendation/Resolution**MOTION 11933**

Moved Cr De Landgraft
Seconded Cr Hunt

That Council advise the Shire of Dumbleyung that it does not support Local Government involvement in the Baad Cop proposal and recommends referral to the agricultural industry organisations.

MOTION CARRIED 9/0

17.0 INFORMATION BULLETIN

17.1 INFORMATION BULLETIN REPORT – SEPTEMBER 2014

Applicant:	Executive Services
File No.	N/A
Attachments:	1- 6 (provided for Councillors information under separate cover)
Author:	Mrs Jeanette Bennett Executive Assistant
Disclosure of Interest:	Nil
Date of Report:	16 October 2014
Senior Officer:	Mr Neville Hale Chief Executive Officer

Summary

The purpose of this report is to keep Elected Members informed on matters of interest and importance to Council.

Background

The Information Bulletin Report deals with monthly standing items and other information of a strategic nature relevant to Council. The Information Bulletin is an internal management document; therefore attachments are not for public information.

Copies of other relevant Councillor information are distributed via email.

Comment

This month's (September 2014) Information Bulletin Report has been emailed to Councillors, printed copies have not been produced.

The information at attachment includes:

A. Reports

1. September 2014 Council Status Report
2. September 2014 Infrastructure Services Report
3. Grants Register
4. Shire Website & Facebook Statistics September 2014

B. Letters / Updates

5. WDC Project Update October 2014 – Creating Age Friendly Communities in Small Towns Project

C. Minutes

6. 4WDL Minutes 14 October 2014 – to be emailed separately

Legal Implications

Nil

Policy Implications

Nil

Consultation

N/A

Financial Implications

Nil

Strategic Implications*Shire of Lake Grace Strategic Community Plan*

- Civic Leadership – CI 1 – leadership, good governance,

Voting Requirements

Simple majority required.

Recommendation/Resolution**MOTION 11934**

Moved Cr Chappell
Seconded Cr Hunt

That Council accepts the Information Bulletin report.

MOTION CARRIED 9/0

18.0 URGENT BUSINESS BY DECISION OF THE MEETING

None.

19.0 SCHEDULING OF MEETING

19.1 NOVEMBER 2014 ORDINARY MEETING

Motion 11711 November 2013 states:

An Ordinary Meeting of Council will be held on Wednesday 19 November 2014 commencing at 8.00 am at the Newdegate Community Resource Centre, Collier St Newdegate WA.

20.0 CONFIDENTIAL BUSINESS – as per Local Government Act s5.23 (2)

3.38 pm Mr Hale, Mr Mitchell, Mr Shopov, Ms Holben, Mr Owen and Mr Watson left the meeting.

MOTION 11935

Moved Cr Chappell
Seconded Cr Hunt

That Council close the meeting to the public at this time, being 3.38 pm, to consider the Chief Executive Officer's 12 Month Performance Review.

MOTION CARRIED 9/0

20.1 CHIEF EXECUTIVE OFFICER - 12 MONTH PERFORMANCE REVIEW

MOTION 11936

Moved Cr Chappell
Seconded Cr Stanton

That Council re-open the meeting to the public at this time, being 3.42 pm.

MOTION CARRIED

3.42 pm Mr Hale, Mr Mitchell, Mr Shopov, Ms Holben, Mr Owen and Mr Watson re-entered the meeting.

The President read aloud the following motion:

MOTION 11937

Moved Cr Armstrong
Seconded Cr De Landgraft

1. That the Chief Executive Officer's Review has been conducted in accordance with the *Local Government Act 1995* and best practice as well as contractual obligations arising from the CEO contract.
2. That the cash component of the Chief Executive Officer's salary be increased by 3.5% as of his anniversary date.
3. That the Chief Executive Officer be congratulated on his performance over the past twelve months.

MOTION CARRIED 9/0

21.0 CLOSURE

There being no further business, the Shire President closed the meeting at 3.45 pm.

22.0 CERTIFICATION

I Andrew James Walker certify that the minutes of the meeting held on the 22 October 2014 as shown were confirmed as a true record at the meeting held on the 19 November 2014.

Chairman

Date