

Shire of Lake Grace

Ordinary Council Meeting

## NOTICE PAPER

### To the President and Councillors

In accordance with the provisions of Section 5.5 of the Local Government Act 1995, you are hereby notified that an Ordinary Meeting of Council has been convened:

**Date:** Tuesday 16 December 2014

**At:** Council Chambers,  
1 Bishop St Lake Grace WA

**Commencing:** 1.00 pm

To discuss the items of business in the agenda as set out on the following pages.



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Neville Hale  
Chief Executive Officer

11 December 2014  
Date

Shire of Lake Grace

Ordinary Council Meeting

# Agenda

16 December 2014

Meeting Commencing at 1.00 pm

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## **SHIRE OF LAKE GRACE**

Agenda for the Ordinary Meeting of Council to be held at Council Chambers, 1 Bishop St Lake Grace WA, on Wednesday 16 December 2014.

### **1.0 OPENING & ANNOUNCEMENT OF VISITORS**

The Shire President opened the meeting at \_\_\_ pm.

### **2.0 ATTENDANCE RECORD**

#### **2.1 PRESENT**

Cr AJ Walker	Shire President
Cr JF De Landgrafft	Deputy Shire President
Cr LW Armstrong	
Cr R Chappell	
Cr DS Clarke	
Cr SG Hunt	
Cr AD Marshall	
Cr MG Stanton	
Mr N Hale	Chief Executive Officer
Mr P Dittrich	Acting Manager Corporate Services
Mr L Shopov	Manager Infrastructure Services
Ms L Holben	Manager Community Services
Mrs J Bennett	Executive Assistant
_____	Observer

#### **2.2 APOLOGIES**

#### **2.3 LEAVE OF ABSENCE PREVIOUSLY GRANTED**

**Cr Walker** - Resolution 11938 19 November 2014, leave of absence approved for the period 19 December to 27 December 2014 for overseas travel.

### **3.0 PUBLIC QUESTION TIME**

### **4.0 APPLICATIONS FOR LEAVE OF ABSENCE**

**5.0 MINUTES OF PREVIOUS COUNCIL MEETINGS**

**5.1 ORDINARY MEETING – 19 NOVEMBER 2014**

Resolution

**MOTION 11962**

Moved Cr  
Seconded Cr

That the minutes of the Ordinary Meeting of Council held on the 19 November 2014 be confirmed as a true and accurate record.

**MOTION CARRIED**

**6.0 DECLARATIONS OF INTEREST**

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

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

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

**7.0 NOTICES OF URGENT BUSINESS**

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

**8.1 COUNCIL APPOINTED DELEGATE TO LAKE GRACE VISITOR CENTRE COMMITTEE**

The Chief Executive Officer has received a notice of motion in writing (via email) from Cr Murray Stanton that due to work commitments he is unable to continue as delegate to the Lake Grace Visitor Centre Committee.

Cr Debby Clarke has been approached and is willing to take on the appointment as delegate. Should Council appoint Cr Clarke as delegate, the term will expire as at the next Local Government election cycle in October 2015. At this time Council will again review its representation on the various external committees.

Legal Implications

Shire of Lake Grace Standing Orders Local Law – clause 2.9 (1) & (2): under this clause a notice of motion is to be given to the CEO in writing at least 4 working days before the meeting at which the motion is moved.

Recommendation

That Council appoint Cr Clarke as the Shire's delegate to the Lake Grace Visitor Centre Committee for the term expiring October 2015, and advise them accordingly.

Voting Requirements

Absolute majority (5) required.

Resolution

Moved Cr

Seconded Cr

**9.0 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS****9.1 PROPOSED NEW ST JOHN AMBULANCE SUB CENTRE**

Mrs Amanda Milton will make a presentation to Council on the new proposed St John Ambulance sub centre for Lake Grace.

**10.0 MEMBERS' REPORTS**





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

**11.1 VOLVO G940 MOTOR GRADER – POSTPONING OF REPLACEMENT GRADER/  
PURCHASE OF SKID STEER**

**Applicant:** Infrastructure Services  
**File No.** 0541  
**Attachments:** Volvo Grader PGRA06 historical maintenance and repair costs  
**Author:** Mr Louka Shopov



Manager Infrastructure Services

**Disclosure of Interest:** Nil  
**Date of Report:** 10 December 2014  
**Senior Officer:** Mr Neville Hale



Chief Executive Officer

Summary

This report recommends Council consider the removal of LG041 Volvo G940 Motor Grader from this year's 2014/15 Plant Replacement Program and the purchase of a new skid steer loader in lieu.

Background

On Wednesday 10 December 2014, the Asset Management Committee held a meeting to consider the above matter and have made a recommendation to Council.

The minutes of the Asset Management Committee Meeting will be made available to Councillors prior to the 16 December 2014 Ordinary Council Meeting.

In its 2014-2015 Annual Budget Council approved the purchase of a new motor grader as a replacement of LG041, 2008 Volvo G940 Grader.

Comment

The attached spread sheet demonstrates the cost of maintenance and repair works and spare parts on Volvo grader during its operating time, including overhead charges for the mechanic and associated plant and equipment.

Total expenditure for the last seven years is \$112,122.28 (average of \$16,017 per year) which shows the grader has been very well maintained and looked after. The fact that working time shown on grader's clock, including travelling and idling, is only 5000 hours, leads to a conclusion that a replacement of the grader in 2014/15 financial year would be premature and unjustifiable.

If adequately maintained and operated, this Volvo grader could work for another two years until it reaches at least 7500 hours and still maintain a reasonable market value.

Legal Implications

Local Government Act 1995

Local Government (Functions and General) Regulations 1996

Local Government (Financial Management) Regulations 1996.

Policy Implications

Shire of Lake Grace Policy 3.7 - Purchasing Policy.

Consultation

Internal: Mechanic

Works Supervisor

Financial Implications

An allowance of \$379,746 has been approved in Shire's 2014/15 Budget, for the purchase of a new Motor Grader. An expected return from the disposal of the existing Volvo Grader is \$ 140,000, leaving a net cash outlay of \$239,746.

Should the replacement of the grader be delayed:

1. A portion of \$239,746 could be spent on purchasing a skid steer loader with implements for road sweeping, shoulder grading, post hole digging, bitumen seal profiling and general earthmoving operations at a cost of \$90,000; and,
2. The remaining \$149,746 to be transferred to the Plant Replacement Reserve.

Skid steer loaders are versatile, efficient and safe to operate machines. An estimated hourly rate is \$85.00 which includes:

- Labour
- Depreciation cost, based on five years useful life with approximately 1000 working hours per year
- Diesel, hydraulic and engine oil
- Service and repair expenses

The skid steer loader could be used to grade sealed roads shoulders, clean drainage swales, sweep footpaths and streets, excavate trenches, dig holes for posts and signs and remove building debris in areas where bigger machines cannot get access to.

The cost to hire a skid steer loader from the nearest Coates branch (Ravensthorpe) is \$295 per day excluding transportation and additional charge for different attachments.

Strategic Implications

*Shire of Lake Grace Strategic Community Plan*

- EC1: Maintain community built infrastructure and provide an effective and efficient transportation network.

Postponing the replacement of Volvo Grader would release funds to purchase of the much needed skid steer loader, which will boost productivity, reduce injury time and strengthen the moral and motivation in the work force.

Asset Management Committee Recommendation

That Council:

- 1) Postpone the replacement of Volvo G940 Motor Grader with a new Motor Grader, as approved in Shire's 2014/15 Budget;
- 2) Authorise the purchase of a skid steer loader with work implements to the value of \$90,000, using the funds released previously allocated for the replacement grader; and,
- 3) Authorise the transfer of the remaining funds of \$149,746 to the Plant Replacement Reserve.

Voting Requirements

Absolute (5) majority required.

Resolution

Moved Cr

Seconded Cr



<b>12.0 MATTERS FOR CONSIDERATION – PLANNING</b>
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**12.1 PLANNING APPLICATION – PROPOSED AMBULANCE DEPOT ON CROWN RESERVE 51574 BEING LOT 501 STUBBS ST LAKE GRACE**

<b>Applicant:</b>	St John Ambulance Western Australia on behalf of the State of Western Australia
<b>File No.</b>	0506
<b>Attachments:</b>	Plans 1 to 6
<b>Author:</b>	Mr Joe Douglas & Mr Carlo Famiano Urban & Rural Perspectives -Town Planning Consultants
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	9 December 2014
<b>Senior Officer:</b>	Mr Neville Hale

Chief Executive Officer

Summary

This report recommends that a planning application submitted by St John Ambulance Western Australia Ltd on behalf of the State of Western Australia (Landowner) to construct a new ambulance depot on Reserve 51574 being Lot 501 Stubbs Street, Lake Grace be approved subject to conditions.

Background

As Council is aware the Shire's Administration has been working closely with representatives from St John Ambulance Western Australia Ltd and the Department of Lands over the past 18 or so months to excise, re-vest and rezone the western portion of Reserve 27740 Stubbs Street, Lake Grace to create a suitable site for the development of a new improved ambulance depot to replace an existing depot located on Bennett Street, Lake Grace which is now old, outdated and no longer fit for its original intended purpose.

As all tasks associated with creation of the new ambulance depot site have now been completed, St John Ambulance Western Australia Ltd (i.e. the applicant) have recently completed and submitted a planning application to the Shire seeking Council's approval to develop and use the land for the intended purpose.

The subject land, now legally described as Reserve 51574 being Lot 501 Stubbs Street, Lake Grace, is located in the western part of the Lake Grace townsite on the south side of Stubbs Street immediately adjacent the Lake Grace Medical Centre and Lake Grace Hospital. The land is rectangular in shape, comprises a total area of approximately 2,348m<sup>2</sup> and has direct frontage and access to Stubbs Street along its northern boundary (see Plans 1 & 2).

Lot 501 is a relatively flat, vacant parcel of land that has been extensively cleared of most native vegetation and contains no built form improvements (see Plan 3).

The application submitted by St John Ambulance Western Australia Ltd is very professional and comprehensive and provides all of the information required by the Shire's Local Planning Scheme No.4 (LPS No.4). A full copy of the application will be made available for viewing by Councillors at the December Ordinary Meeting.

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

- i) Construction of a new 463m<sup>2</sup> steel framed, weatherboard (i.e. 'Shale Grey' colour) and colorbond roofed (i.e. 'Surf Mist' colour) ambulance depot comprising a length of 26.1 metres and a width of 16.9 metres (see Plans 4 to 6);
- ii) The new building will have a maximum wall height of 4.114 metres and a maximum roof height (i.e. skillion type roof) of approximately 4.714 metres;
- iii) The building will comprise verandahs along its front and rear facades;
- iv) The building will have a setback of 21.6 metres from the land's front boundary (i.e. Stubbs Street), a setback of 24.2 metres from the land's rear boundary, a 2.15 metre setback from the land's eastern side boundary and a 5.76 metre setback from the land's western side boundary;
- v) The proposed new building will accommodate various uses associated with St John Ambulance emergency service operations in the district including an ambulance garage, a training room for staff and first aid lessons for the general public, employee rest facilities, various storage and locker rooms, administration offices, kitchen and ablution facilities;
- vi) Construction of vehicle accessways, twelve (12) on-site parking bays (bitumen surface) and two (2) new driveway crossovers along the land's Stubbs Street frontage including all associated line marking and stormwater drainage infrastructure;
- vii) Installation of on-site effluent disposal infrastructure (i.e. septic tanks & leach drains);
- viii) Installation of landscaping throughout the site including the verge area along the land's Stubbs Street frontage; and
- ix) Erection of signage including a 1.92m<sup>2</sup> (i.e. 3.2 metres wide & 0.6 metre high) wall sign and a 3m<sup>2</sup> (i.e. 1 metre wide & 3 metres high) illuminated pylon sign.

In submitting the application St John Ambulance Western Australia Ltd has requested Council's approval to waive the \$2,630.86 planning application fee payable in this particular instance on the grounds that it is a not-for-profit emergency service organisation run by volunteers that provides an important and valuable service to the local community.

#### Comment

#### **Current Zoning & Land Use Permissibility**

Lot 501 is classified 'Public Purpose' reserve under the Shire of Lake Grace's current operative Local Planning Scheme No.4 (LPS No.4) with the designated purpose 'Emergency Services'.

Clause 3.4.2 of LPS No.4 states that in determining a planning application for the development of any land reserved under LPS No.4, Council must have due regard for the various general matters set out in clause 10.2 of LPS No.4 and the ultimate purpose intended by the land's reserve classification.

In exercising discretion, and pursuant to clause 10.2 of LPS No.4, Council must be satisfied that the proposal is consistent with general principles of proper and orderly planning, the provisions and standards contained in LPS No.4 and any other planning considerations the local government deems relevant.

Council is advised that LPS No.4 does not contain any specific standards for the development and use of any land in the Scheme Area for the purpose of an 'ambulance depot'. As such the planning application must be considered and determined by Council on its individual merits with due regard for any impacts it may have on surrounding land uses and the general character, amenity, functionality and safety of the immediate locality.

Following a detailed assessment of the application the reporting officers' have concluded the proposal is consistent with the specific requirements of LPS No.4 and is capable of being supported and approved by Council for the following reasons:

- It is consistent with the intended purpose of the land's current reserve classification in LPS No.4 and the *Land Administration Act 1997*;
- The scale and finish of the proposed new building on the Lot 501 is generally consistent with other existing improvements in the immediate locality (i.e. the Lake Grace Sportsman Club, Medical Centre & Hospital) and is unlikely to have a detrimental impact upon the existing amenity or character of the immediate locality;
- It will not result in the clearing of any significant native vegetation and is unlikely to have a detrimental impact on the natural environment;
- The proposed new building on Lot 501 will have sufficient setbacks from all adjoining property boundaries;
- The new ambulance depot will provide for the productive use of Reserve 51574 which is currently underutilised and has been created specifically to accommodate the proposed development and use of the land; and
- It will result in the creation of a much needed and improved emergency service facility for the Lake Grace townsite and surrounding district which could be expected to have significant benefits for the local community and the travelling public.

#### **Vehicle Access via Stubbs Street**

It is significant to note that Lot 501 has direct frontage and access to Stubbs Street which is classified in LPS No.4 as a 'Major Road' reserve. Under the terms of clause 5.31 of LPS No.4 any planning application proposing the development and use of any land abutting a 'Major Road' reserve may be referred to Main Roads WA (MRWA) for review and comment.

Given the above and the fact that two (2) separate driveway crossovers are proposed to be constructed along the land's frontage to Stubbs Street, the application was referred to Main Roads WA for review and comment. By correspondence dated 2<sup>nd</sup> December 2014 MRWA confirmed the proposed ambulance depot and associated crossovers will not have an adverse impact on the State road network and therefore advised it has no objection to the development proposal.

#### **On-Site Effluent Disposal**

As previously mentioned all effluent disposal arising from the proposed use of Lot 501 for the intended purpose is proposed to be undertaken on-site using septic tanks & leach drains. Whilst there is a general preference for all development in the Lake Grace townsite to be connected to the town's existing reticulated sewerage disposal scheme, clause 5.32.1 of LPS No.4 enables Council to approve any new development without the need to connect to reticulated sewerage if the land in question comprises an area greater than 2,000m<sup>2</sup> and it can be demonstrated that reticulated sewerage cannot be

provided at reasonable cost and an alternative means of effluent disposal can be provided to the satisfaction of the local government and the Department of Health.

It is understood from previous discussion with the applicant and the Shire's former Manager Infrastructure that the cost of providing reticulated sewerage to the land to service the proposed development will be substantial and well above what the applicant is willing and able to pay.

It is also understood from advice received from the Department of Health during the rezoning stage of the project and the Shire's Environmental Health Officer that a suitable alternative means of effluent disposal (i.e. septic tanks & leach drains) could be provided to service the proposed development without any negative impacts subject to compliance with all relevant standards and requirements.

### **Advertising Signage**

The application proposes the installation of one (1) new wall sign to be mounted on the front facade of the building and one (1) new pylon sign to be erected within the land's front setback area (see Plan 6). The signs will be illuminated and comprise the following dimensions:

<b>Sign Type</b>	<b>Height</b>	<b>Width</b>	<b>Depth</b>	<b>Area (face)</b>
<b>Wall Sign</b>	<b>600mm</b>	<b>3200mm</b>	<b>25mm</b>	<b>1.92m<sup>2</sup></b>
<b>Pylon Sign</b>	<b>3000mm</b>	<b>1000mm</b>	<b>140mm</b>	<b>3m<sup>2</sup></b>

Following assessment of the application the reporting officers have concluded the proposed signage complies with the provisions of the Shire of Lake Grace Local Planning Policy No.6.5 entitled 'Advertising Signage' and may therefore be supported and approved by Council.

It is significant to note that the plans prepared in support of the application do not illustrate the precise location of the proposed pylon sign within the front setback area. As such it is recommended that Council impose a condition on any planning approval issued requiring this sign is to be located within the property's designated lot boundaries and in a location that does not interfere with or obstruct visual sightlines for all vehicular traffic.

### **Planning Application Fees**

As previously mentioned St John Ambulance Western Australia Ltd has requested Council's approval to waive the \$2,630.86 planning application fee payable in this particular instance on the grounds that it is a not-for-profit emergency service organisation run by volunteers that provides an important and valuable service to the local community.

Given the significant benefits the new ambulance depot will have for the local community and the travelling public, it is recommended that Council agree to waive the planning application fee applicable in this instance.

### **Conclusion**

It is concluded from a detailed assessment of the application that the proposal to develop a new ambulance depot on Reserve 51574 being Lot 501 Stubbs Street, Lake Grace is capable of being implemented in a proper and orderly manner and is unlikely to have a negative impact on the general amenity, character, functionality and safety of



the immediate locality subject to compliance with a number of conditions. As such it is recommended that Council exercise its discretion and grant conditional approval to the application.

#### Legal Implications

- Planning and Development Act 2005
- Shire of Lake Grace Local Planning Scheme No.4
- Land Administration Act 1997

#### Policy Implications

Nil

#### Consultation

Community consultation not required however as mentioned above the application was referred to MRWA's Wheatbelt South Region Office in Narrogin for review and comment.

#### Financial Implications

If Council agrees with the applicant's request to waive the planning application fee applicable in this particular instance it will forego \$2,630.86 in fee revenue (Note: an absolute majority vote of Council is required to waive the fee payable).

#### Strategic Implications

The development of a new ambulance depot in the Lake Grace townsite is likely to have significant cultural benefits for the local community in terms of first aid services and training opportunities.

#### Recommendation No 1

That Council approve the planning application submitted by St John Ambulance Western Australia Limited on behalf of the State of Western Australia (Landowner) to construct a new ambulance depot on Reserve 51574 being Lot 501 Stubbs Street, Lake Grace subject to compliance with the following conditions and advice notes:

#### **Conditions**

1. The proposed 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. All on-site vehicle access and parking areas associated with the proposed development shall be constructed (i.e. bitumen sealed) and maintained to the specifications and satisfaction of the Shire of Lake Grace with appropriate measures for drainage and disposal of surface water.
3. The two (2) new driveway crossovers along the land's frontage to Stubbs Street shall be constructed and maintained to the specifications and satisfaction of the Shire's Manager of Infrastructure.
4. All stormwater drainage discharge generated by the proposed development shall be managed and disposed of to the specifications and satisfaction of the Shire of Lake Grace.
5. Any floodlights / security lights that need to be installed shall not to be positioned or operated in such manner as to cause the light source to be directly visible to the travelling public or adjoining properties or cause annoyance to the surrounding area.

6. All landscaping shown on the approved plan shall be planted and maintained to the specifications and satisfaction of the Shire of Lake Grace.
7. All effluent disposal shall be undertaken on-site to the specifications and satisfaction of the Shire's Environmental Health Officer and the Department of Health.
8. All rubbish generated on-site shall be managed and disposed of to the specifications and satisfaction of the Shire of Lake Grace.
9. The property shall be ordered and maintained in a neat and tidy condition at all times to the specifications and satisfaction of the Shire of Lake Grace.
10. The proposed new pylon sign within the front setback area shall be located within the property's designated lot boundaries and in a location that does not interfere with or obstruct visual sightlines for all vehicular traffic.
11. The new pylon sign shall be maintained in a neat, tidy and functional condition at all times to the specifications and satisfaction of the Shire of Lake Grace.
12. In the event the pylon sign falls into a state of disrepair the sign shall be removed within fourteen (14) days of receipt of written notice from the Shire of Lake Grace unless otherwise agreed by Council.
13. Any future proposed advertising signage shall be provided in accordance with the specific requirements of the Shire of Lake Grace Local Planning Scheme No.4 and Local Planning Policy No.6.5 (i.e. 'Advertising Signage') unless otherwise approved by Council.

#### 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. 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.

#### Recommendation No 2

That Council waive the \$2,630.86 planning application fee payable in this instance and advise the applicant accordingly.

#### Voting Requirements

Recommendation No 1: Simple majority required.  
Recommendation No.2: Absolute majority (5) required.

Resolution

Moved Cr

Seconded Cr

## 12.2 PLANNING APPLICATION – PROPOSED ADDITION TO EXISTING INDUSTRIAL BUILDING ON LOT 286 ABSOLON ST LAKE GRACE

**Applicant:** Clint & Tracey Earnshaw  
**File No.** 0506  
**Attachments:** Plans 7 to 12  
**Author:** Mr Joe Douglas & Mr Carlo Famiano  
 Urban & Rural Perspectives -Town Planning Consultants  
**Disclosure of Interest:** Nil  
**Date of Report:** 9 December 2014  
**Senior Officer:** Mr Neville Hale



Chief Executive Officer

### Summary

This report recommends that a planning application submitted by Clint and Tracey Earnshaw (Landowners) to construct a new steel frame colorbond addition at the rear of an existing industrial building on Lot 286 (No.70) Absolon Street, Lake Grace be approved subject to conditions.

### Background

The applicant is seeking Council's planning approval to construct a steel framed colorbond addition at the rear of an existing industrial building on Lot 286 (No.70) Absolon Street, Lake Grace to support a previously approved engineering business currently operating on the land (i.e. 'Lake Grace Engineering').

Lot 286 is located in the southern extremities of the Lake Grace townsite and within close proximity to the intersection of Absolon Street and Dunham Street. The land is rectangular in shape, comprises a total area of approximately 1,507m<sup>2</sup> and has direct frontage and access to Absolon Street along its northern boundary (see Plans 7 & 8).

Lot 286 has been extensively developed for industrial purposes and contains a number of improvements associated with its current approved use (i.e. large industrial building, gravel access and parking areas, boundary fencing etc) (see Plan 9).

Under the terms of the information and plans submitted in support of the application and subsequent oral advice received from Tracey Earnshaw, the following is proposed:

- i) Construction of a new 18.85 metre long and 6 metre wide steel framed colorbond (i.e. 'Mist Green' colour) addition to the rear of the existing industrial building on the land (see Plans 10 to 12);
- ii) The new addition will have a wall height of 3.6 metres and a maximum roof height of 4.45 metres;
- iii) The addition will comprise a total floor area of approximately 134.1m<sup>2</sup>;
- iv) The addition will have a 4 metre setback from the land's rear boundary, a 3 metre setback from the land's eastern side boundary and an 11.12 metre setback from the land's western side boundary;
- v) The addition will provide extra workshop floorspace to support the current approved business activities on Lot 286 (i.e. 'Lake Grace Engineering'); and
- vi) A total of six (6) employees are currently accommodated on the land. If the

proposed addition is approved by Council, one (1) additional worker is proposed to be employed and accommodated on the property.

#### Comment

#### **Current Zoning & Land Use Permissibility**

Lot 286 is classified 'General Industry' zone under the Shire of Lake Grace's current operative Local Planning Scheme No.4 (LPS No.4).

The key objectives of the land's current 'General Industry' zoning classification are 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.

Having regard for the land use definitions contained in Schedule 1 of LPS No.4, the existing and proposed development and use of Lot 286 is most appropriately classified as a 'light industry'. Under the terms of LPS No.4 the development and use of any land in the 'General Industry' zone for the purposes of a 'light industry' is classified as being a permitted (i.e. 'P') use which means Council cannot refuse the application but may impose any valid planning conditions considered appropriate in the circumstances.

#### **Compliance with Development Standards**

Assessment of the proposal in the context of the various development standards prescribed in LPS No.4 has confirmed it is generally compliant with the exception of on-site vehicle parking.

Table 2 of LPS No.4 requires that one (1) additional on-site parking bay be provided over and above the three (3) existing approved and constructed on-site parking bays to accommodate the parking demand likely to be generated by the proposed development and use of the subject land. The plans prepared and submitted in support of the application make no allowance for the provision of any additional on-site parking bays.

Following detailed assessment of the application the reporting officers are of the opinion there is adequate space available on Lot 286 to accommodate the total number of on-site parking bays required by LPS No.4 (i.e. 4 bays). As such it is recommended that Council impose a condition on any planning approval issued which requires the applicant to construct and maintain one (1) new on-site parking bay on the land as part of the proposed development.

#### 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**

Nil

**Recommendation**

That the planning application submitted by Clint and Tracey Earnshaw (Landowners) to construct a new steel framed colorbond addition to the rear of the existing industrial building on Lot 286 (No.70) Absolon Street, Lake Grace be approved subject to compliance with the following conditions and advice notes:

**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. A total of four (4) on-site parking bays shall be provided on the land. A revised site development plan shall be prepared and submitted to the Shire of Lake Grace for consideration and approval by the Shire's Chief Executive Officer prior to the commencement of any development on the land illustrating the location, configuration and dimensions of one (1) additional on-site car parking bay over and above the three (3) on-site parking bays already provided.
3. The development shall be undertaken in a manner consistent with the details of the revised site development plan required by Condition No.2 above if and when this plan is approved by the Shire's Chief Executive Officer.
4. The additional on-site parking bay required by Condition No.2 above shall be constructed and maintained to the specifications and satisfaction of the Shire of Lake Grace with appropriate measures for the drainage and disposal of surface water.
5. The new building addition shall have a total floor area not exceeding 134.1m<sup>2</sup>.
6. The new building addition shall have a maximum wall height of 3.6 metres and a maximum roof height of 4.45 metres.
7. All stormwater generated by the proposed building addition shall be managed and disposed of to the specifications and satisfaction of the Shire of Lake Grace.
8. All rubbish generated on-site shall be managed and disposed of to the specifications and satisfaction of the Shire of Lake Grace.
9. The property shall be ordered and maintained in a neat and tidy condition at all times to the specifications and satisfaction of the Shire of Lake Grace.
10. Any future proposed advertising signage shall be provided in accordance with the specific requirements of the Shire of Lake Grace Local Planning Scheme No.4 and the Shire of Lake Grace Local Planning Policy No.6.5 (i.e. 'Advertising Signage') unless otherwise approved by Council.

**Advice Notes**

1. The 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 addition is required to comply in all respects with the National Construction Code of Australia. Plans and specifications which reflect these requirements shall 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 prior to 7.00 am Monday to Saturday without the Shire's written approval. No work is permitted on Sunday.
  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.

Voting Requirements

Simple majority required.

Resolution

Moved Cr

Seconded Cr

**12.3 PLANNING APPLICATION – PROPOSED HOME BUSINESS (MOBILE WELDING) – LOT 1 STUBBS ST LAKE GRACE**

**Applicant:** Benjamin & Annette Argent (Landowners)  
**File No.** 0506  
**Attachments:** Plans 13 to 19  
**Author:** Mr Joe Douglas & Mr Steve Pandevski  
Urban & Rural Perspectives -Town Planning Consultants  
**Disclosure of Interest:** Nil  
**Date of Report:** 9 December 2014  
**Senior Officer:** Mr Neville Hale



Chief Executive Officer

Summary

This report recommends that a planning application submitted by Benjamin and Annette Argent (Landowners) to construct a new 270m<sup>2</sup> storage shed and associated infrastructure on Lot 1 (No.219) Stubbs Street, Lake Grace for use as a 'Home Business' (i.e. mobile welding) be conditionally approved under delegated authority by the Shire's Chief Executive Officer following completion of the current public advertising process subject to no valid objections being received by the Shire at the conclusion of advertising.

Background

Benjamin and Annette Argent (Landowners) have submitted a planning application for Council's approval to construct a new 270m<sup>2</sup> storage shed and associated infrastructure on Lot 1 (No.219) Stubbs Street, Lake Grace for use as a 'Home Business' (i.e. mobile welding).

The subject land is located immediately adjacent to the eastern boundary of the Lake Grace townsite on the north side of Stubbs Street (see Plan 13).

Lot 1 comprises a total area of approximately 9.98 hectares and has direct frontage and access to Stubbs Street along its southern boundary (see Plan 14).

The land has historically been developed and used for the purposes of a drive-in-theatre and was partially cleared to accommodate that use which has since ceased. In more recent times the property has been developed and used for rural living purposes.

Notwithstanding the previous clearing works, the land is characterised by a significant amount of native vegetation both within and beyond its boundaries. The land also contains a number of improvements associated with its current and former usage including a single detached dwelling, outbuildings, a large dam, vehicle access tracks and parking areas, firebreaks and boundary fencing (see Plan 15).

The plans submitted in support of the application are quite broad, not to scale and do not provide all of the information required by the Shire's Local Planning Scheme No.4 (LPS No.4) (see Plans 16 to 19). Notwithstanding this fact, sufficient information is available to enable Council to consider and determine the application subject to any valid planning conditions considered appropriate in the circumstances.



The application proposes the following:

- i) Construction of a new 18 metre long, 15 metre wide zincalume shed in a previously cleared area located in the south-eastern portion of the property;
- ii) The new shed will have a wall height of 4.8 metres and a ridge height of 5.0 metres;
- iii) The shed will have an average setback of approximately 100 metres from the land's frontage to Stubbs Street and a setback of approximately 35 metres from its eastern side boundary;
- iv) Placement of a new 100,000 litre water storage tank immediately adjacent to the rear of the new shed to collect stormwater from the roof catchment;
- v) Construction of a new unsealed internal vehicle access way from the current entry point on Stubbs Street east across the land's frontage to the previously cleared area located in the south-eastern portion of the property where the shed is proposed to be erected including the removal of less than five (5) hectares of native vegetation along the new access way alignment which is permitted under the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004 (as amended)*;
- vi) Construction of a new unsealed parking area in a previously cleared area on the western side of the new shed and water storage tank for use by business patrons;
- vii) The planting of additional vegetation immediately north-east of the proposed shed for screening purposes;
- viii) The new shed will be used to accommodate the applicant's current mobile welding business with most work to be undertaken off-site. The shed is required to enable the storage of materials, equipment, machinery and vehicles associated with the business as well as some metal fabrication and repair work. A small office is proposed to be incorporated within the shed for operational purposes, the precise floor area of which is not known;
- ix) Use of the land and new shed thereon for access, parking and storage of vehicles greater than 3.5 tonnes tare weight;
- x) The proposed home business use will be operated by the applicant's only from Monday to Saturday between the hours 8.00am to 5.00pm. No persons outside the applicant's family are proposed to be employed on the land; and
- xi) The applicant anticipates that three (3) to four (4) clients will attend the business premises on a weekly basis.

#### Comment

##### **Zoning & Land Use Permissibility**

Lot 1 is classified 'Rural Residential' zone under the Shire of Lake Grace's current operative Local Planning Scheme No.4 (LPS No.4).

The key objectives of the land's current 'Rural Residential' zoning classification as expressly stated in Part 4 of the Scheme Text of LPS No.4 of direct relevance to this application are as follows:

- *To ensure that all development in the Rural Residential zone is conducted in a manner that preserves the rural character, amenity and viability of surrounding properties.*

- *To provide for a variety of land uses of a rural-residential nature such as hobby farms, equestrian activities and cottage industries.*
- *To ensure that the more intensive use of land makes provision for the retention or improvement of the rural landscape and environment and achieves a high standard of visual amenity in a manner consistent with the proper and orderly planning of such areas.*

Under the terms of the Zoning Table in LPS No.4 the development and use of any land classified 'Rural Residential' zone for the purposes of a 'Home Business' is classified as an 'A' use which means it is not permitted without Council's formal planning approval following completion of public advertising in accordance with the specific requirements of clause 9.4 of the scheme.

Given the specific requirements of LPS No.4, arrangements have been made with the Shire administration to write to all immediately adjoining landowners seeking comment on the suitability and acceptability of the proposed development and use of Lot 1 for the intended purpose (i.e. a 'Home Business'). Those landowners have been given fourteen (14) days to provide comment on the proposal with the final date for receipt of submissions being Monday 22<sup>nd</sup> December 2014. At the time of writing this report no submissions had yet been received by the Shire.

The application has also been referred to Main Roads WA for review and comment given that agency's direct interest in Stubbs Street which forms part of the State road network, the anticipated increase in heavy vehicle movements likely to arise from the proposed intensification of land usage and the need to ensure safe and convenient vehicle access to and from the property.

### **Compliance with Development Standards**

Assessment of the proposal in the context of the various development standards prescribed in LPS No.4 has identified a number of non-compliant issues, the specific details of which are outlined as follows:

#### **• Definition for 'Home Business' Use**

Schedule 1 of LPS No.4 defines a 'Home Business' as being:

*".....a business, service or profession carried out in a dwelling or on land around a dwelling by an occupier of the dwelling which:*

- (a) does not employ more than two (2) people not members of the occupier's household;*
- (b) will not cause injury to or adversely affect the amenity of the neighbourhood;*
- (c) does not occupy an area greater than 50 square metres;*
- (d) does not involve the retail sale, display or hire of goods of any nature;*
- (e) in relation to vehicles and parking, does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood, and does not involve the presence, use or calling of a vehicle more than 3.5 tonnes tare weight; and*
- (f) does not involve the use of an essential service of greater capacity than normally required in the zone."*

It is the reporting officers' view the proposed 'Home Business' use on Lot 1 does and/or may not strictly comply with the standards and requirements of points (b), (c), (e) and (f) above for the following reasons:

1. It will occupy an area of 270m<sup>2</sup> which is 220m<sup>2</sup> or 540% larger than the 50m<sup>2</sup> permitted under the aforementioned definition;
2. As the new shed in which the home business is proposed to be conducted is large in size and will be clad with highly reflective zincalume sheeting, it has potential to adversely impact the existing visual amenity of the immediate locality;
3. It will involve the presence, use and calling of one or vehicles more than 3.5 tonnes tare weight which is contrary to the maximum permitted under the aforementioned definition; and
4. Given the nature of the proposed use (i.e. metal fabrication and repair), it may:
  - i) generate unacceptable levels of noise and traffic if the business grows and intensifies over time; and
  - ii) require use of a greater amount of electricity than would normally be drawn from a typical 'Rural Residential' type property.

Given the above issues, the objectives of the land's current 'Rural Residential' zoning classification in LPS No.4 and the relative close proximity of other existing dwellings in the immediate locality, it could be argued the proposed development and use of Lot 1 for the intended purpose may be unacceptable and is more appropriate within the town's designated industrial or service commercial areas where such development and usage is permissible under LPS No.4 and anticipated and accepted by the local community.

Notwithstanding the abovementioned concerns, Council may, if it is satisfied the proposed development and use of Lot 1 will not have an adverse impact upon the occupiers or users of the development, the inhabitants of the locality or the likely future development of the locality, use the powers conferred upon it by clause 5.5 of LPS No.4 to vary the relevant standards and requirements in this particular instance and grant conditional planning approval.

When making a final determination on the application it is strongly recommended that Council have due regard for the outcomes from the current public advertising process as the comments received from adjoining landowners and Main Roads WA will provide a good indication of the level acceptance (or otherwise) of the proposal.

**• Use of Zincalume Wall & Roof Sheeting**

As previously mentioned the new shed on Lot 1 is proposed to be clad with highly reflective zincalume wall and roof sheeting.

Clause 5.12.8 of LPS No.4 expressly states that all buildings to be constructed on any land in the Scheme Area classified 'Rural Residential' zone shall be finished in non-reflective materials (e.g. masonry, stone, colorbond etc.) The use of zincalume or other reflective building materials is not permitted.

Whilst Council has scope to vary this requirement under clause 5.5 of LPS No.4, given the location, size and scale of the proposed shed and its potential to adversely impact the existing visual amenity of the immediate locality, it is recommended that Council not support the use of zincalume wall and roof sheeting and instead impose a condition on any planning approval issued requiring the use of suitably coloured colorbond sheeting.

### • Fire Protection

Clause 5.43 of LPS No.4 expressly states:

*“All subdivision and/or development proposals within the Scheme Area must meet the standards and specifications as laid down by the local government, the Western Australian Planning Commission and State Authorities responsible for fire protection.”*

As previously mentioned, the subject land is characterised by a significant amount of native vegetation both within and beyond its boundaries which may be susceptible to future bushfires, particularly if any metal fabrication or repair works associated with the applicant’s welding business are undertaken in areas outside the new shed.

The applicant has not provided any details as to how they intend managing the potential bushfire risk. Given that bushfire safety has become an increasingly important land use planning consideration in recent years and is now a major focus and component of the current State government’s planning reform program, it may be appropriate to require the applicant to prepare and implement, as a condition of any planning approval issued, a suitable bushfire management plan for the land with due regard for the specific requirements of the Shire’s Firebreak Notice prepared pursuant to the Bushfires Act 1954 and the *Planning for Bush Fire Protection Guidelines* (Edition 2) (2010) prepared and published jointly by the Departments of Planning and Fire & Emergency Services.

### Conclusion

It is concluded from a detailed assessment of the application that the proposal to construct a new 270m<sup>2</sup> storage shed and associated infrastructure on Lot 1 (No.219) Stubbs Street, Lake Grace for use as a ‘Home Business’ (i.e. mobile welding) by the owners of the land may not be consistent with some objectives of the land’s current ‘Rural Residential’ zoning classification in LPS No.4 and is not strictly compliant with the relevant development standards and requirements prescribed in that scheme.

Notwithstanding this general conclusion, there is scope for Council to grant conditional approval to the application if it is satisfied the proposed development and use of the land can be implemented in a proper and orderly manner and will not have any adverse impacts upon the occupiers or users of the land, the inhabitants of the locality or the likely future development of the locality.

In order to give the applicant every opportunity to grow their business for the benefit of themselves and the broader community and the reporting officers’ view that the proposed development and use of the land has potential to be implemented in a proper and orderly manner subject to strict compliance with a number of conditions, it is recommended that the application be conditionally approved under delegated authority by the Shire’s Chief Executive Officer following completion of public advertising subject to no valid objections being received by the Shire during the advertising process.

In the event of any valid objections being received by the Shire during public advertising, it is recommended that the application be referred back to Council at the next available Ordinary Meeting for further consideration and final determination.

### Legal Implications

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

Policy Implications

Nil

Consultation

Community consultation currently being undertaken in accordance with the specific requirements of clause 9.4 of LPS No.4 for the minimum required period of fourteen (14) days. The final date for receipt of public submissions is Monday 22<sup>nd</sup> December 2014.

Financial Implications

Nil

Strategic Implications

Nil

Recommendations

1. That Council grant delegated authority to the Shire's Chief Executive Officer to approve the planning application submitted by Benjamin and Annette Argent (Landowners) to construct a new 270m<sup>2</sup> storage shed and associated infrastructure on Lot 1 (No.219) Stubbs Street, Lake Grace for use as a 'Home Business' (i.e. Mobile Welding) following completion of public advertising subject to no valid objections being received by the Shire at the conclusion of advertising. Any approval granted by the Shire's Chief Executive Officer pursuant to this resolution shall be subject to the following conditions and advice notes and any others considered necessary by the Chief Executive Officer following detailed review and consideration of all submissions received and consultation with the reporting officers' and Shire President:

**Conditions**

1. This approval is for 'Home Business' (Mobile Welding) as defined in the Shire of Lake Grace Local Planning Scheme No.4. The subject land may not be used for any other purpose/s without the prior approval of Council.
2. This approval to establish and conduct a 'Home Business' on the subject land is issued to the current landowner's as occupiers of the land. It shall not be transferred or assigned to any other person and shall not be transferred from the land in respect of which it was granted. Should there be a change of the owner and/or occupier of the land, this approval is cancelled.
3. Any additional development which is not in accordance with the application the subject of this approval or any condition of approval will require the further approval of Council.
4. This approval is valid for a period of one (1) year only. The further yearly approval of Council is required to enable continuation of the approved 'Home Business' use.
5. The development and use shall be undertaken in a manner consistent with the information and plans submitted in support of the application as well as the various conditions documented below unless otherwise approved by Council.
6. Revised plans are required to be prepared and submitted to the Shire of Lake Grace in accordance with the specific requirements of Local Planning Scheme No.4 for consideration and approval by the Shire's Chief Executive Officer prior to the commencement of any development on the land. The revised plans shall

be suitably scaled and illustrate the following:

- i) An overall site development plan showing the location of all existing and proposed improvements on the land associated with the 'Home Business' use, the proposed new shed's setbacks from the front and nearest side lot boundaries, finished floor levels, vehicle access and parking arrangements, loading and unloading areas, the dimensions and surface treatments for all trafficable areas including stormwater drainage arrangements and areas proposed to be revegetated including details of all plant species to be used for screening purposes;
  - ii) Front, rear and side elevation plans for the new shed including details of surface treatments and colours; and
  - iii) The location, size and wording of any new advertising signage for the proposed 'Home Business' use.
7. The development shall be undertaken in a manner consistent with the details of the revised plans required by Condition No.6 above if and when these plans are approved by the Shire's Chief Executive Officer.
  8. A maximum of two (2) employees, not members of the occupier's household, are permitted to be employed as part of the approved 'Home Business' use.
  9. The development the subject of this approval shall not involve the retail sale, display or hire of goods of any nature.
  10. No products, materials, machinery, equipment or vehicles shall be stored outside of the new shed unless otherwise approved by Council.
  11. The floor area of the new shed shall be 270m<sup>2</sup>.
  12. The new shed shall be 18 metres long, 15 metres wide with a maximum wall height of 4.8 metres and a maximum ridge height of 5.0 metres unless otherwise approved by Council.
  13. The walls and roof of the new shed shall be clad with suitably coloured colorbond sheeting to be approved by the Shire's Chief Executive Officer prior to the commencement of any development on the land.
  14. The existing driveway crossover along the land's frontage to Stubbs Street shall be upgraded and maintained to the specifications and satisfaction of the Shire's Manager of Infrastructure.
  15. A suitable bushfire management plan shall be prepared for approval by the Shire's Chief Fire Control Officer prior to commencement of any development on the land. The bushfire management plan shall be prepared and implemented with due regard for the specific requirements of the Shire's Firebreak Notice prepared pursuant to the Bushfires Act 1954 and the *Planning for Bush Fire Protection Guidelines* (Edition 2) (2010) prepared and published jointly by the Departments of Planning and Fire & Emergency Services.
  16. All effluent and rubbish generated on-site shall be managed and disposed of to the specifications and satisfaction of the Shire of Lake Grace.
  17. The property shall be ordered and maintained in a neat and tidy condition at all times to the specifications and satisfaction of the Shire of Lake Grace.
  18. Any proposed advertising signage shall be provided in accordance with the specific requirements of the Shire of Lake Grace Local Planning Scheme No.4 and Local Planning Policy No.6.5 (i.e. 'Advertising Signage') unless otherwise

approved by Council.

### **Advice Notes**

1. The development and use shall be substantially commenced within a period of one (1) year from the date of this approval. If the development and use are not substantially commenced within this period the approval will lapse and be of no further effect. Where an approval has lapsed, no development and/or usage shall be carried out on the land without the further approval of the Shire of Lake Grace having first been sought and obtained.
  2. If in the opinion of Council the approved 'Home Business' is having a negative impact on the character or amenity of the locality or is causing a nuisance or annoyance to owners or occupiers of land in the locality it may rescind this approval.
  3. Where the conditions of planning approval to conduct the 'Home Business' are breached Council may revoke the approval.
  4. 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.
  5. The proposed development is required to comply in all respects with the National Construction Code of Australia. Plans and specifications which reflect these requirements shall be submitted with the building permit application.
  6. 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.
  7. No construction works shall commence prior to 7.00am Monday to Saturday without the Shire's written approval. No work is permitted on Sunday.
  8. 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.
2. In the event that any valid objections are received by the Shire during the current public advertising process, the application shall be referred back to Council at the next available Ordinary Meeting for further consideration and final determination.

### Voting Requirements

Absolute (5) majority required.

### Resolution

Moved Cr

Seconded Cr

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

*No items for consideration.*



<b>14.0 MATTERS FOR CONSIDERATION – FINANCE</b>
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**14.1 ACCOUNTS FOR PAYMENT – NOVEMBER 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:** 5 December 2014  
**Senior Officer:** Mr Peter Dittrich



Acting Manager Corporate Services

Summary

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

Background

List of payments for the month November 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 November 2014 from the Municipal and Trust Account Total \$ 469,032.70.

Strategic Implications

*Shire of Lake Grace Strategic Community Plan*

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

Recommendation

That Council ratify the list of payments totalling \$469,032.70 as presented for the month of November 2014 incorporating:

- Trust Account Cheques:	803 to 805	\$	750.00
- Electronic Funds Transfer:	EFT 13289 to EFT 13393	\$	370,758.12
- Municipal Account Cheques:	35665 to 35705	\$	93,349.23
- Direct Debits:	DD5319.1 to DD5319.6	\$	4,175.35

Voting Requirements

Simple majority required.

Resolution

Moved Cr

Seconded Cr

**14.2 FINANCIAL STATEMENTS – NOVEMBER 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:** 6 November 2014  
**Senior Officer:** Mr Peter Dittrich



Acting Manager Corporate Services

**Summary**

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

**Background**

The following financial reports are included for your information:

- Monthly Statement of Financial Activity
- Financial Activity Variances
- Significant Accounting Policies
- Statement of Objective
- Acquisition of Assets
- Disposal of Assets
- Information on Borrowings
- Reserves
- Net Current Assets
- Rating Information
- Trust Funds
- Operating Statement by Programme
- Statement of Financial Position
- Financial Ratios
- Capital Road Works
- Operating Revenue & Expenditure Graphs
- Bank Reconciliations

**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.

Recommendation

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 November 2014.

Voting Requirements

Simple majority required.

Resolution

Moved Cr

Seconded Cr

### 14.3 LAKE GRACE SPORTSMAN'S CLUB – FINANCIAL ASSISTANCE REQUEST

**Applicant:** Lake Grace Sportsman's Club  
**File No.** 0043/0260  
**Attachments:** Letter  
**Author:** Mr Peter Dittrich

Acting Manager Corporate Services

**Disclosure of Interest:** Nil  
**Date of Report:** 3 December 2014  
**Senior Officer:** Mr Neville Hale

Chief Executive Officer

#### Summary

This report is for Council to consider providing financial assistance to the Lake Grace Sportsman's Club Inc.

#### Background

On 30 November 2014, the Shire received a letter from the Lake Grace Sportsman's Club Inc outlining their situation and requesting that the Shire agree to waiver the rates payable on the Club premises for this financial year – refer attached letter.

Rates payable for the Lake Grace Sportsman's Club premises totalled \$1,666.65 for the 2014/15 financial year. The current outstanding balance is \$859.20.

The Self Supporting Loan (Loan 188 Account E113216) granted to the Lake Grace Sportsman's Club to assist with the funding of the article turf bowling green has a current outstanding balance of \$52,592.03 and the loan repayments are up to date.

#### Comment

The current outstanding balance relates to service charges for waste collection and sewer for the 2014/15 financial year.

The Lake Grace Sportsman's Club was established in 1964. The objective of the club is to promote participation in sport and good fellowship. Aside from its affiliated sporting groups the Club provides a meeting facility for the Lions Club members and in addition regularly sponsors other organisations within the Shire as well as undertaking fund raising for the RFDS and the Cancer Council.

Whilst the Lake Grace Sportsman's Club is an incorporated body and is a not for profit community organisation, it is closely aligned with the Lake Grace Bowling Club and the Lake Grace Tennis Club and therefore, in terms of the Shire's budget qualifies as Recreation under Schedule 11 and comes under the Lake Grace Specified Area Rate.

Prior to the installation of the artificial greens at the club, the Shire of Lake Grace provided a grant of \$4,000 per annum to help cover the cost of a green keeper. This was funded through the Lake Grace Specified Area Rate.

Should Council wish to assist the Sportsman's Club financially it could do so in the following ways:

1. By way of a donation from its Donations Account in Schedule 4, Account E041190. This account is funded through the General Rate.
2. By way of payment through the Lake Grace Specified Area Rate. This would qualify as unbudgeted expenditure and a new expenditure account would be required in Schedule 11. Unbudgeted expenditure also requires that the decision is made by absolute majority.

As previously mentioned the Sportsman's Club Self Supporting Loan from the Shire for the artificial turf bowling green was raised and is disclosed in the Specified Area Rate in Schedule 11. Council will recall that, during the 2014/15 budget deliberations the Lake Grace Golf Club's application for financial assistance of approximately \$4,000.00 to assist with their insurance costs via the Lake Grace Specified Area Rate was refused.

The Committee of the Lake Grace Sportsman's Club is currently undertaking a review of its operations with a view to ensuring an ongoing ability to provide a self sustaining facility within the Shire. The assistance requested by the Committee will reduce the financial pressure on the Club during the period that it undertakes to review its operations.

This Shire has a history of supporting organisations within the Shire that provide social and cultural services to the community through both grants and donations.

However, as Council has previously declined similar assistance to other sporting organisation such as the previously mentioned Lake Grace Golf Club insurance subsidy, Council may wish to decline this request.

#### Legal Implications

Local Government Act 1995 – Financial Management

#### Policy Implications

N/A

#### Consultation

Internal: Chief Executive Officer  
Manager Community Services

External: The author of this report has discussed the future direction of the Lake Grace Sportsman's Club with the Club Committee Secretary, Mrs Danielle Robertson.

Financial Implications

A donation of \$859.20 could be funded from the Shire's 2014/15 Budget A/C E041190 budget provision of \$5,300 of which \$894.25 has been expended, as at 9 December 2014, leaving a balance of \$4,405.75.

Alternatively, the donation can be funded through the establishment of a new budget expenditure account under Schedule 11, Lake Grace SAR.

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

- S1 Maintain and improve the Shire of Lake Grace as an attractive place to live
- S2 Provide a supportive social environment
- S3 Promoting a greater sense of community across the Shire

The continued operation of the Lake Grace Sportsman's Club goes toward promoting a greater sense of community across the Shire in that it provides important facilities used by community groups (e.g. the local Lions Club) and regularly provides weekend catering for evening meals throughout the year.

Recommendation

That Council advise the Lake Grace Sportsman's Club Inc., in relation to its 2014/15 service charges, that its request for a waiver of rates is declined.

Voting Requirements

Simple majority required.

Resolution

Moved Cr

Seconded Cr

**15.0 MATTERS FOR CONSIDERATION – COMMUNITY SERVICES**

*No items for consideration.*



**16.0 MATTERS FOR CONSIDERATION - ADMINISTRATION**

*No items for consideration.*

<b>17.0 INFORMATION BULLETIN</b>
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**17.1 INFORMATION BULLETIN REPORT – NOVEMBER 2014**

<b>Applicant:</b>	Executive Services
<b>File No.</b>	N/A
<b>Attachments:</b>	1- 13 ( <i>under separate cover</i> )
<b>Author:</b>	Mrs Jeanette Bennett

Executive Assistant

<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	9 December 2014
<b>Senior Officer:</b>	Mr Neville Hale

Chief Executive Officer

Summary

The purpose of the Information Bulletin is to keep Elected Members informed on matters of interest and importance to Council.

Background

The Information Bulletin Reports deal 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 (November 2014) Information Bulletin Report has been emailed to Councillors.

The November 2014 Information Bulletin at attachment includes:

**A. Reports**

1. November 2014 Council Status Report
2. Infrastructure Services Report – November 2014
3. Outstanding Rates Report – November 2014
4. Shire Website & Facebook Statistics November 2014
5. Lake King Library Report – Aug to Nov 2014
6. Newdegate Library Report – November 2014

**B. Letters / Updates**

7. Department of Mines & Petroleum – letter to the Shire
8. Department of Mines & Petroleum – letter from the Shire
9. Lake Grace District High School – Centenary Thankyou

**C. Minutes**

10. Lake Grace Library & CRC
11. 4WDL VROC – 18 November 2014

12. WALGA Central Country Zone – 28 November 2014

13. Roe Tourism Association – 20 October 2014 (AGM & General Meeting)

Legal Implications

Nil

Policy Implications

Nil

Consultation

N/A

Financial Implications

Nil

Strategic Implications

*Shire of Lake Grace Strategic Community Plan*

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

Voting Requirements

Simple majority required.

Officer's Recommendation

That Council accepts the Information Bulletin report.

Voting Requirements

Simple majority required.

Resolution

Moved Cr

Seconded Cr

**18.0 URGENT BUSINESS BY DECISION OF THE MEETING****19.0 SCHEDULING OF MEETING****19.1 FEBRUARY 2015 ORDINARY MEETING**

As per Resolution 11960, 19 November 2014 the February 2015 Ordinary Meeting of Council has been scheduled to take place on Wednesday 25 February 2015, commencing at 3.00 pm at Council Chambers, 1 Bishop St Lake Grace WA.

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

Moved Cr  
Seconded Cr

That Council close the meeting to the public at this time, being \_\_ pm, to consider Items 20.1, 20.2, 20.3 & 20.4.

**MOTION CARRIED**

**20.1 2015 AUSTRALIA DAY AWARDS**

*(Item forwarded under separate cover)*

**20.2 SALE OF LAND – LOT 212 QUONDONG COURT**

*(Item forwarded under separate cover)*

**20.3 RISK MANAGEMENT – RISK PROFILE REPORT**

*(Item forwarded under separate cover)*

**20.4 LAKE GRACE – CONCEPT PLAN/ PROPOSAL**

*(Item forwarded under separate cover)*

**MOTION**

Moved Cr  
Seconded Cr

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

**MOTION CARRIED**

**21.0 CLOSURE**

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

**22.0 CERTIFICATION**

I Andrew James Walker certify that the minutes of the meeting held on the 16 December 2014 as shown were confirmed as a true record at the meeting held on the 25 February 2015.

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Date