

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: Wednesday 22 July 2015

At: Council Chambers, 1 Bishop St
Lake Grace WA

Commencing: 3.00 pm

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

Neville Hale
Chief Executive Officer

18 June 2015
Date

Shire of Lake Grace

Ordinary Council Meeting

Agenda

22 July 2015

Meeting Commencing at 3.00 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 22 July 2015.

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 DP Sinclair	
Cr MG Stanton	
Mr N Hale	Chief Executive Officer
Mr P Dittrich	A/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

Motion 12032 May 2015 - Cr Marshall has approved leave of absence from 20 July to 25 August 2015.

Motion 12048 June 2015 – Cr Stanton has approved leave of absence from 28 August to 23 September 2015.

3.0 PUBLIC QUESTION TIME

4.0 APPLICATIONS FOR LEAVE OF ABSENCE

5.0 MINUTES OF PREVIOUS COUNCIL MEETINGS**5.1 ORDINARY MEETING – 24 JUNE 2015**Resolution**MOTION 12062**

Moved Cr
Seconded Cr

That the minutes of the Ordinary Meeting of Council held on the 24 June 2015 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****9.0 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS****10.0 MEMBERS' REPORTS**

11.0 MATTERS FOR CONSIDERATION – WORKS & SERVICES

11.1 SUPPLY OF BITUMEN AND AGGREGATE – CALL FOR TENDERS (1/2015)

Applicant: Manager Infrastructure Services
File No. 0488
Attachments: RFT 1/2015
Author: Mr Louka Shopov


 Manager Infrastructure Services

Disclosure of Interest: Nil
Date of Report: 6 July 2015
Senior Officer: Mr Neville Hale


 Chief Executive Officer

Summary

This report recommends that Council authorise the Chief Executive Officer to call tenders for Supply of Bitumen and Aggregate for the Shire of Lake Grace 2015-2016 road sealing program.

Background

The Shire's Road Works Program includes road reconstruction and reseals listed in the table below:

Road Name	Work Type	Volume(m ³) x Size(mm)	Area (m ²)	Project Funds
Varley South Rd Slk 4.0 to Slk 8.5 RRG	Reseal	315 x 10mm	31,500 (7m Seal)	Regional Road Group
Newdegate North Rd. Slk 6.0 to Slk 9.7 RRG	Reseal	260 x 10	25,900 (7m seal)	Regional Road Group
Holt Rock South Rd. Slk 18.8 to Slk 21.8 RRG	Reconstruct & 2 Coats Seal	294 x 14 220 x 10	21,000 (7m seal)	Regional Road Group
Biddy Camm Rd Slk 0.0 to Slk 4.5	Reseal	315 x 10	31,500 (7m seal)	Roads to Recovery
Taylor Road Slk 9.5 to Slk 10.5	Reseal	70 x 10	7,000 (7m seal)	Shire of Lake Grace
Magenta Road Slk 18.7 to Slk 21.7	Reseal	220 x 10	21,000 (7m seal)	Roads to Recovery

In order to satisfy the specific requirements of the Local Government (Functions and General) Regulations 1996 it is recommended that Council resolve to proceed with the tasks required to publicly invite tenders for the supply of bitumen and aggregate for the Shire of Lake Grace 2015-2016 road sealing program.

Comment

The Tender may be awarded to who best demonstrates the ability to provide quality products and/or services at a competitive price. The Tender will be separable which will allow local contractors to tender for the supply and delivery of aggregate. The tendered prices will be assessed together with qualitative and compliance criteria to determine the most advantageous outcome to the Shire.

The Shire will adopt a best value for money approach to this request. This means that, although price is considered, the Tender containing the lowest price will not necessarily be accepted, nor will the Tender be ranked the highest on the qualitative criteria.

A scoring system will be used as a part of the assessment of the qualitative criteria.

The tenders will be assessed against the following qualitative criteria and weighting. The Tender may be awarded to who best demonstrates the ability to provide quality products and/or services at a competitive price.

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

The assessment criteria will be as per Council Policy 3.11 *Tender Selection Criteria*, adopted in June 2015.

▪ Cost	80%
▪ Relevant Experience	10%
▪ Organisational Capacity and 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 aggregated score of each Tender will be used as one of the factors in the final assessment of the qualitative criteria and in the overall assessment of value for money.

Legal Implications

Local Government Act 1995

Local Government (Function and General) Regulations 1996

Policy Implications

Shire of Lake Grace Policy 3.11 -Tender Selection Criteria

Consultation

Internal: Chief Executive Officer

Financial Implications

Allowances have been made within the 2015-16 Budget for the road sealing program.

Strategic Implications

Materials and contractors are required to carry out the road sealing program.

Recommendation

That Council authorise the Chief Executive Officer to:

1. Call tenders for the supply and application of 262,000 Litres of bitumen and/or supply of 1674 m³ of aggregate for the 2015-16 Road Sealing Program; and,

2. That the following assessment criteria apply:

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

Voting Requirements

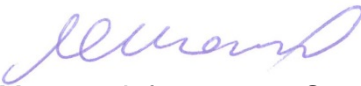

Simple majority required.

Resolution

Moved Cr

Seconded C

11.2 RURAL ROADS RE- CONSTRUCTION – CALL FOR TENDERS (2/2015)

Applicant: Manager Infrastructure Services
File No. 0488
Attachments: RFT 2/2015
Author: Mr Louka Shopov 
 Manager Infrastructure Services
Disclosure of Interest: Nil
Date of Report: 14 July 2015
Senior Officer: Mr Neville Hale 
 Chief Executive Officer

Summary

This report recommends that Council authorise the Chief Executive Officer to call tenders for Rural Road Re-construction and Associated Works for the Shire of Lake Grace 2015-2016 road sealing program.

Background

The Shire's Road Works Program includes road reconstruction listed in the table below:

ITEM NUMBER	RFT CLAUSE 1.2.1 - TENDERING INFORMATION Description of Work	QUANTITY UNIT	RATE (EXCLUSIVE OF GST)	AMOUNT (EXCLUSIVE OF GST)
1	Reconstruction of Hogan Road, associated road formation, carting of gravel and drainage works (offshoots, table drains etc) as per 'Technical Specifications'. SLK 0.0 to SLK 6.6	6.6 km 9.0 m wide		
2	Reconstruction of Mount Vernon Road, associated road formation, carting of gravel and drainage works (offshoots, table drains etc) as per 'Technical Specifications'. SLK 2.45 to SLK 7.45	5 km 9.0 m wide		
3	Reconstruction of Biddy Camm Road, associated road formation, carting of gravel and drainage works (offshoots, table drains etc) as per 'Technical Specifications'. SLK 112.5 to SLK 115.5	3 km 9.0 m wide		
4	Reconstruction of Pickernell Road, associated road formation, carting of gravel and drainage works (offshoots, table drains etc) as per 'Technical Specifications'. SLK 0.0 to SLK 4.3	4.3 km 10.0 m wide		
5	Contingency amount to be authorised in writing, exclusive of GST. (Note that the whole, none or any part may be so authorised.		\$5000.00	\$5000.00
TOTAL \$ (EXCLUSIVE OF GST)				

In order to satisfy the specific requirements of the Local Government (Functions and General) Regulations 1996 it is recommended that Council resolve to proceed with the tasks required to publicly invite tenders for the supply of bitumen and aggregate for the Shire of Lake Grace 2015-2016 road reconstruction program.

Comment

The Tender may be awarded to who best demonstrates the ability to provide quality products and/or services at a competitive price. The Tender will be separable which will allow local contractors to tender for the reconstruction of rural roads. The tendered prices will be assessed together with qualitative and compliance criteria to determine the most advantageous outcome to the Shire.

The Shire will adopt a best value for money approach to this request. This means that, although price is considered, the Tender containing the lowest price will not necessarily be accepted, nor will the Tender be ranked the highest on the qualitative criteria.

A scoring system will be used as a part of the assessment of the qualitative criteria.

The tenders will be assessed against the following qualitative criteria and weighting. The Tender may be awarded to who best demonstrates the ability to provide quality products and/or services at a competitive price.

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

The assessment criteria will be as per Council policy 3.11 *Tender Selection Criteria*, adopted in June 2015.

▪ Cost	80%
▪ Relevant Experience	10%
▪ Organisational Capacity and 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 aggregated score of each Tender will be used as one of the factors in the final assessment of the qualitative criteria and in the overall assessment of value for money.

Legal Implications

Local Government Act 1995

Local Government (Function and General) Regulations 1996

Policy Implications

Shire of Lake Grace Policy 3.11 - Tender Selection Criteria

Consultation

Internal: Chief Executive Officer

Financial Implications

Allowances have been made within the 2015-16 Budget for the road sealing program.

Strategic Implications

Materials and contractors are required to carry out the road sealing program.

Recommendation

That Council authorise the Chief Executive Officer to:

1. Call tenders for the Reconstruction of 18.9 km of rural roads as listed in the Specification; and,
2. That the following assessment criteria apply:

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

Voting Requirements

Simple majority required.

Resolution

Moved Cr

Seconded C

11.3 SUPPLY OF A MOTOR GRADER (TENDER 3/2015)

Applicant: Manager Infrastructure Services
File No. 0488
Attachments: Specification
Author: Mr Louka Shopov



Manager Infrastructure Services

Disclosure of Interest: Nil
Date of Report: 16 July 2015
Senior Officer: Mr Neville Hale



Chief Executive Officer

Summary

This report recommends that Council authorise the Chief Executive Officer to seek tenders through the Council Purchasing Service of WALGA (preferred suppliers) for Supply of a Motor Grader in accordance with Shire of Lake Grace Plant Replacement Program.

Background

The Shire's Plant Replacement Program allows for purchasing of a new motor grader to replace the existing Volvo G94 Grader.

Comment

The Tender may be awarded to who best demonstrates the ability to provide quality products and/or services at a competitive price.

The Shire will adopt a best value for money approach to this request. This means that, although price is considered, the Tender containing the lowest price will not necessarily be accepted, nor will the Tender be ranked the highest on the qualitative criteria.

A scoring system will be used as a part of the assessment of the qualitative criteria.

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

The assessment criteria will be as per Council policy 3.11 *Tender Selection Criteria*, adopted in June 2015.

- Tender Price 65%
- Warranty and Servicing 15%
- Performance 10%
- Delivery/Availability 10%

The extent to which a Tender demonstrates greater satisfaction of each of these criteria will result in a greater score. The aggregated score of each Tender will be used as one of the factors in the final assessment of the qualitative criteria and in the overall assessment of value for money.

Legal Implications

Local Government Act 1995

Local Government (Function and General) Regulations 1996

Policy Implications

Shire of Lake Grace Policy 3.11 - Tender Selection Criteria

Consultation

Internal: Chief Executive Officer
 Mr Bob Palmer-Mechanic
 Mr Doug Whiting-Works Supervisor
 Mr Chris Trevenen and Mr Norbert Marwick-Grader Operators

Financial Implications

Allowances have been made within the 2015-16 Budget for the replacement of the existing Volvo G940 Grader with a new machine.

Strategic Implications

Purchasing of a new motor grader will increase productivity, reduce maintenance cost and improve safety on road reconstruction sites.

Recommendation

That Council authorise the Chief Executive Officer to;

1. Obtain tenders from the Council Purchasing Service of WALGA for the supply of a Motor Grader in accordance with the attached specification and;
2. That the following assessment criteria apply:
 - Tender Price 65%
 - Warranty and Servicing 1 5%
 - Performance 10%
 - Delivery/Availability 10%

Voting Requirements

Simple majority required.

Resolution

Moved Cr

Seconded C

11.4 SUPPLY OF TWO PRIME MOVER TRUCKS – CALL FOR TENDERS (4/2015)

Applicant: Manager Infrastructure Services
File No. 0488
Attachments: Specification
Author: Mr Louka Shopov



Manager Infrastructure Services

Disclosure of Interest: Nil
Date of Report: 12 June 2015
Senior Officer: Mr Neville Hale



Chief Executive Officer

Summary

This report recommends that Council authorise the Chief Executive Officer to call tenders for Supply Two Prime Mover Trucks in accordance with Shire of Lake Grace Plant Replacement Program.

Background

The Shire's Plant Replacement Program allows for the purchase of two new Prime Mover Trucks to replace the existing DAF CF85 Tipper Trucks.

Comment

The Tender may be awarded to who best demonstrates the ability to provide quality products and/or services at a competitive price.

The Shire will adopt a best value for money approach to this request. This means that, although price is considered, the Tender containing the lowest price will not necessarily be accepted, nor will the Tender be ranked the highest on the qualitative criteria.

A scoring system will be used as a part of the assessment of the qualitative criteria.

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

The assessment criteria will be as per Council Policy 3.11 *Tender Selection Criteria*, adopted in June 2015.

- Tender Price 65%
- Warranty and Servicing 15%
- Performance 10%
- Delivery/Availability 10%

The extent to which a Tender demonstrates greater satisfaction of each of these criteria will result in a greater score. The aggregated score of each Tender will be used as one of the factors in the final assessment of the qualitative criteria and in the overall assessment of value for money.

Legal Implications

Local Government Act 1995

Local Government (Function and General) Regulations 1996

Policy Implications

Shire of Lake Grace Policy 3.11 Tender Selection Criteria

Consultation

Internal: Chief Executive Officer
 Mr Bob Palmer-Mechanic
 Mr Doug Whiting-Works Supervisor
 Mr Gordon Franks, Mr John Gambuti, Mr Kurt Luther-Truck Drivers

Financial Implications

Allowances have been made within the 2015-16 Budget for the replacement of two existing DAF-FAT CF85 6x4 tipper trucks with prime movers.

Strategic Implications

Purchasing of two new prime movers will increase productivity and improve safety on road reconstruction sites.

Recommendation

That Council resolve to authorise the Chief Executive Officer to;

1. Call tenders for the supply of two new Prime Movers in accordance with the attached specifications to be included in the Request for Tender 4/2015 and;
2. That the following assessment criteria apply:
 - Tender Price 65%
 - Warranty and Servicing 15%
 - Performance 10%
 - Delivery/Availability 10%

Voting Requirements

Simple majority required.

Resolution

Moved Cr

Seconded C

12.0 MATTERS FOR CONSIDERATION – PLANNING

12.1 PLANNING APPLICATION – PROPOSED STORAGE SHED AND SEA CONTAINER – LOT 312 MASON ST LAKE GRACE

Applicant: Mike and Anna Naisbitt (Landowners)
File No. 0506
Attachments: Plans 1 to 6
Author: Mr Joe Douglas & Mr Steve Pandevski
 Urban & Rural Perspectives -Town Planning Consultants
Disclosure of Interest: Nil
Date of Report: 14 July 2015
Senior Officer: Mr Neville Hale



Chief Executive Officer

Summary

This report recommends that a planning application submitted by Michael and Anna Naisbitt (Landowners) to construct a new steel frame zincalume clad storage shed and place a sea container for additional storage on Lot 312 (No.2) Mason Street, Lake Grace be approved subject to conditions.

Background

The applicant is seeking Council's planning approval to construct a new steel framed zincalume clad storage shed and place a sea container on Lot 312 (No.2) Mason Street, Lake Grace to support the brick paving and maintenance business / storage yard which has operated from the land for approximately fifteen (15) years.

Lot 312 is located in the southern industrial area of the Lake Grace townsite, on the southern side of Mason Street toward its western end. The land is square shaped, relatively level and comprises a total area of approximately 3,634m². It has direct frontage and access to a portion of Mason Street along its northern boundary which is currently constructed to a basic gravel standard.

Lot 312 is currently being used for general storage purposes (i.e. storage of material, equipment and tools) associated with the aforementioned business and contains a number of improvements associated with this use including a zincalume clad shed of approximately 91m², a transportable building (donga) used as an office with ablution facilities, two (2) covered car parking spaces abutting the donga, gravel access and parking areas and boundary fencing (see Plans 1, 2 & 3).

Under the terms of the information and plans submitted in support of the application (see Plans 4 & 5) the following is proposed:

- i) Construction of a new 13.5 metre long and 12 metre wide steel framed, zinclaume clad (walls and roof) storage shed;
- ii) The shed will have a wall height of 4 metres and a ridge height of 5.28 metres;
- iii) The shed will comprise a total floor area of approximately 162m²;
- iv) The shed will maintain a minimum setback of 3 metres to the western property boundary which is generally consistent with existing buildings on the land and buildings on surrounding industrial properties;

- v) The shed will provide additional storage capacity and will be used to store work vehicles and equipment;
- vi) Placement of a 12.3 metre long, 2.4 metre wide and 3 metre high sea container;
- vii) The sea container will be externally finished in a grey colour;
- viii) The 30m² sea container will be used as a secure, lockable storage area;
- ix) The sea container will also maintain a minimum setback of 3 metres to the western property boundary;
- x) Three (3) new car parking spaces will be provided toward the front of the property; and
- xi) No additional staff are proposed to be employed on the land.

Comment

Lot 312 is classified 'General Industry' zone under the Shire of Lake Grace's current operative Local Planning Scheme No.4 (LPS No.4).

Having regard for the land use definitions contained in Schedule 1 of LPS No.4, the proposed development and existing use of Lot 312 is most appropriately classified as a 'storage yard'.

The development and use of land classified 'General Industry' zone for the purposes of a 'storage yard' is listed in the Zoning Table of LPS No.4 as being a discretionary (i.e. 'D') use meaning it is not permitted unless the local government has exercised its discretion by granting planning approval.

LPS No.4 does not contain any specific standards governing the development and use of any land classified 'General Industry' zone for the purposes of a 'storage yard'. As such the application has been assessed with due regard for the development standards applicable to all 'General Industry' type uses.

An assessment of the proposal against the development standards contained in LPS No.4 has confirmed it satisfies the majority of standards except for the following:

- i) The requirement for onsite car parking to be sealed and drained; and
- ii) 10% of the total lot area to be landscaped in appropriate locations.

The following is a brief discussion of these non-compliant elements:

Sealed & Drained Car Parking

Clause 5.9.7 of LPS No.4 requires on-site vehicle access ways and parking areas in the 'General Industry' zone to be sealed and drained to the specifications and satisfaction of the local government.

The application proposes to use existing on-site unsealed and undrained vehicle accessways to service three (3) proposed unsealed and undrained car parking spaces located toward the front of the property.

Clause 5.5.1 of LPS No.4 affords Council the discretion to vary a requirement contained in LPS No.4 where it is satisfied the variation will not detract from the amenity of the immediate locality.

In this instance it is considered appropriate for Council to grant the variation. This report forms the view that the variation will not detract from the amenity of the immediate locality, given that the accessways and car parking areas of other adjoining industrial developments are not currently sealed or drained. Furthermore it may be considered unreasonable to require the sealing and draining of all on-site accessways and car parking areas given the requirement to do so was introduced well after the land was first approved and developed for 'storage yard' purposes.

Landscaping

Table 2 of LPS No.4 requires that 10% of the total land area for all general industry type uses be dedicated to landscaping, preferably within the primary street setback area (i.e. the front of properties).

Besides maintaining existing stands of remnant and regrowth native trees, which currently equate to approximately 200m² of 5.5% of the lot area, the information and plans submitted in support of the application do not illustrate or propose the provision of any additional on-site landscaping.

As previously mentioned clause 5.5.1 of LPS No.4 affords Council the discretion to vary a requirement contained in LPS No.4 where it is satisfied such variation will not detract from the amenity of the immediate locality. Although it is considered reasonable for Council to do so in this instance, there is scope to establish some additional landscaping (i.e. approximately 16.5 m²) abutting the front boundary which would assist with "rounding-off" landscaping within the front setback area and softening the visual appearance of the site when viewed from Mason Street (see Pan 6 – Extent of Required Additional On-Site Landscaping & Car Parking Reconfiguration).

In the event that Council grants approval to the application it is recommended that a condition be imposed requiring the provision of additional landscaping including the reconfiguration of existing on-site parking as shown on Plan 6.

Conclusion

It is concluded from a detailed assessment of the application that the proposal to construct a new steel frame zincalume clad storage shed and place a sea container for additional storage purposes on Lot 312 (No.2) Mason Street, Lake Grace 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 proposed development and use proceeds in a proper and orderly manner.

Legal Implications

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

Policy Implications

Nil

Consultation

Community consultation not required.

Financial Implications

Nil

Strategic Implications

Nil

Recommendation

That the planning application submitted by Michael and Anna Naisbitt (Landowners) to construct a new steel frame zincalume clad storage shed and place a sea container for additional storage purposes on Lot 312 (No.2) Mason Street, Lake Grace be approved 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. The sea container shall not exceed a maximum height of 3 metres above the existing natural ground level.
3. The sea container shall be fitted with sufficient natural ventilation and a door.
4. All stormwater generated by the new development shall be managed and disposed of to the specifications and satisfaction of the Shire.
5. The three (3) existing car parking bays located adjoining the front boundary shall be relocated so as to enable the planting of an additional landscaping area with dimensions of no less than 3 metres x 5.5 metres between the relocated car parking bays and the front boundary.
6. The three (3) relocated car parking bays shall be 5.5 metres long x 2.5 metres wide, clearly marked and served by a 6 metre wide vehicle access way.
7. All landscaping shall be drought tolerant local plant species to be maintained to the specifications and satisfaction of the Shire.
8. The property shall be maintained in a neat and tidy condition at all times to the satisfaction of the Shire.

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 new development (storage shed and sea container) 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. Any future advertising signage on the site 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.
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

13.0 MATTERS FOR CONSIDERATION – HEALTH & BUILDING

No items for consideration.

14.0	MATTERS FOR CONSIDERATION – FINANCE
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14.1	<u>ACCOUNTS FOR PAYMENT – JUNE 2015</u>
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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: 13 July 2015
Senior Officer: Mr Peter Dittrich


 A/Manager Corporate Services

Summary

For Council to ratify expenditures incurred for the month of June 2015.

Background

List of payments for the month June 2015 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

Policy 3.6 - Authorised Use of Credit Card

Consultation

N/A

Financial Implications

The list of creditors paid for the month of June 2015 from the Municipal and Trust Account
 Total \$ 982,912.48

Strategic Implications

Shire of Lake Grace Strategic Community Plan
Civic Leadership Focus Area (5)

- Excellence in Shire administration and communication

Recommendation

That Council ratify the list of payments totalling \$982,912.48 as presented for the month of June 2015 incorporating:

- Trust Account Cheques:	835 to 837	\$	350.00
- Electronic Funds Transfer:	EFT 14174 to EFT 14336	\$	786,295.23
- Municipal Account Cheques:	35923 to 35955	\$	84,881.98
- Direct Debits:	DD5563.1 to DD5563.7	\$	111,385.27

Voting Requirements

Simple majority required.

Resolution

Moved Cr

Seconded Cr

14.2 INTERIM FINANCIAL STATEMENTS – JUNE 2015

Applicant: Shire of Lake Grace
File No. 0275
Attachments: Financial Reports
Author: Mr Warrick Millar



Senior Finance Officer

Disclosure of Interest: Nil
Date of Report: 13 July 2015
Senior Officer: Mr Peter Dittrich



A/Manager Corporate Services

Summary

Consideration of the interim financial statements for the month ending 30 June 2015.

Background

Presented are the financial statements for the month ending 30 June 2015.

Note the figures reported are interim only and do not represent end of year figures. The full year figures for 2014/15 will be finalised upon completion of the annual audit.

The following interim 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
- Balance Sheet
- Financial Ratios
- Bank Reconciliation
- Capital Road Works
- Operating Revenue & Expenditure Graphs

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*

Civic Leadership Focus Area (5)

- Excellence in Shire administration and communication

Recommendation

That Council in accordance with Regulation 34 of the *Local Government (Financial Management) Regulations 1996* receives the Interim Statement of Financial activity for the period ended 30 June 2015 as attached is received.

Voting Requirements

Simple majority required.

Resolution

Moved Cr

Seconded Cr

15.0 MATTERS FOR CONSIDERATION – COMMUNITY SERVICES
--

15.1 COMMUNITY EMERGENCY SERVICES MANAGER – APPOINTMENT AS FIRE CONTROL OFFICER

Applicant: Mr Paul Roadley (CESM)
File No. 0177
Attachments: Extract from MOU with DFES
Author: Mr Neville Hale


 Chief Executive Officer

Disclosure of Interest: Nil
Date of Report: 8 July 2015
Senior Officer: Mr Neville Hale


 Chief Executive Officer

Summary

The purpose of this report is for Council to appoint Paul Roadley, Community Emergency Services Manager (CESM), as a Bushfire Control Officer for the 2015/2016 season.

Background

In April 2015, Paul Roadley commenced employment as the Community Emergency Services Manager (CESM) for the Shires of Kent, Lake Grace and Dumblyung.

To enable Mr Roadley to perform his role/duties there is a requirement for him to be appointed as a Fire Control Officer for each of the three Shires.

In accordance with s38 of the Bush fires Act 1954, Mr Roadley is required to be appointed by Council.

Comment

The appointment of Mr Roadley as a Fire Control Officer for the 2015/16 fire season is necessary to satisfy the requirements of the Shire's MOU (see section 6.1 paragraph 5 of the signed MOU) with the Department of Fire and Emergency Services and this appointment was not included in the June 2015 submission to Council.

In appointing Mr Roadley as a Fire Control Officer, it is further recommended that his appointment enables him to issue permits, including clover and proclaimed plant burning permits as necessary, and undertake the duties as a Fire Weather Officer. Furthermore, Mr Roadley should be appointed as a Dual Bush Fire Control Officer for the Shire of Lake Grace for the Shires of Ravensthorpe, Jerramungup, Kondinin, Kulin and Esperance for the 2015/2016 Bush Fire Season.

Legal Implications

Bush Fires Act 1954 – s38 appointment of bush fire control officers

- Once Council has made the appointment for the 2015/2016 season, it is a requirement that the Shire's Bushfire Control Officers, as appointed, be advertised at least once in a local newspaper circulating throughout the district.

Shire of Lake Grace Bush Fire Local Laws

Policy Implications

Nil

Consultation

Department of Fire and Emergency Services

Financial Implications

Cost of local advertisement.

Strategic Implications

Shire of Lake Grace Community Strategic Plan

Environment. En7.2 Maintain firebreaks and reduce fuel loads

- En7.3 Source effective infrastructure (communications and fire fighting equipment)
- En7.5 Build and maintain volunteer capacity.

Recommendation

That Council:

1. Appoints Mr Paul Roadley (CESM) as a Bush Fire Control Officer (Permit Issuing) and a Fire Weather Officer for the 2015/2016 season.
2. Appoints Mr Paul Roadley (CESM) as a Shire of Lake Grace Dual Bush Fire Control Officer for the Shires of Ravensthorpe, Jerramungup, Kondinin, Kulin and Esperance for the 2015/2016 Bush Fire Season.
3. Authorises Mr Paul Roadley (CESM) to issue clover and proclaimed plant burning permits during the 2015/2016 season in conjunction with the closest available Fire Control Officer to the person making the application.
4. Advertises Mr Roadley's appointment at least once in a local newspaper circulating throughout the district as per requirements of s38(2A) of the *Bush Fires Act 1954*.

Voting Requirements

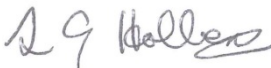

Simple majority required.

Resolution

Moved Cr

Seconded Cr

15.2 POTENTIAL SITES – LAKE GRACE OVER 55 AGED ACCOMMODATION

Applicant:	Shire of Lake Grace	
File No.	0454	
Attachments:	Site maps	
Author:	Ms Lee Holben	
		Manager Community Services
Disclosure of Interest:		
Date of Report:	13 June 2015	
Senior Officer:	Mr Neville Hale	
		Chief Executive Officer

Summary

This report gives Council the opportunity to confirm the site for the next three Over 55 Aged units to be constructed in Lake Grace.

Background

The applicant is seeking Council's endorsement of confirmation of potential site for the construction of three (3) new aged person's dwellings in Lake Grace to assist with the provision of housing for the aged within the Lake Grace town site. Once the site is confirmed detailed assessment costs can be secured.

Three sites are presented in this agenda item for consideration:

- 44/46 Bennett Street Lake Grace
- 32 Absolon Street Lake Grace
- 1 Quondong Court Lake Grace

Similar to the three units built at 5 Bennett Street in 2014, the proposed development will comprise the following key elements:

- i) Three (3) new dwellings designed specifically to accommodate the elderly which will be constructed of weatherboard/fibre cement wall cladding and powder coated steel roofing;
- ii) Each dwelling will comprise three (3) bedrooms, two (2) bathrooms and a double carport;
- iii) The dwellings will have a total floor area ranging between 157.86m² to 159.19m² (including individual carports);
- iv) All dwellings will have a wall height of 2.44 metres and a ridge height of approximately 5.5 metres;
- v) Proposed Units will have either direct frontage, access to a common internal driveway access and or access to/from an existing right-of-way.

It is proposed to utilise the floor plans from 5 Bennett Street Lake Grace for the proposed new three units.

Comment

Each of the proposed sites are zoned R20 and under the provisions of the R codes, special purposes dwellings, i.e. aged or dependent persons units, are afforded a 30% density bonus over the base R20 classification. Hence, Council may approve three (3) Independent Living units on its chosen site but would exclude Lot 25 Quondong Court.

44 & 46 (Lots 46/47) Bennett Street Lake Grace

Lot 46 (No 44) is classified 'Residential' zone in the Shire's current Local Planning Scheme No 4 with a density coding of R20. Given that it comprises an area of 1,060sqm there is scope for Council to grant planning approval for the development of a maximum of three (3) new aged persons units on the land.

Lot 47 (No 46) is classified 'Local Scheme Reserve – Church' in Local Planning Scheme No 4 in recognition of its historical development and use of Church purposes.

Lots 46 & 47 are located in the western segment of the Lake Grace town site adjacent to the town centre area and surrounded by single residential dwellings, Lake Grace Fire Brigade Headquarters and vacant land.

Lot 47 contains a Church and Lot 46 a single detached lean to that was used to accommodate the travelling Minister (in poor condition but of historical significance). Lot 47 is listed on the Shire of Lake Grace Local Heritage Inventory as Category C – retain and conserve if possible.

Local Scheme Reserve classification gives Council the ability to grant planning approval for whatever use it believes appropriate provided it consults with the agency that has the primary interest in the land. As the Shire is taking control of Lot 47 by virtue of the proposed new Crown reserve classification and management order to be issued under the Land Administration Act by the Department of Lands, it may determine the future purpose of the land under Local Planning Scheme No 4.

The Shire of Lake Grace will need to obtain approval under the Land Administration Act from the Department of Lands to change the use of the land if any proposed new use does not fit the Department of Lands definition for 'Community Purpose'. As such, before any portion of Lot 47 could be developed and used for aged persons dwellings the Department of Lands would need to be consulted. The buildings on Lots 46 & 47 are listed in the Shire's Heritage Register as a Category C, i.e. No constraints but recommends encourage retention of the place, and document the place if retention is not possible.

- i) The floor plan as used on 3 Bennett Street could be utilised on this block. These units were designed and constructed in accordance with Australian Standard AS4299 to ensure that they satisfied the specific needs and requirements of the future intended occupants (aged persons);
- ii) Lots 46/47 are located in close proximity to the Lake Grace town centre area (i.e. approximately 800 metres) which would provide for the daily needs of the future occupants of the dwellings within a walkable distance;
- iii) Due regard has been given to the natural topography of the land and its immediate surrounds;
- iv) Lots 46 & 47 are rectangular in shape, comprises an individual area each of approximately 1,064m², is relatively flat throughout its entire area and has direct frontage and access to Bennett Street and a right-of-way at the rear.
- v) Access to water is via the right-of-way at the rear of the property. Lot 47 has water connect to the Church and the toilets. Lot 46 is not connected to water or deep sewerage.
- vi) Lot 47 is connected to power, Lot 46 is not.
- vii) Advice given is that the power would need to be upgraded as it was for the Bennett Street units. Power would need to come from across the road, under the

road and into a mini pillar with 100amps. A special switch board would need to be constructed, similar to the Bennett Street units.

viii) Telstra is not connected to either lot.

32 (Lot 56) Absolon Street Lake Grace

Lot 56 Absolon Street is classified 'Residential' zone in the Shire's current Local Planning Scheme No 4 with a density coding of R20. Given that it comprises an area of 1,060 sqm there is scope for Council to grant planning approval for the development of a maximum of three (3) new aged persons units on the land.

Lot 56 is located in the western segment of the Lake Grace town site and is surrounded by a variety of existing land uses including single residential dwellings, and opposite a school. Lot 56 contains a single detached dwelling, a shed and is currently used for residential purposes (Shire of Lake Grace staff housing).

- i) The floor plan as used on 5 Bennett Street would be able to be utilised on this block. These units were designed and constructed in accordance with Australian Standard AS4299 to ensure that they satisfied the specific needs and requirements of the future intended occupants (aged persons);
- ii) Lot 56 is located in close proximity to the Lake Grace town centre area (i.e. approximately 300 metres) which would provide for the daily needs of the future occupants of the dwellings within a walkable distance;
- iii) Due regard has been given to the natural topography of the land and its immediate surrounds;
- iv) Lot 56 is rectangular in shape, comprises an individual area of approximately 1,064m², is relatively flat throughout its entire area and has direct frontage to Absolon and McMahon Street and a right-of-way at the rear.
- v) Access to water is via the right-of-way at the rear of the property. Lot 56 is connected to water, Telstra and deep sewerage.
- vi) Advice given is that the power would need to be upgraded as it was for the Bennett Street units. Power poles are on the same side of the road as Lot 56, both in Absolon and McMahon Streets. A special switch board would need to be constructed as well as a mini pillar with 100 amps, similar to the Bennett Street units.
- vii) The current house and shed would need to be removed to allow the construction of three units.

1 (Lot 25) Quondong Court Lake Grace

Lot 25 is located in the eastern segment of the Lake Grace town site in the new subdivision and is surrounded by a variety of existing land uses including single residential dwellings, vacant land and opposite a park. Currently a single dwelling is being constructed opposite this block.

- i) The floor plan as used on 3 Bennett Street could be utilised, though the block is irregular in shape and approximately 204m² less than the other proposed two blocks precluding the construction of three units on this one site.
- ii) Lot 25 is not located in close proximity to the Lake Grace town centre area (i.e. approximately 1.6 km) which would make it difficult for the daily needs of the future occupants of the dwellings who were not capable of walking any distance;
- iii) Due regard has been given to the natural topography of the land and its immediate surrounds;

- iv) Lot 25 is trapezoid in shape, comprises an individual area of approximately 860m², is relatively flat throughout its entire area and has direct frontage to Quondong Court and Wattle Drive.
- v) Water, electricity and sewerage are ready to be connected to the vacant property. Electricity is underground. Telstra is not connected to Lot 25.

Under the terms of LPS No.4 the development and use of land in the 'Residential' zone for the purpose of 'aged & dependent persons' dwellings' is classified as a "D" use which means that it is not permitted unless the local government has exercised its discretion by granting planning approval.

The proposed site will need a Residential Design Codes assessment against the specific standards and requirements of the R-Codes and that it satisfies the majority of the 'acceptable development provisions'.

It is concluded that either 46/47 Bennett Street Lake Grace or 32 (Lot 56) Absolon Street Lake Grace would be ideal sites for the proposal to construct three (3) new aged persons' dwellings and are 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.

32 (Lot 56) Absolon Street Lake Grace even though needing to remove the current house and shed on the site has the best access (Absolon and McMahon Street) and the closest amenities connections.

A detailed assessment to construct three (3) new aged persons' dwellings on either 32 (Lot 56) Absolon Street Lake Grace or Lots 46/47 Bennett Street Lake Grace can be secured before December 2015 in readiness for construction in 2016 depending on the outcomes of future funding applications.

Legal Implications

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

Policy Implications

Nil

Consultation

Internal	Senior Management Team Rohan Bishop
External	Department of Lands Craig Reeves, Department of Water Jo Douglas, Urban and Rural Perspectives Alan Stubberfield, Outback TV

Financial Implications

\$5,000 to be included in Council's 2015/2016 draft budget for the initial assessment.

Strategic Implications

Shire of Lake Grace Strategic Community Plan

Economic The Shire of Lake Grace is a prosperous and diversified economy and well serviced built infrastructure to foster the district community towards 2023.

- Ec3.1 Prioritise the immediate development of a 10 year infrastructure plan that determines the rational for ongoing works, maintenance, usage and development of built and civic infrastructure.

The development of additional aged person's accommodation in the Lake Grace town site could be expected to have significant cultural benefits for both the town and the Shire generally as it will enable many elderly people to maintain and foster ties with their families and the local community.

Voting Requirements

Simple majority required.


Recommendation

That Council authorise:

1. The CEO to secure a detailed assessment to construct three (3) new aged persons' dwellings on either:
 - a) 32 (Lot 56) Absolon Street Lake Grace, or
 - b) 44/46 (Lots 46/47 Bennett Street Lake Grace
2. Costs associated with architectural and design assessment to be funded from Account E042029 Consultancy Charges or Account E106030 Town Planning Consultant Fee for costs associated with any required planning matters.

15.3 LAKE GRACE UNITING CHURCH – POTENTIAL USE

Applicant: CWA
File No. 0436
Attachments: Letter
Author: Ms Lee Holben



Manager Community Services

Disclosure of Interest: Nil
Date of Report: 29 June 2015
Senior Officer: Mr Neville Hale



Chief Executive Officer

Summary

For Council to endorse the advertising for potential use (community or commercial) of the Methodist Church Site (Uniting Church) Lot 47 Bennett Street, Lake Grace.

Background

The attached letter (12 June 2015) from the Lake Grace Country Women's Association requests the Shire consider utilising the Lake Grace Uniting Church site (Lot 47 Bennett Street, Lake Grace) as an Opportunity Shop.

The Lake Grace CWA have been in contact with Active Industries who are a non-profit organisation working with handicapped people to investigate the possibility of opening an Op shop in Lake Grace.

Active-Industries have indicated that they are interested and would cover the costs of set up, including power, water and workers comp insurance. The Lake Grace CWA ladies would man the facility one day a week.

The land and buildings were subject to three previous Council agenda items:

1. 28 September 2012
2. 27 August 2014, and
3. 25 February 2015.

Comment

The land was a Reserve held by the Church under Conditional Tenure, the Department of Lands sought to have the land first surrendered to the State so the land could be reserved for "Community Purposes" then transferred to the Shire. This transfer is currently in the process of being completed.

Lot 47 is classified "Local Scheme Reserve – Church" in Local Planning Scheme No 4 in recognition of its historical development and use as a Church. The Local Scheme Reserve classification gives Council the ability to change/grant planning approval, provided it consults with the agency that has the primary interest in the land and there are no objections from that agency. As the shire will take control of Lot 47 by virtue of the proposed new Crown reserve classification and management order to be issued under the Land Administration Act by the Department of Lands, it only needs to consult with itself for the purposes of approval under Local Planning Scheme No 4.

It is important to note that there would still be a need to obtain approval under the Land Administration Act from the Department of Lands to change the use of the land if any

proposed new use does not fit the Department of Lands definition for “Community Purposes”. As such no portion of Lot 47 could be developed and used for any commercial purpose without the Department of Lands formal approval.

Leading up to the 25 February 2015 Council meeting a number of community consultations were held with potential use of the facility being identified including those listed below.

- Utilised for future Over 55 units.
- Opportunity shop.

Before agreeing to the use of the Church building as an “Op Shop” in conjunction with Active Industries it is suggested that we give the community an opportunity to register any alternative use for the facility. Accordingly it would be advertised to enable residents to register other community uses that could be considered.

Both Lots 46 and 47 have previously been identified as possible sites for over 55’s housing. Lot 47 is currently being assessed for such a use – refer Item 15.2.

It should be noted that in this instance, dependent on the demand for alternate uses, the proposed use/lease of the old church building to the Lake Grace CWA/Active Industries would be an exempt disposition under the provisions of Reg 30 of the Local Government (Functions and General) Regulations 1996 – see below.

Legal Implications

Local Government Act 1995 - s3.58. Disposing of property

(1) In this section —

dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not;

property includes the whole or any part of the interest of a local government in property, but does not include money.

(2) Except as stated in this section, a local government can only dispose of property to —

- (a) the highest bidder at public auction; or
- (b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.

(3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property -

- (a) It gives local public notice of the proposed disposition —
 - (i) describing the property concerned; and
 - (ii) giving details of the proposed disposition; and
 - (iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given; and
- (b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.

Local Government (Functions and General) Regulations Reg.30. Dispositions of property excluded from Act s. 3.58

(1) A disposition that is described in this regulation as an exempt disposition is excluded from the application of section 3.58 of the Act.

(2) A disposition of land is an exempt disposition if —

- (b) the land is disposed of to a body, whether incorporated or not —

- (i) the objects of which are of a charitable, benevolent, religious, cultural, educational recreational, sporting or other like nature; and
- (ii) the members of which are not entitled or permitted to receive any pecuniary profit from the body's transactions;

Policy Implications

N/A

Consultation

Internal: Senior Management Team

External: Lake Grace Country Women's Association
Mr Joe Douglas, Urban and Rural Perspectives

Financial Implications

An allocation of \$5,730.00 has been made in the draft 2015/2016 budget for basic maintenance and utility costs for this site.

Strategic Implications

Shire of Lake Grace Community Strategic Plan

- *Ec1 – Support for growth, development and diversification of local business and employment opportunities*
- *Ec3 – maintain community built infrastructure*
- *S3 – Maintain and improve social/community infrastructure to support community wellbeing*

Voting Requirements

Simple Majority required.

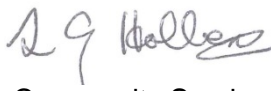

Recommendation

That Council approves the giving of public notice (thirty days) for registration of potential use of the Church Site - Methodist (Uniting Church), Lot 47 Bennett Street, Lake Grace.

Moved Cr

Seconded Cr

15.4 PROPOSAL – LAKE GRACE FOOTBALL LEGENDS PARK

Applicant:	Ms Miranda Wallace on behalf of Lake Grace Development Association	
File No.	0436	
Attachments:	1. Letter 2. Concept design 3. Project concept	
Author:	Ms Lee Holben Manager Community Services	
Disclosure of Interest:	Nil	
Date of Report:	01 July 2015	
Senior Officer:	Mr Neville Hale	 Chief Executive Officer

Summary

For Council to consider in-principle support for the proposed development of a community park commemorating the young men of the town who have successfully gone onto compete at the highest level of Australian Football – AFL on Lot 363 Stubbs Street Lake Grace being portion of Reserve 46769.

Background

The attached letter (09 June 2015) from the Lake Grace Development Association (Miranda Wallace) proposes the design and construction of a community park to commemorate men from the town who have successfully gone on to compete at the highest level of Australian football, the AFL.

The basic plan is to erect a relief statue of each player on a rammed earth wall of the same make as the entrances to Lake Grace. A plaque detailing each player's career would be placed below each statue. Four symbolic posts would be mounted atop the wall to represent AFL goal posts. The wall would be surrounded by native gardens, footpaths and park benches.

The applicant is requesting to utilise land that forms part of Crown Reserve 46769 which is owned by the State of Western Australia and currently vested in the Shire of Lake Grace for the designated purpose of 'Parking, Recreation and Men's Shed'.

Lot 363 is located centrally in the Lake Grace town site abutting the southern boundary of the existing railway reserve that traverses the town in an east-west direction. The land comprises a total area of approximately 4,454m² and has direct frontage to Stubbs Street along its southern boundary.

The eastern portion of Lot 363, being that portion of the land proposed to be developed into a park, has been developed by the Shire and is predominantly used for vehicle access and parking by the general public. The Bureau of Meteorology has also constructed and currently monitors an automatic weather station located immediately adjacent to the eastern boundary of the property.

At the 27 July 2011 Ordinary meeting of Council the following motion was moved:

Motion 11260 - Moved Cr Farrelly, Seconded Cr Milton

That Council grant in-principle support for the proposed development of new community men's shed on Lot 363 (No 33) Stubbs Street, Lake Grace being portion of Reserve 46769.

Since 2011 the Community Men's Shed has secured, and is currently building a shed on the St John Ambulance site in Bennett Street.

Comment

The subject land is classified 'Local Scheme Reserve – Recreation' under the Shire of Lake Grace's current Local Planning Scheme No 4 (LPS No. 4) which broadly reflects its current approved and designated purpose under the Land Administration Act 1997.

- The proposed community park is complementary to and therefore unlikely to compromise the continued use of Reserve 46769 for recreational purposes being its current designated purpose under LPS No 4 and the Land Administration Act 1997.
- The proposal is ideally situated on this site in terms of its proximity, exposure and access to Stubbs Street which is a busy regional road that carries a significant volume of traffic including tourists.
- The proposal is unlikely to have a detrimental impact on the natural environment in fact will enhance what is currently an empty open space.
- The proposal will not have any effect on the Bureau of Meteorology's existing automatic weather station which can be worked into the park design and therefore unlikely to have a detrimental impact upon the continued operation of this facility.
- The proposal will provide a tourist attraction for the Lake Grace town site which could be expected to be of significant benefit to the local community.
- The proposal will be inspiration to the youth of Lake Grace in the ongoing support of involvement in sporting activities and that young people can have local heroes to look up to.

The applicant is not seeking financial support for the project from the Shire of Lake Grace as the LGDA intends to apply for funding from sources such as Royalties for Region, Heathway, Lotterywest, donations etc.

The applicant is seeking from the Shire of Lake Grace the use of the land, and if successful, the ongoing maintenance of the park once completed which will be a charge to the Lake Grace Specified Area Rate.

Legal Implications

Planning and Development Act 2005

Land Administration Act 1997

Shire of Lake Grace Local Planning Scheme No 4.

Policy Implications

Shire of Lake Grace Policy 3.3 – Specified Area Rate

Consultation

Internal: Senior Management Team

External: Lake Grace Development Association
 Andrew Collins ABC Great Southern Radio
 Hawthorn Football Club
 Geelong Football Club
 Royce Taylor, Lake Grace/Pingrup Football Club
 Fremantle Football Club
 Sydney Football Club
 Councillor Shire of Lake Grace

Financial Implications

No allocation has been made in the draft 2015/2016 budget.

Strategic Implications

Shire of Lake Grace Community Strategic Plan

Economic

- Ec2.1 – Harness tourism opportunities by partnering with neighbouring Shires/tourism organisations and developing, engaging and significant experiences of the natural and build infrastructure.
- Ec3.2 Improve streetscapes/parks and public spaces in the towns.

Social

- S5.4 Raise awareness, provide education and improve communication concerning the importance of healthy well-being.

Voting Requirements

Simple Majority required.

Recommendation

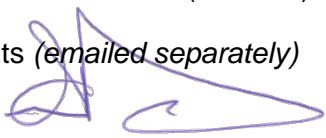
That Council:

1. Grants its in-principle support for the proposed development of a community park on Lot 363 (No. 33) Stubbs Street, Lake Grace, being portion of Reserve 46769;
2. Requests the Lake Grace Development Association to liaise with the Manager Community Services regarding the development of this project, including a detailed and accurate site development plan, preliminary construction cost estimates and time lines; and,
3. Advise the Lake Grace Development Association that any development on this site will be subject to the planning approval process.

16.0 MATTERS FOR CONSIDERATION - ADMINISTRATION
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16.1 WALGA AGENDA – ANNUAL GENERAL MEETING AUGUST 2015

Applicant:	WA Local Government Association (WALGA)
File No.	0029
Attachments:	Agenda & Attachments (<i>emailed separately</i>)
Author:	Mr Neville Hale



Chief Executive Officer

Disclosure of Interest:	Nil
Date of Report:	16 June 2015
Senior Officer:	Mr Neville Hale



Chief Executive Officer

Summary

For Council to consider the Executive and Member Motions to be presented to the 2015 Annual General Meeting of WALGA to be held on Wednesday, 5 August 2015.

Background

Eleven Motions for consideration have to date been listed for consideration at this year's Annual General Meeting. The attached Agenda provides detail of the Motion put forward, background information, Member Comment and Comment from the WALGA Secretariat.

The matters listed for consideration are:

- 4.1 Eradication of Trachoma in Australian Populations
- 4.2 Prescribed Burning Program
- 4.3 Bushfire (Planning) Regulations – Local Government Impacts
- 4.4 Integrated Response by Local Governments to Hoarding
- 4.5 Shark Hazard – Local Government Expectations
- 4.6 Inland Waterway Shoreline Management
- 4.7 Planning for Waste Management Facilities
- 4.8 Management of Narrow Leafed Cotton Bush
- 4.9 Illegal Camping
- 4.10 Non-rateable Properties: Charitable use of Land
- 4.11 Financial Limits for Tenders

Comment

Whilst each of the items listed in the Agenda have merit, Council's attention is drawn attention to the following Motions of particular interest to the Shire as they will have a direct impact on its operations:

Comment on the above is as follows:

4.2 Prescribed Burning Programme

The additional funding for prescribed burning should be targeted, as suggested by the Shire of Bridgetown – Greenbushes, to ensure that these additional funds are

used only for prescribed burns for asset preservation and protection around towns and settlements

4.3 Bushfire (Planning) Regulations – Local Government Impacts

As recommended by the City of Bunbury, the Fire and Emergency Services Commissioner should recognise existing Local Government bushfire risk assessment processes that demonstrate sufficient rigour and accept that Local Government's Bushfire Risk Mapping in the application of the new Bushfire (Planning) Regulations. Moreover, appropriate support should be provided to Local Government, to offset the costs and delays that will be incurred as a result of implementing the new Regulations.

4.7 Planning for Waste Management Facilities

The Shire of Toodyay has recommended that the State Government develop a waste management infrastructure plan for Western Australia that will progress regulatory reforms to establish a framework for planning and siting of landfills. Moreover it is seeking to implement a moratorium on new private landfill approvals until adoption of a durable planning framework can be put in place.

4.8 Management of Narrow Leafed Cotton Bush

The Shire of Murray is seeking support for a multi-tiered approach to the management of Narrow Leafed Cotton Bush and has highlighted a number of issues of consequence to the operation of Recognised Biosecurity Groups and some particular provisions of the Biosecurity and Agriculture Management Act 2007, (BAM) including:

- Training Local Government staff who can assist with infringing any land-owners not managing cotton bush and other declared pests;
- Provide funding to regional biosecurity groups of \$100,000 per annum to ensure their survival;
- Make Changes to the Biosecurity and Agriculture Management Act 2007 (BAM) to ensure any pest rate raised stays within the district;
- Request cabinet address the issue of cotton bush and the inaction of state departments in managing their own land.

The above issues have relevance to this Shire's involvement in the Eastern Wheatbelt Biosecurity Group.

4.10 Non-rateable Properties – Charitable use of Land

The City of Mandurah is seeking an amendment to the Local Government Act 1995 Section 6.26(2)(g) to allow land used for charitable purposes to be rateable if it is used for housing. The increase in aged housing has brought with it some inequities in the application of rate exemptions and discounts that need to be addressed as they increase the financial burden upon ratepayers.

4.11 Financial Limits for Tenders

Currently, local governments are required to call tenders for goods and or services valued at more than \$100,000. The City of Melville has recommended that the Local Government (Functions and General) Regulations 1996 (as amended from time to

time) be amended so the minimum threshold for the purchase of a good or service, be altered to match the threshold level from time to time gazetted under the State Supply Policies for State Government Departments and instrumentalities. This is currently \$150,000; however this is varied from time to time by policies issued under the State supply legislation (currently \$250,000).

Having reviewed the Agenda, the author is of the opinion that all eleven of the Motions listed on the Agenda of the Annual General Meeting could be supported.

Legal Implications

N/A

Policy Implications

N/A

Consultation

External: WA Local Government Association

Financial Implications

N/A

Strategic Implications

Shire of Lake Grace Strategic Community Plan

Civic Leadership Focus Area (5)

- Excellence in Shire administration and communication

Recommendation

That in regards to the Motions from Agenda Items put forward to the 2015 WA Local Government Association Annual General Meeting, Council's Delegates be advised to vote as follows:

Item	Subject	<u>Yes</u>	<u>No</u>
4.1	Eradication of Trachoma in Australian Populations		
4.2	Prescribed Burning Program		
4.3	Bushfire (Planning) Regulations – Local Government Impacts		
4.4	Integrated Response by Local Governments to Hoarding		
4.5	Shark Hazard – Local Government Expectations		
4.6	Inland Waterway Shoreline Management		
4.7	Planning for Waste Management Facilities		
4.8	Management of Narrow Leafed Cotton Bush		
4.9	Illegal Camping		
4.10	Non-rateable Properties: Charitable use of Land		
4.11	Financial Limits for Tenders		

Voting Requirements

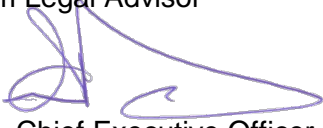

Simple majority required.

Resolution

Moved Cr

Seconded Cr

16.2 SOUTH WEST NATIVE TITLE SETTLEMENT

Applicant:	WALGA – Central Country Zone	
File No.	0029/0368	
Attachments:	1. Email Request from CCZ Executive Officer 2. Presentation from Legal Advisor 3. Map 4. Fact Sheets	
Author:	Mr Neville Hale	 Chief Executive Officer
Disclosure of Interest:	Nil	
Date of Report:	13 July 2015	
Senior Officer:	Mr Neville Hale	 Chief Executive Officer

Summary

For Council to provide comment to the WALGA Central Country Zone on the implications of the South West Title Settlement.

Background

Following many years of negotiation, in June 2015 the Premier and representatives of the South West Aboriginal Land and Sea Council (SWALSC) executed a number of Indigenous Land Use Agreements (ILUA's) following acceptance by six claim groups of the State Government's offer to settle land claims over the South West.

The ILUA's will now be filed with the National Native Title Tribunal (NNTT) which will determine whether the agreements can be registered. The ILUA's represent a significant step on the path towards resolving all native title claims in the South-West in exchange for approximately \$1.3 billion in land and other benefits. Under the agreements, the State and Noongar people must work towards a new level of partnership and shared responsibility.

Under the overall agreement, an independent Noongar Boodga Trust (the Trust) will be established into which assets will be transferred over 12 years, including funds of \$50 million per annum. Up to 320,000 hectares of Crown Land will also be transferred to the Trust.

The Shire of Lake Grace is within the Ballardong ILUA Group details of which can be found on the Department of Premier and Cabinet's web site for South West Native Title Settlement and refer to Table 1

The Ballardong Peoples ILUA, Annexure X details land previously identified for possible Allocation to the Trust. At this stage, no land has been identified within the Shire of Lake Grace. The Department of Lands is in the process of reviewing all Crown land within the Shire and over the coming months will be in contact with the Shire to discuss what Crown land could be transferred to the Trust.

Comment

"The ILUAs bind the parties (including 'the State', which encompasses all State Government departments and certain State Government agencies) to enter into a

Noongar Standard Heritage Agreement (NSHA) when conducting Aboriginal Heritage Surveys in the ILUA areas, unless they have an existing heritage agreement. It is also intended that other State agencies and instrumentalities enter into the NSHA when conducting Aboriginal Heritage Surveys in the ILUA areas. It is recommended a NSHA is entered into, and an 'Activity Notice' issued under the NSHA, if there is a risk that an activity will 'impact' (i.e. by excavating, damaging, destroying or altering in any way) an Aboriginal heritage site. The Aboriginal Heritage Due Diligence Guidelines, which are referenced by the NSHA, provide guidance in how to assess this risk" (Department of Aboriginal Affairs)

The Noongar Standard Heritage Agreement is comprehensive in nature and amongst other things outlines the circumstances where a Survey is required and the process to be followed. Costs of engaging suitably qualified and experienced consultants to undertake a Survey may add significantly to a new project."

Advice from the Department of Premier and Cabinet to the Executive Officer, Central Country Zone suggests that there is still some way to go before all parties, including the NNTT, sign off on the final document. A delegation from the Department of Premier and Cabinet is to attend the November 2015 Zone Meeting to provide more detail and answer questions regarding the ILUA's and the impact they will have.

In the circumstances, at this stage, the Shire is best to wait the outcome of the November 2015 briefing from the Department of Premier and Cabinet and note the above information in regard to the Ballardong ILUA and the associated work being undertaken by the Department of Lands.

Legal Implications

Commonwealth Native Title Act 1993
Aboriginal Heritage Act 1972
Aboriginal Affairs Planning Authority 1972

Policy Implications

N/A

Consultation

Department of Premier and Cabinet
Bruce Wittber, Executive Officer, Central Country Zone WALGA

Financial Implications

N/A

Strategic Implications

Shire of Lake Grace Strategic Community Plan

Economic

- EC2 Provide an environment that supports business and investment opportunities, increased industries, businesses and employment opportunities in the Shire district.

Recommendation

That Council note the progress of the State Government's South West Land Use Agreement and associated Ballardong Indigenous Land Use Agreement (ILUA) of which the Shire of Lake Grace will be a party too its implementation when finalised.

Voting Requirements



Simple majority required.

Resolution

Moved Cr

Seconded Cr

16.3 LAKE GRACE SALEYARDS – FUTURE USE

Applicant:	Shire of Lake Grace	
File No.	0061	
Attachments:	1. Meeting Notes - 25 June 2015	
	2. Item 16.4 of Council's 25 February 2015 Ordinary Meeting	
Author:	Mr Neville Hale	
		Chief Executive Officer
Disclosure of Interest:	Nil	
Date of Report:	9 July 2015	
Senior Officer:	Mr Neville Hale	
		Chief Executive Officer

Summary

For Council to be informed of the outcome of the public meeting held on Thursday, 25 June 2015.

Background

The issue of future use of the saleyards first arose in February 2009 following the expiry of the lease held by the Western Australian Livestock Salesman's Association. Due to limited use, the lease was not renewed by WALSA.

Following community consultation at that time, the 2.43 ha (6 acres), owned in freehold by the Shire, was retained by the Shire to facilitate a recognised requirement for holding pens and a loading ramp to allow for stock consolidation by transport operators.

At its 25 February 2015 Ordinary Meeting, Council, following enquires by parties interested in purchasing the land, noted the following:

- There has been a decline in the demand for saleyard facilities across the Wheatbelt;
- The recent opening of the Katanning saleyards has contributed to that decline; and,
- That the saleyards previously operated as a private business and use by farmers and transport operators could be considered a business rather than a community responsibility.

Before finalising its position in regard to the possible sale of the land and facilities, Council resolved:

MOTION 12001, Moved Cr Chappell, Seconded Cr De Landgraft

That Council invite representatives from local stock agencies, transport operators, interested farmers, CBH and Lake Grace Development Association to attend a meeting to ascertain the level of demand for the retention of the saleyards on Lot 2, cnr Bidy – Camm and Gorge Rock Roads, Lake Grace.

MOTION CARRIED 9/0

The meeting was held on Thursday, 25 June 2015, see attached notes.

Comment

The 2.43 ha site is located within the 500 metre buffer zone of the adjacent CBH grain handling facility, including a dangerous goods shed, which limit the potential uses of the land. Whilst the Shire is able to re-zone the land, the buffer requirement limits the lands potential use to industry or rural and precludes any residential development.

This existing saleyard facility consists of a number of holding yards each with watering troughs and an estimated capacity of 8,000 sheep, a male and female toilet block and a separate office both of brick construction. The substantial loading and holding pens are well constructed and consist of three separate loading ramps. (see attached photographs)

Participants in the 25 June 2015 meeting recognised that there may be circumstances whereby the current use of the saleyards land could be put to a better use that would result in its sale by the Shire. Should this occur, it was generally held that an alternative site would be required and that consideration should also be given to:

- A stock consolidation facility provided on a user pays basis;
- An emergency holding point for stock:
 - should truck breakdowns or
 - disease outbreak occur;
- Biosecurity requirements for machinery and vehicle wash down.

In locating an alternative site, consideration would need to be given to whether the existing saleyards could be down-sized, i.e. less than three loading ramps and reduced holding capacity and the environmental impacts that such a site would have, particularly if it included biosecurity wash-down facility.

The Department of Agriculture and Food provide information on the requirements of a vehicle and machinery wash down facility and associated water catchment ponds. The Department has also been approached about whether it has any plans for the location of such facilities within the Wheatbelt as a means of controlling biohazards and stock movements during emergencies.

It is noted that a machinery quarantine/cleaning facility was installed by a local machinery dealer in Dalwallinu some years ago and such facilities may be best left to the private sector.

Whilst it may be possible to obtain alternative land for a stock consolidation and holding facility it may prove more problematic to secure land for both stock and machinery wash down due to the attendant issues of weed control and other potential contamination.

Legal Implications

In the event that the land is to be sold, the Shire needs to be mindful of the requirements of s3.58 of the Local Government Act 1995 – Disposing of property and associated Local Government (Functions and General) Regulations 1996 – Reg.11

Policy Implications

N/A

Consultation

External: Department of Agriculture and Food
Urban and Rural Perspectives
Local transport operators, stock agents and farmers – public meeting

Financial Implications

No cost at present – one would anticipate that the cost of a new, but downsized stock consolidation and holding facility could be largely offset from the proceeds from the sale of the existing facility.

A vehicle and machinery wash down facility would require additional funding and could prove to be difficult to justify without government support.

Strategic Implications

Shire of Lake Grace Strategic Community Plan

Economic

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

Recommendation

That Council, in anticipation of the sale of the existing stock consolidation facilities located on Lot 2, Cnr Gorge Rock and Bidy Camm Roads, Lake Grace, authorise the Chief Executive Officer to undertake research for a future alternative location to accommodate a stock consolidation and holding facility.

Voting Requirements

Simple majority required.

Resolution

Moved Cr

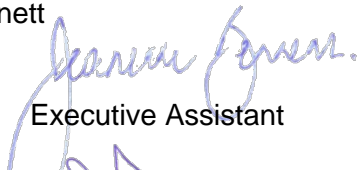
Seconded Cr

17.0	INFORMATION BULLETIN
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17.1 **INFORMATION BULLETIN REPORT – JUNE 2015**

Applicant:	Executive Services
File No.	N/A
Attachments:	1- 12 (<i>under separate cover</i>)
Author:	Mrs Jeanette Bennett

Disclosure of Interest:	Nil
Date of Report:	15 July 2015
Senior Officer:	Mr Neville Hale



Executive Assistant



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.

Note: 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 (June 2015) Information Bulletin Report has been emailed to Councillors.

The June 2015 Information Bulletin at attachment includes:

Reports

1. June 2015 Council Status Report
2. Infrastructure Services Report – June 2015
3. Monthly Financial Statement – Schedules June 2015
4. Outstanding Rates Report – June 2015
5. EHO Report – May & June 2015

Letters

6. Dept Mines & Petroleum – re Clearing Permit for Mining Lease 70/1285
7. Austwide Mining Title Management Pty Ltd – Mining Lease Application 70/1342
8. WALGA re Financial Assistance Grants

Minutes

9. Lake Grace Library & Community Resource Centre – Minutes 30 June 2015
10. Lake Grace Sporting Precinct Group – Meeting Notes 29 June 2015
11. Roe Tourism Association – Minutes 22 June 2015

12. Central Country Zone – Minutes 26 June 2015
13. Australian Rural Road Group – Minutes 16 June 2015

Circulars etc.

14. LGIS Risk Matters – June 2015 Edition
15. WALGA – Local Government & Tourism Discussion Paper
16. Department of Local Government & Communities - Circular 10-2015

Legal Implications

Nil

Policy Implications

Nil

Consultation

N/A

Financial Implications

Nil

Strategic Implications*Shire of Lake Grace Strategic Community Plan*

Civic Leadership - Focus Area 5)

- Excellence in Shire Administration and Communication

Voting Requirements

Simple majority required.

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 AUGUST 2015 ORDINARY MEETING

As per Resolution 11960, 19 November 2014 the July 2015 Ordinary Meeting of Council has been scheduled to take place on Wednesday 26 August 2015, commencing at 3.00 pm in 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 discuss Item 20.1 – Annual Performance Review – Chief Executive Officer.

MOTION CARRIED

20.1 ANNUAL PERFORMANCE REVIEW – CHIEF EXECUTIVE OFFICER

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 22 July 2015 as shown were confirmed as a true record at the meeting held on the 24 August 2015.

Shire President

Date