

Shire of Lake Grace

Ordinary Council Meeting

Minutes

21 October 2015



Disclaimer

No responsibility whatsoever is implied or accepted by the Shire of Lake Grace for any act, omission or statement or intimation occurring during Council/Committee meetings or during formal/informal conversations with staff. The Shire of Lake Grace disclaims any liability for any loss whatsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council/Committee meetings or discussions. Any person or legal entity that acts or fails to act in reliance upon any statement does so at that person's and or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for license, any statement or limitation or approval made by a member or officer of the Shire of Lake Grace during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire of Lake Grace. The Shire of Lake Grace warns that anyone who has an application lodged with the Shire of Lake Grace must obtain and only should rely on WRITTEN CONFIRMATION of the outcome of the application and any conditions attaching to the decision made by the Shire of Lake Grace in respect of the application.

CONTENTS

1.0	OPENING & ANNOUNCEMENT OF VISITORS.....	5
1.1	CONSTITUTIONAL MATTERS	5
1.1.1	ELECTION AND DECLARATION OF SHIRE PRESIDENT	5
1.1.2	ELECTION AND DECLARATION OF DEPUTY SHIRE PRESIDENT	5
1.1.3	SEATING OF COUNCILLORS	6
2.0	ATTENDANCE RECORD.....	6
2.1	PRESENT	6
2.2	APOLOGIES	6
2.3	LEAVE OF ABSENCE PREVIOUSLY GRANTED	6
3.0	PUBLIC QUESTION TIME	6
4.0	APPLICATIONS FOR LEAVE OF ABSENCE.....	6
5.0	MINUTES OF PREVIOUS COUNCIL MEETINGS.....	7
5.1	ORDINARY MEETING – 23 SEPTEMBER 2015	7
5.2	SPECIAL MEETING – 1 OCTOBER 2015	7
6.0	DECLARATIONS OF INTEREST	7
6.1	DECLARATIONS OF FINANCIAL INTEREST – LOCAL GOVERNMENT ACT SECTION 5.60A	7
6.2	DECLARATIONS OF PROXIMITY INTEREST – LOCAL GOVERNMENT ACT 1995 SECTION 5.60B 7	
6.3	DECLARATIONS OF IMPARTIALITY INTEREST – ADMINISTRATION REGULATION SECTION 34C7	
7.0	NOTICES OF URGENT BUSINESS.....	7
8.0	MOTIONS OF WHICH NOTICE HAS BEEN RECEIVED	8
9.0	PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS.....	8
10.0	MEMBERS’ REPORTS	8
10.1	CR CLARKE	8
10.2	CR DE LANDGRAFFT.....	9
10.3	CR MARSHALL	9
10.4	CR STANTON	9
10.5	CR HUNT	9
10.6	CR ARMSTRONG	9
10.7	CR CHAPPELL.....	9
10.8	CR WALKER.....	10
11.0	MATTERS FOR CONSIDERATION – INFRASTRUCTURE SERVICES.....	12
11.1	TENDER 3/2015 –SUPPLY AND DELIVER A MOTOR GRADER	12
11.2	TENDER 4/2015 –SUPPLY OF TWO PRIME MOVER TRUCKS.....	15
12.0	MATTERS FOR CONSIDERATION – PLANNING.....	19
12.1	PLANNING APPLICATION – PROPOSED CHANGE OF USE FROM ‘GARDEN CENTRE’ TO ‘SHOP’ (BEAUTY THERAPY CLINIC) ON LOTS 190 & 191 (Nos.88 & 90) STUBBS STREET, LAKE GRACE19	

12.2	PLANNING APPLICATION (REVISED PLANS) - PROPOSED NEW DANGEROUS GOODS STORAGE COMPOUND ON LOT 11 (No.7059) KULIN-LAKE GRACE ROAD, LAKE GRACE	23
13.0	MATTERS FOR CONSIDERATION – HEALTH & BUILDING	27
14.0	MATTERS FOR CONSIDERATION – FINANCE.....	28
14.1	ACCOUNTS FOR PAYMENT – SEPTEMBER 2015	28
14.2	FINANCIAL STATEMENTS – AUGUST 2015.....	30
15.0	MATTERS FOR CONSIDERATION – COMMUNITY SERVICES.....	32
15.1	BUSHFIRE ADVISORY COMMITTEE - RECOMMENDATIONS	32
16.0	MATTERS FOR CONSIDERATION - ADMINISTRATION.....	34
16.1	ESTABLISHMENT OF COUNCIL COMMITTEES	34
16.2	APPOINTMENT OF DELEGATES TO EXTERNAL COMMITTEES AND ORGANISATIONS.....	45
16.3	APPOINTMENT OF AUTHORISED PERSONS	54
17.0	INFORMATION BULLETIN.....	59
17.1	INFORMATION BULLETIN REPORT – SEPTEMBER 2015.....	59
18.0	URGENT BUSINESS BY DECISION OF THE MEETING	61
19.0	SCHEDULING OF MEETING	61
19.1	NOVEMBER 2015 ORDINARY MEETING.....	61
20.0	CONFIDENTIAL BUSINESS – AS PER LOCAL GOVERNMENT ACT S5.23 (2).....	61
20.1	APPOINTMENT OF ACTING CHIEF EXECUTIVE OFFICER.....	61
20.2	LAKE GRACE MEDICAL CENTRE – PRACTICE MANAGEMENT.....	61
21.0	CLOSURE	62
22.0	CERTIFICATION	62

SHIRE OF LAKE GRACE

Minutes for the Ordinary Meeting of Council held at Council Chambers, 1 Bishop St Lake Grace WA, on Wednesday 21 October 2015.

Swearing in of Elected Members

The Chief Executive Officer oversaw and conducted proceedings for the swearing in of the three Elected Members voted in as a result of the 17 October 2015 local government elections.

Cr Clarke, Cr Hunt and Cr Marshall made verbal declarations to faithfully fulfil their duties and observe the rules of conduct and signed their declarations as required under the Local Government (Constitution) Regulations 1998 of the Local Government Act 1995.

1.0 OPENING & ANNOUNCEMENT OF VISITORS

The Chief Executive Officer opened the meeting at 3:05 pm.

1.1 CONSTITUTIONAL MATTERS

The Chief Executive Officer conduct the proceedings for:

1.1.1 ELECTION AND DECLARATION OF SHIRE PRESIDENT

The election and declaration of President by secret ballot in accordance with the Local Government (Constitution) Regulations 1998 11A-11G.

The Chief Executive Officer advised that at the close of nominations, two written nominations for the position of President were received in favour of Cr Walker and Cr Armstrong. Ballot papers were handed out, received and counted with a tied vote resulting.

The Chief Executive Officer adjourned the meeting at 3:12 pm.
The Chief Executive Officer reconvened proceedings at 3:22 pm.

The Chief Executive Officer called for nominations and withdrawals for the position of President. No further nominations or withdrawals were received. Ballot papers were again handed out, received and counted with a tied vote resulting.

In accordance with Schedule 4.1 (5) of the Local Government Act the Returning Officer drew lots in accordance with regulations and Cr Walker was duly elected.

The Chief Executive Officer declared that candidates for the position of President were Cr Armstrong and Cr Walker and that Cr Walker was duly elected with a term of office expiring in October 2017. Cr Walker made his Declaration of Office as President.

1.1.2 ELECTION AND DECLARATION OF DEPUTY SHIRE PRESIDENT

The election and declaration of Deputy President by secret ballot in accordance with the Local Government (Constitution) Amendment Regulations 1998 11A-11G.

The Chief Executive Officer advised that at the close of nominations, two written nominations for the position of Deputy President were received in favour of Cr Chappell and Cr De Landgraft. Ballot papers were handed out, received and counted with Cr De Landgraft being successful with a 5/3 vote count.

The Chief Executive Officer declared candidates for the position of Deputy President were Cr Chappell and Cr De Landgraft and that Cr De Landgraft was duly elected Cr De Landgraft elected with a term of office expiring in October 2017. Cr De Landgraft made her Declaration of Office as Deputy President.

1.1.3 SEATING OF COUNCILLORS

As per Item 7.2 of Council's Standing Orders, the Chief Executive Officer is to allot by random draw, a position at the Council table that each Councillor will occupy.

Cr Walker took the Chair and congratulated all returning Councillors on their successful election.

2.0 ATTENDANCE RECORD

2.1 PRESENT

Cr AJ Walker	Shire President
Cr JF De Landgraft	Deputy Shire President
Cr LW Armstrong	
Cr R Chappell	
Cr DS Clarke	
Cr SG Hunt	
Cr AD Marshall	
Cr MG Stanton	

In Attendance

Mr N Hale	Chief Executive Officer
Ms D Gobbart	A/Manager Corporate Services
Mr L Shopov	Manager Infrastructure Services
Ms L Holben	Manager Community Services
Mrs D Robertson	Executive Assistant

Observers/Visitors

Mr Terry Gladish
Mrs Amanda Milton

2.2 APOLOGIES

Nil

2.3 LEAVE OF ABSENCE PREVIOUSLY GRANTED

Nil

3.0 PUBLIC QUESTION TIME

Nil

4.0 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

5.0 MINUTES OF PREVIOUS COUNCIL MEETINGS

5.1 ORDINARY MEETING – 23 SEPTEMBER 2015

Resolution

MOTION 12142

Moved Cr Hunt
Seconded Cr Stanton

That the minutes of the Ordinary Meeting of Council held on the 23 September 2015 be confirmed as a true and accurate record.

MOTION CARRIED 8/0

5.2 SPECIAL MEETING – 1 OCTOBER 2015

Resolution

MOTION 12143

Moved Cr Chappell
Seconded Cr Marshall

That the minutes of the Special Meeting of Council held on the 1 October 2015 be confirmed as a true and accurate record.

MOTION CARRIED 8/0

6.0 DECLARATIONS OF INTEREST

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

Nil

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

Nil

6.3 DECLARATIONS OF IMPARTIALITY INTEREST – ADMINISTRATION REGULATION SECTION 34C

Nil

7.0 NOTICES OF URGENT BUSINESS

CEO advised Council that Item 16.4 had been moved to 20.2 Confidential Business.

8.0 MOTIONS OF WHICH NOTICE HAS BEEN RECEIVED

Nil

9.0 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

Mr Gladish and Mrs Milton left the meeting at 3:52 pm

10.0 MEMBERS' REPORTS

10.1 CR CLARKE

Saturday 26 September

Completed a shift on Driver Reviver. This is always well received by those passing through.

Thursday 1 October

Attended with Cr Chappell the EWBG meeting in Merredin it is unclear what further consultation will take place, they received 4 letters against the proposed levy and 10 positive. They did not really seem to know what the next step was.

Thursday 1 October

Attended a special Council meeting regarding the extraordinary election, and put in my apologies for the DHAC meeting.

Monday the 5 of October

Attended with Cr Chappell the LGDA meeting, where there was discussion on the Wall to footballers and other that is proposed to be on the railway land in Stubbs St. Trying to ride the Nat Fyfe popularity wave, I am not sure who was going to pursue that with Miranda.

Tuesday 6 October

Attended with Cr Walker and Cr Chappell the St John Ambulance meeting along with the CEO and representatives from the Men's Shed to receive the good news about the funding for the new building. Since then there has been further donations, there will be an article in the Lakes Link this week.

Tuesday 13 October

Attended with Cr DeLandgraft the 4WDL meeting in Lake Grace. Also attended the Rural Women's sundowner at the ArtSpace where the guest speaker was Estelle Blackburn.

Wednesday 21 October

Cr Chappell along with myself and other members of the Lake Grace Regional Health Advisory Group will be having a walk through the Hospital to view the upgrades with Graham Leverington.

Also on health matters the WA Grains Group put forward a motion at the Grain Producers Australia National meeting to have the Medicare provider numbers allocated to a region or area instead of the doctor, this was passed unanimously.

I have put a call into RFDS to find out what is happening with the visiting female doctors. The person dealing with this has been off sick and will contact me on her return.

10.2 CR DE LANDGRAFFT**Tuesday 13 October**

Attended with Cr Clarke the 4WDL meeting in Lake Grace.

10.3 CR MARSHALL**Wednesday 7 October**

Attended Nat Fyfe welcome home event. Was impressed to see upwards of 350 kids all go away happy with either autograph or photo opportunity.

Tuesday 13 October

Attended the Rural Women's Sundowner at the ArtSpace with guest speaker Estelle Blackburn.

10.4 CR STANTON**Wednesday 7 October**

Attended the Nat Fyfe welcome home event.

10.5 CR HUNT**Thursday 1 October**

Attended Special Meeting of Council

10.6 CR ARMSTRONG**Friday 16 October**

Attended Rural Water Council meeting. Hon Mia Davies in attendance. Raised the issue of water carting to Lake King and queried when pipeline water would become available.

Tuesday 20 October

Attended Newdegate Field Day Committee meeting. The NFD Committee endorsed the community cropping program committee to provide \$50,000 to the Lake Grace St John Ambulance Sub Centre project.

10.7 CR CHAPPELL**Thursday 24 Sept**

Attended the late Mr Doelman's funeral, at the request of the family the Lake Grace St John Ambulance formed a guard of honour.

Thursday 1 Oct

Attended with Cr Clarke in Merredin the Eastern Wheatbelt Biosecurity Group meeting in regards to the proposed Declared Pest Rate (wild dogs) also in attendance was former Cr Sinclair. Then that evening attended the convened special meeting here in the Shire Chambers in regards to the 2015 Extraordinary Election.

Saturday 3 October

Attended with Mrs Amanda Milton the Kulin Bush Races in support with St John Ambulance. We also got to be part of a scenario, extracting a person with from a car working alongside Kulin's Fire and Rescue Volunteers.

Monday 5 October

Attended the Lake Grace Development Association meeting.

Tuesday 6 October

Attended a meeting at the Lake Grace St John Sub Centre where Julian Smith and Mark Tapp from St John's Perth gave us the great news that we had been successful with the Lotterywest Grant also in attendance Cr Clarke, Shire President Cr Walker, CEO, representatives from The Men's Shed and fellow Ambulance Officers and members.

St John has agreed to provide an interest free loan to the Lake Grace Sub Centre to make up the \$177,000 shortfall. We have since been informed of donations from Newdegate Community Cropping Program of \$50,000, St John Newdegate Sub Centre of \$25,000, Nat Fyfe of \$10,000, Lake Grace Pony Club of \$3,000, St John Narrogin Sub Centre \$10,000, St John Kulin Sub Centre \$10,000 and St John Wongan Hills Sub Centre were meeting tonight to discuss a contribution.

Wednesday 7 October

Attended, along with many others, the welcoming home of Nat Fyfe.

Thursday 15 October

Attended WA Grains Group meeting held in Perth, where we continually push for better outcomes for farmers and their communities through the invited guest that we have attending.

Friday 16 October

A very special day for Cheryl and I when our youngest daughter Nicole was married.

Saturday 17 October

Called into the Shire Offices on the way home to hear the election results, congratulations Cr Hunt on winning another term.

Wednesday 21 October

Walk through Lake Grace hospital to view progress on upgrade.

10.8 CR WALKER**Thursday 24 September**

Attended CBH briefing at Kulin with CEO regarding railway negotiations with Brookfield Rail. Also attended Eastern Wheatbelt Primary Care Project meeting and RoeROC Health meeting where we reaffirmed the arrangement with the Lauren Pitman, current EHO.

Friday 25 September

Attended the opening of the 4WDL units in Dumbleyung.

Thursday 1 October

Attended Special Meeting of Council

Tuesday 6 October

Attended teleconference with Chris Swarts from First Health with CEO. Also attended the St John funding announcement at the Lake Grace Sub Centre.

Wednesday 7 October

Attended the Nat Fyfe welcome home event. Thanks to Jeanette Bennett and Danielle Robertson for arranging the certificate at short notice.

Thursday 8 October

Regional Road Group meeting at Dumbleyung with CEO. Allowance of \$350,000 for the 2016/17 program which means we will have to trim around \$106,000 from the program.

Tuesday 13 October

Attended the 4WDL meeting in Lake Grace with Cr Clarke, Cr De Landgraft and the CEO.

Saturday 17 October

Witnessed the counting of the votes for the Local Government Elections. Congratulations to Cr Hunt on his re-election. Also attended the farewell to Sgt Martin Downey at the Sportsman's Club in the evening.

Councillors noted their congratulations and best wishes to Nat Fyfe on his being awarded the Brownlow Medal for 2015. He was commended for his ambassadorship to Lake Grace and its surrounds, shown in his continual positive projection of the area and his attentiveness to the people who attended his welcome home event on 7 October.

11.0 MATTERS FOR CONSIDERATION – INFRASTRUCTURE SERVICES

11.1 TENDER 3/2015 –SUPPLY AND DELIVER A MOTOR GRADER

Applicant:	Infrastructure Services
File No.	0586
Attachments:	Evaluation Workbook (under separate cover)
Author:	Mr Louka Shopov Manager Infrastructure Services
Disclosure of Interest:	Nil
Date of Report:	12 October 2015
Senior Officer:	Mr Neville Hale Chief Executive Officer

Summary

This report recommends the various actions in relation to Tender 3/2015 Supply and Deliver a Motor Grader

Background

An advertisement for the calling of tenders for supply and delivery of a motor grader was placed through WALGA preferred suppliers electronic quotations system on 26 July 2015. The following manufacturers and sales companies that were selected to submit tenders and responded to the request are listed in Table 1.

No	MANUFACTURER/SUPPLIER	MACHINE MODEL
1	Hitachi Construction Machinery (Australia)	John Deere 770G
2	Komatsu Australia Pty Ltd	Komatsu GD 655-5
3	CJD Equipment Pty Ltd	Volvo G940P
4	WesTrac Pty Ltd	CAT 12M

Table 1: List of Suppliers and Manufacturers

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

The assessment criteria applied was:

- | | |
|------------------------|-----|
| • Cost | 65% |
| • Warranty and Service | 15% |
| • Performance | 10% |
| • Delivery Time | 10% |

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

Comment

The Tenders were reviewed by an evaluation panel including the:

- Manager Infrastructure Services, Mr Louka Shopov
- Chief Executive Officer, Mr Neville Hale
- Shire of Lake Grace Mechanic, Mr Rob Palmer
- Grader Operator, Mr Norbert Marwick

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

No	MANUFACTURER/SUPPLIER	MACHINE MODEL	RANKING
1	Hitachi Construction Machinery (Australia)	John Deere 770G	71.3
2	Komatsu Australia Pty Ltd	Komatsu GD 655-5	70.8
3	CJD Equipment Pty Ltd	Volvo G940P	69.3
4	WesTrac Pty Ltd	CAT 12M	67.6

Table 2: Evaluation ranking

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

The following Shires in Western Australia operate motor graders John Deere 770 G: Narembeen, Yilgarn, Yalgoo, Laverton (2), Murchison, Merredin, Westonia and Gnowangerup. The feedback about performance, productivity, serviceability and value for money from Works Managers and Chief Executive Officers was commendable.

The change over price for John Deere 770 G is 24% more expensive than the next tender Komatsu GD 655-5. John Deere has got a more powerful engine, which will level and trim bigger quantity of gravel in shorter time. It would be able to cut diversion drains in thicker vegetation. It has a significantly higher trade-in value of approximately \$160,000 after 6 years and 7000 hours of work. The Shire, already operates motor grader John Deere 670 GP and by purchasing the same brand grader, the service and repair travel time cost could be reduced and spare parts and consumables be negotiated at lower cost. Higher cost of John Deere 770 G is based on superb reputation for engineering, efficiency, safety, operator comfort and economical, long useful life.

The preferred supplier to deliver a motor grader is Hitachi Construction Machinery (Australia) with their John Deere 770G machine, for the total change-over price of \$ 291,700 (GST excluded).

Legal Implications

Local Government Act 1995

Local Government (Functions and General) Regulations 1996

Policy Implications

Nil

Consultation

Internal: Grader operators
Shire Mechanic
Works Supervisor
Chief Executive Officer

External: Works Managers from shires operating John Deere 770G grader

Financial Implications

Allowances of \$379,746 for purchasing a new grader and \$90,000 expected trade in value for the current Volvo G940, were made in Shire 2015/16 Budget (change over cost of \$ 289,746 excluding GST).

The recommended John Deere 770 G is priced at \$371,700 with a trade in value for Volvo G940 of \$80,000 being a net value of \$ 291,700 (GST excluded).

Strategic Implications

Replacement of the Volvo G940 with a new machine will increase productivity, improve quality of works and reduce maintenance cost.

Voting Requirements

Simple majority required.

Resolution

MOTION 12144

Moved Cr Chappell
Seconded Cr Clarke

That Council, as per clause 16.1 of the Shire's Standing Orders Local Law, suspends standing orders at this time being 4:11 pm to discuss the tender submissions.

MOTION CARRIED 8/0

*Cr Armstrong left the meeting at 4:36 pm
Cr Armstrong returned to the meeting at 4:38 pm*

MOTION 12145

Moved Cr Chappell
Seconded Cr De Landgraft

That Standing Orders resume, the time being 4:39 pm.

MOTION CARRIED 8/0

MOTION 12146

Moved Cr Chappell
Seconded Cr Stanton

That Council in respect to Tender 3/2015:

- 1) Endorse the purchase of John Deere 770G for the price of \$371,700 (GST excluded); and,
- 2) Accept the trade in value of \$80,000 for its existing Volvo G940 (GST excluded)

MOTION CARRIED 8/0

Louka Shopov left the meeting at 4:50 pm

Louka Shopov returned to the meeting at 4:59 pm

11.2 TENDER 4/2015 –SUPPLY OF TWO PRIME MOVER TRUCKS

Applicant: Infrastructure Services
File No. 0586
Attachments: (under separate cover)
Author: Mr Louka Shopov
 Manager Infrastructure Services
Disclosure of Interest: Nil
Date of Report: 12 October 2015
Senior Officer: Mr Neville Hale
 Chief Executive Officer

Summary

This report recommends the various actions in relation to Tender 4/2015 Supply of Two Prime Mover Trucks.

Background

An advertisement for the calling of tenders for supply and delivery of two prime mover trucks was placed in *Western Australian* newspaper on 26 July 2015. The following manufacturers and sales companies that submitted tenders are listed in Table 1.

No	Tenderer/Supplier	Machine Model
1	CJD Trucks	Kenworth T409 SAR
2	Truck Centre WA	Mack Granite
3	Scania Australia Pty Ltd	Scania (LA 6x4 MNA 90)
4	WesTrac Pty Ltd	WesTrac (CT630A Day Cab)

Table 1: List of Tenderers

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

The assessment criteria applied was:

- Cost 65%
- Warranty and Service 15%
- Performance 10%
- Delivery Time 10%

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

Comment

The Tenders were reviewed by an evaluation panel including the:

- Manager Infrastructure Services, Mr Louka Shopov
- Chief Executive Officer, Mr Neville Hale
- Shire of Lake Grace Mechanic, Mr Rob Palmer

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

Tenderer	Machine Model	Ranking
CJD Trucks	KENWORTH-(T409 SAR)	71.5
WesTrac Pty Ltd	WesTrac CT 630A Day Cab	70.1
Truck Centre WA	Mack Granite	69.5
Scania Australia Pty Ltd	Scania LA 6x4 MNA 90	68.4

Table 2: Evaluation ranking

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

The following points were also taken into consideration during the assessment:

- 1) Kenworth T409 SAR would be equipped with one only major Computer, which is part of safety and meets Euro Five emission controls. This model truck has the new brake controls with trailer controls;
- 2) Kenworth engine does not require a special laptop to download fault codes. All information required can be accessed with a mobile phone. This will save on travel time or transportation of the truck in case of a breakdown;
- 3) All spare parts for Kenworth are available through CJD Equipment overnight. For comparison, spare parts for current DAF's are coming from Holland;
- 4) Low maintenance and repair cost. A replacement of a transmission of a European truck will cost \$34,000 against \$5,900 for Kenworth. Service travel cost could be shared with local Kenworth owners (one company in Lake Grace operates 13 trucks);
- 5) Kenworth T409 SAR was the only truck with 6 rods suspension system, complying with the Tender Specification;
- 6) Kenworth seat rating is 150kg, same as Mack Granite and CT630A CAT and 10 kg higher capacity than Scania;
- 7) Kenworth is fitted with a manual 18 speed overdrive gear box. Mack Granite has got 12 speed direct-drive automated manual transmission. Scania has automatic GRSO905 gearbox, as CT630A CAT is offered with 18 speed overdrive gear box;
- 8) Kenworth engine power is between 485 and 500 HP. Mack Granite has 500 HP, Scania-480 HP and CT 630A CAT 550 HP. Tender requirement was 400-450 HP;
- 9) All four machines are fitted with standard mud spray guards, tool box and hydraulic controller of the trailer; and,
- 10) Turning radius for a prime mover with two trailers is shorter than the turning radius of our existing combination of rigid truck with a dolly and a dog trailer. Mobility and load capacity are the main reasons to go back to configuration prime mover/two trailers (for distance longer than 5km) and prime mover/one trailer (when the source of gravel is closer than 5km). MC class driving licence is essential for multi combination and costs \$1,200 to upgrade from HC class. One driver from the construction crew has to undertake additional training.

The preferred supplier to deliver two prime mover trucks is KENWORTH, with their T409 SAR, for the total change over price of \$ 210,000.00 each (GST excluded).

Legal Implications*Local Government Act 1995**Local Government (Functions and General) Regulations 1996*Policy Implications

Nil

Consultation

Internal: Shire of Lake Grace mechanic
 Chief Executive Officer
 Shire of Lake Grace truck drivers

External: Contractors (Fyfe Transport)

Financial Implications

Allowances for purchasing of two new prime movers at total change over price of \$185,000 (GST excluded) have been made within Shire of Lake Grace 2015/16 Annual Budget.

The recommended T 409 SAR prime mover trucks are priced at \$270,000 each (GST excluded) with a trade in value of \$60,000 for each DAF FAT CF 85 (GST excluded) being net value of \$210,000 for each new truck.

The recommended purchase price is 13.5% more than Budget allowance. The difference could be recovered by selling existing trucks at public auction or save on purchasing of a one year old side tipper trailer, in excellent condition, for \$65,000 instead of brand new one for \$105,000 (included in this year budget).

Strategic Implications

The replacement of two current DAF FAT CF 85, with new machines will upgrade Shire of Lake Grace vehicle fleet, increase productivity, and reduce maintenance and running cost.

Voting Requirements

Simple majority required.

Recommendation

That Council in respect to Tender 4/2015:

- 1) Endorse the purchase of two Kenworth T 409 SAR prime movers for the price of \$270,000 each (GST excluded). Total value of \$540,000 (GST excluded); and,
- 2) Accept the trade in value of \$60,000 (GST excluded) for each existing DAF FAT CE 85 trucks.

Amended Motion

MOTION 12147

That Council in respect to Tender 4/2015:

- 1) Endorse the purchase of one Kenworth T 409 SAR prime mover for the price of \$270,000 each (GST excluded); and,
- 2) Accept the trade in value of \$60,000 (GST excluded) for one existing DAF FAT CE 85 trucks.

Moved Cr Stanton

Seconded

Motion lapsed for want of seconder.

Alternative Motion

MOTION 12148

Moved Cr Chappell

Seconded Cr De Landgraft

That Council:

1. Reject all 4/2015 tenders as presented; and,
2. Request Shire staff to review the specification and truck combination requirements prior to recalling tenders.

MOTION CARRIED ON PRESIDENT'S CASTING VOTE 4/4

Reason for change

Council was concerned about the budget impact and uncertainty regarding some attributes of the specifications which the tenders had presented.

12.0 MATTERS FOR CONSIDERATION – PLANNING
--

12.1 PLANNING APPLICATION – PROPOSED CHANGE OF USE FROM ‘GARDEN CENTRE’ TO ‘SHOP’ (BEAUTY THERAPY CLINIC) ON LOTS 190 & 191 (Nos.88 & 90) STUBBS STREET, LAKE GRACE

Applicant:	Miss Shenae Prater under the authority of Tiger Spark Electrical Pty Ltd (Landowner)
File No.:	0506
Attachments:	Plans 1 to 6
Author:	Messrs Joe Douglas & Carlo Famiano (Urban & Rural Perspectives) Town Planning Consultant
Disclosure of Interest:	Nil
Date of Report:	14 October 2015
Senior Officer:	Mr Neville Hale Chief Executive Officer

Summary

This report recommends that a planning application submitted by Miss Shenae Prater under the authority of Tiger Spark Electrical Pty Ltd (Landowners) to change the current approved use of the existing commercial building on the front portion of Lots 190 & 191 (Nos. 88 & 90) Stubbs Street, Lake Grace from ‘Garden Centre’ to ‘Shop’ to allow for the establishment of a new dermal and beauty therapy business be approved subject to conditions.

Background

The applicant is seeking Council’s planning approval to change the current approved use of an existing commercial building on the front portion of Lots 190 & 191 (Nos.88 & 90) Stubbs Street, Lake Grace from ‘Garden Centre’ to Shop’ to facilitate the establishment of a new dermal and beauty therapist business.

Lots 190 & 191 are located centrally within the Lake Grace townsite within close proximity to the intersection of Stubbs Street and South Road. The land is rectangular in shape, comprises a total combined area of approximately 2,160m² and has direct frontage and access to Stubbs Street along its northern boundary and a right-of-way along its southern boundary (see Plans 1 & 2).

Lots 190 & 191 have been extensively developed for commercial purposes and contain a number of improvements associated with their current approved use (i.e. commercial building, sheds, gravel access and parking areas, boundary fencing etc.) (see Plan 3).

On 21st December 2005 the Lake Grace Shire Council approved a planning application for the establishment of a ‘garden centre’ on the land. It is significant to note the land and buildings thereon are no longer being used for this purpose and are currently vacant.

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

- i) The establishment of a new dermal and beauty therapist business within the existing 50m² commercial building on the front portion of the subject land (see Plans 4 to 6);
- ii) Some of the services to be provided include skin needling, chemical peels, permanent hair reductions, vascular repairs, skin pigmentation repair, skin rejuvenation, waxing and beauty treatments;

- iii) The business will be operated by the applicant, a fully qualified dermal therapist, with no other people proposed to be employed at this stage;
- iv) Hours of operation will be between 9:00 am to 5:00 pm daily;
- v) The front facade of the existing building will be renovated (i.e. cleaned & painted) to improve its general appearance when viewed from the street;
- vi) The placement of a new 1 metre high, 4 metre wide colorbond advertising sign on the front facade of the existing building; and
- vii) Five (5) on-site car parking bays will be provided within the front setback area of the existing building to accommodate the parking demand likely to be generated for the new business.

Comment

Land Use Permissibility

Lots 190 & 191 are classified 'Service Commercial' zone under the Shire of Lake Grace's current operative Local Planning Scheme No.4 (LPS No.4).

Having regard for the various land use definitions contained in Appendix 1 of LPS No.4, it is concluded the proposed use of portion of the land for the intended purposes is most appropriately classified as a 'shop'.

Under the terms of LPS No.4 the use of any land in the 'Service Commercial' zone for the purposes of a 'shop' is classified as a 'D' use which means it is not permitted unless the local government has exercised its discretion by granting planning approval.

Following a detailed assessment of the application the reporting officers' have concluded the proposed use satisfies the various objectives and standards prescribed in LPS No.4 and is capable of being supported and approved by Council for the following reasons:

- i) It is unlikely to have any adverse impacts on the amenity, functionality and safety of the Lake Grace town centre area;
- ii) The traffic movements likely to be generated by the proposed use are unlikely to be excessive and are not therefore expected to have a detrimental impact on the surrounding local road network;
- iii) It will provide for the establishment of a new business in the Lake Grace townsite which could be expected to have a number of worthwhile economic and social benefits for the local community;
- iv) It is complimentary to and will add to the variety of existing business activity in the Lake Grace townsite and will provide for the productive use of an existing vacant, underutilized commercial building; and
- v) It will result in minor improvements and upgrades to the existing commercial building on the land which will be of benefit to the local streetscape.

In light of the above conclusion it is recommended that Council exercise its discretion and grant conditional planning approval.

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

The establishment of a new dermal and beauty therapy business in the Lake Grace townsite will provide a beneficial service to the local community, attract visitors from surrounding towns that may frequent other businesses and provide opportunity for passive social interaction.

Voting Requirements

Simple majority required.

Resolution**MOTION 12149**

Moved Cr Chappell
Seconded Cr Stanton

That the planning application submitted by Shenae Prater under the authority of Tiger Spark Electrical Pty Ltd (Landowners) to change the current approved use of the existing commercial building on the front portion of Lots 190 & 191 (Nos.88 & 90) Stubbs Street, Lake Grace from 'Garden Centre' to 'Shop' to allow for the establishment of a new dermal and beauty therapy business be approved subject to compliance with the following conditions and advice notes:

Conditions

1. The proposed new 'shop' use 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 five (5) existing on-site car parking bays located in the front setback area of the existing commercial building on the land shall be clearly marked and maintained to the specifications and satisfaction of the Shire of Lake Grace.
3. A maximum of two (2) employees may be accommodated by the business at any one time unless otherwise approved by Council.
4. The approved 'shop' use is limited to the existing 50m² commercial building on the front portion of the land unless otherwise approved by Council.
5. The operating hours of the business shall be 8:00 am to 6:00 pm daily unless otherwise approved by Council.
6. All rubbish generated on-site shall be managed and disposed of to the specifications and satisfaction of the Shire of Lake Grace.
7. The property shall be maintained in a neat and tidy condition at all times to the specifications and satisfaction of the Shire of Lake Grace.

Advice Notes

1. The use shall be established within a period of two (2) years from the date of this approval. If the use is not established within this period this approval will lapse and be of no further effect. Where this approval has lapsed, no activity 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 including any future proposed internal fit out works.
3. Any new internal fit out works within the existing building on the land are required to comply in all respects with the National Construction Code of Australia. Plans and specifications which reflect these requirements must be submitted to the Shire with the required 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. The approved use is required to comply with the standards and requirements of the *Health Act 1911 (as amended)* and all associated regulations including but not limited to the *Hair Dressing Establishment Regulations 1972* and *Health (Skin Penetration Procedure) Regulations 1998*. Further discussion with the Shire's Environmental Health Officer is recommended to ensure compliance with the aforementioned act and regulations.
6. Failure to comply with any of the conditions of this planning approval constitutes an offence under the provisions of the *Planning and Development Act 2005* and the Shire of Lake Grace Local Planning Scheme No.4 and may result in legal action being initiated by the local government.

MOTION CARRIED 8/0

12.2 PLANNING APPLICATION (REVISED PLANS) - PROPOSED NEW DANGEROUS GOODS STORAGE COMPOUND ON LOT 11 (No.7059) KULIN-LAKE GRACE ROAD, LAKE GRACE

Applicant:	Cooperative Bulk Handling (Landowner)
File No.:	0365
Attachments:	Attachment 1
Author:	Messrs Joe Douglas & Steve Pandevski (Urban & Rural Perspectives) Town Planning Consultant
Disclosure of Interest:	Nil
Date of Report:	14 October 2015
Senior Officer:	Mr Neville Hale Chief Executive Officer

Summary

This report recommends that a planning application submitted by Co-Operative Bulk Handling Limited (CBH) be supported.

The Landowner is seeking approval for revised plans for the proposed new dangerous goods storage compound at its grain handling and storage facility on Lot 11 (No.7059) Kulin-Lake Grace Road, Lake Grace which was approved by Council subject to conditions at its May 2015 Ordinary Meeting (Item 12.1 / Motion 12040).

It is recommended that the application be supported subject to conditions ensuring that the development proceeds in a proper and orderly manner and does not have any detrimental visual impact on the existing rural character of the immediate area and as viewed from Kulin-Lake Grace Road.

Background & Comment

At its May 2015 Ordinary Meeting (i.e. Item 12.1 / Motion 12040) Council granted planning approval for the construction of a new dangerous goods storage compound in the north western portion of Lot 11 Kulin-Lake Grace Road, Lake Grace which is occupied and used by Cooperative Bulk Handling Limited for bulk grain storage and distribution purposes.

Development of the compound, which has not yet commenced, is proposed to consolidate and rationalise the type and volume of chemicals currently stored in numerous locations on the land, improve the overall management of chemicals in a lockable and purpose built facility and ensure compliance with all current legislative requirements.

Following an internal review of the proposal CBH recently decided to seek Council's further planning approval to a revised set of plans for the project which propose the re-orientation of the storage compound. Under the terms of the revised plans CBH are proposing to site the new storage facility in the same location on the land but re-orientate it 90 degrees to what was originally approved by Council back in May 2015. Extracts from the applicant's submission including revised plans are contained in Attachment 1.

A detailed assessment of the latest planning application and associated plans confirms CBH's proposal to re-orientate the new storage compound satisfies the objectives and standards prescribed in the Shire of Lake Grace Local Planning Scheme No.4 subject to the proposed new structures within the compound being finished in an external colour that is consistent with the visual amenity and character of the surrounding rural environment.

Clause 5.31.1 of Local Planning Scheme No.4 (LPS No.4) expressly states:

“The use and/or development of land within view of a Major Road Reserve will be subject to the provisions and policies applicable to the zone in which the land is located as well as any additional conditions or standards imposed by the local government for the purpose of maintaining the visual amenity of these areas.” (Note: emphasis added)

The applicant has confirmed in writing its preparedness to finish the external surfaces of the proposed new structures within the compound in a shade of green consistent with the surrounding rural character instead of bright yellow and zincalume as shown on the original plans and white and zincalume as indicated in follow up discussions. The reporting officers' are satisfied this alternative proposal is acceptable and will satisfy the requirements of clause 5.31.1 of LPS No.4 (i.e. the proposed development will maintain the visual amenity and character of the immediate locality, particularly when viewed from Kulin-Lake Grace Road which is classified 'Major Road' reserve in LPS No.4).

Conclusion

It is concluded from a detailed assessment of the application that the revised plans for the proposed new dangerous goods storage compound on Lot 11 (No.7059) Kulin-Lake Grace Road, Lake Grace are unlikely to have a negative impact on the general amenity, character, functionality and safety of the immediate locality and may therefore be conditionally approved by Council.

Legal Implications

Planning and Development Act 2005

Shire of Lake Grace Local Planning Scheme No.4

Dangerous Goods Safety Act 2004

Dangerous Goods Safety (Storage and Handling of Non-Explosives) Regulations 2007

Policy Implications

Nil

Consultation

Community consultation not required.

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Simple majority required

Resolution

MOTION 12150

Moved Cr Hunt
Seconded Cr Stanton

That the planning application submitted by Co-Operative Bulk Handling Limited (CBH) seeking approval to revised plans for a proposed new dangerous goods storage compound at its grain handling and storage facility on Lot 11 (No.7059) Kulin-Lake Grace Road, Lake Grace be approved subject to compliance with the following conditions and advice notes:

Conditions

1. The development shall be completed within a period of twelve (12) months 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. 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.
3. The external surfaces of all structures within the new dangerous goods storage compound shall be painted green or a suitable shade thereof to the satisfaction of the Shire of Lake Grace to help maintain the visual amenity and character of the immediate locality.
4. All stormwater generated by the proposed development shall be managed and disposed of to the specifications and satisfaction of the Shire of Lake Grace.
5. All waste generated within the new dangerous goods storage compound shall be managed and disposed of to the specifications and satisfaction of the Shire of Lake Grace.
6. The former dangerous goods storage areas on the land shall be decommissioned and rehabilitated in accordance with all relevant legislation, regulations, policies and guidelines within eighteen (18) months of the date of this approval and shall include the removal and disposal of all waste materials and contaminated soil.
7. Any floodlights / security lights that need to be installed shall not 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.
8. The new dangerous goods storage compound shall be maintained in a neat and tidy condition at all times to the specifications and satisfaction of the Shire of Lake Grace.

Advice Notes

1. Acting on this approval has the effect of superseding any other planning approval granted for the site and relating to the same development, unless by express stipulation or by necessary implication the Shire of Lake Grace indicates otherwise.
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.

MOTION 12150 continued

3. The new buildings within dangerous goods storage compound are required to comply in all respects with the National Construction Code of Australia. Plans and specifications which reflect these requirements are required to be submitted with the building permit application.
4. The noise generated by any activities on-site including machinery motors or vehicles shall not exceed the levels as set out under the Environmental (Noise) Regulations 1997.
5. No construction works shall commence on the land prior to 7:00 am without the Shire's written approval.
6. The proposed dangerous goods storage compound shall be constructed and operated in accordance with the specific requirements of all relevant State and Federal legislation, regulations, codes of practice, policies and guidelines including but not limited to the following:
 - i) *Dangerous Goods Safety Act (2004)*;
 - ii) *Dangerous Goods Safety (Storage and Handling of Non-Explosives) Regulations (2007)*; and
 - iii) Department of Mines and Petroleum '*Storage and handling of dangerous goods codes of practice*'.
7. Failure to comply with any of the conditions of this planning approval constitutes an offence under the provisions of the *Planning and Development Act 2005* and the Shire of Lake Grace Local Planning Scheme No.4 and may result in legal action being initiated by the local government.

MOTION CARRIED 8/0

13.0 MATTERS FOR CONSIDERATION – HEALTH & BUILDING

No items for consideration

14.0 MATTERS FOR CONSIDERATION – FINANCE

14.1 ACCOUNTS FOR PAYMENT – SEPTEMBER 2015

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: 7 October 2015
Senior Officer: Ms Denise Gobbart
 Acting Manager Corporate Services

Summary

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

Background

List of payments for the month September 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; and,
- (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 September 2015 from the Municipal and Trust Account Total \$ 547,800.19

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.

Resolution**MOTION 12151**

Moved Cr Stanton

Seconded Cr Hunt

That Council ratify the list of payments totalling \$547,800.19 as presented for the month of September 2015 incorporating:

- Trust Account Cheques:	842 to 852	\$	1,938.00
- Electronic Funds Transfer:	EFT 14566 to EFT 14678	\$	380,486.48
- Municipal Account Cheques:	36131 to 36148	\$	113,695.63
- Direct Debits:	DD5695.5 to DD5741.1	\$	51,680.08

MOTION CARRIED 8/0

14.2 FINANCIAL STATEMENTS – AUGUST 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:	14 October 2015
Senior Officer:	Ms Denise Gobbart Acting Manager Corporate Services

Summary

Consideration of the financial statements for the month ending 31 August 2015.

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
- Balance Sheet
- 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

Civic Leadership Focus Area (5)

- *Excellence in Shire administration and communication*

Voting Requirements

Simple majority required.

Resolution**MOTION 12152**Moved Cr Chappell
Seconded Cr Hunt

That Council in accordance with Regulation 34 of the *Local Government (Financial Management) Regulations 1996* receives the Statement of Financial activity for the period ended 31 August 2015 as attached is received.

MOTION CARRIED 8/0

15.0 MATTERS FOR CONSIDERATION – COMMUNITY SERVICES
--

15.1 BUSHFIRE ADVISORY COMMITTEE - RECOMMENDATIONS

Applicant:	Shire of Lake Grace Bushfire Advisory Committee
File No.	0181
Attachments:	Minutes
Author:	Mr Paul Roadley Community Emergency Services Manager
Disclosure of Interest:	Nil
Date of Report:	13 October 2015
Senior Officer:	Ms Lee Holben Manager Community Services

Summary

The purpose of this report is for Council to receive the minutes of 1 October 2015 Bushfire Advisory Committee Meeting.

Background

The Shire of Lake Grace Bushfire Advisory Committee was held on 1 October 2015. The minutes (attached) reflect a number of resolutions and recommendations from the Committee of which the following require Council consideration.

Resolution 201504 - That the Shire considers reviewing the card units to ensure the batteries are working as designed and to install include signage at the card units with the phone number of the person to contact if the units are faulty.

Resolution 201507 - That the Shire of Lake Grace considers purchasing 3 - 4 satellite phones to assist with communications to the east of Lake King.

Comment

In regard to Resolution 201504 it is noted that a bond of \$50 is currently payable per card issued. This is refundable on return of the card. The bond is for card replacement and to ensure that card losses are kept to a minimum. Of the 94 cards currently issued, only eight persons or businesses hold duplicate cards.

In regard to Resolution 201507 DFES has advised that a new repeater will not be provided under current budget constraints. However the Shire should look to purchasing satellite phones for that area of the Shire where communications are suspect. Funding for this outcome can be sourced through the ESL Capital purchasing annual submission.

Legal Implications

Local Government Act 1995

Bush Fire Act 1954

Shire of Lake Grace Bush Fire Local Laws

Policy Implications

Nil

Consultation

Internal: Shire of Lake Grace Bushfire Advisory Committee
 Manager Community Services
 Manager Infrastructure Services

External: Lake King Bush Fire Brigade
 Newdegate Bush Fire Brigade
 Varley Bush Fire Brigade
 Department of Fire and Emergency Services

Financial Implications

Resolution 201504 – Fees & charges schedule – the bond protects the Shire against cost of replacement. Should some cards not be covered by a bond there is the potential for substantial cost for replacement of cards.

Resolution 201507 – There are currently no funds available for the purchase of satellite phones. The cost of each unit is \$1,495 plus fitting to four vehicles estimated at \$400 each. Ongoing monthly service fees of up to \$85 will also be payable.

That is a capital outlay of \$7,580 plus operating costs of \$340 per month (\$4,080 pa) which would need to be included in the ESL operating expenditures.

Strategic Implications

Shire of Lake Grace Community Strategic Plan

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

Voting Requirements

Simple majority required.

Resolution**MOTION 12153**

Moved Cr Marshall
 Seconded Cr Hunt

That Council:

1. Receive the minutes of the Bushfire Advisory Committee Meeting held on 1 October 2015;
2. Not change the card issuing process and that each card remains subject to a \$50 bond; and,
3. Supports the purchase of four satellite phones to assist with communications in the area east of Lake King, subject to an application being submitted for ESL funding by the Shire's Community Emergency Services Manager.

MOTION CARRIED 8/0

Cr Stanton left the meeting at 5:20 pm
 Cr Marshall left the meeting at 5:24 pm
 Cr Marshall returned to the meeting at 5:25 pm

16.0 MATTERS FOR CONSIDERATION - ADMINISTRATION

16.1 ESTABLISHMENT OF COUNCIL COMMITTEES

Applicant:	Executive Services
File No.	0039
Attachments:	Nil
Author:	Mrs Danielle Robertson Executive Assistant
Disclosure of Interest:	Nil
Date of Report:	9 October 2015
Senior Officer:	Mr Neville Hale Chief Executive Officer

Summary

The purpose of this report is for Council to establish Committees of Council for the next two years with terms expiring in October 2017.

Background

Committees require review following each ordinary election or upon the resignation/retirement of one of its members. Local Government elections were held on 17 October 2015.

The last review of Committees was in November 2013.

Comment

In accordance with the Local Government Act 1995 Council may establish a number of varying types of committee detailed as follows;

s5.9. Committees, types of

- (1) In this section —
other person means a person who is not a council member or an employee.
- (2) A committee is to comprise —
 - (a) council members only; or
 - (b) council members and employees; or
 - (c) council members, employees and other persons; or
 - (d) council members and other persons; or
 - (e) employees and other persons; or
 - (f) other persons only.

s5.10. Committee members, appointment of

- (1) A committee is to have as its members —
 - (a) persons appointed* by the local government to be members of the committee (other than those referred to in paragraph (b)); and
 - (b) persons who are appointed to be members of the

committee under subsection (4) or (5).

* Absolute majority required.

Advertisements seeking community representatives for the Lake Grace Library & Community Resource Centre Committee, The Newdegate Rejuvenation Project Committee and the Audit Committee have been published. Applications were to be submitted in writing; at the time of preparing this report only one nomination for the Audit Committee has been received.

Current community representatives on these committees have been contacted and invited to renominate their position, with the exclusion of Mr Ollie Farrelly who is the community representative on the Lake Grace Library & Community Resource Centre Committee. The community representative for this committee is to be nominated by the committee and Council shall endorse the appointment at the November Ordinary meeting, as per the current agreement between the Shire of Lake Grace and the Minister for Education (2005).

In summary under the *Local Government Act 1995*, Committees can be classified as:

1. Council committees, that is, a committee of three or more persons established by council to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees*; or,
2. Non-Council Committees established by some other authority or community group that operates with no delegated authority in respect to Council's powers or duties but which have an interest in some of the activities of Council and to which Council wishes to have formal representation.

Note The Lake Grace Shire Council has no committees with any delegated authority in respect to the exercising of power and the discharge of duties.*

COUNCIL COMMITTEES

The following tables provide the information relevant to each committee to be established:

Lake Grace Library and Community Resource Centre Management Committee

Authority:	Lake Grace Library Management Agreement
Delegation:	No delegated authority – minutes available
Current Membership:	Cr Clarke & CEO or his nominee Committee – as per Agreement Community Representative – Mr Ollie Farrelly Executive Officer – Mrs Lois Dickins (non-voting)
Meetings:	Quarterly
Current Status	Active

Background/Comment

In accordance with Recitals of the Licence Agreement Recital C; A Committee will be established under the provisions of s5.9 (2)(c) of the Local Government Act 1995 as set out in clause 3 of the License Agreement.

Clause 3, annexure B4.2 of the Licence Agreement- Lake Grace Library and Resource Centre requires the Committee to consist of:

- 2 members appointed by the Shire
- 2 members to be appointed by the Minister, one to be the Principal;
- 1 member representing the Community Resource Centre Management Committee; and
- 1 elected community member (election to be organized by the Management Committee).
- the School/Community Librarian as the Executive Officer of the Committee.

Conclusion

Two members to be appointed by the Shire as per above, one elected member along with the CEO or his nominee.

Shire of Lake Grace Audit Committee

Authority:	<i>Local Government Act 1995</i> section 5.9 (1) and 5.9 (2) (d), section 7. <i>Local Government Financial Regulations</i> sections 4-8.
Delegation:	No delegated authority. Minutes are published and distributed to Councillors.
Current Membership:	Cr Hunt, Cr Walker, Cr Marshall, Mr Ollie Farrelly
Meetings:	Quarterly – usually held immediately prior to a Council Meeting.
Current Status	Active

Background/Comment:

The Audit Committee is established under the *Local Government Act 1995* section 5.9 (1) and 5.9 (2) (d), section 7, and Financial Regulations sections 4-8 as gazetted in March 2005.

It is a requirement under the Local Government Financial Regulations that Council appoint an Audit Committee.

Recommendations are made in minutes of the Audit Committee meetings and should a Council decision be required, recommendations are included as an item of business at the first available Ordinary Meeting of Council.

The function of the committee is to provide guidance and assistance to the local government as to:

- the carrying out of its functions in relation to audits carried out under Part 7 of the Act;
- the development of a process to be used to select and appoint a person to be an auditor; and
- may provide guidance and assistance to the local government as to matters to be audited, the scope of audits, its functions under Part 6 of the Act; and the carrying out of its functions relating to other audits and other matters related to financial management.

Members are appointed for a two year term with the last appointments made in November 2013. Accordingly re-appointments to this Committee are now due.

As per the Audit Committee's Terms of Reference the committee is to consist of four members with three elected members and one external person.

As previously mentioned the community representative position has been advertised. Current community representative on the Audit Committee, Mr Ollie Farrelly was contacted regarding the need to be re-appointed and has returned a nomination in writing. At the time of this report no other nominations have been received.

Conclusion

Three elected member appointments be made. Mr Ollie Farrelly be appointed as community representative.

Integrated Planning Asset Management Committee

Authority	<i>Local Government Act 1995</i> section 5.9 (1) and 5.9 (2) (d), section 7.
Delegation	No delegated authority
Current Membership	Cr Walker, Cr De Landgrafft, Cr Marshall, CEO, MIS, MCRS, MCMS
Meetings	4 times per year
Current Status	Active

In accordance with the Shire's Asset Management Plan and its requirements under its Integrated Planning and Reporting obligations of the Local Government Act 1995 the Integrated Planning Asset Management Working Group was initially established in November 2013.

Conclusion

Three elected member appointments be made along with the CEO, MIS, MCRS and MCMS as per initial committee establishment.

Newdegate Town Centre Rejuvenation Committee

Authority	<i>Local Government Act 1995</i> section 5.9 (1) and 5.9 (2) (d), section 7.
Delegation	No delegated authority
Current Membership	Cr Walker, Cr Armstrong, Cr De Landgrafft Community Representatives – Mrs L Ellard, Mrs R Lloyd, Mrs J Walker, Mrs D Gosling
Meetings	As required
Current Status	Active

The charter of this committee is to consult on the status of the Newdegate Town Centre Rejuvenation Project and where appropriate make recommendations to Council on the following matters:

- Stage One – Proposals for the design, construction and fit out of the Newdegate Medical Centre;
- Stage Two – Proposals for the Newdegate Town Hall additions or modifications;
- Stage Three – Proposals for the design, construction and fit-out of the Newdegate aged accommodation units.

Stage One is completed and Stage Three is in progress.

Conclusion

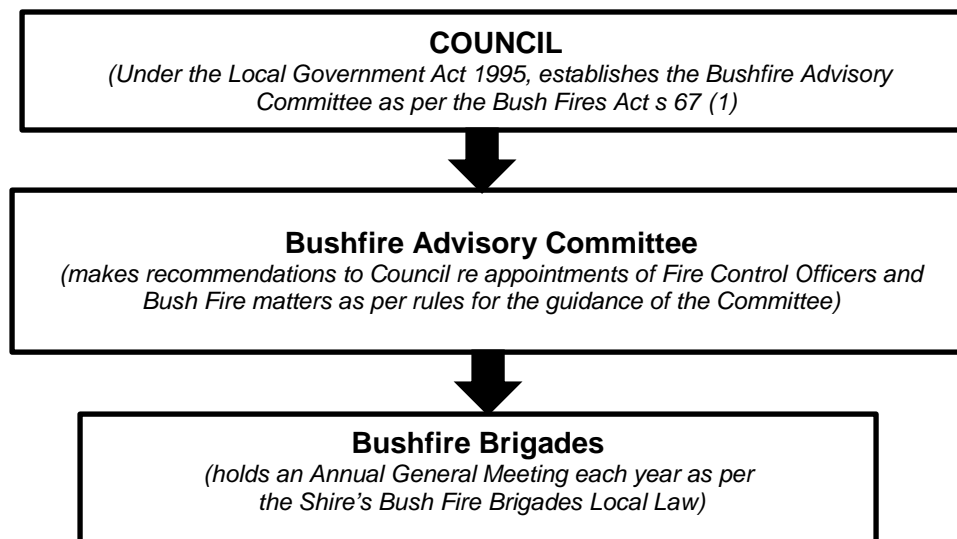
Three elected member appointments be made. No nominations have been received at the date of this report for the community representatives

Bushfire Advisory Committee

Authority:	<i>Bush Fires Act 1954</i> Section 67, (1) – refer Legal Implications heading below <i>Local Government Act 1995</i> Shire of Lake Grace Bushfires Local Law
Delegation:	No delegated authority - minutes published in Council's Information Bulletin. Recommendations are made in minutes of the meetings and should a Council decision be required recommendations are to be included as an item of business at the first available Ordinary Meeting of Council.
Membership:	As per Bushfires Local Law.
Meetings:	Twice per year – at six month intervals, one to be following the AGM of the Brigades.
Current Status:	Bushfire Advisory Committee & Brigades currently operate as one, requires formal establishment as a Committee of Council and clarification of its role.

Background/Comment

Under the *Local Government Act 1995*, the *Bush Fires Act 1954* and the *Shire's Bush Fire Local Laws* the structure for the Bushfire Advisory Committee and its Bush Fire Brigades is demonstrated in the following diagram:



Bush Fires Act 1954 Section 67:

- (1) A local government may at any time appoint such persons as it thinks fit as a bush fire advisory committee for the purpose of advising the local government regarding all matters relating to the preventing, controlling and extinguishing of bush fires, the planning of the layout of fire-breaks in the district, prosecutions for breaches of the Act, the formation of bush fire brigades and the grouping thereof under group brigade officers, the ensuring of cooperation and coordination of bush fire brigades in their efforts and activities, and any other matter relating to bush fire control whether of the same kind as, or a different kind from, those specified in this sub section.

- (2) *A committee appointed under this section shall include a member of the council of the local government nominated by it for that purpose as a member of the committee, and the committee shall elect one of their number to be a chairman thereof.*
- (3) *In respect to a committee so appointed, the local government shall fix the quorum for the transaction of business at meetings of the committee and may-*
- (a) make rules for the guidance of the committee; and*
 - (b) accept the resignation in writing of, or remove, any member of the committee; and*
 - (c) where for any reason a vacancy occurs in the office of a member of the committee, appoint a person to fill that vacancy.*
- (4) *A committee appointed under this section-*
- (a) May from time to time meet and adjourn as the committee thinks fit;*
 - (b) Shall not transact business at a meeting unless the quorum fixed by the local government is present;*
 - (c) Is answerable to the local government and shall, as and when required by the local government, report fully on its activities.*

Conclusion

It is recommended that Council establish the Bushfire Advisory Committee with the following Terms of Reference:

1. Purpose of the Committee:

To advise Council on all matters relating to:

- The prevention, control and extinguishing of bush fires
- The planning of the layout of fire-breaks in the district
- Prosecutions for breaches of the Act
- The formation of bush fire brigades and the grouping thereof under group brigade officers
- To ensure cooperation and coordination of bush fire brigades in their efforts and activities
- Any other matter relating to bush fire control

2. Membership of the Bushfire Advisory Committee

- 1 x Member of Council
- 1 x Chief Fire Control Officer (FCO)
- 3 x Deputy Chief Fire Control Officers
- 1 x North Lake Grace Brigade FCO
- 1 x South Lake Grace Brigade FCO
- 1 x North Newdegate Brigade FCO
- 1 x South Newdegate Brigade FCO
- 1 x Lake King Varley Brigade FCO
- 1 x Mt Madden/Dunn Rock Brigade FCO

Community Emergency Services Officer (CESM) to act as Executive Officer (non-voting).

3. Chairman

The Committee shall elect one of their number to be chairman.

4. Quorum

As per local Government Act 1995 section 5.19 and Shire of Lake Grace Standing Orders Local Law, the quorum for a meeting of the Bushfire Advisory Committee is at

least 50% of the number offices (whether vacant or not) of members of the committee.

5. Committee Vacancies

Where for any reason a vacancy occurs in the officer of a member of the committee the local government (i.e. Council) is to appoint a person to fill that vacancy.

Legal Implications

Local Government Act, 1995 - s5.9, s5.10, s5.11, s5.17, s5.98

Local Government Act 1995 – s7

Local Government (Administration) Regulations 1996

Local Government (Financial) Regulations sections 4-8, as amended 2005

Bushfire Local Law

Standing Orders Local Law

Emergency Management Act 2005

Policy Implications

N/A

Consultation

External: Various committees require the seeking of community representation

Financial Implications

Attendance fees are payable to Elected Members of the Audit Committee, the Newdegate Rejuvenation Committee, the Lake Grace Library and Community Resource Centre Management Committee, the Bush Fires Advisory Committee and the Integrated Planning Asset Management Committee.

Strategic Implications

Shire of Lake Grace Community Strategic Plan

- *Ec 1.3 Ensure the Shire's capital investment program is cost effective and financially sustainable*
- *CL 1.2 Encourage greater community input into the decision making process*
- *CL 1.3 Improve organisational capability and capacity*

Voting Requirements

Absolute majority (5) required.

Resolution**MOTION 12154**

Moved Cr Hunt
 Seconded Cr De Landgraft

Audit Committee

That Council establish, in accordance with s5.9(2)(d) of the Local Government Act 1995, Local Government (Financial Management) Regulations s4 to 8 and the endorsed Terms of Reference, its Audit Committee and appoint:

Cr Hunt, Cr Marshall, Cr Walker and

Mr Ollie Farrelly (external /community)

As members of the Audit Committee.

MOTION CARRIED BY ABSOLUTE MAJORITY 7/0

Cr Stanton returned to the meeting at 5:22 pm

Resolution**MOTION 12155**

Moved Cr Chappell
 Seconded Cr Hunt

Lake Grace Library and Community Resource Centre Committee

That Council establish, in accordance with s5.9(2)(c) of the Local Government Act 1995 and with the requirements of the Licence Agreement – Lake Grace Library and Community Resource Centre Management Agreement, a management committee and appoint:

Cr Clarke, CEO (or nominee)

2 x Ministerial appointees

1 x Community Resource Centre Management

1 x Community representative To be advised–November Ordinary meeting

Executive Officer (non-voting) Lois Dickins (Library)

as members of the Management Committee,

MOTION CARRIED BY ABSOLUTE MAJORITY 8/0

Resolution**MOTION 12156**

Moved Cr Chappell
 Seconded Cr Stanton

Newdegate Town Centre Rejuvenation Committee

That Council establish, in accordance with s5.9(2)(c) of the Local Government Act 1995 the Newdegate Town Centre Rejuvenation Committee and appoint:

Cr De Landgraft, Cr Armstrong, Cr Walker

Community Representatives Mrs Diana Gosling

as members of the committee.

MOTION CARRIED BY ABSOLUTE MAJORITY 8/0

Resolution**MOTION 12157**

Moved Cr Hunt
 Seconded Cr Clarke

Integrated Planning and Asset Management Committee

That Council establish, in accordance with s5.9(2)(c) of the Local Government Act 1995 the Integrated Planning & Asset Management Committee and appoint:

Cr Walker, Cr De Landgraft, Cr Marshall, Chief Executive Officer, Manager Infrastructure Services, Manager Corporate Services and Manager Community Services
 as members of the Committee

MOTION CARRIED BY ABSOLUTE MAJORITY 8/0

Resolution**MOTION 12158**

Moved Cr Armstrong
 Seconded Cr Stanton

Bushfire Advisory Committee

That Council establish, in accordance with s5.9(2)(d) of the Local Government Act 1995 the Bushfire Advisory Committee:

1. and appoint the following as members of the committee:

Member of Council:	Cr Chappell
Chief FCO:	Mr Brad Watson
Deputy Chief FCO:	Mr Doug Dunham
Deputy Chief FCO:	Mr Wes Hall
Deputy Chief FCO:	Mr Richard Metcalf
North Lake Grace Brigade FCO:	Mr Greg Carruthers
South Lake Grace Brigade FCO:	Mr Scott Strevett
North Newdegate Brigade FCO:	Mr Tim Lloyd
South Newdegate Brigade FCO:	Mr Geoff Richardson
Lake King Varley Brigade FCO:	Mr Hugh Roberts
Mt Madden/Dunn Rock Brigade FCO:	Mr Bernie Giles

2. That the Terms of Reference for the Bushfire Advisory Committee is as follows:

1. Purpose of the Committee:

To advise Council on all matters relating to:

- The prevention, control and extinguishing of bush fires
- The planning of the layout of fire-breaks in the district
- Prosecutions for breaches of the Act
- The formation of bush fire brigades and the grouping thereof under group brigade officers
- To ensure cooperation and coordination of bush fire brigades in their efforts and activities
- Any other matter relating to bush fire control

2. Membership of the Bushfire Advisory Committee

1 x Member of Council

1 x Chief Fire Control Officer (FCO)

3 x Deputy Chief Fire Control Officers

1 x North Lake Grace Brigade FCO

1 x South Lake Grace Brigade FCO

1 x North Newdegate Brigade FCO

1 x South Newdegate Brigade FCO

1 x Lake King Varley Brigade FCO

1 x Mt Madden/Dunn Rock Brigade FCO

Community Emergency Services Officer (CESM) to act as Executive Officer (non-voting).

3. Chairman

The Committee shall elect one of their number to be chairman.

4. Quorum

As per local Government Act 1995 section 5.19 and Shire of Lake Grace Standing Orders Local Law, the quorum for a meeting of the Bushfire Advisory Committee is at least 50% of the number offices (whether vacant or not) of members of the committee.

5. Committee Vacancies

Where for any reason a vacancy occurs in the officer of a member of the committee the local government (i.e. Council) is to appoint a person to fill that vacancy.

MOTION CARRIED BY ABSOLUTE MAJORITY 8/0

16.2 APPOINTMENT OF DELEGATES TO EXTERNAL COMMITTEES AND ORGANISATIONS

Applicant:	Executive Services
File No.	0052
Attachments:	Nil
Author:	Mrs Danielle Robertson Executive Assistant
Disclosure of Interest:	Nil
Date of Report:	9 October 2015
Senior Officer:	Mr Neville Hale Chief Executive Officer

Summary

The purpose of this report is for Council to appoint delegates to External Committees and Organisations to review its representation on various external committees for the next two years with terms expiring in October 2017.

Background

The appointment of delegates require review following each ordinary election or upon the resignation/retirement of one of its members. Local Government elections were held on 17 October 2015.

The last review of delegates was in November 2013.

Comment

In regard to Natural Resource Management and the Shire's membership to that organisation, Mr Ollie Farrelly, has indicated his willingness to represent the Shire at those meetings.

Former Councillor Mr Dean Sinclair has indicated his willingness to continue his representation of the Shire at the meetings of the Eastern Wheatbelt Biosecurity Group (formerly the Eastern Wheatbelt Declared Species Group).

In summary under the *Local Government Act 1995*, Committees can be classified as:

3. *Non-Council Committees established by some other authority or community group that operates with no delegated authority in respect to Council's powers or duties but which have an interest in some of the activities of Council and to which Council wishes to have formal representation.*

Following, is a list of Council's previous delegates to external committees and organisations to which Council may wish to appoint delegates:

EXTERNAL COMMITTEES & ORGANISATIONS

Lake King Grassed Oval Committee

Authority:	Lake King Progress Association
Delegation:	No delegated authority
Current Membership:	Cr De Landgraftt
Meetings:	Quarterly
Current Status	Active

Background/Comment

Facility is managed by the above Committee under the umbrella of the Lake King Progress Association.

Conclusion

Cr De Landgraftt remain as representative.

Regional Road Group – Wheatbelt South

Authority:	Main Roads WA
Current Membership:	President & Deputy President – CEO & MIS attend as advisors
Meetings:	Quarterly
Current Status	Active

Conclusion

President and Cr _____ be appointed as representatives.

Regional Road Group – Wheatbelt South, Lakes Sub Group

Authority:	Main Roads WA
Current Membership:	President & Deputy President – CEO & MIS attend as advisors
Meetings:	Quarterly
Current Status	Active

Conclusion

President and Cr _____ be appointed as representatives.

WALGA Central Country Zone

Authority:	Western Australian Local Government Association
Current Membership:	President & Deputy President
Meetings:	Quarterly
Current Status	Active

Conclusion

President and Cr _____ be appointed as representatives.

Roe Tourism Association

Authority:	Roe Tourism Association
Current Membership:	Cr Clarke Lake Grace Visitor Information Centre representatives

Meetings:	Bi Monthly
Current Status	Active

Background/Comment

The Shire is a financial member of the Roe Tourism Group. Membership of this group is important in terms of the Shire's involvement in regional tourism and it provides opportunities and brings untold benefits for the promotion of our area and attractions.

Lake Grace Visitor Centre Mary Naisbitt and the Shire's Manager Community Services regularly attend these meetings.

Conclusion

Cr _____ be appointed as representative.

Newdegate Recreation Council

Authority:	Newdegate Recreation Council
Delegation:	No delegated authority
Current Membership:	Cr Armstrong Manager Corporate Services & Manager of Infrastructure
Meetings:	Bi - monthly
Current Status	Active – strong community organisation

Background/Comment

Bookings for the Indoor Recreation Centre are booked through the Newdegate CRC. The Shire pays the Newdegate CRC to act as secretariat. Finances are managed via Shire administration.

Conclusion

Cr Armstrong and staff as required be appointed as representatives.

Roadwise Committee

Authority:	West Australian Local Government Association
Current Membership:	Manager of Works Roadwise Officer, LG Community Resource Centre Secretariat, Emergency Services, Youth, Police
Meetings:	Monthly or as determined by Roadwise Officer
Current Status	Active

Background/Comment

The Roadwise Committee is a WA Local Government Association initiative.

The Lake Grace Community Resource Centre is contracted by the Shire to provide secretarial duties. Staff attend the meetings.

Conclusion

Manager Infrastructure Services or their nominee be appointed representative.

Joint Development Assessment Panel - Wheatbelt Region

Authority:	Dept of Planning - Planning & Development (develop Assessment Panels)
------------	---

	Regulations 2011
Current Membership:	Cr Chappell, Cr Armstrong Alternate members – Cr Walker, Cr Clarke
Meetings:	As required
Current Status	Active

Background/Comment

Development Assessment Panels were introduced in July 2011 to determine development applications that meet prescribed criteria.

Should a change in the composition of Council occur following the October 17 local government elections nominations may need to be made.

The Shire has been requested by the Department of Planning to provide two members and two alternative JDAP members

Should the Panel be required to meet in Lake Grace, the Shire is to provide secretarial support to the Panel.

Conclusion

Two Councillors be nominated and two alternative members nominated.

4WDL VROC

Authority:	Shires of Wagin, Williams, West Arthur, Woodanilling, Dumbleyung and Lake Grace
Current Membership:	Shire President, Deputy Shire President and CEO
Meetings:	Monthly - Council representative meeting bi-monthly
Current Status	Active

Background/Comment

The Shire is a full member of the 4WDL and the CEO attends monthly meetings. Every second meeting is a Councillor representative meeting and is attended by the Shire President and/or Deputy.

This Group is supported by an Officer from the Shire of Lake Grace.

Conclusion

President be appointed and Cr _____ as proxy together with the CEO or his representative.

Australian Rural Road Group Inc.

Authority:	Australian Rural Road Group Inc.
Current Membership:	Shire President & CEO
Meetings:	As required
Current Status	Active

Background/Comment

At the March 2010 Ordinary Meeting of Council, it was resolved for the Shire to be a member of the Australian Rural Road Group Inc (AARG). The purpose of AARG is to develop a strategy to lobby the Commonwealth Government for additional new road funding regarding those local governments throughout Australia where the value of their agricultural activity is in excess of \$100M.

At the time of becoming a member Lake Grace was ranked 25 overall with its agricultural activity coming in at \$192.8M and as such was the second most productive district in WA. Esperance sat at number two nationally on the list overall with \$370.8M.

The premise is to tie an acceptable level of funding to the amount contributed to the Gross Domestic Product expressed as an amount per kilometre of the road network length.

The Gwydir Shire Council provides executive support to the Group.

Conclusion

That the Shire President and the CEO be appointed as representatives to the Australian Rural Road Group.

Rural Water Council

Authority:	Rural Water Council Inc
Current Membership:	Cr Chappell & Cr Armstrong
Meetings:	Bi-annual
Current Status	Active

Background/Comment

The Rural Water Council was formed during 2010 with Cr Chappell and Cr Armstrong the Shire representatives.

Conclusion

That Crs Chappell and Armstrong be appointed as delegates to the Rural Water Council Inc.

Eastern Wheatbelt Primary Health Care Group

Authority:	Shires of Corrigin, Kondinin, Kulin, Lake Grace & Narembeen
Current Membership:	Shire President & CEO
Meetings:	As required
Current Status	Active

Background/Comment

The Eastern Wheatbelt Primary Health Care Group was established early in 2011 as a result of the shared vision between the Shires of Lake Grace, Kondinin, Corrigin and Kulin to establish a group scheme for the provision of GP services. Council endorsed the Shire of Lake Grace as a signatory to the Eastern Wheatbelt Primary Care Project in February 2011. The Shire of Narembeen is now also a member.

A Business Case regarding GP recruitment and setting up a support business unit has been developed with contributions from each shire and funding from Rural Health West.

Conclusion

That the Shire President and the CEO be appointed as representatives to the Eastern Wheatbelt Primary Health Care Group.

Wheatbelt Railway Retention Alliance

Authority:	WA Farmers Federation - Wheatbelt Railway Retention Alliance
Current Membership:	Cr Walker, Cr Marshall - Proxy Cr Stanton, CEO & staff as required

Meetings:	As required
Current Status	Active

Background/Comment

The Wheatbelt Railway Retention Alliance was formed in 2011 as a lobby group for the retention of Tier 3 railway lines in the Wheatbelt. The WA Farmers Federation provides support to the Group. The Group has been proactive in its approach to the State Government. Its activities are centred in the Central Wheatbelt Region.

Council endorsed membership to the Wheatbelt Railway Retention Alliance at its 23 March 2011 Ordinary Meeting.

Conclusion

Two Councillors and a proxy be appointed as representatives to the Wheatbelt Railway Retention Alliance.

Eastern Wheatbelt Biosecurity Group Inc

Authority:	Eastern Wheatbelt Biosecurity Group Inc
Current Membership:	Former Cr Sinclair & staff as required
Meetings:	As required
Current Status	Active

Background/Comment

The Shire of Lake Grace has been associated with and has financially supported this group over the past 12 years. The group comprises ten Shires from Mt Marshall down to Lake Grace and with support from the Department of Agriculture and Food, has worked to successfully control numbers and activities of wild dogs in the Eastern Wheatbelt.

To continue to receive ongoing funding the Group was required to become a recognised Biosecurity Group. The Department of Agriculture currently provides administrative support to the Group. The Group is in the process of establishing an appropriate funding model to secure its future operations.

Conclusion

Former Councillor Mr Dean Sinclair continue as the Shire of Lake Grace representative at the meetings.

Lake Grace District High School Board

Authority:	Lake Grace District High School Board
Membership:	Cr Hunt
Meetings:	Twice per school term
Current Status	Active

Background/Comment

In 2011 the Shire received correspondence from Lake Grace District High School requesting Council representation on their Board.

Conclusion

Cr _____ be appointed as representative.

Lake Grace Visitor Centre Committee

Authority:	Lake Grace Visitor Centre Committee
Current Membership:	Cr Clarke
Meetings:	Monthly
Current Status	Active

Background/Comment

In 2011 the Shire received correspondence from the Lake Grace Visitor Centre requesting Council representation on their committee.

Conclusion

Cr _____ be appointed as representative.

Comment

Council may wish to consider appointing proxies to certain external committees and organisations in order to cover attendance for the nominated delegates and ensure regular elected member representation.

Legal Implications

Local Government Act, 1995 - s5.9, s5.10, s5.11, s 5.17, s5.98

Local Government Act 1995 – s7

Local Government (Administration) Regulations 1996

Local Government (Financial) Regulations sections 4-8, as amended 2005

Bushfire Local Law

Standing Orders Local Law

Emergency Management Act 2005

Policy Implications

N/A

Consultation

External: Various committees require the seeking of community representation

Financial Implications

Councillors attending other committee meetings may claim travel only – no attendance fees are payable.

Non-Councillor delegates representing the Shire are entitled to be reimbursed for travelling expenses incurred.

Strategic Implications

Shire of Lake Grace Community Strategic Plan

- *Ec 2.2 Harness tourism opportunities by partnering with neighbouring Shires / tourism organisations.*
- *En 2.2 Introduce a shire water management strategy*
- *En 3.3 Control and manage feral animals in association with regional partners.*

Policy Implications

N/A

Voting Requirements

Absolute majority (5) required

Resolution**MOTION 12159**

Moved Cr Chappell
Seconded Cr Clarke

That Council appoint delegates to the following external committees and organisations as indicated below:

Lake King Grassed Oval Committee

Cr De Landgraft

Regional Road Group – Lakes Sub Group

President & Deputy Shire President, (CEO & MIS as advisors.)

WALGA Central Country Zone

President & Deputy President.

Roe Tourism Association

Cr Clarke with Cr Marshall as proxy

Newdegate Recreation Council

Cr Armstrong

Roadwise Committee

Manager Infrastructure Services

Joint Development Assessment Panel – Wheatbelt Region

Cr Chappell and Cr Armstrong as members

Cr Walker and Cr Clarke as alternate members

4WDL VROC

President & Deputy President

Rural Water Council

Cr Armstrong and Cr Chappell

Eastern Wheatbelt Primary Health Care Group

President & CEO

Wheatbelt Retention Railway Alliance

Cr Marshall

Eastern Wheatbelt Biosecurity Group

Mr Dean Sinclair

MOTION 12159 continued**Lake Grace District High School Board**

Cr Hunt

Lake Grace Visitor Centre Committee

Cr Clarke

Natural Resource Management Committee

Mr Ollie Farrelly

MOTION CARRIED BY ABSOLUTE MAJORITY 8/0

16.3 APPOINTMENT OF AUTHORISED PERSONS

Applicant:	Executive Services
File No.	0052
Attachments:	Nil
Author:	Mrs Danielle Robertson Executive Assistant
Disclosure of Interest:	Nil
Date of Report:	9 October 2015
Senior Officer:	Mr Neville Hale Chief Executive Officer

Summary

The purpose of this report is for Council to appoint Authorised Persons to exercise power under the Local Government Act 1995, associated legislation and other Acts, on behalf of the Shire of Lake Grace.

Background

Council previously, at its 24 June 2015 Ordinary Council Meeting, appointed authorised officers.

In accordance with a number of provisions of various Acts, Regulations and local laws, Council is required to appoint authorised persons to perform various authorised functions.

Authorisations are reviewed and updated to reflect staff changes. Following the resignation of Acting Manager Corporate Services, Peter Dittrich and the subsequent appointment of Denise Gobbart in this role the authorisations need to be reviewed.

Comment

(1) Section 3.24 of the *Local Government Act 1995* enables a local government to expressly authorise a person(s) to exercise its executive powers under the Act.

These authorisations relate to certain provisions about land, including issuance of notices requiring certain things to be done by an owner or occupier of land in accordance with Schedule 3.1 of the Act. These can include matters relating to drainage requirements, safety issues and unsightly land. It is proposed to appoint Mr Neville Hale, Ms Denise Gobbart and Mr Louka Shopov.

(2) Part 3 Division 3 Section 3.28 & 3.29 of the *Local Government Act 1995* provides for Power of Entry, subject to notice and other than by a Local Law e.g. abandoned vehicles or home industry. For this purpose it is proposed to authorise Mr Neville Hale, Mr Louka Shopov, Ms Denise Gobbart and Ms Lee Holben.

(3) Section 3.39 of the *Local Government Act 1995* enables Council to appoint an authorised person for the purpose of removing or impounding of goods that are involved in a contravention, as prescribed by regulation or local law, that can lead to impounding. Mr Neville Hale, Mr Louka Shopov, Ms Denise Gobbart and Ms Lee Holben are the authorised persons.

(4) & (5) Part 9 of the *Local Government Act 1995* provides for the appointment of authorised persons relating to enforcements and legal proceedings, i.e. the fining of a person committing an offence and the issuing of infringement notices.

Section 37 of the *Control of Vehicles (Off-road Areas) Act 1978* also deals with infringement notices.

For the purposes of the above staff members are designated as Authorised Persons – Mr Neville Hale, Mr Louka Shopov, Ms Denise Gobbart and Ms Lee Holben.

(6) The extension of the payment period (s9.19) and/or the withdrawal of the notice (s9.20) is to be authorised by Chief Executive Officer, Mr Neville Hale or Manager Corporate Services, Ms Denise Gobbart.

(7) Furthermore, in accordance with s449 of the *Local Government (Miscellaneous Provisions) Act 1960*, a local government may establish and maintain one or more public pounds and may appoint persons to be keepers of those pounds so as to have care, control and management of those pounds. Mr Doug Whiting and Mr Robert Palmer are appointed as the Authorised Persons.

(8) Pursuant to the *Dog Act 1976* the local government is required to appoint “Registration Officers” to effect the registration of dogs pursuant to the requirement of the Act.

The following staff members are appointed as the authorised “Registration Officers”:

- Ms Denise Gobbart
- Ms Lee Holben
- Mrs Lee-Anne Trevenen
- Mr Warrick Millar
- Mrs Lynda Trawinski
- Ms Tracie Buntrock
- Ms Kairi Nigol

(9) Pursuant to the *Cat Act 2011* the local government may, in writing, appoint persons or classes of persons to be authorised for the purposes of performing particular functions.

Accordingly, the following staff members are appointed as "Authorised Persons":

- Ms Denise Gobbart
- Ms Lee Holben
- Mrs Lee-Anne Trevenen
- Mr Warrick Millar
- Mrs Lynda Trawinski
- Ms Tracie Buntrock
- Ms Kairi Nigol

(10) Pursuant to s27 of the *Health Act 1911* Council may appoint an Environmental Health Officer to perform such duties as the local government from time to time directs and also such as are specifically prescribed by any order of the Executive Director, Public Health. Mrs Lauren Pitman, Mr Julian Goldacre and Mr Barry Smith are the appointed Environmental Health Officers.

(11) Pursuant to s17 of the *Caravan Parks and Camping Grounds Act 1995* the Chief Executive Officer may appoint such persons to be authorised persons for the purposes of the Act. An authorised person may enter and inspect premises to ensure compliance with the requirements of the Act.

The Chief Executive Officer has appointed Mrs Lauren Pitman, Mr Julian Goldacre and Mr Barry Smith as authorised persons (Power of Entry and Inspection) for the purposes of s 17 of the *Caravan Parks and Camping Grounds Act 1995*.

(12) For the purposes of s26 of the *Litter Act 1979* all Council Members and Shire Employees are deemed to be authorised persons.

(13) Section 122 of the *Food Act 2008* requires the local government as the “Enforcement Agency” (Refer Delegation HO4) to appoint Authorised Officers in writing and issue certificates of authorisation. For the purposes of s122, Mrs Lauren Pitman, Mr Julian Goldacre and Mr Barry Smith are the Shire’s Authorised Officers.

(14) Under Section 96(3) of the Building Act 2011, a local government may appoint authorised persons in relation to buildings and incidental structures located or proposed to be located in the Shire (Refer Delegation B01). Mr Josiah Farrell is appointed as an authorised person.

Consultation

N/A

Legal Implications

Local Government Act, 1995

Local Government (Miscellaneous Provisions) Act 1960

Bush Fires Act 1954

Dog Act 1976

Health Act 1911

Litter Act 1979

Control of Vehicles (Off-Road Areas) Act 1978

Caravan Parks and Camping Grounds Act 1995

Cemeteries Act 1986

Cat Act 2011

Policy Implications

N/A

Financial Implications

N/A

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.

Resolution

MOTION 12160

Moved Cr Chappell
Seconded Cr Clarke

That Council appoint the following persons as “Authorised Persons” in respect to the requirements of the specified Acts:

- (1) **Local Government Act 1995**, Part 3, Division 3, Subdivision 2, Certain provisions about land - s3.24 (relates to the issuing of notices):
- Neville Hale
 - Denise Gobbart
 - Louka Shopov
- (2) **Local Government Act 1995**, Part 3 Division 3 Section 3.28 & 3.29 of the Local Government Act 1995 provides for Power of Entry (relates to abandoned vehicles or home industry):
- Neville Hale
 - Denise Gobbart
 - Louka Shopov
 - Lee Holben
- (3) **Local Government Act 1995**, Part 3, Division 3, Subdivision 4, impounding goods involved in certain contraventions – s3.39 (relates to the power to remove and impound):
- Neville Hale
 - Denise Gobbart
 - Louka Shopov
 - Lee Holben
- (4) **Local Government Act 1995**, Part 9, Division 2, Subdivision 1, Miscellaneous provisions about enforcement – s9.10, s9.11 and s9.15; and **Control of Vehicles (Off-Road Areas) Act 1978** – s37 (relates to the fining of a person committing an offence):
- Neville Hale
 - Denise Gobbart
 - Louka Shopov
 - Lee Holben
- (5) **Local Government Act 1995**, Part 9, Division 2, Subdivisions 1 & 2, Miscellaneous provisions about enforcement and infringement notices – s9.13, s9.16 and s9.17: (relates to the issuing of notices):
- Neville Hale
 - Denise Gobbart
 - Louka Shopov
 - Lee Holben
- (6) **Local Government Act 1995**, Part 9, Division 2, Subdivision 2, Miscellaneous provisions about enforcement – s9.19 and s9.20 (relates to amendment of notices):

- Neville Hale
- Denise Gobbart

MOTION 12160 continued

(7) Local Government (Miscellaneous Provisions) Act 1960 – s449 Local governments may establish pounds, appoint pound keepers and Rangers:

- Doug Whiting
- Robert Palmer

(8) Dog Act 1976 – Registration Officers

- Denise Gobbart
- Lee Holben
- Lee-Anne Trevenen
- Warrick Millar
- Lynda Trawinski
- Tracy Buntrock
- Kairi Nigol

(9) Cat Act 2011 – Authorised Persons

- Denise Gobbart
- Lee Holben
- Lee-Anne Trevenen
- Warrick Millar
- Lynda Trawinski
- Tracie Buntrock
- Kairi Nigol

(10) Health Act 1911 – s27 Appointment of Environmental Health Officer

- Lauren Pitman
- Julian Goldacre
- Barry Smith

(11) Caravan Parks and Camping Grounds Act 1995 – s17 Authorised Persons (Power of Entry and Inspection).

- Lauren Pitman
- Julian Goldacre
- Barry Smith

(12) Litter Act 1979 – s26 – Authorised Persons

- Members of Council and Shire Employees

(13) Food Act 2008 – s122 – Authorised Persons

- Lauren Pitman
- Julian Goldacre
- Barry Smith

(14) Building Act 2011 – s96(3) Authorised Persons

- Josiah Farrell

MOTION CARRIED 8/0

17.0 INFORMATION BULLETIN

17.1 INFORMATION BULLETIN REPORT – SEPTEMBER 2015

Applicant:	Executive Services
File No.	N/A
Attachments:	Information Bulletin (under separate cover)
Author:	Mrs Danielle Robertson Executive Assistant
Disclosure of Interest:	Nil
Date of Report:	15 October 2015
Senior Officer:	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.

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 (September 2015) Information Bulletin Report has been emailed to Councillors.

The September 2015 Information Bulletin at attachment includes:

Reports

1. September 2015 Council Status Report
2. Infrastructure Services Report – September 2015
3. Outstanding Rates Report – September 2015
4. Monthly Schedules – September 2015
5. CESM Report – Sept/Oct
6. Shire of Lake Grace Website Stats – September 2015

Letters

7. Letter of Congratulations – Shire of Dumbleyung

Minutes

8. Bushfire Advisory Committee Meeting – 1 October 2015
9. Varley Progress Association Minutes – 22 September 2015
10. Eastern Wheatbelt Primary Care Project – Wheatbelt General Practice Business Support Service Shire Governance Committee Minutes and Attachments – 24 September 2015
11. 4WDL Minutes – 13 October 2015

Circulars etc.

12. Value of Visitor Centres – Tourism Council WA
13. WALGA Economic Briefing
14. Policy Options to Increase Elected Member Training – WALGA

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.

Resolution**MOTION 12161**

Moved Cr Chappell
Seconded Cr Armstrong

That Council accepts the Information Bulletin report

MOTION CARRIED 8/0

18.0 URGENT BUSINESS BY DECISION OF THE MEETING

Nil

19.0 SCHEDULING OF MEETING

19.1 NOVEMBER 2015 ORDINARY MEETING

As per Resolution 11960, 19 November 2014 the November 2015 Ordinary Meeting of Council has been scheduled to take place on Wednesday 18 November 2015, commencing at 3.00 pm in Newdegate Library & Community Resource Centre, Collier St, Newdegate WA.

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

MOTION 12162

Moved Cr Hunt
Seconded Cr Chappell

That Council close the meeting to the public at this time, being 5:37 pm to discuss

- Item 20.1 – Appointment of Acting Chief Executive Officer
- Item 20.2 – Lake Grace Medical Centre Practice Management.

MOTION CARRIED 8/0

20.1 APPOINTMENT OF ACTING CHIEF EXECUTIVE OFFICER

20.2 LAKE GRACE MEDICAL CENTRE – PRACTICE MANAGEMENT

MOTION 12163

Moved Cr Stanton
Seconded Cr De Landgraft

That Council re-open the meeting to the public at this time, being 5:53 pm.

MOTION CARRIED 8/0

The Shire President read aloud the two motions passed in confidential discussions

MOTION 12164

Moved Cr Stanton
Seconded Cr Hunt

That Council appoint Mr Peter Bradbrook as Acting Chief Executive Officer from Monday 23 November 2015 to Monday 14 December 2015 by way of a letter of contract.

MOTION CARRIED BY ABSOLUTE MAJORITY 8/0

MOTION 12165

Moved Cr Hunt
Seconded Cr De Landgraft

That Council:

1. Agrees to the Shire entering into the Contractor Agreement, subject to the amendments identified in the advice from the Shire's solicitors; and,
2. Authorises the affixing of the common seal to the amended Contractor Agreement.

MOTION CARRIED 8/0

21.0 CLOSURE

There being no further business, the Shire President closed the meeting at 5:54 pm.

22.0 CERTIFICATION

I, _____, certify that the minutes of the meeting held on the 21 October 2015 as shown were confirmed as a true record at the meeting held on the 18 November 2015.

Shire President

Date