

Shire of Lake Grace

Ordinary Council Meeting

Minutes

27 March 2013
Ordinary Meeting Commencing at 2.00 pm



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SHIRE OF LAKE GRACE

Minutes for the Ordinary Meeting of Council held at the Varley Sports Pavilion, Varley WA on Wednesday 27 March 2013.

Swearing in of Elected Member – LG Constitution Regulation 13 (1) (c)

Councillor elect, Stephen Gordon Hunt, completed the formal declaration of office of Councillor to the Shire of Lake Grace before the Shire President L W Armstrong.

1.0 OPENING & ANNOUNCEMENT OF VISITORS

The Shire President opened the meeting at 2.05 pm and welcomed along Mrs Heather Bell as observer.

2.0 ATTENDANCE RECORD

2.1 PRESENT

Cr LW Armstrong	Shire President
Cr IG Chamberlain	Deputy Shire President (<i>entered at 2.10pm</i>)
Cr R Chappell	
Cr JF De Landgraft	
Cr OP Farrelly	
Cr SG Hunt	
Cr WA Newman	
Cr DP Sinclair	
Cr AJ Walker	
Mr GK Simpson	Acting Chief Executive Officer
Mr J Bingham	Manager Corporate Services
Mr M Harrop	Manager Infrastructure Services
Mrs L Holben	Manager Community Services
Mrs Heather Bell	Observer

2.2 APOLOGIES

Mrs L Trevenen	Coordinator Finance & Administration
Mrs J Bennett	Executive Assistant

2.3 LEAVE OF ABSENCE PREVIOUSLY GRANTED

None

3.0 PUBLIC QUESTION TIME

3.1 MRS DEBRAH CLARKE

The following questions from Mrs Debrah Clarke were taken on notice at the 27 March Ordinary Meeting:

1. Will the Shire of Lake Grace take responsibility for housing the cardboard baler as set out in the grant application to Waste Authority in April 2012?

Reply

A council briefing to be held regarding above matter no written response.

2. Will the Lake Grace Shire pay any out of pocket expenses incurred by the Lake Grace Development Association because of the Shire defaulting on their part of the grant?

Reply

A council briefing to be held regarding above matter no written response.

4.0 APPLICATIONS FOR LEAVE OF ABSENCE

4.1 CR FARRELLY

An application in writing was received from Cr Farrelly.

MOTION 11597

Moved Cr Chappell
Seconded Cr De Landgraft

That Cr Farrelly's application for leave of absence from 23 to 25 April 2013; be approved.

MOTION CARRIED 8/0

5.0 MINUTES OF PREVIOUS COUNCIL MEETINGS

5.1 ORDINARY MEETING – 27 FEBRUARY 2013

Resolution

MOTION 11598

Moved Cr Farrelly
Seconded Cr Walker

That the minutes of the Ordinary Meeting of Council held on the 27 February 2013 be confirmed as a true and accurate record.

MOTION CARRIED 8/0

2.10pm Cr Chamberlain joined the meeting.

6.0 DECLARATIONS OF INTEREST

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

Acting CEO Graeme Simpson of Lake Grace declared a financial interest in Item 15.4 CEO position.

MOTION 11599

Moved Cr Farrelly
Seconded Cr Chappell

That, with regard to Item 15.4, Acting CEO Graeme Simpson be allowed to remain in the room and be allowed to participate in the discussions.

MOTION CARRIED 8/0

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

None

6.3 DECLARATIONS OF IMPARTIALITY INTEREST – ADMINISTRATION REGULATION SECTION 34C

None

7.0 NOTICES OF URGENT BUSINESS

Refer to Item 17.1

8.0 MOTIONS OF WHICH NOTICE HAS BEEN RECEIVED

None

9.0 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

None

10.0 MEMBERS' REPORTS

10.1 CR WALKER

Cr Walker reported that he had been speaking to the Principal of the Lake Grace District High School about the 2014 school centenary and suggested that it would be a good gesture to rename School Place, Padley Place after the first school principal in 1914, being Miss Padley. The suggestion will be taken to the School Board and the Education Department.

10.2 CR NEWMAN

Cr Newman reported that he and other Councillors had met with Cooperative Bulk Handling representatives for discussion regarding the land between Newdegate CBH site and the cemetery and sewerage sites with a view to expanding the grain handling facility.

10.3 CR DE LANDGRAFFT

Cr De Landgrafft advised that the Lakes District Branch of the Isolated Children's Parents' Association of Australia hosted the ICPA State Conference in Perth during March. Eighty one people attended the conference; 'New Direction' was the conference theme. A DVD presentation showcasing the region was featured.

10.4 CR ARMSTRONG

Cr Armstrong reported he had attended the Regional Road Group meeting held in Wickepin. Discussion was focused on roads contained in the 2030 Regional Road document.

Cr Armstrong also reported attending the discussions held with representatives from Cooperative Bulk Handling.

Cr Armstrong thanked the Shire Staff for nominating the Hainsworth Building Committee for their outstanding contribution to heritage work in coordinating the restoration work. Members of the Committee include Sue Hall, Jan Orr, Stephanie Clark-Lloyd, Ann Rick, Rosemary Cugley, Roz Lloyd and Lynne Ellard.

Cr and Mrs Chappell will be representing the Shire at the Awards Function.

11.0 MATTERS FOR CONSIDERATION – WORKS & SERVICES

No items for consideration.

12.0 MATTERS FOR CONSIDERATION – PLANNING
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12.1 PLANNING APPLICATION – PROPOSED OVERSIZE OUTBUILDING – 12 PICKERNELL WAY LAKE KING

Applicant: LM & LM Dickins
File No. 0456
Attachments: Plans 11
Author: Mr Graeme Simpson

Disclosure of Interest: Nil
Date of Report: 5 March 2013
Senior Officer: Mr Graeme Simpson

Summary

This report recommends that Council resolve to approve a planning application submitted by Lawrence Matthew & Lois Meredith Dickins to construct a new 128m² colorbond outbuilding on Lot 173 (No. 12) Pickernell Way, Lake King under clause 5.19.14 of the Local Planning Scheme No. 4.

Background

The applicant is seeking Council's planning approval to construct a new 128m² colorbond outbuilding on Lot 173 (No. 12) Pickernell Way, Lake King for domestic storage purposes (see Plan 11). Lot 173 (No. 12) Pickernell Way is located on the corner of Pickernell Way and Spencer Avenue within town site residential area.

The land is currently classified 'Residential' zone with a density coding of R20 in the Shire of Lake Grace Local Planning Scheme No, 4 (LPS No. 4). Under the terms of clause 5.19 of LPS No.4 entitled '*Development of Outbuildings in the Residential Zone*' the erection of an outbuilding on any residential zoned property in the Shire is not permitted unless a residence has been constructed on the land.

Clause 5.19.14 allows for the applicant to provide written justification if the proposed development does not comply with the terms of part 5.19 and to seek a variation to the terms. The applicant has advised that the purpose of the outbuilding is to store building materials (for a pre-fabricated house) within the shed whilst the owner-builder builds the house. A building permit for the construction of house has been issued by the Shire Building Surveyor permit number LG10 (12/13) on 8 November 2013.

Legal Implications

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

Policy Implications

Residential Design Codes of Western Australia (Variation 1) 2010

Consultation

Community consultation not required, under Clause 5.5.2 as the proposed outbuilding will not impact or affect any adjoining landowner.

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Simple majority required.

Recommendation/Resolution

MOTION 11600

Moved Cr Newman
Seconded Cr De Landgraft

That Council:

1. Approve the planning application submitted by Lawrence Matthew & Lois Meredith Dickins to construct a new 128m² colorbond outbuilding on Lot 173 (No. 12) Pickernell Way, Lake King under clause 5.19 – variation to site and development standards and required by '*Development of Outbuildings in the Residential Zone*' Clause.
2. Authorise for the Shire's administration to advise the applicants that Council approves the planning application subject to the following conditions:
 1. The new shed shall have a maximum wall height of 3.0 metres and a maximum ridge height of 3.85 metres.
 2. The external walls and doors of the new shed shall be of colorbond construction with a total floor area not exceeding 128m².
 3. All stormwater generated by the new shed shall be managed and disposed of to the specifications and satisfaction of the Shire of Lake Grace.
 4. Any proposed new driveway crossover from Spencer Avenue to the proposed new shed shall be constructed and maintained to the specifications and satisfaction of the Shire of Lake Grace.
 5. The new shed shall be used for domestic storage purposes only unless otherwise approved by Council. A written undertaking from the applicant /landowner acknowledging and agreeing to this requirement shall be prepared and submitted to the Shire prior to the issuance of a building permit.

MOTION 11600 continued

6. If construction of the approved dwelling on the land is not completed within two (2) years from the date of this approval then the shed being the subject of this planning approval shall be removed by the applicant at their own expense within 60 days of receipt of written notification from the Shire.

Advice Notes

1. The development is to be completed within a period of one (1) year from the date of this approval. If the development is not completed within this period the approval will lapse and be of no further effect. Where an approval has lapsed, no development shall be carried out without the further approval of the Shire of Lake Grace having first been sought and obtained.

2. A completed building permit application must be submitted to and approved by the Shire's Building Surveyor prior to the commencement of any construction on the land.

3. The new shed is required to comply in all respects with the National Construction Code of Australia. Plans and specifications which reflect these requirements are required to be submitted with the building permit application.

4. The noise generated by any activities on-site including machinery motors or vehicles shall not exceed the levels as set out under the Environmental (Noise) Regulations 1997.

5. No construction works shall commence on the land prior to 7am without the Shire's written approval.

6. Failure to comply with any of the conditions of this planning approval constitutes an offence under the provisions of the Planning and Development Act 2005 and the Shire of Lake Grace Local Planning Scheme No.2 and may result in legal action being initiated by the local government.

MOTION CARRIED 8/0

12.2 PLANNING APPLICATION – PROPOSED STORAGE SHED ON LOT 161 CRITCHLEY AVENUE, LAKE KING (RESERVE 31966 – ‘LAKE KING GOLF COURSE’)

Applicant: Lake King Progress Association
File No.: 0456
Attachments: Plans 1 to 5 & Attachment 1
Author: Messrs Joe Douglas & Carlo Famiano (Urban & Rural Perspectives)

Disclosure of Interest: Nil
Date of Report: 19 March 2013
Senior Officer: Mr Graeme Simpson

Summary

This report recommends that a planning application submitted by the Lake King Progress Association to construct a new colorbond storage shed on a portion of the Lake King Golf Course be approved subject to conditions.

Background

The applicant is seeking Council's planning approval to construct a new colorbond storage shed on a portion of Reserve 31966 being Lot 161 Critchley Avenue, Lake King (i.e. the Lake King Golf Course).

It is understood from the details submitted in support of the application that the proposed new shed will be used to store equipment associated with the ongoing operation and maintenance of the golf course (e.g. lawn mowing equipment) and the storage of community assets (i.e. the community bus and a portable cool room).

Lot 161 is located in the northern extremities of the Lake King townsite. The land is irregular in shape, covers a total area of approximately 65.487 hectares and has direct frontage to Varley Road, Critchley Avenue and Sugg Road along its western boundary (see Plans 1 & 2).

The land forms part of Crown Reserve 31966 which is owned by the State of Western Australia and currently vested in the Shire of Lake Grace for 'Golf & Recreation' purposes (see Attachment 1 – Reserve Enquiry Detail).

Lot 161 has historically been developed and used for recreational purposes (i.e. a golf course). As such the land has been extensively cleared and contains a number of improvements associated with its current use including fairways, access road / tracks, gravel parking areas and various small buildings and structures (see Plan 3).

The plans submitted by the applicant are very broad and do not provide all of the information typically required in support of planning applications (i.e. stormwater drainage, landscaping details, finished floor levels, surface treatments on access ways etc). Notwithstanding this fact, given the nature and scale of the existing development and use of the land there is scope for Council to consider and grant approval to the application subject to any valid planning conditions Council's considers appropriate in the circumstances.

Under the terms of the information and plans submitted in support of the application the proposed new storage shed will:

- i) be of steel frame, colorbond construction (i.e. 'Cottage Green') with a concrete floor;
- ii) be 12 metres long, 10 metres wide with a total floor area of 120m²;
- iii) have a wall height of 3.9 metres and a ridge height of 4.8 metres;
- iv) have a setback of approximately 120 metres from the land's northern side boundary and approximately 212 metres from the land's frontage to Sugg Road; and
- v) be located approximately 18 metres from the existing clubhouse on the land (see Plans 4 & 5)

Comment

Lot 161 is classified 'Local Scheme Reserve - Recreation' under the Shire of Lake Grace's current operative Local Planning Scheme No.4 (LPS No.4).

LPS No.4 does not contain any specific provisions or standards for the development and use of any land in the Scheme Area classified 'Local Scheme Reserve - Recreation'. As such any planning application must be determined by Council on its merits with due regard for potential impacts a specific proposal may have on surrounding land uses and the general character, amenity, functionality and safety of the immediate locality.

Following a detailed review and assessment of the application in the context of the specific requirements of LPS No.4, the reporting officers have formed the view that the proposal is generally acceptable for the following reasons:

- It is complementary to and therefore unlikely to compromise the continued use of Reserve 31966 for 'golf & recreational' purposes being its current designated purpose under LPS No.4 and the *Land Administration Act 1997*. As such it is considered to be consistent with the aims and objectives of the land's current reserve classification in LPS No.4 and has scope to be approved by Council;
- It is unlikely to have a detrimental impact on the natural environment;
- It will assist the ongoing operation and maintenance of the Lake King golf course and the general storage of community assets used for recreational purposes;
- The size, scale and finish of the proposed new shed is generally consistent with other existing building improvements on Reserve 31966 (i.e. the clubhouse) and is therefore unlikely to have a detrimental impact on the character or amenity of the land or its immediate surrounds; and
- The proposed new shed is suitably located and will have adequate setbacks from all property boundaries and other existing improvements on Reserve 31966.

Notwithstanding this general conclusion it is considered appropriate that Council consider imposing a number of conditions on any approval issued to deal with the following matters:

- i) The need to ensure that the new shed is constructed in accordance with the details of the plans submitted in support of the application and is maintained to the specifications and satisfaction of the Shire of Lake Grace;
- ii) The need to ensure that the finished floor level of the new shed is set at an appropriate level to minimise the risk of flooding during extreme rainfall events;
- iii) The need to ensure that all stormwater drainage is suitably managed;
- iv) The need to ensure safe and convenient access to / from the new shed;
- v) The need to ensure the preservation of any significant vegetation; and
- vi) The need to ensure that the shed is used for general storage purposes associated with the current approved use of the land.

Legal Implications

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

Policy Implications

Nil

Consultation

Community consultation not required

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Simple majority required.

Recommendation/Resolution

MOTION 11601

Moved Cr De Landgraft
Seconded Cr Sinclair

That the application for planning approval submitted by the Lake King Progress Association to construct a new steel framed colorbond storage shed on a portion of Reserve 31966 being Lot 161 Critchley Avenue, Lake King be **APPROVED** in accordance with the information and plans submitted in support of the application subject to compliance with the following conditions and advice notes:

1. The development is to be undertaken in a manner consistent with the details of the plans submitted in support of the application.

MOTION 11601 continued

2. The new shed shall have a total floor area not exceeding 120m², a maximum wall height of 3.9 metres and a maximum ridge height of 4.8 metres.
3. The external wall and roof cladding of the new shed shall be of colorbond construction (i.e. 'Cottage Green').
4. The internal floor of the new shed shall be of concrete construction and shall have a finished floor level at least 300mm above the natural ground level.
5. All stormwater generated by the new shed shall be managed and disposed of to the specifications and satisfaction of the Shire of Lake Grace.
6. The vehicle access way to / from the new shed shall be constructed and maintained to the specifications and satisfaction of the Shire of Lake Grace.
7. All existing vegetation adjacent to the new shed shall be retained unless its removal is authorised by the Shire of Lake Grace.
8. The new shed shall be maintained by the Lake King Progress Association in a neat, tidy and functional condition at all times to the specifications and satisfaction of the Shire of Lake Grace.
9. The new shed shall only be used for general storage purposes associated with the current approved use of the land unless otherwise approved by Council.

Advice Notes

1. The development is to be substantially commenced within a period of two (2) years from the date of this approval. If the development is not substantially commenced within this period the approval will lapse and be of no further effect. Where an approval has lapsed, no development shall be carried out without the further approval of the Shire of Lake Grace having first been sought and obtained.
2. A completed building permit application must be submitted to and approved by the Shire's Building Surveyor prior to the commencement of any earthworks or construction on the land.
3. The proposed development is required to comply in all respects with the National Construction Code of Australia. Plans and specifications which reflect these requirements are required to be submitted with the building permit application.
4. The Applicant should liaise with the Shire's Infrastructure Manager to confirm the specifications and standards required to be met for all on-site stormwater management and disposal and vehicle access ways.
5. Failure to comply with any of the conditions of this planning approval constitutes an offence under the provisions of the *Planning and Development Act 2005* and the Shire of Lake Grace Local Planning Scheme No.4 and may result in legal action being initiated by the local government.

MOTION CARRIED 9/0

13.0 MATTERS FOR CONSIDERATION – HEALTH & BUILDING

No items for consideration.

14.0 MATTERS FOR CONSIDERATION – FINANCE**14.1 ACCOUNTS FOR PAYMENT – FEBRUARY 2013**

Applicant: Shire of Lake Grace
File No. 0277
Attachments: List of Creditors
Author: Miss Nicola Bateman

Disclosure of Interest: Nil
Date of Report: 11 March 2013
Senior Officer: Mr Graeme Simpson

Summary

For Council to ratify expenditures incurred for the month of February 2013.

Background

A list of payments for the month February 2013 through the Municipal accounts is attached

Comment

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

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

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

Legal Implications

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

Policy Implications

N/A

Consultation

N/A

Financial Implications

The list of creditors paid for the month of February 2013 from the Municipal Account Total \$250,384.98

Strategic Implications

7. Organisational Excellence

7.1 Develop systems compliant with various statutes, regulations and policies.

Recommendation

That Council ratify the list of payments totalling \$250,384.98 as presented for the month of February 2013 incorporating:

- Direct Credits DD4354.1 to DD4400.1
- Municipal Account Cheques 35031 to 35043
- Electronic Funds Transfers EFT10689 to EFT10769

Voting Requirements

Simple majority required.

Recommendation/Resolution

MOTION 11602

Moved Cr Farrelly
Seconded Cr Chappell

That Council ratify the list of payments totalling \$250,384.98 as presented for the month of February 2013 incorporating:

- Direct Credits DD4354.1 to DD4400.1
- Municipal Account Cheques 35031 to 35043
- Electronic Funds Transfers EFT10689 to EFT10769

MOTION CARRIED 9/0

14.2 FINANCIAL STATEMENTS – FEBRUARY 2013

Applicant: Corporate Services Section
File No. 0275
Attachments: Financial Reports
Author: Mrs Lee-Anne Trevenen

Disclosure of Interest: Nil
Date of Report: 15 March 2013
Senior Officer: Mr Graeme Simpson

Summary

Consideration of the financial statements for the month ending 28 February 2013.

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

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 Plan

Goal 7: Organisational Excellence

Strategy 7.1: Develop systems to ensure compliance with various statutes, regulations and policies.

Voting Requirements

Simple majority required.

Recommendation/Resolution

MOTION 11603

Moved Cr Newman
Seconded Cr Walker

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 28 February 2013.

MOTION CARRIED 9/0

14.3 BUDGET REVIEW 2012-2013

Applicant:	Corporate Services Section
File No.	0625
Attachments:	Budget Review including Notes and Schedules Shire of Lake Grace Asset Register
Author:	Mr Martin Harrop and Mrs Lee-Anne Trevenen
Disclosure of Interest:	Nil
Date of Report:	15 March 2013
Senior Officer:	Mr Graeme Simpson

Summary

All Local Governments in Western Australia are required under the *Local Government (Financial Management) Regulations 1996* to conduct a budget review each financial year.

The review of the Shire's expected financial position by 30 June 2013 must occur between 1 January and 31 March with the outcomes considered by council. The council must then determine whether to adopt the review, any parts of the review or any recommendations within the review. The Budget Review must be presented to the Department of Local Government within 30 days of Council determination.

The 2012/2013 Budget Review was submitted to the Audit Committee for comment on 27 February 2013.

The Budget review identified key issues about the Shires financial position and future risks that the shire needs to address. Over expenditure in the 2011-2012 financial year resulted in a reduced carried forward position by \$140,585. The 2011-2012 unbudgeted expenditure and cost overruns were paid for by advance grant funding sources meant for the 2012-2013 budget. Previous decisions and actions in 2011-2012 have reduced funds available to meet obligations of key programs like Roads to Recovery program.

The budget review process has been used by current Management to improve Shire's financial position. Strategies have been investigated to ensure current and future obligations can be met. The net effect of projected income and expenditure to 30 June 2013 is that the Shire is expected to have a surplus of \$87,377. The surplus includes additional loan borrowings to complete the road program and funding of \$125,170 from CLGF local component which is not matched by expenditure within projected numbers.

It should be noted that \$415,804 of Local CLGF has been removed from the projected numbers to be brought back to Council in a report with alternative projects to be tied to the CLGF.

Background**Budget Review Process**

Under the Review process, a local government is required to report on significant variances within each program either above or below tolerances adopted by Council. A program is typically Governance, General Purpose

Funding, Law, Order & Safety, Transport and so on. The level of variance that requires an explanation for the Shire of Lake Grace is 10% and \$5,000.

Budget Review Documents

Presented to the Audit Committee is the Shire's 2012/13 Budget Review consisting of:

- The Finance Statement with variances expected indicated by program and the Report on significant variances greater than 10% and \$5,000;
- Note 3 - Statement of Assets;
- Note 4 - Statement of Asset Disposals;
- Note 5 - Information on Borrowings;
- Note 6 - The Reserves;
- Note 7 - Net Current Assets; and

The Schedules have also been provided as further background information.

Analysis of Expected Financial Position by 30 June 2013

An initial budget review based on the December 2012 financial statements was undertaken which resulted in a projected end of year deficit of (\$166,000). It should be noted that the actual carried forward position of \$30,675 was \$140,585 less than that reported at the adopted budget. The reduction in the carried forward position has contributed significantly toward the projected end of year position.

The Shire administration conducted a further review of the accounts in order to address the initial deficit position at end of June 2013. Individual accounts were assessed to make further reductions. It should be noted that the original adopted budget presented to council was lean and had significant cuts already included with control measures implemented by management to ensure services would not go over budget. It should also be noted that some events to date have or will impact on the current budget including:

- The carried forward position (\$140,585)
- Forensic Audit – unbudgeted (\$26,727)
- CLGF 2012-2013 Local Component (\$415,804)

It is very important to recognize the reason for the current financial problems. As per the UHY Audit dated 18 July 2012 the financial position is attributed to overruns and unbudgeted expenditure in the 2011-2012 financial year relating but not limited to the:

- | | |
|--|-----------|
| • Temporary Locum Doctor | \$503,607 |
| • Newdegate Medical Centre (over budget) | \$264,000 |
| • CEO Severance pay | \$129,691 |

The total above overruns of \$897,298 were paid in part by advanced funding sources that were for the 2012-2013 financial year. These funds were supposed to contribute to the operating budget of the Shire of Lake Grace.

In summary, overruns and unbudgeted expenditure on the above sources have impacted the delivery of council services.

Roads to Recovery Program

The Shires obligations under the Roads to Recovery Program have been significantly compromised by the overruns of the 2011-2012 financial year. The budget cuts of 2012-2013 financial year in the road program have impacted the Shire achieving the required own source (Shires money) expenditure required by the grant program. The Road to Recovery Program has one financial year remaining and requires the Shire to maintain an average expenditure of \$627,373 of own funds (rates) towards the Road Program. The budget review forecast own source expenditure is \$342,571.

It is proposed to manage the Shire obligations under the Roads to Recovery program by getting a loan to fund the road works. The strategy is to minimize the breach of the R2R program in the current financial year. The current budget has provision for \$245,000 loan. It is proposed that additional loan borrowings of \$200,000 be sought to complete the current road program. The repayment of these borrowings should be a priority of Council going forward and strategies for the repayment should be identified for the 2013-2014 budget.

The projected Shire's own source expenditure shortfall \$284,802 (\$627,373 minus \$342,571) has to be made up in 2013-2014 along with the required reference amount totalling \$912,175.

CLGF

The 2013-2013 Annual Budget included \$415,804 Local CLGF funding which was not tied to any particular project with the budget. The inclusion of these funds in effect helped balance the 2012-2013 budget. These funds have been removed in the budget review document.

These funds are currently assigned to Shire's road program as per Table 1. It is proposed that Management will come back to Council with alternative projects for this grant program. Once Council has settled on which projects the funds will apply to Management will have the FAA amended accordingly.

Road Name	Cost
Town Street Reseals	\$90,000
Lake King Norseman Road	\$42,500
Dyke Road	\$35,000
Mission Road	\$35,000
Lockhart Road	\$45,000
Ace Road	\$40,000
Traffic Improvements Lake King	\$45,000
North Lake Grace Karlgarin Road	\$88,304
Total Cost	\$415,804

Table 1: Road Program Projects listed in CLGF Round 4 submission

Comment

Significant cost overruns and unbudgeted expenditure occurred in the 2011-2012 financial year. This resulted in a carried forward position which is less than it should have been for 2012-2013 whilst also impacting on road program obligations like Roads to Recovery. The budget review provides an

interim snapshot of the Shire's projected financial position and the opportunity to implement corrective action. Whilst the projected net current asset position is \$87,377 at 30 June 2013 strict monitoring of the current expenditure is required to achieve the projected position and prudent budgeting for subsequent financial year is also required.

The following summary comments are made in relation to the review and changes made as corrective action to manage a projected positive net current asset position at 30 June 2013, including:

- An intentional treatment within the budget review was not to include advanced FAGS funding within projected revenue. This was not the case reported in last year's mid-year budget review.
- Lake Grace purchase of ride on mower cancelled as SAR related and transferred into reserve. During the budget review it was identified that the original ride on mower was purchase out of general revenue and not Lake Grace SARs therefore the purchase of the mower has been cancelled and monies raised by SAR's transferred to reserve. Given the financial circumstances the existing mower is suitable for the level of service required by the Shire.
- Amend FAA Round 4 CLGF for other Shire projects after Council approval
- Loan 196 Road and Plant was for \$245,000 however it consisted of \$125,000 allocated to North Lake Grace Karlgarin Road (RRG) and \$120,000 for Plant. A review of necessary plant and equipment has been assessed resulting in the loan of \$120,000 will not be required because of decision to purchase a multi-tyred roller with trade was more feasible. Removal of additional purchases like the Builders ute has been necessary also because of budget constraints.
- Treatment of the Flood reimbursement – we budgeted \$120,000 however we will be receiving a projected \$182,000
- \$50,000 has been received for the Men's Shed project via CLGF Round 3 however the project is currently not fully funded to proceed and is on hold. It is proposed to apply this funding to the Newdegate Medical Centre which has already incurred expenditure.
- Projects reliant on grant funding not likely to secure funds or whether suitable grants schemes are known have been omitted from the budget in the review.
- The Shire of Lake Grace will be coordinating the LGIS Lake Grace Golf tournament in August 2013 and as such will need to create income and expenditure accounts for receiving sponsorship grants.
- Reallocate \$30,000 from Job No. 09020 (Ace Road) towards works on Hatters Hill Road. Priority works are required on Hatters Hill Road subject to recent road condition inspections. Ace Road is not a School Bus Route this year as initially advised.

Legal Implications

Section 33A - *Local Government (Financial Management) Regulations 1996*
 Section 6.8 (1) *Local Government Act 1995* – Expenditure in municipal fund not included in annual budget

Policy Implications

Nil

Consultation

Internal: Acting CEO & Senior Management Team

External: Mr Bob Waddell – Financial Management Consultant

Andries Bekker - Audit Senior - UHY Haines Norton

Allan Chisholm - Co-ordinator Roads to Recovery Program

Financial Implications

Significant variances are reported as based on Councils adopted tolerances, \$5000 or 10%. Other financial implications include need to:

- Borrow additional \$200,000 toward Loan 196 for road program works
- Amend CLGF Round 3 Financial Assistance Agreement with RDL to reallocate \$50,000 from Lake Grace Men's Shed to Newdegate Medical Centre
- Amend CLGF Round 4 Financial Assistance Agreement alternative projects yet to be determined
- Funding strategies for the priority repayment of the road program loan need to be investigated

Financial Strategy

Following the meeting of Audit Committee on 27th February 2013 the shire staff investigated financial strategies on the management of loan borrowings.

Loan borrowings of \$445,000 are required to fund the 2012-2013 Road Program due to unallocated CLGF Round 4 being specified to fund the road program. The allocation of CLGF toward the road program affects the Shires own source expenditure within the Roads to Recovery Program. To manage the Roads to Recovery own source expenditure the Shire requires a loan to fund the road program works.

The Shire has sought a repayment schedule from the Western Australian Treasury Corporation for loan amount \$445,000. An indicative repayment schedule for a loan over 10 year period at interest rate 4.05% per annum (semi-annual compounding) for \$445,000 results in total annual repayments of \$54,809.30. Therefore the total annual cost to Shire approx. \$55,000 to fund 2011-2012 overruns and unbudgeted expenditure.

Cash is required immediately to fund the current 2012-2012 Road Program. The Road Program needs to be undertaken prior to 30 June 2012 to ensure Shire own source expenditure contributes to the obligations of the Roads to Recovery Program. Therefore, the loan borrowing is essential to ensure sufficient lead time is allowed for the Shire works team to carry out the works prior to the end of 30 June 2012. Strategies to finance the repayment of the loan borrowings quicker are listed in more detail below.

Financing repayments on loan borrowings include sale of assets and sale of land. A review of our asset and land registry is attached in Attachment 1. It is recommended that some asset disposal is undertaken to fund repayments however recommended that process be viewed over several years. Additional sources for loan repayments may be possible in future budgets with reduced expenditure in areas where Shire contracts or provides subsidies for services beyond industry standards.

Organisational Review - Shire Staff

A review of the organization functional layout and staff resources was undertaken to identify possible operational costs savings. A reduction in staff numbers and hours worked has been undertaken since the 2012-2013 budget adoption. No further reductions in staff numbers could be identified or further reduction in operational hours without removing services provided to the community.

From the adoption of the 2012-2013 budget the following Full Time equivalent staff reductions have occurred:

- Building Construction & Maintenance – 1 FT Equivalent
- Parks & Gardens – 2 FT Equivalent
- Works & Services – 1.6 FT Equivalent
- Administration – 2 FT Equivalent
- Contractors - 1 FT Equivalent (inclusive of Lake Grace Swimming Pool)

A total of 6.9 Full Time equivalent Staff reductions have been implemented to date in the 2012-2013 budget. This equated to \$278,297 salary savings. This extent of reduction in the timeframe has affected operational needs and services of the Shire. Further reductions will compromise staff retention and wellbeing along with compromising the Shire capacity to meet obligations. In the past 12 months the Administration staff turnover has exceeded 50%. This degree of turnover in an organization affects the stability and capability of an organization to meet growing demands.

Staff Housing

Staff housing is required for the attraction and retention of staff to the Shire of Lake Grace. All housing available to staff as per employment terms and conditions is occupied at present. The Shire uses one (1) House for consultant accommodation to reduce costs to the Shire. There is no surplus staff housing.

Assets for Disposal Review

A review of the asset register indicates limited scope for financing from asset disposal. There are no excess assets within all classes. Some potential options include:

- Disposal of land from Wattle drive Residential Subdivision development. 10 lots will be created once subdivision is completed this financial year.
- Disposal of staff housing – expression of interest could be sought for staff wishing to purchase shire owned housing.

An estimate of revenue from 2 sources is:

- Land sales - \$150-\$200,000
- Housing - \$240,000

A reliance on revenue from the sale of assets by the shire cannot be certain because of uncertainty on actual value or market rates and the timeframe required to realize the revenue from sale is not easily projected.

Strategic Implications

Shire of Lake Grace Strategic Plan – 7. Organisational Excellence

Voting Requirements

Council is required to adopt the budget review with an absolute majority (5).

Resolution

MOTION 11604

Moved Cr Chamberlain
Seconded Cr De Landgraft

That Council suspend Standing Orders numbered 8.5 and 8.6 to allow unrestricted discussion on the Budget Review document.

MOTION CARRIED 9/0

3.02pm

Cr Chamberlain left the meeting and returned at 3.07pm.

Resolution

MOTION 11605

Moved Cr Chamberlain
Seconded Cr Walker

That Standing Orders resume.

MOTION CARRIED 8/0

Resolution

MOTION 11606

Moved Cr Farrelly
Seconded Cr Chappell

That Council endorse the recommendation of the Audit Committee that it:

1. Adopt the Shire of Lake Grace 2012-2013 Shire Budget Review and amendments
2. Amend CLGF Round 3 Financial Assistance Agreement with RDL to reallocate \$50,000 from Lake Grace Men's Shed to Newdegate Medical Centre
3. Amend CLGF Round 4 Financial Assistance Agreement alternative projects yet to be determined
4. Borrow additional \$200,000 toward Loan 196 for road program works for a ten year period.
5. Endorse the setting up of the following accounts:
 - a) Income Account LGIS Lake Grace Golf tournament
 - b) Expenditure Account LGIS Lake Grace Golf tournament
6. Reduce Job No 122507 Edge Repairs by \$20,000, and increase Job No 122508 Rural Road Signs and Guide Posts by \$20,000.
7. Reallocate \$30,000 from Job No. 09020 (Ace Road) towards works on Hatters Hill Road

MOTION CARRIED BY ABSOLUTE MAJORITY 8/0

14.4 **COUNTRY LOCAL GOVERNMENT FUND – 2012-2013 FINANCIAL ASSISTANCE AGREEMENT**

Applicant:	Shire of Lake Grace
File No.	666
Attachments:	Nil
Author:	Martin Harrop
Disclosure of Interest:	Nil
Date of Report:	1 February 2013
Senior Officer:	Graeme Simpson

Summary

The purpose of this report is to obtain Council approval on the preferred projects to be listed in the Country Local Government Fund 2012-2013 Round submission.

Background

The Country Local Government Fund has been the program from which Local Government has obtained funding to undertake infrastructure projects. The March 2013 budget review identified untied CLGF 2012-2013 had been allocated towards the road program without Council consultation and consideration of the impact of the Roads to Recovery Program.

Year	Priority/Project	Category of Expenditure as per Guidelines	Allocated CLGF Expenditure (ex GST)\$
2012-2013	Town street reseals	Transport	\$ 90,000.00
	Lake King Norseman Road		\$ 42,500.00
	Dyke Road		\$ 35,000.00
	Mission Road		\$ 35,000.00
	Lockart Road		\$ 45,000.00
	Ace Road		\$ 40,000.00
	Lake King Traffic Management		\$ 40,000.00
	Lake Grace Karlgarin Road		\$ 88,304.00

Table 1: Projects submitted in the 2012-2013 Financial Assistance Agreement

The budget review recommends that the Council fund the road program via a loan borrow and resubmit the 2012-2013 Financial Assistance Agreement to Regional Development and Lands with more appropriate infrastructure projects. The Management team checked with the Department of Regional Development and Lands that projects can be changed subject to projects conforming to the eligibility criteria and being recognised by Councils Forward Capital Works Program.

An update on the Country Local Government Fund Local Component was presented to Council at the February 2013 Ordinary Meeting.

Comment

A review of the shires Forward Capital works Program was undertaken and the following list of projects was identified as meeting the criteria of the grant. A description of each project follows:

Project	Description	Funding Sought
Lake Grace Community Shed	<p>This project is part of the Men's Shed Program which is a successful program that has benefited many men in the country regions of Australia. The funding will be used toward the construction and fit out of the shed in Lake Grace.</p> <p><i>This project secured funding on Round 3 CLGF 2011-2012 and needs to be included.</i></p>	\$50,000
Newdegate Independent Living Units	<p>The Newdegate Townsite Rejuvenation Project incorporates a number of staged development upgrades to improve town site infrastructure. Stage 1 of the project involved the construction of the Newdegate Medical Centre which has been completed. Stage 2 & 3 involves the upgrade to the Lesser Hall and construction of Independent Living Units. This project involves extensive earthworks for preparation of site for development and integration of the unit development with the Less Hall. The works are for the civil and landscape infrastructure for the Independent living units and Lesser Hall upgrade and include earthworks, drainage, fencing, retaining and detailed hard and soft landscaping.</p> <p><i>This project is closely linked to Regional CLGF component of 2012-2013 round and benefit will ensure completion of the project.</i></p>	\$140,000
Lake Grace Independent Living Units	<p>The Lake Grace Independent Living Units is part of the Well-Aged Housing Project. The Shire is constructing 3 units for independent living within the town. This Project involves the construction of the hard & soft landscape elements of the unit development including driveways, footpaths, paving, fencing, gardens.</p> <p><i>The benefit will ensure a committed project will be completed.</i></p>	\$120,000
Recycling Centre	<p>The Lake Grace Recycling Centre is part of new light industrial development undertaken by LandCorp. The Shire has a lot to develop into a Recycling Centre for the collection of recyclables within the Shire. This project will involve the development and construction of the Lake Grace Recycling Centre. Works will involve planning, power connection, shed construction, fencing, internal surfacing, and signage and storage areas for recyclable materials.</p> <p><i>It will provide the infrastructure necessary to manage waste recycling economically.</i></p>	\$100,000

Footpath Network renewal	This project involves the renewal and upgrade of footpath networks within the Shire. There are sections of footpath requiring renewal and creation of connections to upgrade the footpath network. The project is required to provide a higher standard of footpath network suitable for ageing community. The project will provide greater connectivity and accessibility for the community. <i>The benefit will ensure the construction of many outstanding renewal projects and safe community paths.</i>	\$50,000
Lake Grace Sports Ground Redevelopment	This project involves the redevelopment and upgrade of the Lake Grace Sporting Pavilion and surrounds. This Project involves the construction of the hard & soft landscape elements of the sporting pavilion upgrade and integration of existing facilities with the new sporting pavilion upgrade. <i>It will provide for contingency for community in-kind works.</i>	\$50,000

Legal Implications

Nil

Policy Implications

Nil

Consultation

Internal: Senior Management Team

Financial Implications

If the Shire does not receive the 2012-2013 allocation of CLGF it will impact the delivery of the following projects:

- Lake Grace Men's Shed
- Lake Grace Independent Living Units
- Newdegate Independent Living Units

Strategic Implications

Shire of Lake Grace Strategic Plan – Item 6 Leadership - Provide a visionary and proactive approach to leadership at an operational and strategic level

Voting Requirements

Simple majority required.

Recommendation/Resolution

MOTION 11607

Moved Cr Newman
Seconded Cr Hunt

That Council:

1. Endorse the substitution to the Regional Development and Lands Department 2012-2013 round with the following projects up to the value of \$415,804 including:

- a. Lake Grace Community Shed - \$50,000
- b. Newdegate Independent Living Units - \$140,000
- c. Lake Grace Independent Living Units - \$120,000
- d. Footpath Network renewal - \$55,804
- e. Lake Grace Sports Ground redevelopment - \$50,000

MOTION CARRIED 9/0

15.0 MATTERS FOR CONSIDERATION – ADMINISTRATION
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15.1 SHIRE OF LAKE GRACE – OCTOBER 2013 LOCAL GOVERNMENT ELECTIONS

Applicant: Chief Executive Officer
File No. 0229
Attachments: Letter & Gazettal
Author: Mr Graeme Simpson

Disclosure of Interest: Nil
Date of Report: 14 March 2013
Senior Officer: Mr Graeme Simpson

Summary

The purpose of this report is to prepare for the October 2013 election of Councillors for newly defined wards of the Shire of Lake Grace. The distribution of the initial terms has not been stated in the gazetted notice and these terms need to be set before the election.

Background

The Governor made an order on the recommendation of the Minister for Local Government that for the Shire of Lake Grace the following changes are to be implemented at the 2013 local government elections:

- ▶ The existing wards are to be abolished and three new wards to be named Lake Grace Ward, Newdegate Ward and Rural Ward are to be established, and
- ▶ The Lake Grace Ward will be represented by three (3) offices of councillor, the Newdegate Ward will be represented by one (1) office of councillor and the Rural Ward will be represented by five (5) offices of councillor.

Expiry of the existing terms for each ward are:

Lake Grace	2 x 2013
	2 x 2015
Newdegate	1 x 2013
	2 x 2015
Lake King/Varley	1 x 2013
	1 x 2015

The election to be held is defined as a Section 4.13 election and the terms are to be determined by the Returning Officer under Section 4.78, but this section does not clearly specify the distribution of expiry dates, however Schedule 4.2 of the Local Government Act states the order of retirement from the office of Councillor is to be as near as practicable to half of the Councillors as the Returning Officer determines.

Comment

Bearing in mind the near as practicable to half principle it is suggested that firstly the candidate with the highest number of votes in each ward

should receive a full four (4) year term and the nearest to half principle could be applied.

Proposed expiry dates are:

Lake Grace	1 x 2017
	2 x 2015
Newdegate	1 x 2017
Rural	2 x 2017
	3 x 2015

Should Council support the proposal it will be forwarded to the Local Government Department and the State Electoral Commissioner to ensure there is an agreed system in place before the 2013 election process is commenced.

Legal Implications

Policy Implications

Nil

Consultation

External: Local Government Department Officers

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Simple majority required.

Recommendation/Resolution

MOTION 11608

Moved Cr Walker
Seconded Cr Farrelly

That Council endorse the Acting Chief Executive Officer/Returning Officers determination made under Section 4.78 (2) of the Local Government Act for the term at the 2013 October election be;

Lake Grace Ward	1 x 2017 expiry
	2 x 2015 expiry
Newdegate Ward	1 x 2017 expiry
Rural Ward	2 x 2017 expiry
	3 x 2015 expiry

MOTION CARRIED 9/0

15.2 NEWDEGATE REJUVENATION PROJECT – COMMITTEE RECOMMENDATIONS

Applicant: Newdegate Rejuvenation Committee
File No. 0659/0533
Attachments: Nil
Author: Mr Graeme Simpson

Disclosure of Interest: Nil
Date of Report: 5 March 2013
Senior Officer: Mr Graeme Simpson

Summary

The purpose of this report is for Council to consider the recommendation put forward by the Newdegate Rejuvenation Project Committee in respect to the future of the Newdegate Town Hall and where it fits in Stages Two, Three and Four of the Newdegate Rejuvenation Project.

Background

On 27 June 2012, Council resolved as follows:

That:

1. Based on the community engagement process undertaken during April 2012, Council adopts the Newdegate Town Centre Rejuvenation Concept Plan Stage Two and Stage Three

With the following clarifications:

a. The construction type for the independent living units is light weight frame construction to include a brick veneer exterior if appropriate as this would appear to be the most cost effective method for delivery of this project.

b. That the work concerned can be done on the basis of owner/builder and that the Shire's Chief Executive Officer be approached to see if the Shire's Construction team is best placed to undertake this work in a cost effective manner.

2. Accepts the Newdegate Rejuvenation Committee's advice that the likely Whole of Life Cost shortfall resulting from the Newdegate Townsite Rejuvenation Project including cladding the Main Hall is only \$91,091 per annum and that possible funding strategies to address this shortfall be investigated by staff.

3. Endorses the Newdegate Rejuvenation Committee recommendation that a further community meeting is required regarding the use of the Main Hall to determine the level of works undertaken.

MOTION CARRIED 8/0

Reason for Change

Cr Walker moved the motion on the understanding that items 1a, b & c of the Committee's Recommendation No 2 are referred back to administration for re-assessment and then brought back to Council to resolve the technical issues.

and on 28 November 2012 resolved:

That, subject to the confirmation of the 2012/13 Country Local Government Fund Regional Component funds being made available and the signing of the Financial Assistant Agreement being completed, Council adopt the quotation from Gary Batt and Associates to undertake planning of two (2) Independent Living Units to be constructed and located on site plan SK1 dated August 2009.

The public meeting held in the Newdegate Town Hall on 25 February 2013 was attended by 31 members of the public and 4 Shire staff. No definite views were obtained from the meeting however the author of this report felt there was support for the following concepts:

1. Retention of the Kindergym's use of the Hall.
2. Retention of the Fitness Club's use of the Hall.
3. The Lesser Hall needs to be upgraded to complement the proposed Independent Living Units to be constructed adjacent to the Hall.
4. There are competing projects that are in progress and need to be completed before the local community embarks on any major new initiatives, namely:
 - a) Hainsworth Restoration and Re-instatement.
 - b) Holland Track.

In April of 2012 the local community survey results were:

- 79% supported Stages Two and Three
- 79% supported upgrading the Lesser Hall
- 75% supported only external cladding of the Town Hall
- 37.5% supported upgrading the main hall

An additional fact that came to attention of the public meeting was that there is \$267,745.00 plus interest in the Newdegate Hall Reserve Fund.

Comment

It can be concluded that there is community support for:

Stage Two: Construct two units, works to the Lesser Hall and connecting landscape to the units.

Stage Three: Construct a further two units

Retention of the Newdegate Town Hall including re-cladding of the walls and roof (if required) as previously suggested for Stage Four.

Current balance of the Newdegate Town Hall Reserve is \$280,793.00 of which \$25,000 has been set aside for planning and design.

The alternative use suggested for the existing structure was to establish an Art Gallery with a mezzanine floor, however there is no current source of funds for Stage Four. Any proposed use for the Town Hall needs to demonstrate firm community support of a concept.

Legal Implications

N/A

Policy Implications

Shire Policy 7.9 is committed to making informed decisions in relation to infrastructure assets but at this stage the Shire cannot adopt a whole of life cost assessment to this project.

Consultation

N/A

Financial Implications

The current prorogation (caretaker mode) of the State Parliament means that no confirmation can be given on the availability of Country Local Government grant funding for the building of the accommodation units. There is also a shortfall of approximately \$140,000 for site preparation and detailed design work for the two units in Stage Two of the Rejuvenation Project development.

Strategic Implications

Shire of Lake Grace Strategic Plan

Focus 2 – Social and Community Well Being

- Upgrade Newdegate Town Hall, confirm plan and seek funding for Rejuvenation Project Stage Two
- Facilitate development of self funded retiree villages (Regional Country Local Government Fund Project):
 - Lake Grace
 - Newdegate Rejuvenation Project Stage Three

Committee Recommendation

Newdegate Town Centre Rejuvenation Committee Resolution 0031

The Newdegate Rejuvenation Committee recommends to Council that:

1. Mr Gary Batt, Architect, of Gary Batt and Associates be requested to prepare the following documents:
 - a) Detailed design documents for the Newdegate Lesser Hall upgrade; and

- b) Cladding of the external walls (and roof if required) of the Lesser Hall and Town Hall including a staged construction schedule.
 - c) Quantity Surveyors assessment.
2. Sufficient funds be allocated from the Newdegate Hall Reserve into the budget to complete detailed design documents for all stages of the Newdegate Rejuvenation Project.
 3. Sufficient funds be re-allocated from the Shire's 2012/13 Country Local Government Fund local component to cover the costs of site preparation and detailed design work for the Newdegate Rejuvenation Project's Stage Two independent living units (2 units) and Lesser Hall connectivity and landscaping, and that the site preparation works commence as soon as possible.

MOTION CARRIED 5/0

Additional Information

The Chief Executive Officer attended the 13 March 2013 4WDL meeting held in Williams and it has been reported that:

- 2012/13 Country Local Government Fund Regional grant for \$1,972,409 to construct 7 units within the region has been applied for.
- Lake Grace component for 2 units amounts to \$538,082.25
- The outcome of the application will not be known before April/May 2013.
- Funding will not be released until all of the funds in the region for the 2010/11 programme have been expended.
- The Premier (Hon Colin Barnett) has spoken of his support for the Royalties programmes being retained but would like a greater emphasis on regions, roads and sewerage.
- No new information has been received from the State Government on these funding programmes.

Administrative recommendation is that Council:

1. Defer the adoption of the Newdegate Town Centre Rejuvenation Committee Recommendation until after confirmation that the 2012/13 Country Local Government Regional Component has been approved and the Financial Assistance Agreement has been completed.
2. Sufficient funds be allocated from the Newdegate Hall Reserve Fund for Mr Gary Batt and Associates to prepare the following documents:
 - a) Detailed design documents for the Newdegate Lesser Hall upgrade; and
 - b) Cladding of the external walls (and roof if required) of the Lesser Hall
 - c) Town Hall including a staged construction schedule and façade on Medical side.
 - d) Quantity Surveyors assessment.
 - e) Cladding of external walls of Town Hall

Voting Requirements
Simple majority required

Recommendation/Resolution

MOTION 11609

Moved Cr Chamberlain
Seconded Cr Sinclair

That Council:

1. Defer the adoption of the Newdegate Town Centre Rejuvenation Committee Recommendation until after confirmation that the 2012/13 Country Local Government Regional Component has been approved and the Financial Assistance Agreement has been completed.
2. Sufficient funds be allocated from the Newdegate Hall Reserve Fund for Mr Gary Batt and Associates to prepare the following documents:
 - a) Detailed design documents for the Newdegate Lesser Hall upgrade; and
 - b) Cladding of the external walls (and roof if required) of the Lesser Hall
 - c) Cladding of the external walls of the Town Hall, including a staged construction schedule and design of the façade on Medical Centre side.
 - d) Quantity Surveyors assessment.
 - e) Cladding of external walls of Town Hall

MOTION CARRIED 9/0

3.20pm

Cr Newman left the meeting.

15.3 LOCAL GOVERNMENT COMPLIANCE AUDIT – 1 JANUARY 2012 TO 31 DECEMBER 2012

Applicant: Department of Local Government & Regional Development
File No: 0528
Attachments: Compliance Return
Author: Mrs Lee-Anne Trevenen

Disclosure of Interest: Nil
Date of Report: 18 March 2013
Senior Officer: Mr Graeme Simpson

Summary

The purpose of this report is for adoption of the Statutory Compliance Audit Return for the year ending 31 December 2012 and endorsement of the required certification.

Background

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

The return is to be approved by Council, certified by the President and Chief Executive Officer and submitted to the Director General Department of Local Government and Regional Development by 31 March 2013.

Last year the Compliance Audit was completed in-house. The decision to complete the audit in-house was made due to very few issues being identified in the Compliance Return for 2010. Two years prior to this the Compliance Audit had been completed using the services of a consultant. The number of questions in the 2011 year return was significantly reduced with there being only 78 questions as opposed to 283 in 2010 and 347 in 2009.

The Department of Local Government has reduced the questions so that only areas of high risk are addressed.

Comment

This year's return has been completed online and now requires certification.

Consultation

Internal: Chief Executive Officer
Manager Corporate Services
Manager Infrastructure Services
Executive Assistant
Coordinator Finance & Administration
Shire of Lake Grace Audit Committee

Legal Implications

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

Policy implications

N/A

Financial implications

N/A

Strategic implications

Shire of Lake Grace Strategic Plan

Organisational Excellence

7.1 – Develop systems to ensure compliance with various statutes, regulations and policies.

Voting Requirements

Simple majority required

Recommendation/Resolution

MOTION 11610

Moved Cr Chappell
Seconded Cr Farrelly

That:

1. The Local Government Statutory Compliance Return for the Shire of Lake Grace for the period 1 January 2012 to 31 December 2012 be adopted; and that,
2. The Certification contained within the Local Government Statutory Compliance Return be endorsed by the Shire President and the Acting Chief Executive Officer.

MOTION CARRIED 8/0

15.4 RECRUITMENT OF NEW CHIEF EXECUTIVE OFFICER

Applicant:	Shire President
File No.	0011
Attachments:	Appointing a CEO – Department of Local Government Worked Examples - CEO's Salary Options
Author:	Mr Graeme Simpson Acting Chief Executive Officer
Disclosure of Interest:	Financial, negative impact
Date of Report:	15 March 2013
Senior Officer:	Mr Graeme Simpson Acting Chief Executive Officer

Summary

The legislative requirements imposed on local governments requires that the employment of a Chief Executive Officer must be advertised in accordance with Section 5.36 of the Local Government Act and Regulation 18A of the Local Government Administration Regulations.

Advertisements must be place in a newspaper circulating through the State and must include;

- a) the details of the remuneration and benefits offered;
- b) details of the place where applications for the position are to be submitted;
- c) the date and time for the closing of applications for the position;
- d) the duration of the proposed contract;
- e) contact details for a person who can provide further information about the position, and
- f) any other information toe local governments consider is relevant.

Background

The Chief Executive Officer position was advertised in August 2012 and the initial response did not provide a suitable candidate for final interview. Twelve of the fifteen applicants came from interstate making it clear that if professional recruiting agencies are involved in the process then there is access to a larger field of candidates however it did not produce a quality field.

After the first process was completed a personal approach was tried and whilst it did not produce the desired result two good candidates emerged but did not accept the job.

Comment

Recruitment of a new Chief Executive Officer

The dual approach of the Shire staff organising the advertising and managing the process in house is cost effective and the offer to local government recruiting agencies to be forwarded if they introduce the successful candidate may help produce a better outcome.

Legal Implications

Local Government Act 1995

Section 5.37 (4) of the Local Government Act states that if the position of Chief Executive Officer becomes vacant it is to be advertised and now that the process needs to be recommended the formal process needs to be recommended the formal progress also needs to be followed.

Regulation 18C of the Local Government (Administration) Regulations requires that Council must approve of the process to be used prior to advertising.

Section 5.36 (2) (b) requires Council to be satisfied with the provisions of the proposed employment contract. A copy of the WALGA Workplace Solutions contract is attached for Councillors consideration.

The Salaries and Allowances Tribunal has determined that Lake Grace is within band 4 of the Total Reward Package, that is a minimum of \$121,909 and a maximum of \$184,788.

Policy Implications

The schedule of salary options complies with schedule 1 of the Salaries and Allowances Tribunal determination and the Shire of Lake Grace past practises.

Consultation

External: Workplace Solutions
LOGO Appointments

Internal: Shire President
Senior Management Team

Financial Implications

The two accounts within the General Governance Section of the budget (E042024 and E042100) have \$2,800 and \$2,400 respectively available for advertising. Two advertisements in the West Australian on a Saturday will be in excess of \$1,000 on each occasion but staff costs will be contained within the salaries budget.

Strategic Implications

Nil

Voting Requirements

Absolute majority required.

Recommendation/Resolution

MOTION 11611

Moved Cr de Landgraff
Seconded Cr Chamberlain

That Council proceed with the proposal to re-advertise for the position of Chief Executive Officer using the following process;

1. Advertisements be placed in the West Australian Newspaper for the issues of Saturday a 6th April and Saturday 13th April, 2013.
2. Applications close on Wednesday, 1 May 2013.
3. The Shire Administration to process the applications and recommend a short list for interview.
4. An invitation be extended to LOGO Appointments and WALGA Workplace Solutions to participate in the process on the basis that if they nominate a recruit that is appointed to the position the Shire will pay a reasonable recruitment fee.
5. The Total Reward Package will be within the Band 4 and range from \$121,909 to \$184,788 with a cash component within the range of \$110,000 to \$142,095.

MOTION CARRIED BY ABSOLUTE MAJORITY 8/0

3.23pm

Cr Newman re-entered the meeting.

16.0 INFORMATION BULLETIN

15.5 INFORMATION BULLETIN REPORT – MARCH 2013

Applicant:	Executive Services
File No.	N/A
Attachments:	<ol style="list-style-type: none"> 1. Annual Grants Register 2. Minutes – Audit Committee 3. Minutes – Newdegate Rejuvenation Committee 4. Minutes – Lake Grace Sport Pavilion Committee 5. Minutes – WALGA Central Country Zone
Author:	Mrs Lee-Anne Trevenen
Disclosure of Interest:	Nil
Date of Report:	20 March 2013
Senior Officer:	Mr Graeme Simpson

Summary

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

Background

The Information Bulletin Report deals with monthly standing items and other information of a strategic nature relevant to Council.

A copy of other relevant Councillor information is distributed via email and the weekly mail-out.

Comment**Integrated Planning Update**

This is to provide Council with information regarding the status of the various main elements of the Shire's Integrated Planning process as per the Integrated Planning and Reporting Framework 2011.

Element	Status & Comments
Strategic Community Plan	<p>Adopted at the November 2012 Meeting.</p> <p>Staff have been working on prioritising desired outcomes from the Community Strategic Plan into financial years to 2023, so it translates into practical project data for costing. Council is to meet and make a decision on which projects are priorities and timeline them over 10years. The information is then included/integrated into the Corporate Business Plan, Workforce Plan & Long Term Financial Plan.</p> <p>Responsibility of : Chief Executive Officer & Council</p>
Corporate Business Plan Due to Department of	To be developed from the Shire's existing Strategic Plan and the Strategic Community Plan. Action

Local Government by 30 June 2013.	CEO & Council. This now requires action. Responsibility of: Chief Executive Officer & Council
Workforce Plan Due to Department of Local Government by 30 June 2013.	Current organisational profile nearing completion. This process is being carried out in-house including a survey to staff and engaging with staff regarding the purpose of Workforce Planning. Meetings are held weekly to track progress. Completion of this is reliant on the finalising of the Corporate Business Plan. Responsibility of: Manager Community Services, Coordinator Finance & Administration, Executive Assistant
Asset Management Plan Due to Department of Local Government by 30 June 2013.	The Asset Improvement Strategy Report presented to Council at the February meeting informing Council of the Shire's Asset Management Process. Responsibility of: Manager Infrastructure Services
Long Term Financial Plan Due to Department of Local Government by 30 June 2013.	Draft developed by UHY Haines Norton, requires integration that will align with the Strategic Community Plan, the Corporate Business Plan and the Workforce Plan. The Corporate Business Plan requires completion for this to go ahead. Responsibility of: Manager Corporate Services

The information at attachment includes:

1. Grants Register

Provides a list of grants applied for (pending, approved and completed) on behalf of the Shire.

2. Minutes – Audit Committee

The minutes of the Audit Committee are presented for Council to accept. The Budget Review was presented to Audit Committee on 27th February 2013. The Budget Review 2012/13 is an Agenda item in March 2013 Ordinary Council Meeting.

3. Minutes – Newdegate Rejuvenation Project Committee

Unconfirmed minutes of the Newdegate Rejuvenation Project Committee Meeting held in Newdegate on 6 March 2013. The next Committee meeting is scheduled to be held on 29 May 2013.

4. Minutes – Lake Grace Sports Pavilion Committee

Unconfirmed minutes of the Lake Grace Sports Pavilion Committee Meeting held in Lake Grace on 5 March 2013. The next Committee meeting is scheduled to be held on 7 May 2013.

5. Minutes – WALGA Central Country Zone

Unconfirmed minutes of the In-Person Special Meeting of the WALGA Central Country Zone Meeting held in Narrogin on 22 February 2013. Next meeting to be held on Friday, 19th April 2013.

Legal Implications

Nil

Policy Implications

Nil

Consultation

N/A

Financial Implications

Nil

Strategic Implications

Shire of Lake Grace Strategic Plan

Voting Requirements

Simple majority required.

Voting Requirements

Simple majority required.

Recommendation/Resolution

MOTION 11612

Moved Cr Chappell
Seconded Cr Farrelly

That Council accept the Information Bulletin report.

MOTION CARRIED 8/0

17.0 URGENT BUSINESS BY DECISION OF THE MEETING

17.1 STATE ELECTION OUTCOMES

Applicant: Acting Chief Executive Officer
File No. 0277
Attachments: NIL
Author: Mr Graeme Simpson

Disclosure of Interest: Nil
Date of Report: 27 March 2013
Senior Officer: Mr Graeme Simpson

Summary

This report is to enable Council to offer its congratulations to the two members of the State Cabinet who will have close contact with the Shire.

Background

The local member for Wagin, Hon Terry Waldron MLA and Hon AJ Simpson MLA have both been re elected to State Parliament. Hon Terry Waldron MLA has been re appointed to Cabinet and again given the Ministerial Portfolio's for Sport and Recreation; Racing & Gaming. Hon AJ (Tony) Simpson MLA has been given the Ministerial Portfolio for Local Government.

Comment

NIL

Legal Implications

NIL

Policy Implications

N/A

Consultation

N/A

Financial Implications

NIL

Strategic Implications

NIL

Voting Requirements

Simple majority required.

Recommendation/Resolution

MOTION 11613

Moved Cr Chappell
Seconded Cr de Landgraft

That the Administration write on behalf of the President, Councillors and Staff to offer the Shire's congratulations to:

1. The local member Hon Terry Waldron MLA on his re-election to State Parliament and reappointment to Cabinet.
2. Hon AJ (Tony) Simpson MLA for his re-election and appointment to the Ministerial Portfolio of Local Government

MOTION CARRIED 9/0

18.0 SCHEDULING OF MEETING

15.6 APRIL 2013 ORDINARY MEETING

Motion 11543 November 2012 states:

An Ordinary Meeting of Council will be held on Wednesday 24 April 2013 commencing at 2:00pm at Council Chambers, 1 Bishop St, Lake Grace WA.

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

None

20.0 CLOSURE

There being no further business, the Chairperson closed the meeting at 3.25 pm.

21.0 CERTIFICATION

I Leonard William Armstrong certify that the minutes of the meeting held on the 27 March 2013 as shown were confirmed as a true record at the meeting held on the 24 April 2013.

President

Date