

Shire of Lake Grace

Ordinary Council Meeting

Minutes

28 September 2012



CONTENTS

CONTENTS	2
1.0 OPENING & ANNOUNCEMENT OF VISITORS	101
2.0 ATTENDANCE RECORD	101
2.1 PRESENT	101
2.2 APOLOGIES	101
2.3 LEAVE OF ABSENCE PREVIOUSLY GRANTED	101
3.0 PUBLIC QUESTION TIME	101
3.1 MRS HELEN MCDONALD	101
3.2 MR BOB IFFLA	102
4.0 APPLICATIONS FOR LEAVE OF ABSENCE	104
4.1 CR NEWMAN AND CR CHAMBERLAIN	104
5.0 MINUTES OF PREVIOUS COUNCIL MEETINGS	104
5.1 ORDINARY MEETING – 22 AUGUST 2012	104
5.2 SPECIAL MEETING – 29 AUGUST 2012	104
6.0 DECLARATIONS OF INTEREST	105
6.1 DECLARATIONS OF FINANCIAL INTEREST – LOCAL GOVERNMENT ACT SECTION 5.60A	105
6.2 DECLARATIONS OF PROXIMITY INTEREST – LOCAL GOVERNMENT ACT 1995 SECTION 5.60B	105
6.3 DECLARATIONS OF IMPARTIALITY INTEREST – ADMINISTRATION REGULATION SECTION 34C..	105
7.0 NOTICES OF URGENT BUSINESS	105
7.1 ADVICE FROM THE CEO REGARDING AGENDA ITEMS 15.4, 15.5 & 15.6	105
8.0 MOTIONS OF WHICH NOTICE HAS BEEN RECEIVED	106
9.0 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS	106
10.0 MEMBERS' REPORTS	106
10.1 CR NEWMAN	106
10.2 CR ARMSTRONG	106

11.0	MATTERS FOR CONSIDERATION – WORKS & SERVICES	201
11.1	SHIRE OF LAKE GRACE – WASTE MANAGEMENT REVIEW.....	201
11.2	TENDER 1/2012 - SOUTH STREET WATER MAIN UPGRADE – VARIATION TO CONTRACT SPECIFICATION	206
12.0	MATTERS FOR CONSIDERATION – PLANNING	301
12.1	APPOINTMENT OF ENVIRONMENTAL CONSULTANT – PROPOSED LIGHT INDUSTRIAL SUBDIVISION NEWDEGATE RAVENSTHORPE ROAD NEWDEGATE	301
12.2	PLANNING APPROVAL – LOT 9744 GRIFFINS REWARD RD NEENDALING – ENDORSEMENT OF AMENDED SITE DEVELOPMENT PLAN	305
13.0	MATTERS FOR CONSIDERATION – HEALTH & BUILDING	401
14.0	MATTERS FOR CONSIDERATION – FINANCE	501
14.1	ACCOUNTS FOR PAYMENT – AUGUST 2012	501
14.2	FINANCIAL STATEMENTS – JULY 2012.....	503
14.3	2012/13 BUDGET VARIATION – NEWDEGATE TRACTOR SHELTER.....	505
15.0	MATTERS FOR CONSIDERATION – ADMINISTRATION.....	601
15.1	LAKE GRACE DEVELOPMENT ASSOCIATION – LAKE GRACE UNITING CHURCH PROPOSAL .	601
15.2	COUNTRY LOCAL GOVERNMENT REVIEW – RESPONSE FROM STATE GOVERNMENT	605
15.3	4WD VROC – RE-NAMING.....	607
15.4	SHIRE OF LAKE GRACE LOCAL LAW TO REPEAL DEFUNCT AND OBSOLETE LOCAL LAWS 2012	609
15.5	SHIRE OF LAKE GRACE PEST PLANTS LOCAL LAW 2012	609
15.6	SHIRE OF LAKE GRACE DOGS LOCAL LAW AMENDMENT 2012.....	609
15.7	LAKE GRACE SPORTING PAVILION REDEVELOPMENT PROJECT – CSRFF FUNDING APPLICATION ENDORSEMENT.....	610
16.0	INFORMATION BULLETIN	701
16.1	INFORMATION BULLETIN REPORT – SEPTEMBER 2012.....	701
17.0	URGENT BUSINESS BY DECISION OF THE MEETING.....	801
18.0	SCHEDULING OF MEETING	801
18.1	OCTOBER 2012 ORDINARY MEETING	801
19.0	CONFIDENTIAL BUSINESS – AS PER LOCAL GOVERNMENT ACT S5.23 (2).....	801
20.0	CLOSURE	801
21.0	CERTIFICATION.....	801

SHIRE OF LAKE GRACE

Minutes of the Ordinary Meeting of Council held at the Lake King Hall, Lake King WA on Friday 28 September 2012.

1.0 OPENING & ANNOUNCEMENT OF VISITORS

The Shire President opened the meeting at 10.05am.

2.0 ATTENDANCE RECORD

2.1 PRESENT

Cr LW Armstrong	Shire President
Cr IG Chamberlain	Deputy Shire President
Cr R Chappell	
Cr JF De Landgraft	
Cr OP Farrelly	
Cr AI Milton	
Cr WA Newman	
Cr DP Sinclair	
Cr AJ Walker	
Mr GK Simpson	Acting Chief Executive Officer
Ms S Appleton	Manager Corporate Services
Mr MF Harrop	Manager Infrastructure Services
Ms LG Holben	Manager Community Services
Mrs J Bennett	Executive Assistant
Mrs H McDonald	Observer
Mr B Iffla	Observer

2.2 APOLOGIES

Nil

2.3 LEAVE OF ABSENCE PREVIOUSLY GRANTED

None

3.0 PUBLIC QUESTION TIME

3.1 MRS HELEN MCDONALD

Question 1:

The community feels we are top heavy with office staff and road maintenance is not being carried out. How many Shire staff are employed on the following sections?:

1. Road maintenance crew
2. Gardening Crew
3. Office Staff

Reply:

The Manager Infrastructure Services advised there are 10 staff on the Road Maintenance and Construction Crew, the Gardening Crew has 4 gardeners.

The Manager Corporate Services advised that in relation to Office Staff the question will be taken on notice. The Manager Corporate Services commented that at the last official count, the total Shire workforce consists of 38 full time equivalent positions, since then 3 positions have become vacant which have not been replaced, this puts the Shire workforce at 35 full time equivalent positions.

Question 2:

Why is it 3 years ago the Shire was pushing 180,000 to 200,000 sq metres of gravel each year and since then battling to be 100,000 sq metres of gravel each year?

Is there still a separate allocation for stockpiling gravel? Quite obviously the gravel is not getting to the roads.

Reply:

The Manager Infrastructure & Works replied that the Shire's 2012/13 adopted road program budget requires 130,000 cubic metres of gravel, some of which will be catered for by use of existing stockpiles. With regard to totals for past years, the question will be taken on notice as an assessment will need to be done.

Question 3:

Medical Centre Over Run – If the building had been put out to tender what would the costing be compared to the Shire's final cost?

If the works had been carried out by tender, the price and responsibility would be covered by the contractor. The Medical Centre would have been opened 12 months earlier. When will the Shire admit it is not capable of undertaking owner/builder works, as also shown with the Newdegate toilets.

Reply:

Cr Milton replied the original revised tender price was not available to the public but the tender did not include landscaping and car park works.

The Acting CEO advised that the landscaping and car park works were taken out of General Revenue. Building contracts include rise and fall clauses, and commented that, with his experience in local government, it is very rare for building projects to come in on budget.

The Shire President commented that the Shire has learned lessons in recent times and is looking at its building program and ways of keeping costs down. This includes community contributions and voluntary work on projects such as the recent community contribution to the Newdegate Medical Centre and the anticipated community contributions for the Lake Grace Sports Pavilion Redevelopment Project.

3.2 MR BOB IFFLA**Question1:**

Does the Shire have an active Audit Committee? If so who are they and can I address questions to that Committee?

Reply

The Shire President replied that the Shire's Audit Committee consists of Crs Chappell, Milton & Farrelly along with a community representative, Chair of the Committee is Cr Chappell. Any questions must be directed at Council as a whole, individual Crs cannot be quizzed.

Question 2:

As farmers we must check our budgets, how often is the Shire budget checked and does the Committee get actuals and check allocations?

Reply

The Shire President replied that monthly financials are reported to Council and any variances are noted. The Audit Committee meets three times per year, the figures they look at are those provided by staff. There is a mid year budget review undertaken each year.

Question 3:

Is there an allocation of funds for certain tasks, such as \$ per road, artificial turf around toilets in Lake Grace and things like this?

Reply

Shire President - Budget allocations are made in each schedule and this allows the Shire to go about its business. The Manager Corporate Services manages the payment of accounts, they are checked by other staff, at this stage not sure the process is as tight as it should be.

Manager Infrastructure Services – With reference to the Road Program, Council adopts a capital works program annually, this year with the tight financial situation there has been cuts to the capital works program.

Question 4:

Mr Iffla referred to the artificial turf in the main street of Lake Grace which he admires, and asked what the total cost of it was?

Reply

Manager Infrastructure Services advised the question will be taken on notice. The Manager Corporate Services commented that the grass around the BBQ area was purchased in March 2011, some of the cost as covered by the Lotterywest Flood Project and some costed to the Road Verges account.

Question 4:

I have heard through the grapevine that there has been a considerable over run on the construction of the health centre at Newdegate, how much is this and how many quotes did you receive and was the cheapest considered?

Question 5:

Have all the rates due last year been collected?

Reply

The Manager Corporate Services advised the question will be taken on notice.

4.0 APPLICATIONS FOR LEAVE OF ABSENCE

4.1 CR NEWMAN AND CR CHAMBERLAIN

An application in writing was received from Cr Newman and a verbal application from Cr Chamberlain.

MOTION 11505

Moved Cr Chappell
Seconded Cr Sinclair

That Cr Newman's application for leave of absence from 23 to 27 October 2012 to attend a conference in Point McQuarry; and Cr Chamberlain's application for leave of absence for the 24 October 2012 be approved.

MOTION CARRIED 9/0

5.0 MINUTES OF PREVIOUS COUNCIL MEETINGS

5.1 ORDINARY MEETING – 22 AUGUST 2012

Resolution

MOTION 11506

Moved Cr Farrelly
Seconded Cr De Landgraft

That the minutes of the Ordinary Meeting of Council held on the 22 August 2012 be confirmed as a true and accurate record.

MOTION CARRIED 9/0

5.2 SPECIAL MEETING – 29 AUGUST 2012

MOTION 11507

Moved Cr Newman
Seconded Cr Chappell

That the minutes of the Special Meeting of Council held on the 29 August 2012 be confirmed as a true and accurate record.

MOTION CARRIED 9/0

6.0 DECLARATIONS OF INTEREST

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

Cr Newman declared a financial interest in Item 12.1 in that he is a Director of the Trust which owns land adjoining the proposed industrial site.

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

Cr Chamberlain declared a proximity interest in Item 12.1.

6.3 DECLARATIONS OF IMPARTIALITY INTEREST – ADMINISTRATION REGULATION SECTION 34C

Cr Chappell declared an interest of impartiality in Item 15.1 in that he is the Vice Chairman of the Lake Grace Development Association, the applicant in this matter.

MOTION 11508

Moved Cr De Landgraft
Seconded Cr Farrelly

That, with regard to Item 12.1, Crs Newman and Chamberlain remain in the room and be allowed to participate in the debate but not to vote on the matter.

MOTION CARRIED 7/0

Note: Cr Newman requested it be recorded that he did not vote on this matter.

MOTION 11509

Moved Cr Chamberlain
Seconded Cr Sinclair

That, with regard to Item 15.1, Cr Chappell be allowed to participate in the debate and vote on the matter.

MOTION CARRIED 8/0

7.0 NOTICES OF URGENT BUSINESS

7.1 ADVICE FROM THE CEO REGARDING AGENDA ITEMS 15.4, 15.5 & 15.6

The Shire President advised that on advice from the CEO, Local Laws Items 15.4, 15.5 & 15.6 be withdrawn from today's agenda.

Advice of very recent changes in the administrative process of dealing with Local Laws has revealed that the printed format needs some changes to comply with new procedures. The Local Laws will all be dealt with in the one process.

8.0 MOTIONS OF WHICH NOTICE HAS BEEN RECEIVED

None

9.0 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

None

10.40am Mrs McDonald & Mr Iffla left the meeting.

10.0 MEMBERS' REPORTS

10.1 CR NEWMAN

Reported attendance at a meeting at the Shire of West Arthur re the proposal to truck grain to the Bunbury Port which would result in an estimated 40,000 truck movements per year.

None of the Shire's present at the meeting were terribly happy with the proposal and would be going to the Government for money if it went ahead.

10.2 CR ARMSTRONG

Reported attendance at the 4WD Meeting in Dumbleyung, the main item on the agenda was the formalisation of the Shire of Lake Grace as an official member of the 4WD.

The Wheatbelt Railway Alliance have advised there is a meeting in Quairading on 12 October 2012 to seek agreement for the formal alliance of the Group, Cr Chamberlain will attend on the Shire's behalf.

11.0 MATTERS FOR CONSIDERATION – WORKS & SERVICES

11.1 SHIRE OF LAKE GRACE – WASTE MANAGEMENT REVIEW

Applicant:	Manager Infrastructure Services
File No.	0524
Attachments:	Nil
Author:	Mr Martin Harrop Manager Infrastructure Services
Disclosure of Interest:	Nil
Date of Report:	17 September 2012
Senior Officer:	Mr Peter Bradbrook A/Chief Executive Officer

Summary

This report outlines proposed changes to the Shire's waste management service to ensure we operate within the budget and comply with licence conditions.

Background

Increasing waste management costs has triggered the review of waste services provided by the Shire of Lake Grace. Currently the Shire operates 2 manned rubbish tips at Lake Grace and Newdegate. The rubbish tips are licensed under the Environmental Protection Act 1986 and have approved Waste Management Plans which prescribe the conditions of operation and management.

The Shire also provides a bulk recycling service at the rubbish tips as well as the town sites of Lake Grace, Newdegate, Lake King and Varley. The rubbish tip and bulk recycling waste services provided have no cost recovery system in place to offset the total cost to the Shire for waste services. At its 23 June 2010 Ordinary Meeting, Council was presented with a Waste Collection Levy proposal to reduce the Shire's waste management costs but this was not supported.

Waste management practices of the Shire of Lake Grace have been reviewed in light of the 2012-2013 financial year budget constraints. Below is a table of the rubbish tip costs of the manned Lake Grace and Newdegate sites which have increased greatly in cost on the back of operational and licence conditions.

Rubbish tip costs from 2009 to 2012

Year	Lake Grace	Newdegate
2009-2010	\$ 59,835	\$ 30,552
2010-2011	\$ 61,307	\$ 66,392
2011-2012	\$ 86,293	\$ 90,573

The Shire has 4 refuse sites; at Lake Grace, Newdegate, Lake King and Varley. The Lake Grace and Newdegate refuse sites are licensed sites and have prescribed conditions on the operation and management of the sites.

The Varley and Lake King refuse sites are not licensed sites and are not required to be manned.

In summary the conditions of the licence sites require the Shire to:

- Fence the perimeter of the rubbish tips sites and lock the tip when not opened;
- Waste minimisation, removal and storage;
- Compact and cover general household waste;
- Measure and monitor the groundwater quality around the perimeter of the rubbish tips;
- Man the tip sites;
- Monitor and Report on waste management;
- Other prescribed requirements on management of landfill activities.

At its Ordinary Meeting held on 28 July 2010, Council resolved that Lake Grace rubbish tip to be manned for a trial period of six months, open 3 days per week from 9am to 3 pm commencing on the 1 September 2010. Council also resolved to endorse the CEO to seek comment from the Lake Grace residents regarding the preferred opening hours of the Lake Grace rubbish Tip.

The trial period has expired and given increased costs of operating the rubbish tip it is time to review the Shire Waste Management practices.

A survey of the rubbish tip sites of Lake Grace and Newdegate was undertaken during July & August 2012 to obtain an understanding of the frequency of use, time of use and type of waste disposed. Below are the results of the survey.

Frequency use of the rubbish tips for July & August 2012

Description	Weekday	Weekend	Total
Lake Grace Tip	114	64	178
Newdegate Tip	57	50	107
Total	171	114	285
Percentage Total	60%	40%	
Survey Days	27	17	44
Average Visits per Day	6	7	6

Time of rubbish tip visits for July & August 2012

Description	Before Noon	Afternoon	Total
Weekday	105	73	178
Weekends	56	51	107
Total	161	124	285
Percentage Totals	56%	44%	

The results of the rubbish tip survey provide a key insight into the use of the tip sites including:

- Average of 6 visits per day or 1 visit per hour opening time;
- Higher rubbish tip use before midday;
- No significant difference in use between weekday or weekend openings;
- The number of visits per day are not significant enough that a cost recovery system would offset the cost of operating a manned tip;

- Break even cost for manning tip for 6 hours per day, based on actual expenditure on current opening times, is approximately \$650-\$700 per day.

Comment

A review of the licence conditions of Lake Grace and Newdegate and the Tip Management Plans has identified opportunities to change management practices to improve effectiveness and efficiency of Shire Resources.

The issues needing to be addressed include:

- Rubbish tip licenses;
- Rubbish Tip opening times;
- Bulk Recycling practices.

Rubbish Tip Licences

The Lake Grace rubbish tip licence does not prescribe the tip to be manned whilst open. It does require the rubbish tip to be fenced and closed when not open to the public. This allows the Lake Grace tip to be open and not staffed thus providing the opportunity to save operating costs by reducing employee wages allocated to operating the tip.

The Newdegate tip licence does require it to be manned whilst open. The tip is also required to be fenced and closed to the public when not open. It is recommended that Management request the Department of Conservation and Environment to review this condition to be worded same as Lake Grace licence to enable the tip to operate without being manned. The advantage of this is again to reduce staff wages allocated to the operation of the rubbish tips.

Rubbish Tip Opening Times

The rubbish tips of Lake Grace and Newdegate are open from 9am to 3pm on the following days:

- Lake Grace: Monday, Wednesday and Saturday
- Newdegate: Thursday and Sunday

Approximately 40% of manned staff time to operate the rubbish tips attracts penalty rates on hourly pay rates. This is due to providing tip opening times on Saturday and Sunday. The current tip opening times also creates a split week for the Tip Operator within the working week. This means the tip operator does not have a 2 day consecutive break without taking staff from other areas to cover.

The Shire has a limited number of staff to cover the rubbish tip roster without impacting on the works program; particularly the road program. An amendment to the current tip opening times where Sunday was omitted would provide multiple benefits. There would be a reduction in wages (penalty rates), improve staff work roster and freeing of resources to manage the Shire's core work program.

Current and Proposed Tip Operator Schedule:

Day	Rubbish Tip	Existing Pay Days	Rubbish Tip Opening	Modified Pay Days
Sunday	Newdegate	1.75	Tip Closed	0
Monday	Lake Grace	1	Lake Grace	1
Tuesday	Tips Closed		Tips Closed	0
Wednesday	Lake Grace	1	Lake Grace	0
Thursday	Newdegate	1	Newdegate	1
Friday	Tips Closed		Tips Closed	0
Saturday	Lake Grace	1.5	Lake Grace	1.5
		6.25		3.5

Tip Operator Roster

Bulk Recycling Practices

The Shire has no cost recovery process in place to offset the operating costs of the bulk recycling containers. Last year's expenditure for Bulk recycling for 5 containers located in Lake Grace (2), Newdegate (2), Lake King (1) and Varley (1) was \$55,000. The Shire pays a monthly hire fee for each bulk recycling bin and a pickup fee to empty the bins.

This service is in addition to the kerbside recycling service from which the Shire generates income to fund the service. The bulk recycling service exists to divert recyclables from the land fill to extend the life of rubbish tip pits.

The limitation of the bulk recycling service is its efficiency. The service involves modified shipping containers with openings in the side of various dimensions to ensure flat packing of boxes. However cardboard boxes are not consolidated and the storage volume is exhausted easily.

Alternative options are being explored including the use of a baler to compact cardboard but the allocated budget for the 2012-2013 financial year is \$15,000 and will be exhausted shortly. The bulk recycling service for 2012-2013 year will need to be cancelled because of lack of funds.

The Shire will encourage those people who do not have kerb side recycling bins to do so to assist in the diversion of recyclables from landfill.

Legal Implications

Environmental Protection Act 1986 (as Amended)
 Environmental (country Landfill) Regulations 2002
 Health Act 1911 (as Amended)
 Contaminated Sites Act 2003
 Local Government Act 1995

Policy Implications

Nil

Consultation

Internal: Acting CEO
 Contract Environmental Health Officer
 Senior Management Team

Financial Implications

The Shire has allocated \$190,000 within the 2012-2013 financial year for the management of the Lake Grace and Newdegate rubbish tips. This is to cover operational costs and works required by licensing. The proposed alternative tip opening times would reduce cost in operating the Lake Grace and Newdegate rubbish tips in the order of \$25,000 to \$50,000.

The alternative tip opening times reduces costs by:

- Removing penalty pay rates on Sunday's (1.75 ordinary pay rates) which is equivalent to saving 91 ordinary working days (\$16,000) over the financial year;
- Combining Lake Grace and Newdegate weekend opening times to maximise efficiency of penalty rates;
- Creates a more effective working week for the tip operator to be utilised within the road program and thus reduce cost allocated to the operation of the tip.

Strategic Implications

Shire of Lake Grace Strategic Plan – 5 Infrastructure – Develop, maintain and rationalize key infrastructure in the best interests of the community.

Voting Requirements

Simple majority required.

Recommendation/Resolution

MOTION 11510

Moved Cr Walker
Seconded Cr Farrelly

That Council:

1. Ends the trial of manning the Lake Grace tip for 3 days per week;
2. Approves the CEO negotiating with the Department of Environment and Conservation at the next review of the Newdegate rubbish tip the license condition pertaining to manned site being changed;
3. Amends the current tip opening times to provide a service in keeping with community needs as follows:
 - Lake Grace – open Monday and Wednesday (9-3pm) and Saturday (8am-12pm);
 - Newdegate – open – Wednesday (9-3pm) and Saturday – (8am-12pm);
4. End the bulk recycling service and receive and store recyclables at Shire rubbish tips.

MOTION CARRIED 9/0

11.2 TENDER 1/2012 - SOUTH STREET WATER MAIN UPGRADE – VARIATION TO CONTRACT SPECIFICATION

10.53 am Mr Iffla re-entered the meeting.

11.00 am Cr Newman left the meeting and returned at 11.03 am.

Applicant: Shire of Lake Grace
File No. 0704/0463
Attachments: Nil
Author: Mr Martin Harrop
 Manager Infrastructure Services
Disclosure of Interest: Nil
Date of Report: 13 September 2012
Senior Officer: Mr Peter Bradbrook
 Acting Chief Executive Officer

Summary

This report outlines variation to the construction specification for the supply and installation of the South Street water main upgrade, contract RFT 1/2012, within the town site of Lake Grace.

The change in scope of work has resulted in an additional \$120,000 on top of the original tendered price of \$330,000. The total project cost is now \$450,000. The cost of the work is fully refundable from the Water Corporation 12 months from the date of completion of the works. This report recommends that Council accept the variations to the specification and increase the loan required to finance the project.

Background

The Shire of Lake Grace has undertaken a staged subdivision of Lot 1 Wattle Drive Lake Grace for residential purposes. On December 2009 the Western Australian Planning Commission (WAPC) granted conditional approval to subdivide Lot 1 Wattle Drive to create ten (10) new separately titled residential lots, one (1) reserve for public open space and one (1) balance of title lot.

Conditional approval of the subdivision required that the existing water main be upgraded to service the subdivision. The proposed works will involve supply and installation of a water main pipe from Dewar Street to Eggers Place on South Road.

The Shire has entered into a developer Constructed works Agreement with the Water Corporation for the design and construction of the South Road water main upgrade. The cost of the work is fully refundable from the Water Corporation 12 months from the date of completion of the works and includes all design, supervision and construction costs. The design and construction of the water main must comply with the standards and specification required by the Water Corporation, Public Transport Authority and Main Roads.

Council resolved at the June 2012 Ordinary meeting to accept Longfield Services as the preferred tenderer and allow the CEO to negotiate a variation to the price schedule as a result of changes to the scope of works as required by the Water Corporation and Public Transport Authority.

Since the preparation and adoption of the budget on 29th August 2012 additional changes to the construction specification has been requested by the approving authorities.

Comment

Changes to the scope of the works were requested by the Water Corporation, Main Roads and Public Transport Authority including:

- Install 250mm valve on new PVC main at Eggers Place;
- Install 200mm MSCL pipe flanged both ends with puddle flange encased, including concrete thrust blocks as per specifications. 3 required in total and located at south side Dewar Street, north side of rail crossing and south side of Stubbs Street;
- Install 300mm MSCL pipe flanged both ends with puddle flange encased, including concrete thrust blocks as per specifications. 2 required in total and located east and west side of South Road;
- Pressure test PE pipe sections beneath Dewar Street, beneath Railway lines and Stubbs Street and beneath South Road separately testing to the whole line;
- Install Kwik-Zip centralisers or Savcor casing isolators on PE pipeline within steel sleeve rail crossing;
- Supply and install property connections to 8 properties to Water Corporation standards.

These changes will have resulted in an increase to the price schedule. As per the Developer Constructed Works Agreement, the Shire finances the project and is reimbursed the cost 12 months from the completion of the works.

Legal Implications

Local Government Act 1995

Local Government (Functions and General) Regulations 1996

Policy Implications

Nil

Consultation

Internal: Chief Executive Officer

External: Water Corporation & David Wills and Associates

Financial Implications

The variation in the price schedule means the allowances made in Council's 2012/2013 budget are not sufficient. The Shire will need to increase the loan amount from \$330,000 to \$450,000 to allow for the variations in the project specification required by the approving authorities.

	Loan	Interest Payable
Tendered Price	\$330,000	\$22,440
Additional Variations	\$450,000	\$30,060

The additional \$120,000 required to complete the scope of works will add \$7,620 to the interest payments. The total interest payable on a 2 year interest only loan for \$450,000 will be \$30,060. A 2 year interest only loan is a conservative measure to ensure sufficient time is allowed to receive monies back from Water Corporation.

Strategic Implications

The subdivision of Lot 1 Wattle Drive, Lake Grace for residential purposes is consistent with strategic land use planning direction afforded by the Shire of Lake Grace Local Planning Strategy as this relates to future residential development in the Lake Grace town site. The completion of this water main upgrade is critical for the compliance of subdivision conditions and ultimate creation of titles.

Recommendation

1. That Council accepts the price variations due to the changes in specifications requested by the Water Corporation, Public Transport Authority and Main roads.

2. That an additional loan of \$120,000 be obtained to finance the delivery of the South Street Water Main Upgrade and that in accordance with the Local Government Act 6.20 (2) (a) the Council gives one (1) month's local public notice of the proposal.

Voting Requirements

Absolute majority (5) required.

Recommendation/Resolution

MOTION 11511

Moved Cr Chappell
Seconded Cr Newman

1. That Council accepts the price variations due to the changes in specifications requested by the Water Corporation, Public Transport Authority and Main roads.

2. That an additional loan of \$120,000 be obtained to finance the delivery of the South Street Water Main Upgrade and that in accordance with the Local Government Act 6.20 (2) (a) the Council gives one (1) month's local public notice of the proposal.

3. That for future reference information the interest charged on the development loans be labelled as bring the cost incurred for development of water mains for the subdivision of Lot 1 Wattle Drive Lake Grace.

MOTION CARRIED BY ABSOLUTE MAJORITY 8/1

REASON FOR CHANGE

Council included point no 3 to ensure that the costs associated with the loan were labelled to avoid the information being lost.

12.0 MATTERS FOR CONSIDERATION – PLANNING

Cr Newman disclosed a financial interest in Item 12.1 in that he is a Director of the Newdegate Property Trust which owns land adjoining the proposed light industrial area.

Cr Chamberlain disclosed an interest of impartiality in Item 12.1.

As per previous Motion 11508 (refer Item 6.0 p105), Crs Chamberlain and Newman be allowed to participate in the debate but not vote on the matter.

12.1 APPOINTMENT OF ENVIRONMENTAL CONSULTANT – PROPOSED LIGHT INDUSTRIAL SUBDIVISION NEWDEGATE RAVENSTHORPE ROAD NEWDEGATE

Applicant:	Shire of Lake Grace
File No.	0370
Attachments:	Plans 1 to 5 & Attachment 1
Author:	Mr Joe Douglas & Mr Carlo Famiano Urban & Rural Perspectives -Town Planning Consultants
Disclosure of Interest:	Nil
Date of Report:	17 September 2012
Senior Officer:	Mr Peter Bradbrook Acting Chief Executive Officer

Summary

This report recommends that Council advise the Shire Administration whether or not it wishes to proceed with the appointment of a suitably qualified environmental consultant to undertake the contaminated site assessment required in respect of Reserves 20531 and 25063 Newdegate-Ravensthorpe Road being the location of the proposed new light industrial area in the Newdegate townsite.

Background

Council has previously resolved to progress the subdivision development of portion of Reserves 20531 and 25063 Newdegate-Ravensthorpe Road, Newdegate for light and service industry type purposes to address the current shortage of land of this type in the Newdegate townsite. Preliminary plans of the proposed subdivision previously endorsed by Council are attached herewith (see Plans 1 to 5).

At its Ordinary Meeting held on 27 June 2012, the Lake Grace Shire Council resolved to:

- i) Finally adopt Amendment No.1 to the Shire of Lake Grace Local Planning Strategy to reclassify approximately 5.4 hectares of land comprising a portion of Reserve 20531 and 25063 Newdegate-Ravensthorpe Road, Newdegate from 'Conservation' to Industrial' without modification;
- ii) Authorise the Shire Administration to obtain quotations from and thereafter appoint a suitably qualified environmental consultant to undertake the investigation and reporting required in respect of potential soil and/or groundwater contamination on the land in accordance with the DEC's 'Contaminated Sites Management Series' guidelines including details of all required site remediation works and associated costs; and

- iii) Make an allowance of \$50,000 in Council's budget for the 2012/2013 financial year to engage a suitably qualified environmental consultant to undertake the contaminated site assessment required in respect of Reserves 20531 and 25063 Newdegate-Ravensthorpe Road.

In July 2012 the Shire Administration invited the following four (4) environmental consultants to prepare and submit a quotation to undertake the required investigation and reporting:

1. Strategen Environmental Consultants;
2. Landform Research;
3. Cyndi Mulders Environmental and Compliance Consultant; and
4. SLR Consulting Australia Pty Ltd.

Comment

Council should note that Landform Research declined the Shire's invitation to prepare and submit a quotation for the required work as they are of the opinion, based on previous work undertaken in Newdegate for the Shire of Lake Grace, that it is inappropriate to rezone and develop the subject land for industrial purposes on both planning and environmental grounds (see Attachment 1). As such the following is an evaluation of the three (3) quotations finally received by the Shire.

Quotation Evaluation

The reporting officers' used the following selection criteria and associated weightings for the evaluation of all quotations received:

Criteria	Percentage Weighting
Quotation price to deliver the required environment assessment and recommendations.	60%
Deliver report in accordance with DEC Guidelines & provision of a recommendation for site management/remediation.	30%
Timing for the delivery of the required site investigation.	10%

The following table summarises the evaluation and weightings assigned to the quotation received from each consultant:

Consultant	Quotation Price (including GST)	Delivery of report & provision of recommendations	Timing	Total
SLR Consulting Aust Pty Ltd	36 (\$64,570.00)	27	7	70
Strategen Environmental Consultants	42 (\$49,322.00)	9	6	57
Cyndi Mulders Environmental Compliance Consultants	24 (\$93,631.40)	27	7	58

It should be noted that the quotation provided by Strategen Environmental Consultants only included the preparation of a Preliminary Site Investigation (PSI) report and did not include the preparation of a Detailed Site Investigation (DSI) report or the provision of any recommendations for site management / remediation.

As such the quotation did not include all of the tasks required by Council in this instance and has been weighted and evaluated accordingly.

Based upon the above evaluation outcomes it is recommended that Council consider appointing SLR Consulting Australia Pty Ltd to undertake the required work.

Legal Implications

Local Government Act 1995

Local Government (Functions and General) Regulations 1996

Contaminated Sites Act 2003 & Contaminated Sites Regulations 2006

Policy Implications

Nil

Consultation

Nil

Financial Implications

It is understood that an allowance of up to \$50,000 was going to be made in Council's budget for the 2012/2013 financial year to engage a suitably qualified environmental consultant to undertake the investigation and reporting required in respect of the potential soil and/or groundwater contamination on the land in accordance with the DEC's 'Contaminated Sites Management Series' guidelines including details of all required site remediation works and associated costs.

Given the above evaluation it is clear that the investigation and reporting required will exceed this required allowance. It is also understood from discussion with the Shire Administration that the recently adopted budget for the 2012/2013 financial year has made no allowance for this work due to current fiscal constraints. Should Council therefore wish to proceed a suitable amendment to the budget will be required.

Comment - Acting CEO

Because of the Shire's current financial position, I believe it would be prudent to defer this project until the situation improves.

Strategic Implications

The future development of Reserves 20531 and 25063 Newdegate-Ravensthorpe Road, Newdegate for light/service industrial purposes will address the need for suitably located and serviced land in the Newdegate townsite for light/service industry type land uses.

Recommendation

That Council:

1. Advise the Shire Administration **whether or not** it wishes to proceed with the appointment of a suitably qualified environmental consultant to undertake the contaminated site assessment required in respect of Reserves 20531 and 25063 Newdegate-Ravensthorpe Road being the location of the proposed new light industrial area in the Newdegate townsite; and
2. Authorise the Shire Administration to advise those environmental consultants who submitted a quotation of Council's decision in this matter.

Voting Requirements

Simple majority required.

Resolution

MOTION 11512

Moved Cr Walker
Seconded Cr Farrelly

That Council advise the Shire administration to defer the project until the Shire's financial situation improves.

MOTION CARRIED 7/0

REASON: Given the Shire's current tight financial situation it was deemed financially responsible to defer the project. The project will be reconsidered in the 2013/14 budget deliberations.

12.2 PLANNING APPROVAL – LOT 9744 GRIFFINS REWARD RD NEENDALING – ENDORSEMENT OF AMENDED SITE DEVELOPMENT PLAN

Applicant:	AK Homes Construction Pty Ltd on behalf of Alfred & Dorothy Morgan (Landowners)
File No.	0365
Attachments:	Plans 6 to 10
Author:	Mr Joe Douglas Urban & Rural Perspectives -Town Planning Consultants
Disclosure of Interest:	Nil
Date of Report:	17 September 2012
Senior Officer:	Mr Peter Bradbrook Acting Chief Executive Officer

Summary

This report recommends that a request for Council's endorsement of an amended site development plan submitted by AK Homes Construction Pty Ltd on behalf of Alfred and Dorothy Morgan (landowners) to construct a new single house on Lot 9744 (No.219) Griffins Reward Road, Neendaling be approved subject to compliance with all conditions of the Shire of Lake Grace's previous planning approval for the land dated 25 July 2012 (Motion 11475).

Background & Comment

At its meeting held on 25 July 2012 the Lake Grace Shire Council resolved to grant conditional planning approval to construct a new single house on Lot 9744 (No.219) Griffins Reward Road, Neendaling.

Under the terms of that approval the proposed new house was to have a setback of approximately 750 metres from the land's eastern front boundary (i.e. Griffins Reward Road), a 529 metre setback from the land's southern side boundary and a 651 metre setback from the land's western rear boundary (see Plans 6 to 9).

Following further investigation and discussions between AK Homes Construction Pty Ltd and the landowners, the decision was made to construct the dwelling in an alternative location to that previously approved by Council to help minimise the potential negative visual impacts associated with a number of existing powerlines and associated poles located in close proximity to the new dwelling.

AK Homes Construction Pty Ltd have subsequently submitted an amended site development plan to the Shire seeking Council's endorsement prior to the commencement of development.

Under the terms of the amended plan the proposed new house will now have a setback of approximately 870 metres from the land's eastern front boundary (i.e. Griffins Reward Road), a 304 metre setback from the land's southern side boundary and a 724 metre setback from the land's western rear boundary (see Plan 10).

It is significant to note that all internal and external layouts for the proposed new dwelling (i.e. floor plans & elevations) will remain unchanged from those previously approved by Council at its July 2012 meeting.

An assessment of the amended site development plan for the project against the specific standards and requirements of the Shire of Lake Grace Local Planning Scheme No.4 and the Residential Design Codes of Western Australia has confirmed

that it satisfies the various provisions and standards contained in both documents. As such it is recommended that Council grant approval to the revised plan subject to compliance with all conditions of the previous planning approval issued for the land on the 25th July 2012 (Motion 11475).

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.

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Simple majority required.

Recommendation/Resolution

MOTION 11513

Moved Cr Chappell
Seconded Cr De Landgraft

That the amended site development plan submitted by AK Homes Construction Pty Ltd on behalf of Alfred and Dorothy Morgan (Landowners) to construct a new single house on Lot 9744 (No.219) Griffins Reward Road, Neendaling be approved subject to compliance with the terms and conditions of the Shire Lake Grace's previous planning approval for the land dated 25 July 2012 (Motion 11475).

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 – AUGUST 2012**

Applicant:	Shire of Lake Grace
File No.	0277
Attachments:	List of Creditors
Author:	Miss Nicola Bateman Finance Officer
Disclosure of Interest:	Nil
Date of Report:	17 September 2012
Senior Officer:	Ms Samantha Appleton Manager Corporate Services

Summary

For Council to ratify expenditures incurred for the month of August 2012.

Background

List of payments for the month August 2012 through the Municipal and Trust accounts are attached with a statement of credit card activity.

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 August 2012 from the Municipal and Trust Account Total \$711,448.44.

Strategic Implications

Shire of Lake Grace Strategic Plan

7. Organisational Excellence

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

Voting Requirements

Simple majority required.

Recommendation/Resolution

MOTION 11514

Moved Cr Chappell
Seconded Cr Sinclair

That Council receive the list of payments totalling \$711,448.44 as presented for the month of August 2012 incorporating:

Direct Credits DD4085.1 to DD4126.1

Trust Account 668 to 669

Municipal Account Cheques 34845 to 34881

Electronic Funds Transfers EFT9898 to EFT10031

MOTION CARRIED 9/0

14.2 FINANCIAL STATEMENTS – JULY 2012

Applicant:	Corporate Services Section
File No.	0275
Attachments:	Financial Reports
Author:	Ms Samantha Appleton Manager Corporate Services
Disclosure of Interest:	Nil
Date of Report:	18 September 2012
Senior Officer:	Mr Peter Bradbrook Acting Chief Executive Officer

Summary

Consideration of the financial statements for the month ending 31 July 2012.

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

It should be noted that the audit for 2011/12 is yet to be completed and end of year figures for this period may be subject to change.

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 11515

Moved Cr Newman
Seconded Cr Chappell

That Council in accordance with Regulation 34 of the Local Government (Financial Management) Regulations 1996 receives the Statement of Financial activity for the period ended 31 July 2012.

MOTION CARRIED 9/0

14.3 2012/13 BUDGET VARIATION – NEWDEGATE TRACTOR SHELTER

Applicant: Newdegate Community Development Association
File No. 0436
Attachments: Invoice & Correspondence
Author: Ms Samantha Appleton
Manager Corporate Services
Disclosure of Interest: Nil
Date of Report: 18 September 2012
Senior Officer: Mr Peter Bradbrook
Acting Chief Executive Officer

Summary

Council is requested to approve unbudgeted expenditure for the construction of the Tractor Shelter at Pioneer Park in Newdegate.

Background

A request has been received by the Newdegate Community Development Association (NCDA) for the Shire of Lake Grace to fund the recently constructed Tractor Shelter, through the payment of the works contractor and the collection of a community donation toward the cost of the project.

Comment

A provision for these works was not made in the budget for 2012/13 and payment will need to be approved prior to the payment being made.

The NCDA requests that the Shire of Lake Grace pays the contractor BOTI Nominees the sum of \$15,816.26 for the works and the NCDA will reimburse the Shire of Lake Grace for this amount.

The impact of this change will increase both revenue and expenditure by \$15,816.26, with there being no net impact on Council's budget for 2012/13.

Legal Implications

N/A

Policy Implications

N/A

Community Consultation

N/A

Financial Implications

Increase income \$15,816.26
Increase capital expenditure \$15,816.26

Strategic Implications

N/A

Voting Requirements

Absolute majority (5) required.

Recommendation/Resolution

MOTION 11516

Moved Cr De Landgraft

Seconded Cr Newman

1. That Council pay to BOTI Nominees Pty Ltd \$15,816.26 from account E116100 (Land & Buildings – Other Culture).

2. That a donation of \$15,816.26 toward the project be sought from the Newdegate Community Development Association to be paid to account I116300 (Grants & Donations – Other Culture).

MOTION CARRIED BY ABSOLUTE MAJORITY 9/0

15.0 MATTERS FOR CONSIDERATION – ADMINISTRATION
--

15.1 LAKE GRACE DEVELOPMENT ASSOCIATION – LAKE GRACE UNITING CHURCH PROPOSAL

Applicant:	Lake Grace Development Association
File No.	0436
Attachments:	Letter – Lake Grace Development Association Excerpt – Shire Heritage Inventory
Author:	Ms Lee Holben Manager Community Services
Disclosure of Interest:	Nil
Date of Report:	14 September 2012
Senior Officer:	Mr Peter Bradbrook Acting Chief Executive Officer

Summary

The purpose of this report is for Council to consider a request from the Lake Grace Development Association Inc (LGDA) to accept possession of the Lake Grace Uniting Church, also known as the Methodist Church at Lots 46 and 47 Bennett Street Lake Grace.

Background

History

In 1911 the Government granted two lots to the Methodist Church on a 999 year lease. In 1920 the Church was constructed (Lot 47), with the current porch constructed in 1931. The interior of the Church was destroyed by fire in 1978 with restoration occurring in the same year.

The site (Lot 46) also includes a one room corrugated iron clad “cottage” which was built for the Ministers’ prior to the Church being built. The Church is significant as the first purpose built church in Lake Grace and therefore has associations with generations of parishioners and a sense of place for the people and events. The building is listed on the Shire of Lake Grace Heritage Inventory. The single storey building is timber framed and clad with fibrocement sheeting. The steep gable roof has zincalume sheeting.

The LGDA became aware that the Uniting Church of Australia (UCA) intended to divest their trusteeship and sell both lots. The church would probably be demolished in the process to market the property as vacant residential land.

Comment

Lot 47 is held as a Conditional Tenure Freehold (Crown Grant in Trust) by the UCA for the purpose of “Church site” and Lot 46 is freehold. The church has sought to have the trust removed in order that they may sell the land free from encumbrances. The Land Administration Act 1997 states that a trust may be removed upon payment of the unimproved market value. A value of \$22,500 was set in April 2012.

The LGDA has written to Hon Brendon Grylls MLA, Minister for Lands in regards of options available to the Lake Grace Community to acquire Lots 46 and 47. The LGDA has been advised that it is possible for the UCA to transfer the land at a nominal or discounted price to the Shire of Lake Grace or to the LGDA with the existing covenant remaining or alternatively surrender the existing title to the State with a new title being issued with a new covenant. This action is subject to a covenant (Trust) being placed on the title restricting its use to an appropriate community purpose.

This would mean that instead of the UCA paying the Crown \$22,500 to remove the covenant and then selling Lots 46 and 47 on the market, the State will waive the cost and the UCA can transfer the land to the Shire or the LGDA subject to the above conditions. This would incur some nominal settlement and documentation.

The LGDA has asked the Shire of Lake Grace to assume ownership rather than the LFDA which is a voluntary organisation and could be subject to varying levels of participation in the future.

An inspection of the building by both the Building Surveyor and the Shire of Lake Grace's Manager of Building and Maintenance has revealed that the building would require a substantial amount of work before it could be used as a public building. The outside toilets would also need to be upgraded for public use. Due to the nature of the building ongoing maintenance of the building would be continuous.

Legal Implications

Nil

Policy Implications

Policy 7.9 Asset Management

The Shire of Lake Grace has limited resources and is the custodian of a large number of assets, many of which have reached or gone beyond their economic life.

In making informed decisions in relation to infrastructure assets, the Shire will consider the following key principals:

- Philosophy of renewing assets before acquiring new assets and where possible rationalising assets that are no longer used;
- Prior to refurbishment or improvement to an asset, a critical review of the following shall occur as part of the evaluation process:
 - ⇒ Need for facility (short and long term);
 - ⇒ Legislative requirements;
 - ⇒ Opportunities for rationalisation;
 - ⇒ Future liability including ultimate retention/disposal;
 - ⇒ Opportunities for multiple use;

- All capital projects will be evaluated in terms of “whole of life cost assessment.”

Consultation

- Internal:** Senior Management Team
Darryle Baxter, Building Surveyor
Wayne Trawinski, Building Construction and Maintenance Coordinator
- External:** Lake Grace Development Association

Financial Implications

Maintaining assets and infrastructure forms part of Council's Strategic Planning process. Verbal estimates to bring the building and toilets up to a standard where the public could utilise the facilities have been quoted between \$200,000 and \$400,000. This cost is based on commercial rates.

The LGDA has indicated that they would be responsible for all maintenance and repairs but if the organisation folds or is subject to varying levels of participation in the future the Shire of Lake Grace would be responsible for all repairs, maintenance, insurance, amenities etc.

Strategic Implications

Shire of Lake Grace Asset Management Review
This building if rated according to the Asset Management Review would be between an 8 and 10 - a building in extremely poor condition with severe serviceability problems and needing renewal immediately.

Shire of Lake Grace Strategic Plan

Social and Community Well Being

⇒ Enhance the quality of the life for residents within the Shire of Lake Grace.

Infrastructure

⇒ Develop, maintain and rationalize key infrastructure in the best interests of the community, economic development of the Shire and the region.

Voting Requirements

Simple majority required.

Officer Recommendation/Resolution

MOTION 11517

Moved Cr Chamberlain
Seconded Cr Newman

That Council:

1. Supports the Lake Grace Development Association's application to the Uniting Church of Australia to secure ownership of Lots 46 and 47 Bennett Street Lake Grace with the intention of creating a historical precinct for future museum use.
2. Decline the offer from the Lake Grace Development Association Inc to accept possession of the Lake Grace Uniting Church, also known as the Methodist Church at Lots 46 and 47 Bennett Street Lake Grace.

MOTION CARRIED 9/0

15.2 **COUNTRY LOCAL GOVERNMENT REVIEW – RESPONSE FROM STATE GOVERNMENT**

Applicant:	Western Australian Local Government Association (WALGA)
File No.	0666
Attachments:	WALGA Infopage: CLGF Review: Government Response
Author:	Mr Peter Bradbrook A/Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	6 September 2012
Senior Officer:	Mr Peter Bradbrook A/Chief Executive Officer

Summary

In June 2011, the Minister for Regional Development referred a Review of the Royalties for Regions Country Local Government Fund to the WA Regional Development Trust. The Trust released an Issues Paper in October 2011 and sought submissions. The Trust then released a Report in January 2012 with 26 recommendations. The State Government has released its response to the Review and the Government's Response is attached for noting.

Background

There have been calls for the distribution of funds from the Royalties for Regions program to be tightened, with more accountability for funds allocated to Local Governments. The Review was initiated to address these issues.

Although the Trust recommended that the recommendations contained in the Report released in January 2012 be implemented from 1 July 2013 the Government has deferred the implementation until 1 July 2014.

This deferment will allow Local Governments to complete the Integrated Strategic Planning process prior to the changes. It is envisaged that the completed plans will assist in guiding future CLGF projects.

Comment

The recommendations from the Trust include the CLGF fund being split between contestable and non-contestable pools, although the actual split has not yet been determined.

Recommendation 3 recommends that the current level of budget allocation for the CLGF be continued. The Government indicates agreement, but has a proviso that should forecast royalty income reduce then the budget allocation may also decrease.

When allocating funds Local Governments will be rated on prospects, capacity and capability, but not risk, which the Trust had recommended. The Government's response to the Trust stated that "it is important that

those deemed to have a low capability and capacity be afforded the opportunity to improve its rating”.

Legal Implications

Nil

Policy Implications

Nil

Consultation

Nil

Financial Implications

Changes to the manner in which Country Local Government Funds are allocated could have a detrimental or a beneficial impact on the Shire of Lake Grace. This will not be known until further details are available and whether the Shire has projects that rank highly when applications are submitted.

Strategic Implications

Nil

Voting Requirements

Simple majority required.

Recommendation/Resolution

MOTION 11518

Moved Cr Chappell
Seconded Cr Walker

That Council notes the information from WALGA and the Government of Western Australia’s Response to the Country Local Government Review.

MOTION CARRIED 9/0

15.3 **4WD VROC – RE-NAMING**

Applicant: 4WD VROC
File No. 0733
Attachments: Minutes – 4WD VROC
Author: Mr Peter Bradbrook
A/Chief Executive Officer
Disclosure of Interest: Nil
Date of Report: 14 September 2012
Senior Officer: Mr Peter Bradbrook
A/Chief Executive Officer

Summary

Council is to consider re-naming the 4WD Voluntary Regional Organisation of Councils (4WD VROC) to include reference to the Shire of Lake Grace.

Background

On 11 September 2012 the Shire President and Chief Executive Officer attended the 4WD VROC meeting at Dumbleyung, at which time the Shire of Lake Grace was formally admitted as a member. A copy of the minutes is attached.

Consideration is to be given by each of the six participating municipalities as to whether a new name for the VROC is required.

Comment

The following options were proposed in relation to the re-naming of the 4WD VROC:

- Leave the name as is (4WD VROC)
- 4WDLG
- 4WDL
- 4WLD

The group felt that 4WD is well known in Local and State Government circles and has history and marketing significance. It was also emphasised that West Arthur is represented by W only and it is not essential that Lake Grace be recognised by both letters.

4WD, with the connotation that it means Four Wheel Drive, does have a recognition factor, but excludes recognition of Lake Grace altogether.

The group consensus, although Lake Grace supported 4WDLG, was to support 4WDL.

Legal Implications

Nil

Policy Implications

Nil

Consultation

Consultation took place with representatives from the Shires of Wagin, West Arthur, Williams, Woodanilling and Dumbleyung in the presence of the Shire President.

Financial Implications

Nil

Strategic Implications

Some members of the group felt it important to retain 4WD in the name as it holds significance and is well recognised and changing may have implications on marketing.

Voting Requirements

Simple majority required.

Recommendation/Resolution

MOTION 11519

Moved Cr Walker
Seconded Cr Farrelly

That Lake Grace submits an order of preference to the 4WD VROC, as follows:

1. 4WDLG
2. 4WDL
3. 4WLD
4. 4WD

MOTION CARRIED 8/1

15.4 SHIRE OF LAKE GRACE LOCAL LAW TO REPEAL DEFUNCT AND OBSOLETE LOCAL LAWS 2012

15.5 SHIRE OF LAKE GRACE PEST PLANTS LOCAL LAW 2012

15.6 SHIRE OF LAKE GRACE DOGS LOCAL LAW AMENDMENT 2012

As previously advised (refer Item 7.1, p 105, the Shire President re-iterated that on advice from the CEO, Local Laws Items 15.4, 15.5 & 15.6 be withdrawn from today's agenda.

Advice of very recent changes in the administrative process of dealing with Local Laws has revealed that the printed format needs some changes to comply with new procedures. The Local Laws will all be dealt with in the one process.

15.7 LAKE GRACE SPORTING PAVILION REDEVELOPMENT PROJECT – CSRFF FUNDING APPLICATION ENDORSEMENT

Applicant: Lake Grace Sporting Pavilion Redevelopment Committee
File No. 0546
Attachments: CSRFF Application
Author: Mrs Kerry Hitchins
Economic Development Officer
Disclosure of Interest: Nil
Date of Report: 7 September 2012
Senior Officer: Ms Lee Holben
Manager Community Services

Summary

For Council to endorse an application to the Community Sport and Recreation Facilities Fund (CSRFF) on behalf of the Lake Grace Sports Pavilion Redevelopment Committee to redevelop the Lake Grace Sports Pavilion.

Background

This CSRFF application follows on from the 8 May 2012 Council meeting resolution:

MOTION 11432 *Moved Cr Newman, Seconded Cr Walker*

That Council:

1. *Accepts the Chief Executive Officer's report on the status of the Lake Grace Sporting Pavilion Redevelopment Project including the outcomes of the workshop held on 16 April 2012.*
2. *In keeping with Committee Motion 004:*
 - a. *Endorses the revised Lake Grace Sporting Pavilion Project Plan for 2012.*
 - b. *Adopts the design plan Urban and Rural Perspectives Option B as amended as the preferred plan for the redevelopment of the Lake Grace Sporting Pavilion.*
 - c. *Acknowledges the Whole of Life Cost implications associated with the Lake Grace Sporting Pavilion Redevelopment Project, including the expected funding gap of \$49,099 with offsets through projected income and identified savings along with the need to recommend at least \$12,722 is put in to an applicable reserve each year for the life of the facility i.e. 30 years.*
 - d. *Endorses the outcomes of the workshop held on 16 April 2012 to resolve:*
 - i. *The suitability of the design plans for the Lake Grace Sporting Pavilion Redevelopment and whether changes to the concept plans are required. This includes endorsing a request for the Chief Executive Officer to seek from URP revised design plans so that a recommendation can be made regarding the construction type for the Pavilion and an appropriate scope of works;*
 - ii. *The community engagement process required to firm up the Lake Grace Sporting Pavilion Redevelopment Project including the Chief Executive Officer issuing fact sheets and arranging community meetings as appropriate;*
 - iii. *Budget implications for the Lake Grace Sporting Pavilion Redevelopment Project noting that:*
 - a. *The likely budget is \$750,000 with the construction works to commence in May 2013; and*
 - b. *The likely sources of funding for this project are \$200,000 from a loan paid back by the Lake Grace Community through the Specified Area Rate over ten*

years, \$170,000 in grant funding from the CSRFF Program, \$170,000 from the Country Local Government Fund Local Component 2011/12, \$160,000 from the Sporting Precinct Trust and \$50,000 from in-kind works and the balance of the amount allocated for planning during 2011/12.

MOTION CARRIED 9/0”

The Shire of Lake Grace has conducted a ratepayer survey on behalf of the Lake Grace Sports Pavilion Redevelopment Committee to gauge community support for the proposed Lake Grace pavilion and facilities upgrade.

The ratepayer survey was to determine if ratepayers within the Specified Rating Area for Lake Grace wished to support a financial contribution (Approx. \$200,000) by way of an additional charge to the Sport and Recreation component of the rates by way of a specified area rate for the next 10 years.

A total of 620 ballot papers were issued to ratepayers. 341 votes were returned (55%), with 279 ‘yes’ votes (81.8%) and 57 ‘no’ votes (16.7%). 5 votes were invalid (1.5%).

The result means that a loan of up to \$200,000 for part cost of the redevelopment of the Lake Grace Sporting Precinct is supported by the community and will be repaid through Specified Area Rates over a period of 10 years.

The Shire has prepared an application for funding from the Department of Sport & Recreation’s Community Sporting & Recreation Facility Fund. Applications for the 2013/2014 funding round need to be received by the Department of Sport & Recreation by 28th September 2012. The outcome of this application will be known in December 2012.

Pending a successful outcome for this application, building of the new facility will commence in the 2013/14 financial year.

Comment

There are no other local groups seeking funding through the Department of Sport & Recreation’s CSRFF program in this funding round. The application would therefore be the Shire of Lake Grace’s top priority if endorsed by Council.

Legal Implications

Nil

Policy Implications

Policy 1.12 Community Engagement

To ensure that the residents of the Shire of Lake Grace have the maximum opportunity to contribute to their own social, economic and community well-being as well as good governance through information, consultation and active participation in the development of major programs, projects and events throughout the Shire.

Policy 3.3 Specified Area Rates (Key components)

- Part d) All Council capital contributions to recreational and cultural activities. Where Council's contribution to a project under the specified area rate exceeds \$50,000 the project is to be first approved by way of community survey.
- Part f) For a community survey to be successful, greater than 50% of the eligible voters are to participate and more than 50% of returned votes are to be in favour of the proposal.

Policy 7.9 Asset Management (Key components)

The Shire of Lake Grace has limited resources and is the custodian of a large number of assets, many of which have reached or gone beyond their economic life. In making informed decisions in relation to infrastructure assets, the Shire will consider the following key principles:

- Philosophy of renewing assets before acquiring new assets and where possible rationalising assets that are no longer used;
- Prior to the refurbishment or improvement to an asset, a critical review of the following shall occur as part of the evaluation process:
 - Need for facility (short and long term);
 - Legislative requirements;
 - Opportunities for rationalisation;
 - Future liability including ultimate retention/disposal;
 - Opportunities for multiple use;
- All capital projects will be evaluated in terms of "whole of life cost assessment"

Consultation

Internal: Council – Briefing Sessions 28 March 2012 and 26 April 2012
 Lake Grace Sporting Pavilion Redevelopment Committee
 Senior Management Team
 Economic Development Officer and Community Services Officer

External: Department of Sport and Recreation – Wheatbelt Office

Financial Implications

The revised budget is outlined as follows:

Materials:	\$355,000
Trades:	\$175,000
Wages:	\$ 95,000
Fit-out:	\$ 85,000
Planning:	<u>\$ 40,000</u>
Total:	\$750,000

Funding Sources

The expected funding sources are as follows:

Loan (SARs):	\$200,000
CLGFL:	\$170,000 (Country Local Government Fund Local 2011/12)
CSRFF:	\$170,000
Trust	\$160,000
Other:	<u>\$ 50,000</u> (In-kind and SARs re planning rollover 2011/12)
Total:	\$750,000

When the outcome of funding applications has been received, the overall project will be reviewed and if necessary, the project will be staged to meet funding that has been approved.

Strategic Implications

Shire of Lake Grace Strategic Plan

Focus 2 Social and Community Well Being

Strategy 2.1 Retain, promote and develop health, education, recreational provision and access within the Shire.

Focus 5 Infrastructure (other than roads)

Action: Apply for funding to undertake Lake Grace Sports Ground redevelopment including commence construction.

Shire of Lake Grace Forward Capital Works Plan

Recommendation

That Council endorses the Chief Executive Officer to submit an application to the Department of Sport and Recreation for CSRFF funding of \$170,000 in the 2013/14 funding round towards the Lake Grace Sports Pavilion Redevelopment Project.

Voting Requirements

Simple majority required

MOTION 11520

Moved Cr Milton
Seconded Cr Newman

That Standing Orders be suspended at this time being 11.50am in order to provide up to date information to Council on the status of the project.

MOTION CARRIED 9/0

12.15pm

Cr Newman left the meeting and returned at 12.18pm.

12.20pm

Cr Chappell left the meeting and returned at 12.22pm.

12.37pm

Cr Milton left the meeting and returned at 12.40pm.

12.41pm

Cr Chamberlain left the meeting.

MOTION 11521

Moved Cr Newman
Seconded Cr Chappell

That Standing Orders resume; the time being 12.42pm.

MOTION CARRIED 8/0

12.42pm Ms Holben left the meeting and returned at 12.45pm.

Resolution

MOTION 11522

Moved Cr Walker
Seconded Cr Chappell

That Council endorses the Chief Executive Officer to submit an application to the Department of Sport and Recreation for 2013/14 CSRFF funding of \$189,000 towards the Lake Grace Sports Pavilion Redevelopment Project.

MOTION CARRIED 8/0

REASON FOR CHANGE: The application document shows an amount of \$189,000 is being requested from CSRFF.

16.0 INFORMATION BULLETIN

16.1 INFORMATION BULLETIN REPORT – SEPTEMBER 2012

Applicant:	Executive Services
File No.	N/A
Attachments:	<ol style="list-style-type: none"> 1. Grants Register 2. Council Status Report 3. Letter – Minister for Local Government 4. Letter – Dept of Agriculture & Food 5. WALGA Infopage 6. WALGA Infopage 7. Letter – State Library of WA 8. Asbestos Survey – LG Sportsmans Club
Author:	Mrs Jeanette Bennett Executive Assistant
Disclosure of Interest:	Nil
Date of Report:	17 September 2012
Senior Officer:	Mr Peter Bradbrook Acting Chief Executive Officer

Summary

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

Background

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

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

Comment

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. Council Status Report

Tracks the progress of Council resolutions.

3. Letter – Minister for Local Government

Letter and information from the 2011 Census

4. Letter – Department of Agriculture & Food

Letter from the Department of Agriculture & Food re Rural Towns Program

5. WALGA Infopage

WALGA Infopage re Regional Subsidiaries *Local Government Amendment Bill (No 2) 2012*.

6. WALGA Infopage

WALGA Infopage regarding the Department of Water's dry seasonal response update.

7. Letter – State Library of Western Australia

Letter from the State Library of WA regarding funding allocations for July 2012 to June 2013.

8. Asbestos Survey – LG Sportsmans Club

To facilitate increasing the area of land to accommodate the proposed new St John Ambulance Sub Centre in Lake Grace currently leased by the Lake Grace Sportsman Club, the Sportsmans Club Committee requested the Shire undertake an asbestos survey of the building.

The Shire engaged Mr Will Norris, an Asbestos Site Inspector with South West Occupational Health Services to undertake the survey. The survey was carried out during July 2012. A copy of the survey report is attached.

The cost of the report was \$1,760.00 and has been debited to Account E077011 LG Ambulance Centre – Expenses.

Legal Implications

Nil

Policy Implications

Nil

Consultation

Nil

Financial Implications

N/A.

Strategic Implications

Shire of Lake Grace Strategic Plan

Voting Requirements

Simple majority required.

Voting Requirements

Simple majority required.

Officer's Recommendation/Resolution

MOTION 11523

Moved Cr Chappell
Seconded Cr Farrelly

That Council accept the Information Bulletin Report.

MOTION CARRIED 8/0

12.44pm

Cr Chamberlain re-entered the meeting.

17.0 URGENT BUSINESS BY DECISION OF THE MEETING

None

18.0 SCHEDULING OF MEETING

18.1 OCTOBER 2012 ORDINARY MEETING

Motion 11333 November 2011 states:

An Ordinary Meeting of Council will be held on Wednesday 24 October 2012, commencing at 3:00pm 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

In closing the meeting the Shire President congratulated the 4 golfers who represented the Shire of Lake Grace in the recent 2012 LGIS Local Government Golf Tournament held in Kalgoorlie. The Shire of Lake Grace team won the event and the honour of hosting the tournament in 2013.

The President also acknowledged Manager Corporate Services Samantha Appleton's transfer from the Shire of Lake Grace to the Shire of Pingelly and wished her all the best in her new position.

There being no further business, the Chairperson closed the meeting at 12.47pm.

21.0 CERTIFICATION

I Leonard William Armstrong certify that the minutes of the meeting held on the 28 September 2012 as shown were confirmed as a true record at the meeting held on the 23 October 2012.

Chairman

Date