

Shire of Lake Grace



# Ordinary Council Meeting

# Minutes



27 July 2011

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## **SHIRE OF LAKE GRACE**

Minutes of the Ordinary Meeting of Council held at Council Chambers, 1 Bishop St, Lake Grace, WA on Wednesday 27 July 2011.

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

The Chairperson (Shire President) opened the meeting at 3.15pm and welcomed members of the Lake Grace Sporting Precinct Focus Group and the Newdegate Country Club to the meeting.

### **2.0 ATTENDANCE RECORD**

#### **2.1 PRESENT**

Cr AJ Walker	Shire President
Cr IG Chamberlain	Deputy Shire President
Cr LW Armstrong	
Cr R Chappell	
Cr OP Farrelly	
Cr JF De Landgraft	
Cr AI Milton	
Cr WA Newman	
Cr DP Sinclair	
Mr SK Fletcher	Chief Executive Officer
Ms S Appleton	Manager Corporate Services
Ms D Lloyd	Manager Community Services (Acting)
Mrs J Bennett	Executive Assistant
Mr S Chappell	Lake Grace Sporting Precinct Focus Group
Mrs A Trevenen	Lake Grace Sporting Precinct Focus Group
Mr R Taylor	Lake Grace Sporting Precinct Focus Group
Mr B Taylor	Lake Grace Sporting Precinct Focus Group
Mrs D Robertson	Lake Grace Sporting Precinct Focus Group
Ms J McDougall	Project Architect
Mr C Morton	Newdegate Country Club
Mr B Waddell	Newdegate Country Club

#### **2.2 APOLOGIES**

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

### **3.0 PUBLIC QUESTION TIME**

#### **3.1 MR JOHN ROBINSON – QUESTIONS TAKEN ON NOTICE 25 MAY 2011**

A letter has been forwarded to Mr Robinson regarding his questions which were taken on notice at the Council Meeting held on 25 May 2011.

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

##### **4.1 CR CHAPPELL & CR MILTON**

###### **MOTION 11252**

Moved Cr De Landgraftt  
Seconded Cr Farrelly

That Cr Chappell be granted leave of absence from 26 Sept 2011 – 7 Oct 2011 and Cr Milton be granted leave of absence from 28 July 2011 – 8 August 2011.

**MOTION CARRIED 9/0**

#### **5.0 MINUTES OF PREVIOUS COUNCIL MEETINGS**

##### **5.1 ORDINARY MEETING – 22 JUNE 2011**

Resolution

###### **MOTION 11253**

Moved Cr Milton  
Seconded Cr Chappell

That the minutes of the Ordinary Meeting of Council held on the 22 June 2011 be confirmed as a true and accurate record.

**MOTION CARRIED 9/0**

##### **5.2 SPECIAL MEETING – 18 JULY 2011**

Resolution

###### **MOTION 11254**

Moved Cr Chappell  
Seconded Cr Milton

That the minutes of the Special Meeting of Council held on the 18 July 2011 be confirmed as a true and accurate record subject to the addition of the mover and seconder, being Cr Chamberlain & Cr Sinclair to Motion 11250.

**MOTION CARRIED 9/0**

#### **6.0 DECLARATIONS OF INTEREST**

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

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

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

Cr Walker submitted a declaration of impartiality in relation to Item 11.1.

**7.0 NOTICES OF URGENT BUSINESS**

None

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

None

**9.0 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS**

**9.1 LAKE GRACE SPORTING PRECINCT FOCUS GROUP**

The Lake Grace Sporting Precinct Focus Group will make a presentation to Councillors to update them on their progress in development of the plans for the Lake Grace Sports Pavilion Upgrade.

Mr Stephen Chappell & Mrs Amanda Trevenen, Chair and Secretary of the Focus Group showed and spoke to a visual presentation on behalf of the Group, outlining their progress to date. The presentation was very well put together and provided a clear picture of the project and demonstrated the Group's commitment to the project.

**9.2 NEWDEGATE COUNTRY CLUB INC**

Mr Clive Morton on behalf of the Newdegate Country Club Inc addressed Council and advised he wished to take the opportunity to thank the Council for their support and the assistance from staff in getting the project to this point.

Mr Morton gave an outline of the project from the financial view in that the synthetic surface accounts for the bulk of the cost. He advised that the Bowling Club will be funding the levelling of the green area and consolidation of the banks, the erection of sunshades and replacement of the fence with colorbond fencing. The Club would also cover the shortfall of \$5,000 for the preferred tender.

Mr Morton & Mr Waddell then answered questions from Councillors which covered the following:

- Savings through community works - members to help with transport
- The Club seeking to negotiate with preferred tenderer - would like to accept tender and complete project by October
- Mindful of need for the community SAR survey should the Shire need to contribute more than \$47,000
- The current water costs and seven day a week commitment, volunteers no longer have spare time to contribute

- Life of surface has limited years, sub base needs to outlive life of turf, same product as Lake Grace and Kukerin, nobody knows actually how long it will last – expectation is 15 years
- Fundraising for next replacement already being considered and underway
- Funding for surface – suggested self funding loan, club understanding that LG component has been funded by SARS, expectation that Newdegate's be funded same way
- Shire has been supporting the club via a \$5,000 subsidy over past years, they are aware the subsidy will no longer be forthcoming.

The President thanked Mr Morton and Mr Waddell for their presentation.

## **10.0 MEMBERS' REPORTS**

### **10.1 CR CHAPPELL**

On the 15th July 2011 the Shire of Lake Grace hosted the Rural Water Council meeting in Council Chambers.

Shires represented were Nungarin, Dandaragan, Goomalling, Moora, Narembeen, Wongan-Ballidu, first timers Dumbleyung, and Cr Armstrong and myself for Lake Grace.

Representatives from Department of Agriculture and Food, the Department of Water, members for the Agriculture Region, the Hon Brian Ellis and Hon Max Trenorden were also in attendance.

The meeting was opened with a presentation from our CEO Mr Sean Fletcher with an overview of what the Shire of Lake Grace has achieved and is hoping to achieve in regards with water and flooding.

The main topics from the meeting were:

- Water Tank Subsidy: The subsidy has been extended to the 31st August 2011 as there is still approximately \$330,000 unclaimed. We were encouraged to apply even if we have already done so.
- Community Dams: A request to the Dry Season Committee for assistance to clean out key community dams.
- Swipe Cards At Stand Pipes: A lot of interest shown by everyone. It looks like more shires will be adopting the swipe cards.
- Submission to Water Corporation against the reduction in water flow to land holders in the Rural Water Supply Scheme.

There was vote of thanks from the meeting to CEO Sean Fletcher for the presentation and the Shire for its hospitality and hosting the meeting. A copy of the minutes will be published in our Council Circular.

After the meeting we did a short bus tour of the town showing points of interest such as the synthetic grass, the town dams, CBH water catchments, sports ovals, the Lakes Village and the Cemetery. The group went away impressed with what has been achieved within the Shire of Lake Grace and its aims for the future.

Cr Chappell recorded his thanks to Shire staff for their input and making it all happen.

## **10.2 CR FARRELLY**

Cr Farrelly submitted a written report regarding the Lake Grace Community Men's Shed Project.

### **Lake Grace Community Men's Shed Project Update**

Where the project is at:

- Currently have 55 members
- Funding applications are currently being worked up and fundraising has begun
- Received advice from the Public Transport Authority confirming they have no objection to the development proposal
- Bureau of Meteorology have advised in writing of their support for the latest proposed site development plan
- Planning proposal for approval by Council in hand
- This will pave the way for the issuance of a building licence once the working drawings and structural engineering works have been completed
- Group hoping to physically build the shed in 2012



## 11.0 MATTERS FOR CONSIDERATION – WORKS & SERVICES

*Cr Walker declared an interest of impartiality in Item 11.1 in that his brother-in-law works for the preferred tenderer.*

*Manager Corporate Services provided and spoke to a revised recommendation which includes the addition of Part 3.*

### 11.1 TENDER 1/2011 – SUPPLY AND INSTALL SYNTHETIC BOWLING GREEN

**Applicant:** Manager Corporate Services  
**File No.** 0541  
**Attachments:** Tender 1/2011 scorecard rating  
**Author:** Ms S Appleton  
 Manager Corporate Services  
**Disclosure of Interest:** Nil  
**Date of Report:** 17 July 2011  
**Senior Officer:** Ms S Appleton  
 Manager Corporate Services

#### Summary

This report recommends various actions in relation to Tender 1/2011.

#### Background

The tender process for the bowling green was considered by Council at its June 2011 meeting, with the following motion passed:

**MOTION 11232** *Moved Cr Chamberlain, Seconded Cr De Landgraft*

1. *That tenders be invited for the supply and installation of a synthetic bowling green at the Newdegate Bowling Club.*
2. *That the selection criteria for the successful tender be as follows:*

<b>Criteria</b>	<b>Weighting</b>
<i>Tender Price</i>	60%
<i>Performance of tenderer on similar projects</i>	20%
<i>Capability &amp; competence to perform the work required including:</i>	
<i>Timing of work</i>	18%
<i>Local Price Preference – Policy 3.7 (2%)</i>	2%
3. *That the income and expenditure for the project be included in the 2011/12 budget to be adopted by Council.*
4. *That the source of the community finance required be further negotiated with the Newdegate Bowling Club.*

**MOTION CARRIED 8/0**

**REASON:** *Council wished to clarify the source of community financing for the project.*

An advertisement for the calling of tenders for the supply and installation of a synthetic bowling green was placed in the West Australian newspaper on Saturday 25 June 2011.

Tenders closed at 4.00pm on Monday 11 July 2011 and, following the close of tenders, were opened in the presence of the Chief Executive Officer, Manager Corporate Services, Executive Assistant and Newdegate Country Club Members Mr Clive Morton, Mr Beau Waddell and Mr John Ashton.

Conforming tenders were received from the following five companies with two of the companies offering multiple options as follows.

Tenderer	Product	Price (ex GST)
Evergreen	Drimax Pro 12mm	\$223,405
Berry Bowling Systems	Pro Master Super	\$251,206
Berry Bowling Systems	Pro Master Cushion	\$265,206
Berry Bowling Systems	Dales Pro Green	\$289,393
Berry Bowling Systems	Dales Pro Weave	\$289,393
Tigerturf Australia	Supergreen II	\$232,080
Australian Bowls Construction	Tournament Pro	\$209,460
	Greenguage Woven Bowls Carpet	\$237,810
Futureship Pty Ltd	Dri Max Pro	\$246,850
Futureship Pty Ltd	Master Pro Plus (watered)	\$239,350

The tenders were assessed by members of staff in conjunction with members of the Newdegate Country Club against the tender selection criteria as set out below.

### Comment

#### **Tender Evaluation**

Tenders were evaluated using the Western Australian Local Government Association's (WALGA) preferred model.

Pricing for Tender 1/2011 was evaluated using the following points scale out of 10 translating into the weighted score out of 100:

Outstanding offer	10 points
Very good offer	8 points
Good offer	6 points
Fair offer	4 points
Marginal offer	2 points
Inadequate offer	0 points

Tenderer	Product	Price	Performance	Capability /Timing	Local Price Preference
Evergreen	Dri Max Pro	9	8	6	0
Berry Bowling Systems	Pro Master Super	7	5	6	0
Berry Bowling Systems	Pro Master Cushion	6.5	5	6	0
Berry Bowling Systems	Dales Pro Green	5	5	6	0
Tigerturf Australia	Supergreen II	8.5	8	6	0
Australian Bowls Construction	Tournament Pro	10	6	4	0
Australian Bowls Construction	Woven Bowls Carpet	8	6	4	0
Futureship Pty Ltd	Dri Max Pro	7.5	5	5	0
Futureship Pty Ltd	Master Pro Plus	8	5	5	0
Berry Bowling Systems	Pro Weave	5	5	6	0

**Table One – Scorecard using points scale out of 10**

<b>Tenderer</b>	<b>Product</b>	<b>Total Weighted Score</b>
Evergreen	Dri Max Pro	80.8
Berry Bowling Systems	Pro Master Super	62.8
Berry Bowling Systems	Pro Master Cushion	59.8
Berry Bowling Systems	Dales Pro Green	50.8
Tigerturf Australia	Supergreen II	77.8
Australian Bowls Construction	Tournament Pro	79.2
Australian Bowls Construction	Woven Bowls Carpet	67.2
Futureship Pty Ltd	Dri Max Pro	64
Futureship Pty Ltd	Master Pro Plus-watered	67
Berry Bowling Systems	Pro Weave	50.8

**Table Two – Scorecard translated into weightings out of 100**

Tender documents will be available for viewing at the meeting.

Under the above scoring, the preferred tenderer is Evergreen and it is recommended that they be awarded the tender.

#### Legal Implications

Local Government Act 1995

Local Government (Functions and General) Regulations 1996

#### Policy Implications

Policy 3.3 – Specified Area Rates

Policy 3.4 Local Price Preference was included in the assessment process, none of the tenderers qualified for this. However it should be noted that 3 of the 5 tenderers were Western Australia based.

#### Consultation

Internal: Chief Executive Officer – Mr Sean Fletcher

External: Newdegate Country Club members

#### Financial Implications

The budget for the project is as follows:

CSRFF	\$51,433
Newdegate Bowling Club:	\$60,000
Newdegate Field Day Committee:	\$30,000
Newdegate Community Cropping:	\$30,000
Shire of Lake Grace:	\$47,000
<b>Total</b>	<b>\$218,433</b>
4% Contingency:	\$8,737
<b>Total</b>	<b>\$227,170</b>

**Table One:** Funding of the Newdegate Bowling Club Synthetic Turf project.

The Evergreen tender of \$223,405 fits within the budget for the project with the potential for savings given the contingency factor. The Newdegate Country Club has indicated they are able to fund any difference between the total project amount and the tender price of the preferred tenderer should the need arise.

Subsequent consultation with the club has indicated their preferred preference for the Shire's contribution to be funded via the Newdegate Specified Area Rate (SAR).

This is as the Newdegate Country Club and community will already be providing a significant percentage of the funding for this project. In order to enable this to happen it is suggested that Council borrow the funds for its contribution to the project and repay this over 10 years reducing the impact on the Newdegate SAR for 2011/12, by spreading the repayments.

Should Council proceed in accepting a tender, a provision will need to be made in the budget for 2011/12 for the following options:

1. Council pay up to \$47,000 to fund the project with the \$47,000 being repaid through SAR in 2011/12.
2. Council borrow up to \$47,000 over 10 years with repayments being drawn from Newdegate SAR over the life of the loan..

#### Strategic Implications

Nil

#### Voting Requirements

Simple majority required.

#### Officer's Recommendation

That Council:

1. Accept the tender offered by Evergreen Synthetic Grass (WA) Pty Ltd of \$223,405.45 (GST exclusive) for the supply and installation of synthetic grass at the Newdegate Bowling Club.
2. Include in the 2011/12 budget, an amount of \$47,000 funding the project through the Newdegate Specified Area Rate.
3. That the Newdegate Country Club fund the difference between the accepted tender (\$223,405.45) and the budgeted amount (\$218,233) through cash or in kind works.

#### Recommendation/Resolution

### **MOTION 11255**

Moved Cr Chamberlain  
Seconded Cr Newman

That Council:

1. Accept the tender offered by Evergreen Synthetic Grass (WA) Pty Ltd of \$223,405.45 (GST exclusive) for the supply and installation of synthetic grass at the Newdegate Bowling Club.
2. Include in the 2011/12 budget, an amount of \$47,000 over a ten year period funding the project through the Newdegate Specified Area Rate.
3. That the Newdegate Country Club fund the difference between the accepted tender (\$223,405.45) and the budgeted amount (\$218,233) through cash or in kind works.

**MOTION CARRIED 9/0**

<b>12.0 MATTERS FOR CONSIDERATION – PLANNING</b>
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4.00pm *Mr S Chappell, Mrs A Trevenen, Mr B Taylor, Mr R Taylor, Mrs D Robertson and Ms J McDougall left the Meeting.*

**12.1 PLANNING APPLICATION – PROPOSED ADDITIONS TO EXISTING CARAVAN PARK ON LOT 162 HYDEN - LAKE KING ROAD, LAKE KING**

<b>Applicant:</b>	Mr Trevor McLean
<b>File No.</b>	0456
<b>Attachments:</b>	Plans 1 to 6
<b>Author:</b>	Mr Joe Douglas & Mr Carlo Famiano Urban & Rural Perspectives-Town Planning Consultants
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	19 July 2011
<b>Senior Officer:</b>	Mr Sean Fletcher Chief Executive Officer

Summary

This report recommends that the planning application submitted by Mr Trevor McLean to construct a new caretaker's dwelling and two (2) new short-stay accommodation units at the existing caravan park on Lot 162 Hyden-Lake King Road, Lake King be approved subject to conditions.

Background

The applicant is seeking Council's planning approval to construct a new caretaker's dwelling and two (2) short-stay accommodation units on Lot 162 Hyden-Lake King Road, Lake King to assist with the administration of the existing caravan park and to provide additional short-stay accommodation (see Plans 1 to 6).

Lot 162 is located centrally in the Lake King townsite and has direct frontage to Hyden-Lake King Road along its western boundary, Critchley Avenue along its southern boundary and The Crossing along its eastern boundary. Lot 162 is irregular in shape, comprises a total area of approximately 1.8799 hectares and abuts an intermittent watercourse along its northern boundary.

Lot 162 comprises scattered stands of native vegetation located within the eastern portion of the land and along its periphery. The land has previously been developed and is currently used for the purposes of a caravan park.

The plans submitted by the applicant are broad and do not provide all of the information typically required in support of planning applications (e.g. vehicle access way and parking dimensions/layout, stormwater drainage, landscaping details etc.). Notwithstanding this fact there is scope for Council to grant planning approval on the condition that more detailed plans are submitted to the Shire for review, assessment and endorsement prior to the commencement of any development on the land.

Under the terms of the information and plans submitted in support of the application it is understood that the proposed development will be undertaken in two (2) distinct stages and comprise the following key elements:

- i. A new 14.4 metre long x 7.05 metre wide colorbond clad (cream colour) and zincalume roofed caretaker's dwelling to be constructed in Stage 1 with the building to comprise a separate bathroom/laundry/office constructed in double brick;
- ii. The caretaker's dwelling will have an 8 metre setback from the Critchley Avenue boundary and a 10 metre setback from the Hyden-Lake King Road boundary;
- iii. Two new 14.4 metre long x 3.3 metre wide colorbond clad (cream colour) and zincalume roofed short-stay accommodation units comprising two (2) bedrooms, an ensuite and a new two (2) metre wide verandah;
- iv. The short-stay accommodation units will have an 8 metre setback to the Critchley Avenue boundary;
- v. The caretaker's dwelling and short-stay accommodation units will be transportable buildings mounted on concrete blocks approximately 150mm above the natural ground level;
- vi. The construction of a new on-site effluent disposal system to service the buildings (i.e. septic tanks & leach drains);
- vii. The construction of a new internal access road (Note: surface treatment not specified) from Critchley Avenue through to the existing sealed access roads within the caravan park and associated vehicle parking areas;
- viii. The construction of new concrete pathways for pedestrian access purposes to and from the proposed new car parking areas;
- ix. The retention of large stands of existing native vegetation around the periphery of the site; and
- x. All stormwater drainage from the buildings and vehicle access and parking areas will be discharged into the nearby natural watercourse.

#### Comment

Lot 162 is currently classified 'Special Use Zone No.8' in the Shire of Lake Grace Local Planning Scheme No 4 (LPS No.4).

Under the terms of the land's current 'Special Use' zoning classification the following uses are listed in Schedule 4 of LPS No.4 as being permitted to be established on Lot 162 subject to Council's planning approval:

- i. Caravan park; and
- ii. Caretaker's dwelling.

In controlling development on any land classified 'Special Use' zone Council may at its discretion specify conditions relating to lot size, minimum effective frontage, development type and style, plot ratio, car parking, landscaping, setbacks and any other provision affecting the development of a Special Use zoned lot for the purpose permitted and set against that land in Schedule 4 of LPS No.4.

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

- i. Location and size of the proposed caretaker's dwelling;
- ii. The enclosure of the sub-floor area of all transportable buildings;
- iii. Vehicle access & parking layout; and
- iv. Landscaping and fencing of remnant vegetation.

The following is a brief discussion of these non-compliance issues:

### **Caretaker's Dwelling**

Clause 5.16 of LPS No.4 requires that all caretaker dwellings in the Shire:

- i. be located at the rear of any lot and screened from the road frontage unless otherwise approved by the local government; and
- ii. have a total floor area measurement from the external face of walls (including verandahs) not greater than one hundred square metres.

Under the terms of the plans submitted for Lot 162 the new caretaker's dwelling is proposed to be located along the land's frontage to Critchley Avenue in close proximity to this roads intersection with Hyden-Lake King Road. Furthermore the new dwelling will have a total floor area of 101.52 square metres.

Notwithstanding that the location and size of the proposed new caretaker's dwelling on Lot 162 does not strictly comply with the specific standards and requirements specified in LPS No.4, it is concluded that approval to the new caretaker's dwelling as proposed is unlikely to have a detrimental impact upon the character, amenity, functionality or safety of the immediate locality and may therefore be approved by Council subject to conditions.

### **Transportable Buildings**

Clause 5.21 of LPS No.4 contains a number of provisions applicable to the development and use of transportable dwellings or structures on any land within the Shire. The clause specifically states that such buildings are not permitted unless:

- i. in the opinion of the local government such a dwelling or building is in a satisfactory condition and will not detrimentally affect the amenity of the area; and
- ii. the sub-floor area of the building is enclosed with brick, stone, vermin battens or by other means acceptable to the local government and, where the building is considered by the local government to be exposed, or in a position such as to be visually prominent, the local government may require satisfactory landscaping measures to be carried out.

Given that the buildings proposed by the application are brand new structures that will be screened by existing on-site vegetation, it is considered unlikely that they will have a detrimental impact upon the amenity and/or character of the immediate locality.

Notwithstanding this conclusion it is noted that the proposed buildings will be sited on 300mm high concrete blocks which, if not dug into the ground, will result in the finished floor level of the buildings being at least 150mm above the natural ground level. It is also noted that the applicant has not provided any information as to how the sub-floor area will be treated. As such it is recommended that Council impose a suitable condition on any planning approval issued requiring the sub-floor areas along the periphery of each new building to be enclosed in accordance with the specific requirements of LPS No.4.

### **Vehicle Access & Parking**

As previously mentioned the plans submitted by the applicant are broad and do not provide all of the information typically required in support of planning

applications. In this case there is a lot of uncertainty regarding the precise location, dimensions and treatment of all proposed new vehicle access and parking areas.

There is also concern that the proposals for vehicle access and parking as shown on the application plans do not comply with the specific requirements of Clause 5.26 of LPS No.4 in terms of their general layout, surface treatments and stormwater drainage requirements. As such it is recommended that the applicant be required to prepare and submit more detailed plans to the Shire regarding vehicle access and parking for review, assessment and endorsement prior to the commencement of any development on the land.

### **Landscaping & Fencing of Remnant Vegetation**

The application provides very little detail regarding future proposed landscaping of the property. This could be attributed to the fact that the land contains a significant amount of native vegetation that is proposed to be retained.

Notwithstanding the above it is significant to note that details regarding future landscaping arrangements are typically required to be submitted in support of planning applications and that due consideration must be given to the location of landscaping to ensure that it enhances the appearance of the local streetscape and screens from view or softens the impact of parking areas, open storage areas, drying areas and any other space which, by virtue of their use, are likely to detract from the visual amenity of the townscape.

In addition to the above concerns it is significant to note that Clause 5.41 of LPS No.4 enables Council to consider imposing a condition on any planning approval requiring the erection of fencing around areas of remnant native vegetation to assist with the retention of such vegetation and to preserve and enhance the visual character of the immediate locality.

Given the significance of the existing native vegetation on the land in terms of its contribution to the visual character and amenity of the site and the immediate locality, it is recommended that the applicant be required to prepare and submit more detailed plans to the Shire regarding future landscaping and fencing arrangements for review, assessment and endorsement prior to the commencement of any development on the land.

### **Conclusion**

It is concluded from a detailed assessment of the application that the proposed additions to the existing caravan park on Lot 162 Hyden-Lake King Road, Lake King are capable of being implemented in a proper and orderly manner and unlikely to have a negative impact on the general amenity, character, functionality and safety of the immediate locality subject to compliance with a number of conditions including the preparation and submission of more detailed plans for the Shire's consideration, assessment and endorsement. As such it is recommended that Council exercise its discretion and grant conditional approval to the application.

### Legal Implications

Planning and Development Act 2005

Shire of Lake Grace Local Planning Scheme No.4



Policy Implications

Nil

Consultation

Community consultation not required.

Financial Implications

Nil

Strategic Implications

The proposed additions to the existing Lake King caravan park are consistent with the strategic land use direction for the land provided by the Shire's current Local Planning Strategy.

Voting Requirements

Simple majority required.

Recommendation/Resolution

**MOTION 11256**

Moved Cr Newman  
Seconded Cr De Landgraft

That the application for planning approval submitted by Mr Trevor McLean (landowner) to construct a new caretaker's dwelling and two (2) new short-stay accommodation units at the existing caravan park on Lot 162 Hyden-Lake King Road, Lake King be APPROVED subject to compliance with the following conditions:

1. The development is to be completed within a period of two (2) years from the date of this approval. If the development is not completed within this period the approval will lapse and be of no further effect. Where an approval has lapsed, no development shall be carried out without the further approval of the Shire of Lake Grace having first been sought and obtained.

2. Additional plans are required to be prepared and submitted to the Shire of Lake Grace, to the specifications and satisfaction of the Shire, for consideration and approval by the Shire's Chief Executive Officer prior to the commencement of any development on the land. The additional plans are to be suitably scaled and are required to clearly illustrate the following:

- i) The location, dimensions, surface treatments and stormwater drainage arrangements for all on-site vehicle parking bays, access ways and vehicle crossover(s); and
- ii) The location, type and extent of all proposed landscaping and fencing arrangements.

3. The development is to be undertaken in a manner consistent with the details of the additional plan/s required in Condition No.2 above if and when these plans are approved by the Shire of Lake Grace.

**MOTION 11256 continued**

4. A completed building licence application must be submitted to and approved by the Shire's Building Surveyor following approval to the additional plan/s required by Condition No.2 above and prior to the commencement of any earthworks or construction on the land.
5. All buildings proposed by the application must be newly constructed transportable structures with all external finishes being to the satisfaction of the Shire.
6. The total floor area of the proposed new caretaker's dwelling shall not exceed 101.52 square metres.
7. The proposed new caretakers dwelling shall not be occupied by any person other than the owner or manager or an employee of the use established on the land.
8. All stormwater drainage discharge generated by the approved structures shall be managed to the specifications and satisfaction of the Shire of Lake Grace.
9. The development must be provided with an adequate on-site effluent disposal system to the specifications and satisfaction of the Shire of Lake Grace.
10. All on-site vehicle access ways and parking areas shall be constructed (including sealing) and maintained in accordance with the internal road layout depicted on the approved 'site development plan' to the specifications and satisfaction of the Shire of Lake Grace with appropriate measures for drainage and disposal of surface water.
11. All existing and proposed vehicle crossovers shall be upgraded/constructed and maintained to the specifications and satisfaction of the Shire of Lake Grace.
12. The sub-floor area of the proposed new buildings shall be enclosed with brick, stone, vermin battens or other means acceptable to the Shire of Lake Grace.
13. Suitable landscaping is required to be provided and fenced in accordance with the details of the final approved plans.
14. All advertising signage shall be provided in accordance with the requirements specified in Schedule 5 of Local Planning Scheme No.4 unless otherwise approved by Council.

**Advice Notes**

1. The proposed development is required to comply in all respects with the Building Code of Australia. Plans and specifications which reflect these requirements are required to be submitted with the Building Licence application.
2. 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.
3. No works shall commence prior to 7.00 am without the Shire's prior approval.

**MOTION CARRIED 9/0**

## 12.2 PROPOSED TRACTOR MUSEUM ON PORTION OF RESERVE 21238 LAKE KING

4.10pm Mr C Morton & Mr B Waddell left the meeting.

**Applicant:** Lake King Progress Association  
**File No.** 0  
**Attachments:** Plans 7 to 10 & Attachment 1  
**Author:** Mr Joe Douglas & Mr Carlo Famiano  
 Urban & Rural Perspectives-Town Planning Consultants  
**Disclosure of Interest:** Nil  
**Date of Report:** 19 July 2011  
**Senior Officer:** Mr Sean Fletcher  
 Chief Executive Officer

### Summary

This report recommends that Council grant in-principle support for the proposed development of a new tractor museum, picnic facilities and associated vehicle access and parking areas on Lot 3154 Newdegate-Ravensthorpe Road, Lake King being portion of Reserve 21238 and authorise the Chief Executive Officer to now prepare and lodge a written submission with the State Land Services Division of the Department of Regional Development and Lands (DRDL) seeking approval for the proposal under the Land Administration Act 1997.

### Background

The Lake King Progress Association has recently written to the Shire seeking Council's in-principal support for the development of a new tractor museum, picnic facilities and associated vehicle access and parking areas on the north-eastern portion of Lot 3154 Newdegate-Ravensthorpe Road, Lake King in close proximity to the intersection of Newdegate-Ravensthorpe and Hyden-Lake King Roads, Lake King (see plans 7 to 10).

Lot 3154 is located in the southern part of the Lake King townsite adjacent to the intersection of Newdegate-Ravensthorpe Road and Hyden-Lake King Road and comprises a total area of approximately 81.753 hectares.

The land forms part of Crown Reserve 21238 which is owned by the State of Western Australia and currently vested in the Shire of Lake Grace for the designated purpose of 'Recreation' (see Attachment 1 – Reserve Enquiry Detail).

The north-eastern portion of Lot 3154, being that portion of the land proposed to be developed by the Lake King Progress Association to accommodate the new tractor museum, picnic facilities and associated vehicle access and parking areas, was historically developed and used by Cooperative Bulk Handling (CBH) for grain handling and storage purposes. As such this portion of the property has been extensively cleared and contains a number access tracks and hard stand areas that are currently used for vehicle access and parking purposes by the general public.

The balance portion of the land is predominantly undeveloped and characterised by large stands of native vegetation. Notwithstanding this fact, Lot 3154 also contains a number of improvements developed by the Shire in more

recent years including a water catchment area, storage dam and associated vehicle access tracks.

Under the terms of the indicative plans submitted by the Lake King Progress Association in support of the development proposal, the new tractor museum, picnic facilities and associated vehicle access and parking areas will be constructed on that portion of Lot 3154 previously developed by CBH and currently used for vehicle access and parking purposes. The precise area of land proposed to be developed has not yet been determined however it is estimated to comprise an area of approximately 10,000m<sup>2</sup> (i.e. 1 hectare).

It is understood that funding for the project will be sourced from Lotterywest with the Lake King Progression Association to make a number of voluntary contributions towards the project's implementation (e.g. labour, security fencing etc.). As part of its submission to the Shire the Lake King Progress Association has requested that the Council also consider making a contribution to the project to help cover some of the likely costs including site preparation / earthworks, picnic table and chairs, power and lighting for the museum building etc.

#### Comment

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

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

In exercising discretion, and pursuant to clause 10.2 of LPS No.4, Council must be satisfied that the proposal is consistent with general principles of proper and orderly planning, the provisions and standards contained in LPS No.4 and any other planning consideration the local government deems relevant. These aspects will be assessed in more detail once a formal planning application for the proposed development is submitted to the Shire for consideration and determination by Council.

In the interim a preliminary assessment of the proposal in the context of the specific requirements of the Shire's Local Planning Strategy and LPS No.4 indicates that it is generally acceptable for the following reasons:

- The proposed tractor museum, picnic facilities and associated vehicle access and parking areas are complimentary to and therefore unlikely to compromise the continued use of Reserve 21238 for recreational purposes being its current designated purpose under LPS No.4 and the Land Administration Act 1997;
- The proposed site is ideally situated in terms of its proximity, exposure and access to the intersection of Newdegate-Ravensthorpe and Hyden-Lake King Roads which are busy regional roads that carry a significant volume of traffic;
- It is unlikely to have a detrimental impact on the natural environment;

- The scale of the proposed building works is generally consistent with all existing improvements in the Lake King townsite and is therefore unlikely to have a detrimental impact on the character or amenity of the immediate locality;
- The proposed works will result in significant upgrades to and provide for the productive use of a portion of Reserve 21238 which is currently under utilised and poorly developed; and
- The proposed development, if approved, will provide a much needed tourist attraction for the Lake King townsite which could be expected to be of significant benefit to the local community.

Notwithstanding the project's general suitability and potential benefits, its implementation is contingent upon the following:

- i. Formal approval from the State Land Services Division of the Department of Regional Development and Lands for a change to the current designated purpose of Reserve 21238 under the Land Administration Act from 'Recreation' to Recreation & Tourism';
- ii. The preparation of a more detailed and accurate site development plan and formulation of a preliminary construction cost estimate;
- iii. Confirmation of the funding contributions available from a number of sources including but not limited to Lotterywest, the Lake King Progress Association and the Shire of Lake Grace; and
- iv. Council's issuance of planning approval for the proposed development and use of the land under LPS No.4 including the preparation and lodgement of a formal planning application to the Shire for review and assessment.

#### Legal Implications

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

#### Policy Implications

Nil

#### Consultation

Community consultation not required.

#### Financial Implications

To be determined as they are unknown at this preliminary stage.

#### Strategic Implications

The proposed development and use of portion of Lot 3154 for tourism purposes is not strictly consistent with the strategic land use direction for the land provided by the Shire's current Local Planning Strategy. Notwithstanding this fact the Strategy is flexible and can be suitably modified at some point in the future to accommodate the proposal.

#### Voting Requirements

Simple majority required.

Recommendation/Resolution

**MOTION 11257**

Moved Cr De Landgraftt  
Seconded Cr Newman

That Council:

1. Grant in-principle support for the proposed development of a new tractor museum, picnic facilities and associated vehicle access and parking areas on Lot 3154 Newdegate-Ravensthorpe Road, Lake King being portion of Reserve 21238 and authorise the Shire's Administration to prepare and lodge a written submission with the State Land Services Division of the Department of Regional Development and Lands (DRDL) seeking approval for the proposal under the Land Administration Act 1997.

2. Assuming State Land Services grants approval to the proposal, authorise the Chief Executive Officer to advise the Lake King Progress Association of the outcome and instruct the Association to then prepare a more detailed and accurate site development plan and preliminary construction cost estimate for consideration by Council

**MOTION CARRIED 9/0**

### 12.3 PLANNING APPLICATION – PROPOSED SIGNAGE ON LOT 361 STUBBS ST LAKE GRACE

<b>Applicant:</b>	Lake Grace 100 Years Committee
<b>File No.</b>	0506
<b>Attachments:</b>	Plans 11 to 14
<b>Author:</b>	Mr Joe Douglas & Mr Carlo Famiano Urban & Rural Perspectives-Town Planning Consultants
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	19 July 2011
<b>Senior Officer:</b>	Mr Sean Fletcher Chief Executive Officer

#### Summary

This report recommends that the planning application submitted by the Shire of Lake Grace on behalf of the local community and current landowner to erect a new sign (i.e. the Lake Grace Historical Map) at the Lake Grace Visitor Centre on Lot 361 Stubbs Street, Lake Grace be approved subject to conditions.

#### Background

The Shire of Lake Grace is seeking Council's planning approval to erect a new 'historical map' (i.e. sign) at the Lake Grace Visitor Centre on Lot 361 Stubbs Street, Lake Grace to help commemorate and promote the Shire's 100th year anniversary (see Plans 11 to 14).

Lot 361 is located centrally in the Lake Grace townsite immediately abutting the southern boundary of the existing railway reserve that traverses the town in an east-west direction. The land comprises a total area of approximately 585m<sup>2</sup> and has direct frontage to Stubbs Street along its southern boundary.

Lot 361 has been extensively developed over many years with the existing building having originally been constructed and used as the railway stationmaster's house. The land now forms part of Crown Reserve 46768 which is owned by the State of Western Australia and currently vested in the Shire of Lake Grace for 'Cultural and Community Purposes'. The Shire has recently renovated and converted the use of the building to a 'Visitors Centre' for the benefit of local tourists.

Under the terms of the information and plans submitted in support of the application it is understood that the proposed new sign will:

- i. be 2 metres wide and 2 metres high and have a total area of approximately 4m<sup>2</sup>;
- ii. comprise a steel angle colorbond frame in a 'wheat' colour to match the existing building;
- iii. be installed on an existing wall within the veranda area of the 'Visitor Centre' facing Stubbs Street; and
- iv. display a map showing the original Lake Grace district including the location of roads, farm holdings, schools, railway sidings and other sites of cultural heritage significance.

#### Comment

The subject land is currently classified 'Commercial' zone under the Shire of Lake Grace's Local Planning Scheme No.4 (LPS No.4). The key objective of

the land's current 'Commercial' zoning classification is to ensure the zone develops and continues to function effectively as a principal place for retail shopping, commercial, civic and administrative activity.

Under the terms of Clause 8.2(g) and Schedule No.5 of LPS No.4 the erection and display of a number of advertising signs is exempt from the requirement to obtain Council's planning approval. A review of Schedule No.5 has identified that the proposed new sign on Lot 361 is one of the exempted types of advertising signs.

Notwithstanding the specific requirements of Clause 8.2(g) and Schedule No.5 of LPS No.4, the existing building on Lot 361, formerly known as the 'stationmaster's house', is listed on the Shire's Municipal Heritage Inventory and Heritage List as having cultural heritage significance and therefore in need of protection under the provisions of LPS No.4. As such the erection and display of the proposed new sign requires Council's formal planning approval hence the application the subject of this report.

It is concluded from a detailed assessment of the application that the proposal to erect a new sign (i.e. the Lake Grace Historical Map) on the existing building on Lot 361 Stubbs Street, Lake Grace (i.e. the Lake Grace Visitor Centre) is unlikely to have a negative impact on the heritage values or character of the existing building or the general amenity and character of the immediate locality provided it is constructed using materials and colours sympathetic to the current appearance of the existing building, is sited in accordance with the details of the plans submitted in support of the application and is appropriately maintained. As such it is recommended that Council exercise its discretion and grant conditional approval to the application.

#### Legal Implications

Planning and Development Act 2005  
Heritage of Western Australia Act 1990  
Shire of Lake Grace Local Planning Scheme No.4

#### Policy Implications

Nil

#### Consultation

Community consultation not required.

#### Financial Implications

Suitable allowances have been made in Council's 2011/2012 budget for all costs associated with the erection of signage for the Lake Grace Visitor Centre.

#### Strategic Implications

Nil

#### Voting Requirements

Simple majority required.



Recommendation/Resolution

**MOTION 11258**

Moved Cr Farrelly  
Seconded Cr Sinclair

That the application for planning approval submitted by the Shire of Lake Grace to erect a new sign (i.e. the Lake Grace Historical Map) on the existing building on Lot 361 Stubbs Street, Lake Grace be APPROVED in accordance with the details of the plans submitted in support of the application subject to the following conditions:

1. The proposed sign shall be constructed using new materials and colours that are sympathetic to and complement the current appearance of the existing building on the land.
2. The proposed sign shall be sited in accordance with the details of the plans submitted in support of the application (i.e. on an existing wall within the veranda area of the 'Visitor Centre' facing Stubbs Street).
3. The proposed sign shall be regularly maintained in a neat, tidy and safe condition at all times to the specifications and satisfaction of the Shire of Lake Grace and removed or replaced when considered necessary by the Shire to ensure that it does not detract from the visual appearance of the existing building on the land or the immediate locality.

**MOTION CARRIED 9/0**

## 12.4 PLANNING APPLICATIONS – PROPOSED PUBLIC ARTWORK ON LOTS 1 & 362 STUBBS ST LAKE GRACE

<b>Applicant:</b>	Shire of Lake Grace Storytrail Project
<b>File No.</b>	0506
<b>Attachments:</b>	Plans 15 to 18
<b>Author:</b>	Mr Joe Douglas & Mr Carlo Famiano Urban & Rural Perspectives-Town Planning Consultant
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	19 July 2011
<b>Senior Officer:</b>	Mr Sean Fletcher Chief Executive Officer

### Summary

This report recommends that the planning applications submitted by the Shire of Lake Grace on behalf of the local community and current landowners to erect public artwork on Lots 1 and 362 Stubbs Street, Lake Grace be approved subject to conditions.

### Background

The Shire of Lake Grace is seeking Council's planning approval to erect public artwork immediately adjacent to the existing buildings on Lots 1 & 362 Stubbs Street, Lake Grace to help commemorate and promote the Shire's 100th year anniversary (see Plans 15 to 18).

Lot 1 is a privately owned property located centrally in the Lake Grace townsite. It has direct frontage to Stubbs Street along its northern boundary and McMahon Street along its eastern boundary. The land comprises a total area of approximately 416m<sup>2</sup> and has been extensively developed for commercial purposes over many years (i.e. the local post office).

Lot 362 is also located centrally in the Lake Grace townsite immediately abutting the southern boundary of the existing railway reserve that traverses the town in an east-west direction. The land now forms part of Crown Reserve 46768 which is owned by the State of Western Australia and currently vested in the Shire of Lake Grace for 'Cultural and Community Purposes'.

Lot 362 comprises a total area of approximately 1,338m<sup>2</sup> and has direct frontage to Stubbs Street along its southern boundary. The land has been extensively developed over many years with the existing building having originally been constructed and used for the purposes of a railway station. The Shire has recently renovated and converted the building to accommodate both community and tourism related activities.

Under the terms of the information and plans submitted in support of the application for Lot 1 it is understood that the proposed public artwork will:

- i. be located along the Stubbs Street frontage of Lot 1 within its designated boundaries and on the private pathway adjacent to the existing tree planter and access stairs to the post office;
- ii. comprise three (3) cable reels of varying size constructed of oxide coloured concrete (hallow form) with anti-graffiti coating and weighing between 150 and 250kg; and
- iii. contain wording on each reel that reflects events in the past history of the locality.

Under the terms of the information and plans submitted in support of the application for Lot 362 it is understood that the proposed public artwork will:

- i. be constructed within the designated boundaries of the land in a linear formation in close proximity and parallel to the frontage of the old railway station building to serve as an entrance-type feature;
- ii. comprise eight (8) 'bags / sacks' of concrete construction with a typical size of 1,100mm x 600mm; and
- iii. contain various text stencilled into the surface of the concrete 'bags / sacks' to reflect various activities undertaken in the district over the past 100 years.

#### Comment

#### **'Use Class' in Local Planning Scheme No.4**

Having regard for the various use classes contained in the Zoning Table of LPS No.4 and the land use definitions in Appendix 1, it is concluded that the proposed public artwork on Lots 1 & 362 Stubbs Street, Lake Grace is most appropriately classified as a 'civic use'.

#### **Land Use Permissibility - Lot 1 Stubbs Street, Lake Grace**

Lot 1 is currently classified 'Commercial' zone under the Shire of Lake Grace's Local Planning Scheme No.4 (LPS No.4). The key objective of the land's current 'Commercial' zoning classification is to ensure the zone develops and continues to function effectively as a principal place for retail shopping, commercial, civic and administrative activity.

Under the terms of LPS No.4 the development and use of 'Commercial' zoned land for the purposes of a 'civic use' is classified as a 'D' use which means that it is not permitted unless the local authority has exercised its discretion by granting planning approval.

In considering whether or not to grant planning approval in this particular instance Council should note the following key points:

- i. The proposal is unlikely to compromise the objective of the land's current 'Commercial' zoning classification or its continued use for commercial purposes;
- ii. The proposal complies with all of the relevant development standards in LPS No.4 for land classified 'Commercial' zone;
- iii. The proposal simply involves the replacement of existing public artwork located adjacent to the footpath along the land's Stubbs Street frontage;
- iv. The size and scale of the proposed works and resulting structures are minor and unlikely to have any detrimental impact upon the character, amenity, functionality or safety of the immediate locality; and
- v. The public artwork will add interest and vitality to the local streetscape and could be expected to make a positive contribution to tourism activity in the town centre area.

#### **Land Use Permissibility - Lot 362 Stubbs Street, Lake Grace**

Lot 362 is currently classified 'Local Scheme Reserve - Recreation' under LPS No.4. Clause 3.4.2 of LPS No.4 states that in determining a planning application for the development of any land reserved under the Scheme, Council must have due regard for the various general matters set out in clause 10.2 and the ultimate purpose intended by the land's reserve classification.

In exercising discretion, and pursuant to clause 10.2 of LPS No.4, Council must be satisfied that the proposal is consistent with the general principles of proper

and orderly planning, the provisions and standards contained in LPS No.4 and any other planning considerations the local government deems relevant.

An assessment of the proposal for Lot 362 in the context of the specific requirements of LPS No.4 and other relevant planning consideration indicates that it is generally acceptable for the following reasons:

- It is unlikely to compromise the general objective and purpose of the land's current 'Local Scheme Reserve - Recreation' classification in LPS No.4;
- It is consistent with the land's current approved use under the Land Administration Act 1997 for 'Cultural and Community Purposes';
- The size and scale of the proposed works and resulting structures are minor and unlikely to have any detrimental impact upon the character, amenity, functionality or safety of the immediate locality; and
- The public artwork will add interest and vitality to the local streetscape and could be expected to make a positive contribution to tourism activity in the town centre area.

### **Heritage Protection**

The existing buildings on Lot 1 (i.e. post office) and Lot 362 (i.e. former railway station) are listed on the Shire's Municipal Heritage Inventory and Heritage List as having cultural heritage significance and therefore in need of protection under the provisions of LPS No.4. As such when considering the suitability of the proposed development and use of each property Council must have due regard for any potential impacts on their current heritage character and values.

It is concluded from a detailed assessment of the application that the proposal to erect public artwork on Lots 1 and 362 Stubbs Street, Lake Grace will not compromise the existing character or integrity of the buildings on the land as the works are minor in nature and do not involve any physical additions or alterations to the buildings themselves. As such the proposed works are unlikely to have a negative impact on the heritage values or character of the existing buildings or their immediate surrounds provided the improvements are constructed using materials and colours sympathetic to the current appearance of the existing buildings, are sited in accordance with the details of the plans submitted in support of the application and are appropriately maintained.

### Legal Implications

Planning and Development Act 2005  
Heritage of Western Australia Act 1990  
Shire of Lake Grace Local Planning Scheme No.4

### Policy Implications

Nil

### Consultation

Community consultation not required.

### Financial Implications

Suitable allowances have been made in Council's 2011/2012 budget for all costs associated with the 'Storytrail' project'.

### Strategic Implications

Nil

Voting Requirements

Simple majority required.

Recommendation/Resolution

**MOTION 11259**

Moved Cr Farrelly  
Seconded Cr Chappell

1. That the application for planning approval submitted by the Shire of Lake Grace to erect public artwork on Lot 1 Stubbs Street, Lake Grace be APPROVED in accordance with the details of the plans submitted in support of the application subject to compliance with the following conditions:

i) The public artwork shall be erected within the designated boundaries of Lot 1 and shall not encroach upon any adjoining property or the Stubbs Street road reserve area.

ii) The public artwork shall be constructed using new materials and colours that are sympathetic to and complement the current appearance of the existing building on the land.

iii) The public artwork shall be regularly maintained in a neat, tidy and safe condition at all times to the specifications and satisfaction of the Shire of Lake Grace and removed or replaced when considered necessary by the Shire to ensure that it does not detract from the visual appearance of the existing building on the land or the immediate locality.

2. That the application for planning approval submitted by the Shire of Lake Grace to erect public artwork on Lot 362 Stubbs Street, Lake Grace be APPROVED in accordance with the details of the plans submitted in support of the application subject to compliance with the following conditions:

i) The public artwork shall be erected within the designated boundaries of Lot 362 and shall not encroach upon any adjoining property or the Stubbs Street road reserve area.

ii) The public artwork shall be constructed using new materials and colours that are sympathetic to and complement the current appearance of the existing building on the land.

iii) The public artwork shall be regularly maintained in a neat, tidy and safe condition at all times to the specifications and satisfaction of the Shire of Lake Grace and removed or replaced when considered necessary by the Shire to ensure that it does not detract from the visual appearance of the existing building on the land or the immediate locality.

**MOTION CARRIED 9/0**

## 12.5 **PROPOSED COMMUNITY MEN’S SHED ON PORTION OF LOT 363 STUBBS STREET, LAKE GRACE**

<b>Applicant:</b>	Shire of Lake Grace – Men’s Shed Committee
<b>File No.</b>	0369 & 0623
<b>Attachments:</b>	Plans 18 to 23
<b>Author:</b>	Mr Joe Douglas & Mr Carlo Famiano Urban & Rural Perspectives-Town Planning Consultants
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	19 July 2011
<b>Senior Officer:</b>	Mr Sean Fletcher Chief Executive Officer

### Summary

This report recommends that Council grant in-principle support for the proposed development of a new Community Men’s Shed’ on Lot 363 Stubbs Street, Lake Grace being portion of Reserve 46769 and authorise the Shire Administration to make the necessary arrangements to help progress the project to the planning application stage if it proves financially feasible.

### Background

The Lake Grace Men’s Shed Committee is seeking Council’s in-principal support for preliminary plans recently prepared for a proposed new Community Men’s Shed’ on the eastern portion of Lot 363 Stubbs Street, Lake Grace (see Plans 19 to 23).

Lot 363 is located centrally in the Lake Grace townsite abutting the southern boundary of the existing railway reserve that traverses the town in an east-west direction. The land comprises a total area of approximately 4,454m<sup>2</sup> and has direct frontage to Stubbs Street along its southern boundary.

The land forms part of Crown Reserve 46769 which is owned by the State of Western Australia and currently vested in the Shire of Lake Grace for the designated purpose of ‘Parking, Recreation and Men’s Shed’. Council should note that written approval for the project has already been obtained from the State Land Services Division of the Department for Regional Development and Lands (DRDL).

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

Under the terms of the indicative plans submitted by the Lake Grace Men’s Shed Committee the proposed development will comprise the following key elements:

- i. Construction of a new 48 metre long x 12.2 metre wide building on a concrete slab;
- ii. Timber framed walls with face brick external cladding constructed to a maximum height of 2.55 metres and concrete tiled roofing with a standard pitch and ridge height;

- iii. An expansive, paved veranda along the building's Stubbs Street frontage;
- iv. A 1.3 metre building setback from the land's Stubbs Street boundary and a 3 metre setback from its rear boundary;
- v. Suitable connections to existing power, water and telecommunication infrastructure located in the Stubbs Street road reserve area;
- vi. Suitable infrastructure to capture, store and discharge stormwater into the Shire's existing drainage system in the Stubbs Street road reserve area; and
- vii. Access to and utilisation of the existing vehicle access and parking facilities on Reserve 46769.

It is understood that funding for the project will be obtained from a variety of sources including the Shire of Lake Grace and a number of State government and community based agencies (e.g. Department of Veteran Affairs, Lotterywest etc.).

#### Comment

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

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

In exercising discretion, and pursuant to clause 10.2 of LPS No.4, Council must be satisfied that the proposal is consistent with general principles of proper and orderly planning, the provisions and standards contained in LPS No.4 and any other planning consideration the local government deems relevant. These aspects will be assessed in more detail once a formal planning application for the proposed development is submitted to the Shire for consideration and determination by Council.

In the interim a preliminary assessment of the proposal in the context of the specific requirements of the Shire's Local Planning Strategy and LPS No.4 and written comments recently received from the Bureau of Meteorology and the Public Transport Authority indicates that it is generally acceptable for the following reasons:

- The proposed men's shed is complimentary to and therefore unlikely to compromise the continued use of Reserve 46769 for recreational purposes being its current designated purpose under LPS No.4 and the Land Administration Act 1997;
- The proposed site is ideally situated in terms of its proximity, exposure and access to Stubbs Street which is a busy regional roads that carries a significant volume of traffic;
- The proposed works will result in significant upgrades to and provide for the productive use of a portion of Reserve 46769 which is currently under utilised and poorly developed;
- The proposed development is unlikely to have a detrimental impact on the natural environment;

- The scale and appearance of the proposed new building is generally consistent with all existing improvements in the Lake Grace townsite and is therefore unlikely to have a detrimental impact on the character or amenity of the immediate locality;
- The proposed building will have a sufficient separation distance from the Bureau of Meteorology's existing automatic weather station on the land and is therefore unlikely to have a detrimental impact upon the continued operation of this facility;
- The proposed building will have a sufficient separation distance from the existing operational railway line located in the railway reserve immediately north of the subject land and is supported by the Public Transport Authority subject to the site being fenced off from the adjoining railway corridor and no storm water runoff from the development being permitted directly onto this corridor; and
- The proposed development, if approved, will provide a much needed community facility and tourist attraction for the Lake Grace townsite which could be expected to be of significant benefit to the local community.

Notwithstanding the project's general suitability and potential benefits, its implementation is contingent upon the following:

- i. The preparation of a more detailed and accurate site development plan and formulation of a preliminary construction cost estimate;
- ii. Confirmation of the funding contributions available from a number of sources including but not limited to the Shire of Lake Grace, Department of Veteran Affairs, Lotterywest etc; and
- iii. Council's issuance of planning approval for the proposed development and use of the land under LPS No.4 including the preparation and lodgement of a formal planning application to the Shire for review and assessment.

#### Legal Implications

Planning and Development Act 2005

Land Administration Act 1997

Shire of Lake Grace Local Planning Scheme No.4

#### Policy Implications

Nil

#### Consultation

Community consultation not required. It should however be noted that the proposal was recently referred to the Public Transport Authority and Bureau of Meteorology for review and comment. Neither of these government agencies raised any objections to the proposal.

#### Financial Implications

It is understood that an allowance of \$50,000 has been made in Council's 2011/2012 budget to help progress the project and that additional funding is currently being sought from a number of State government and community based agencies (e.g. Department of Veteran Affairs, Lotterywest etc.).



Strategic Implications

The proposed development and use of portion of Lot 363 for the purposes of a 'community men's shed' is generally consistent with the strategic land use direction for the land provided by the Shire's current Local Planning Strategy.

Voting Requirements

Simple majority required.

Recommendation/Resolution

**MOTION 11260**

Moved Cr Farrelly  
Seconded Cr Milton

That Council:

1. Grant in-principal support for the proposed development of a new community men's shed on Lot 363 (No.33) Stubbs Street, Lake Grace being portion of Reserve 46769; and
2. Authorise the Shire Administration to advise the Lake Grace Men's Shed Committee of the outcome and instruct the Committee to prepare a more detailed and accurate site development plan and preliminary construction cost estimate for consideration by Council and other future possible funding sources.

**MOTION CARRIED 9/0**

## 12.6 WA PLANNING COMMISSION DRAFT WHEATBELT LAND USE PLANNING STRATEGY & RURAL PLANNING POLICIES

<b>Applicant:</b>	Western Australian Planning Commission
<b>File No.</b>	0557
<b>Attachments:</b>	Nil
<b>Author:</b>	Mr Joe Douglas Urban & Rural Perspectives-Town Planning Consultants
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	19 July 2011
<b>Senior Officer:</b>	Mr Sean Fletcher Chief Executive Officer

### Summary

This report provides details of those matters proposed be raised in a formal written submission to the Western Australian Planning Commission (WAPC) regarding the suitability of the current draft Wheatbelt Land Use Planning Strategy and revised draft State Planning Policy No.2.5 and Development Control Policy No.3.4 in terms of their potential impact on future land use planning and development in the Shire of Lake Grace and the State generally.

### Background

The Department of Planning, on behalf of the Western Australia Planning Commission (WAPC), has prepared a draft land use planning strategy for the Wheatbelt region of Western Australia (i.e. the Wheatbelt Land Use Planning Strategy) to help guide land use planning decision-making. The proposed new Strategy will form part of the State Planning Framework and will:

- i. Provide a leadership document that guides decision-making in the region;
- ii. Apply State Planning Policy and establish the WAPC policy position on growth and population change and development challenges facing the region;
- iii. Provide a framework for urban growth, rural settlement, environmental protection and rural and regional planning;
- iv. Provide more detailed spatial planning where required in high-growth shires; and
- v. Identify key economic, social and environmental drivers and their likely implications.

The Department of Planning has also undertaken a review of the current State Planning Policy No.2.5 entitled 'Agricultural and Rural Land Use Planning' and Development Control Policy No.3.4 entitled 'Subdivision of Rural Land'.

All of these documents are currently the subject of a public advertising process with submissions due to close on the 31st July (i.e. State Planning Policy No.2.5 & Development Control Policy No.3.4) and the 19th August 2011 (i.e. Wheatbelt Land Use Planning Strategy).

Given the implications of these documents for future land use planning and development in the Shire of Lake Grace, Council recently authorised the Shire administration to prepare a formal written submission to the WAPC regarding their general suitability including details of any points of specific concern.

### Comment

Urban and Rural Perspectives has completed a comprehensive review of all three draft documents to determine their general suitability and possible implications. The following comments are submitted for Council's consideration prior to formulation and lodgement of a formal written submission to the WAPC.

### **Wheatbelt Land Use Planning Strategy**

1. The preparation and adoption of a proposed Land Use Planning Strategy for the Wheatbelt Region as a whole is considered beneficial and worthwhile given the current lack of regional planning guidance. Furthermore the basic principles and objectives of the new Strategy as stated in the draft document are considered sound and achievable if a solid commitment is made to its future implementation.
2. Notwithstanding the many benefits of having a new Strategy to guide future planning decision-making throughout the Wheatbelt Region, it is recommended that Council not support the Strategy in its current form for the following reasons:
  - i. The document is poorly worded and grammatically incorrect in many parts with scope for significant improvement throughout. It is not therefore considered to be of a standard acceptable for a State government agency such as the Western Australian Planning Commission.
  - ii. The combination of 'Strategies and Actions' under each Regional Planning Principle is considered confusing and should be broken down into separate sections for each (i.e. all proposed 'planning strategies' listed in a standalone section followed by a separate section outlining all of the proposed 'actions'). This proposed breakdown will clarify what the strategies will be and how they will be implemented in terms of specific actions. This approach is consistent with that recommended by the WAPC in its Local Planning Scheme Manual which guides the preparation of local government planning strategies;
  - iii. Some of the wording used to describe a number of proposed 'Strategies and Actions' under each Regional Planning Principle is confusing and are more akin to 'policy statements' rather than those normally used to describe 'Strategies and Actions';
  - iv. The document fails to make reference to or give any indication regarding its expected lifespan and general timeframe for implementation. This is considered a major flaw in terms of the future monitoring of its effectiveness and is a matter that should be addressed prior to its finalisation;
  - v. The document also fails to clearly outline other government agencies role regarding the Strategy's future implementation. Some clear statements in this regard would be highly beneficial; and
  - vi. The WAPC's future proposed 'works program' under each Regional Planning Principle are considered weak and don't have enough regard for the Strategy's general objectives and proposed 'Strategies and Actions'. This is considered to be significant flaw that should be addressed prior to the Strategy's finalisation given that the WAPC will play a pivotal role in its future implementation.

**State Planning Policy No.2.5 - Land Use Planning in Rural Areas**

1. State Planning Policy No.2.5 is a long established planning policy prepared by the WAPC under Part 3 of the Planning and Development Act 2005 to guide the future planning and development of all rural and agricultural land in Western Australia.
2. The current version of State Planning Policy No.2.5 entitled 'Agricultural and Rural Land Use Planning' was gazetted in 2002 following a comprehensive consultative process that began in 1997.
3. Given the demand pressures associated with economic and population growth in Western Australia since gazettal of the current version of State Planning Policy No.2.5 as well as the increased pressure on available rural resources and general decline in the quality and availability of rural land due to natural resource degradation and climate change, the recent review and drafting of a revised version of the policy by the WAPC is considered beneficial and worthwhile.
4. Notwithstanding the need for and potential benefits of the current review of State Planning Policy No.2.5, it is recommended that Council not support the revised draft version of the policy now entitled 'Land Use Planning in Rural Areas' for the following reasons:
  - i. The revised document is poorly worded and grammatically incorrect in some parts. It also contains a number of typographic errors, all of which is considered unacceptable for a State government agency such as the Western Australian Planning Commission.
  - ii. The revised document is a significantly condensed, far less prescriptive version of the current policy to the extent that it loses clarity and direction in terms of its history and basis, planning considerations and processes (including consultation), acceptable development standards and mechanisms and responsibilities for implementation.
  - iii. Notwithstanding point i) above, it is acknowledged that the WAPC intends to prepare Planning Guideline 2.5.1 entitled Land Use Planning in Rural Areas to include some of the details contained in the current policy. Despite the WAPC's intentions, it is disappointing that Planning Guideline 2.5.1 was not completed and advertised concurrently with the revised policy so that the processes, standards, mechanisms and responsibilities to provide for its implementation could be evaluated now to determine any possible implications. As such it may be appropriate for the WAPC to delay final adoption of the revised policy until Planning Guideline 2.5.1 is prepared and released for public comment as part of the entire review process rather than the current piecemeal approach.
  - iv. The consultative process followed during formulation of the revised policy is not clearly documented or explained as is the case in the current version of State Planning Policy No.2.5. This

raises questions regarding its basis, suitability and general acceptance by those parties directly affected.

- v. The revised policy states in clause 5.1 that “..... land with suitable soils, climate, water (rain or irrigation) and access to services is of State significance and therefore considered to be priority agricultural land”. The revised policy does not however provide details of any existing or proposed areas of this type in the State or the processes to be followed to identify them in the future. This is a significant change from the current policy where agricultural areas of State and regional significance are clearly identified in using maps and specific details regarding processes and responsibilities for their identification in the future are clearly documented.

The revised policy therefore lacks clarity in this regard and could be interpreted and applied quite liberally by the WAPC to the extent that a much greater proportion of the State’s rural land will be deemed as ‘priority agricultural land’. This may then restrict many landowners’ ability to subdivide and/or use their rural land for alternative purposes without such development being suitably planned for in a planning strategy endorsed by the WAPC which is both expensive and time consuming in terms of the approval processes required to be followed.

As such more clarity is needed now in terms of what land the WAPC considers to be ‘priority agricultural land’ and therefore required to be retained for primary production purposes in the long term future.

- vi. Further to point iii) above it is significant to note that clause 5.3.2 of the revised policy states that tree farming will be supported and encouraged on rural land but should not be permitted on land identified as ‘priority agricultural land’. Given the lack of clarity in terms of what land the WAPC considers to be ‘priority agricultural land’, many rural landowners in the State may not be allowed to establish a tree farm on their property despite their land’s suitability and future possible economic and environmental benefits.
- vii. Despite the revised policy’s general support for and guidance regarding tree farming, it makes no reference to what is considered to be an acceptable minimum lot size for such land usage and whether or not the WAPC will support the further subdivision of rural land down to the minimum size to help landowners and investors capitalise on future potential opportunities for carbon sequestration.
- viii. Clause 5.2 of the revised policy makes reference to a number of ‘principles’ proposed to be applied to the future development of rural land in the Perth metropolitan region. Whilst not relevant to the Shire of Lake Grace, it is worth noting that the principles stated in the document are not strictly ‘planning principles’ but are instead observations as to what is likely to happen to rural

land in the region in future years. This wording anomaly requires some attention to ensure greater clarity in terms of the planning principles likely be applied by the WAPC and reiterates the previous concerns raised regarding some wording in the revised policy document.

- ix. Clause 5.4 of the revised policy states that all rural land is considered by the WAPC to have productive value for a wide range of existing and future rural land uses and therefore any proposals for rural living-type subdivision and development will not be supported where they conflict with the objectives of the new policy or unless they satisfy all of thirteen (13) individual criterion.

The following criteria are of particular concern:

- The WAPC will only consider rural living proposals which provide for the creation of more than ten (10) rural living type lots where a reticulated domestic water supply service is capable of being provided by a licensed water service provider (e.g. the Water Corporation);
  - In those circumstances where a reticulated domestic water supply service cannot be provided to a proposed rural living development, the WAPC may only permit a maximum of 10 lots to be developed without a reticulated water supply and where the alternative method of supply is demonstrated and sustainable and supported by the relevant water and health agencies. This is considered very restrictive and may stymie opportunity for future rural living development, particularly in areas already zoned for this purpose;
  - The lack of clarity as to what constitutes a 'suitable electricity supply' (i.e. will the provision of solar or wind power be supported in new rural living areas as these technologies advance in the future as opposed to conventional reticulated power supply sources?); and
  - The need to provide 'community facilities' for new rural living areas without any clear advice or guidance on how this can be demonstrated or achieved.
- x. The revised policy is therefore considered far more restrictive in terms of the permissibility of future rural living-type subdivision and development throughout the State and is a significant shift from the current policy position where there is greater flexibility and clarity.
- xi. Clause 5.5 of the revised policy states that the WAPC will manage and improve environmental and cultural attributes of rural land throughout the State by supporting, amongst other things, the inclusion of "registered Aboriginal sites cultural corridors" in local planning strategies and schemes. The term "registered Aboriginal sites cultural corridors" is unclear and creates uncertainty as it is not one typically used in contemporary planning in this State nor is it referenced or defined anywhere in the policy document. The implications of this new policy measure are also of concern for private landowner's

whose property may be affected in terms of limitations/constraints on future subdivision and/or development potential.

- xii. Clause 5.6 of the revised policy states that land use conflicts in rural areas will be managed such that land impacted by 'licensed buffers' will be recognised appropriately in local planning strategies and schemes endorsed by the WAPC. Whilst the WAPC's intention here is considered reasonable, it is noted that most buffer areas around industrial type land uses that generate external impacts are not typically licensed. As such reference to the term 'licensed buffers' is considered incorrect and confusing.
- xiii. The revised policy fails to make reference to or give any indication regarding its expected lifespan and general timeframe for implementation and/or review. This is considered a major flaw in terms of the future monitoring of its effectiveness and is a matter that should be addressed prior to its finalisation.
- xiv. Unlike the current version of the policy, the revised policy document also fails to clearly outline other government agencies roles and responsibilities regarding the policy's future implementation. Some clear statements in this regard would be highly beneficial.
- xv. A number of definitions included in clause 6 of the revised policy to help clarify and define many terms used in the revised policy document are poorly worded and could be refined. Furthermore, reference in clause 6 to a number of land use definitions contained in the 'Model Scheme Text' is considered unsatisfactory as it requires readers of the new policy to make direct reference to Appendix B of the Town Planning Regulations 1967 to obtain details of the relevant definitions. This will prove time consuming and cumbersome and could be avoided altogether by including the relevant definitions in the revised policy document itself.
- xvi. Reference to the terms 'Special Residential' and 'Special Residential Zone' in clause 6 of the revised policy document is considered unnecessary and confusing as it implies that lots ranging in size from 2,000m<sup>2</sup> to 1 hectare are subject to the provisions and requirements of the new policy. Special residential-type lots are in fact purely residential lots where rural land use and development is typically not permitted. Furthermore all future development of these types of lots is controlled by State Planning Policy 3.1 entitled 'Residential Design Codes (Variation 1)', Development Control Policy 2.5 entitled 'Special Residential Zones' as well as provisions normally contained in local planning schemes. As such it is recommended that all reference to the terms 'Special Residential' and 'Special Residential Zone' be deleted from the revised policy document as there is sufficient guidance and controls over this form of development in the State's current planning framework.

**Development Control Policy No.3.4 entitled Subdivision of Rural Land**

1. Development Control Policy No.3.4 is also a long established planning policy prepared by the WAPC to support the provisions contained in Part 10 of the Planning and Development Act 2005 as these apply specifically to the future subdivision of all land throughout the State. The policy sets out the principles to be used by the WAPC in determining applications for the subdivision of rural land only and seeks to ensure consistency with the objectives of State Planning Policy No.2.5 entitled 'Land Use Planning in Rural Areas'.
2. The current version of Development Control Policy No.3.4 was adopted by the WAPC in February 2008 and has been used as the basis for controlling the subdivision of all rural land throughout the State. All local government authorities are required to have due regard for this policy when considering applications for the subdivision of rural land within their respective municipal districts.
3. Given the demand pressures associated with economic and population growth in Western Australia since adoption of the current version of Development Control Policy No.3.4 by the WAPC as well as the increased pressure on available rural resources and general decline in the quality and availability of rural land due to natural resource degradation and climate change, the recent review and drafting of a revised version of the policy by the WAPC is considered beneficial and worthwhile.
4. Notwithstanding the need for and potential benefits of the current review of Development Control Policy No.3.4, it is recommended that Council not support the revised draft version of this policy for the following reasons:
  - i. It makes reference to a number of State planning policies and guidelines in the background section, the titles of which are either incorrect or have recently been changed. Suitable corrections are therefore required.
  - ii. The policy provisions in section 3 of the document which govern the subdivision of rural land for rural living purposes (i.e. lots ranging in size from 1 to 40 hectares) have been modified and expanded to the extent that opportunities for any future rural living subdivision development in areas with an annual rainfall of less than 550mm will not be supported unless they are capable of being served by a reticulated domestic water supply service (i.e. the provision of domestic water supply via roof collection and rainwater tanks as a sole alternative water supply is not considered a viable option and will not therefore be supported by the WAPC). This approach is a lot more stringent than the current policy requirements where alternative water supply sources may be permitted in areas with an annual rainfall of less than 550mm. This is considered to be a major impediment to future rural living subdivision development in the Shire of Lake Grace where Bureau of Meteorology records show the Shire's annual average rainfall as being 355mm.



- iii. Some policy provisions in section 3 of the revised document governing the subdivision of rural land for rural living purposes are also poorly worded and confusing, particularly dot point 4 under clause 3.2 (b) where reference is made to the “..... allocation of non-reticulated scheme water from a licensed water service provider where scheme water is the only alternative source”. This phrase does not make sense and requires correction or clarification.
- iv. Clause 3.3 of the revised policy now provides guidance on the WAPC’s infrastructure requirements and standards for all future rural living subdivision development. The prescribed standards are considered onerous in part, are unclear and do not make allowance for such things as solar or wind power as possible alternative electricity supplies as these technologies advance in the future, firebreaks, telecommunications infrastructure or community facilities. Some modifications to this clause may therefore be appropriate to clarify the WAPC’s specific requirements and provide more flexibility.
- v. Clause 4.3 of the revised policy stipulates that broadacre farming areas may be subdivided to create new lots consistent with the prevailing size of other lots used for farming in the locality subject to the new lots having an area greater than 100 hectares. This approach is a lot more stringent than the current policy requirements where further subdivision may be permitted without any minimum lot size restrictions. This revised policy position could prove to be a major impediment to future rural subdivision development in the Shire of Lake Grace to accommodate intensive or emerging primary production land uses and is not therefore supported.
- vi. Clause 5.3 of the revised policy stipulates that any new conservation–type lots created under the provisions of the policy should be appropriately zoned by the relevant local government in its local planning scheme by way of a future omnibus amendment or when the scheme is reviewed. The need to rezone these properties is questionable given the range of land use controls required to be imposed at the subdivision development stage. Furthermore it places a significant burden on local government authorities to monitor all such applications to ensure rezoning is undertaken at a later stage. The ability of many local government authorities to adhere to this specific policy requirement is also of concern.
- vii. The policy provisions in clause 5.4 of the document which allow for the subdivision of rural land in the Wheatbelt agricultural policy area to provide for the creation of new homestead-type lots have been modified to the extent that opportunities for this type of subdivision will be limited to rural land comprising an area of at least 101 hectares unless specifically provided for in a local planning strategy endorsed by the WAPC. This approach is again a lot more stringent than the current policy and is

considered to be a major impediment to this type of subdivision development in the Shire of Lake Grace where subdivision for the purpose of creating a new homestead lots is permissible on rural lots comprising an area of less than 101 hectares.

- viii. The revised policy introduces incentives for the subdivision of rural land for the purposes of carbon sequestration which is considered beneficial and worthwhile provided it does not result in the loss of agricultural land for primary production purposes which is a major objective of the WAPC's rural planning strategies and policies.

Notwithstanding this new incentive, the draft policy restricts subdivision for the purposes of carbon sequestration to areas with an annual average rainfall of less than 400mm which may prove overly restrictive and stymie investment in carbon sequestration projects. Furthermore, the revised policy provides no guidance in terms of the total number of lots permitted to be created for this purpose as part any one application, minimum permitted lot sizes, infrastructure requirements and suitable management controls.

- ix. The revised policy introduces provisions for the subdivision of rural land for the purposes of 'Tied Lots' as currently provided for in section 149 of the Planning and Development Act 2005. Despite this fact the policy again provides very little guidance in terms of the minimum permitted size of tied lots, the maximum allowable distance between tied lots and the future development and use of these types of lots. Some clear statements in this regard would be highly beneficial and helpful to those rural landowners considering subdivision for this purpose.
- x. There is scope as part of this review of Development Control Policy No.3.4 for the WAPC to consider introducing provisions which allow for the further subdivision of rural land in circumstances where landowners are experiencing financial hardship and it can be demonstrated that further subdivision of their land will not compromise established planning principles.

It is acknowledged that section 241(3) of the Planning and Development Act 2005 does make allowance for the State Administrative Tribunal to grant approval to further subdivision development in these circumstances and when not more than three (3) lots are proposed to be created.

This current allowance is however considered too restrictive in circumstances where farmers are facing financial hardship due to drought or other factors and does not give the WAPC the discretion to grant approval to further subdivision development in these situations. The revised policy could address this by including a number of relevant provisions to provide the guidance necessary to allow the WAPC to approve further subdivision development in these circumstances.

- xi. The revised policy makes reference to the terms ‘Controlled Access Highway’ and ‘State Roads’ in various parts however clear definitions for each of these terms are not provided in Appendix 1. Some clear statements in this regard would be highly beneficial.
- xii. Appendix 4 of the revised policy does not list the Town of Narrogin as being located in the ‘Wheatbelt Agricultural Policy Area’ and is an omission that needs to be corrected.

#### Legal Implications

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

#### Policy Implications

Any existing or future proposed local planning policies for the Shire of Lake Grace are required to have due regard for and must generally be consistent with the provisions contained in the WAPC’s proposed new State Planning Policy No.2.5 and Development Control Policy No.3.4.

#### Consultation

Community consultation not required by the Shire. The current public consultation process is being managed by the Department of Planning on behalf of the WAPC.

#### Financial Implications

The total cost to review the revised draft Wheatbelt Land Use Planning Strategy, State Planning Policy No.2.5 and Development Control Policy No.3.4 and prepare a follow up submission to the Western Australia Planning Commission is estimated to be in the order of \$1,500.00 excluding GST. It is understood that a suitable allowance has been made in the Shire’s budget to accommodate this expenditure.

#### Strategic Implications

Any existing or future proposed local planning strategy for the Shire of Lake Grace is required to have due regard for and must generally be consistent with the provisions contained in the WAPC’s proposed new Wheatbelt Land Use Planning Strategy. A number of amendments to the Shire’s current Local Planning Strategy will be required if the WAPC’s proposals are finally endorsed in their current form.

#### Voting Requirements

Simple majority required.

Recommendation/Resolution

**MOTION 11261**

Moved Cr Farrelly  
Seconded Cr Newman

That Council advise the Western Australian Planning Commission that it does not support the draft Wheatbelt Land Use Planning Strategy, State Planning Policy No.2.5 entitled 'Land Use Planning in Rural Areas' and Development Control Policy No.3.4 entitled Subdivision of Rural Land in their current form for the various reasons cited in the above report and that the documents be modified to reflect the various concerns raised prior to their final adoption by the Commission.

**MOTION CARRIED 9/0**

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

*No matters for consideration.*

## 14.0 MATTERS FOR CONSIDERATION – FINANCE

4.24pm Cr Newman left the meeting.

### 14.1 ACCOUNTS FOR PAYMENT – JUNE 2011

**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:** 04 July 2011  
**Senior Officer:** Ms Samantha Appleton  
Manager Corporate Services

#### Summary

For Council to ratify expenditures incurred for the month of June 2011.

#### Background

List of payments for the month June 2011 through the Municipal and Trust accounts are attached.

#### Comment

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

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

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

#### Legal Implications

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

#### Policy Implications

N/A

#### Consultation

N/A

#### Financial Implications

The list of creditors paid for the month of June 2011 from the Municipal and Trust Accounts Totals \$853,566.03.

Strategic Implications

**7. Organisational Excellence**

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

Voting Requirements

Simple majority required.

Recommendation/Resolution

**MOTION 11262**

Moved Cr Chappell  
Seconded Cr Sinclair

That Council receive the list of payments totalling \$853,566.03 as presented for the month of June 2011 incorporating:

- Municipal Account Cheques 34399 to 34440
- Trust Account Cheques 609 to 614
- Electronic Funds Transfers EFT8067 to EFT8223

**MOTION CARRIED 8/0**

**14.2 INTERIM FINANCIAL STATEMENTS – YEAR ENDED 30 JUNE 2011**

4.26pm *Cr Neman re-entered the meeting.*

**Applicant:** Corporate Services Section  
**File No.** 0275  
**Attachments:** Financial Reports  
**Author:** Ms Samantha Appleton  
 Manager Corporate Services  
**Disclosure of Interest:** Nil  
**Date of Report:** 17 July 2011  
**Senior Officer:** Ms Samantha Appleton  
 Manager Corporate Services

Summary

Consideration of the financial statements for the month ending 30 June 2011.

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 year end adjustments will be made in the following months prior to the production of the audited annual report and figures in this statement are likely 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 11263**

Moved Cr Farrelly  
Seconded Cr De Landgraft

That Council, in accordance with Regulation 34 of the *Local Government (Financial Management) Regulations 1996*, receives the Interim Statement of Financial Activity for the period ended 30 June 2011.

**MOTION CARRIED 9/0**

<b>15.0 MATTERS FOR CONSIDERATION – ADMINISTRATION</b>
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**15.1 WA LOCAL GOVERNMENT ASSOCIATION – 2011 AGM**

**Applicant:** WALGA  
**File No.** 0029  
**Attachments:** 2011 WALGA AGM Agenda  
**Author:** Mr Sean Fletcher  
 Chief Executive Officer  
**Disclosure of Interest:** Nil  
**Date of Report:** 7 July 2011  
**Senior Officer:** Mr Sean Fletcher  
 Chief Executive Officer

Summary

This report has been prepared to provide direction to Council's voting delegates for the Annual General Meeting of the WA Local Government Association (WALGA) to be held on 6<sup>th</sup> August 2011 at the Perth Convention Centre.

Background

WALGA has released its agenda for the Annual General Meeting to be held on 6<sup>th</sup> August 2011.

There are seven items on the agenda for decision at the Annual General Meeting.

The registered voting delegates for the Shire of Lake Grace are:

**Voting Delegates**

Cr Walker Shire President  
 Ct Chamberlain Deputy Shire President

**Voting Proxies**

Cr De Landgraft  
 Mr Sean Fletcher Chief Executive Officer

Comment

The background information on each item is contained within the attachment and comments are as follows:

<b>Item</b>	<b>Motion</b>	<b>In Brief</b>	<b>Recommendation</b>
3.1	That the WALGA constitution be amended (various)	Constitutional Amendments proposed which were endorsed by State Council in June 2011 Changes will: <ul style="list-style-type: none"> <li>• Amend State Council's meeting schedule;</li> <li>• Clarify the election of State Councillors from amongst Zone delegates;</li> <li>• Establish a different process for the expulsion of Associate Members; and</li> <li>• Remove redundant transitional provisions</li> </ul>	This motion seeks to complete the review of the structure and effectiveness of State Council and the Zones. The proposed amendments were unanimously endorsed by State Council  <b>Support</b>

3.2	<p>That:</p> <p>1. Western Australian Local Governments support the immediate introduction of a Container Deposit System in Western Australia to:</p> <p>a. Reduce littering;  b. Improve rates of recycling;  c. Share the waste management costs; and  d. Increase community awareness and involvement in waste management; and</p> <p>2. WALGA strongly lobbies the State Government for the immediate introduction of a Container Deposit System with Local Government collaboration.</p>	<p>A CDS will reduce littering and increase recycling</p> <ul style="list-style-type: none"> <li>• Members to support introduction of a CDS</li> <li>• WALGA continue to advocate for</li> <li>• the introduction of a Container Deposit System</li> <li>• State Government to seek Local Government input in implementing a CDS</li> </ul>	<p>WALGA states that it strongly supports the introduction of a Container Deposit Scheme as outlined by the Shire of Boddington</p> <p>Will save Local Government \$72M in landfill and at a payment of 10 cents per container will increase recycling revenue</p> <p><b>Support</b></p>
3.3	<p>1. That this Annual General Meeting endorse the Local Government Amendment (Regional Subsidiaries) Bill 2010 as introduced into the Legislative Council by the Hon Max Trenorden MLC.</p> <p>2. That WALGA write to the Minister for Local Government, as a matter of urgency, requesting his support for the Local Government Amendment (Regional Subsidiaries) Bill 2010 to ensure its successful passage through Parliament.</p>	<ul style="list-style-type: none"> <li>• Seeking support from the Annual General Meeting for the Local Government Amendment (Regional Subsidiaries) Bill 2010.</li> <li>• Request the Minister for Local Government to support the legislation.</li> </ul>	<p>This matter is well known to Council and support for the Hon. Max Trenorden's Bill was passed at the June 2011 Council meeting</p> <p><b>Support</b></p>
3.4	<p>The Western Australian Local Government Association requests that the Minister for the Environment, in consultation with Local Government, the Fire and Emergency Services Authority and the Department of Environment and Conservation:</p> <p>1. Undertakes an investigation into the adequacy of existing regulations for all types and sizes of scrap metal yards;</p> <p>2. That regulatory enhancements/amendments be developed to ensure appropriate standards of operation can be put in place by the relevant authority; and</p> <p>3. That the responsibilities and powers of the regulatory authorities involved be clarified.</p>	<ul style="list-style-type: none"> <li>• There are currently no satisfactory licensing requirements for scrap metal yard operations.</li> <li>• Recommend the issue be investigated and suitable regulations developed.</li> </ul>	<p>A recent fire in the Shire of Dardanup regarding a scrap metal operation highlighted that Local Government, FESA &amp; DEC do not have sufficient authority in legislation to implement risk mitigation to the environment and human health</p> <p><b>Support</b></p>

3.5	That the Western Australian Local Government Association be requested to apply to the Minister for Local Government to increase dog registration fees to more realistic levels as the fees have not been increased since 1995.	Dog Registration fees have not been increased since 1995. This motion calls for a review and an increase to more realistic levels.	Association agrees that the present schedule of fees has not kept pace with the administrative costs associated with the registration of dogs under the Dog Act  <b>Support</b>
3.6	That the Western Australian Local Government Association continue to lobby the State and Federal Governments for Local Governments to be compensated for loss of revenue associated with the area of land used for independent living units on estates operated by registered charities and religious bodies, and that the compensation be an annual direct payment to the Local Governments on the production of an invoice to the State Revenue Department and Federal Treasury.	Consideration be given for Local Government to be compensated for loss of revenue as a result of rate exemptions on independent living units within retirement villages operated by organisations recognised as charitable bodies.	The Shire of Dardanup is seeking member support to have WALGA lobby the State and Commonwealth through the Minister and the Treasurer for Local Government to be compensated for the loss of revenue when a body registered as a charity or a religious body owns land and claims the rate exemption.  <b>Support</b>
3.7	That: 1.The present uncertainty as to which Local Governments are or are not covered by the Federal Industrial Relations System is unacceptable; 2.Member Councils determine that they would prefer to be covered by a State based industrial relations system; and 3. WALGA request that the State Government take whatever steps are necessary to ensure that Local Government is covered by the State Industrial Relations system.	<ul style="list-style-type: none"> <li>• Clarification is requested about whether Local Governments are captured by State or Federal Industrial arrangements;</li> <li>• WALGA presented advice to Councils, through the Zone process, and State Council resolved a position supported by the majority of Zones.</li> </ul>	The Shire of Perenjori is seeking for member councils to come under the State Industrial Relations System.  Up until 31 December 2009, Local Government employees have been predominantly employed under Federal Industrial Awards.  To date, 118 of the 139 WA Local Governments have remained in the Federal Industrial Relations System.  However, the matter of jurisdiction does need to be resolved.  <b>Not Support</b>

Legal Implications

Voting on the proposed motions will be in accordance with WALGA's Constitution.

Policy Implications

Nil

Consultation

Nil

Financial Implications

There is allocation in the 2011/12 budget for attendance at the AGM by elected members and staff.

Strategic Implications

Shire of Lake Grace Strategic Plan – Focus 6 Leadership

Provide a visionary and proactive approach to leadership at an operational and strategic level.

6.1 Develop and implement through collaboration with other local, state and federal government agencies, resource sharing and regional service delivery.

Voting Requirements

Simple majority required.

Recommendation/Resolution

**MOTION 11264**

Moved Cr Farrelly  
Seconded Cr Chappell

That Council:

1. Supports the motions put forward for items 3.1 to 3.6.
2. Does not support 3.7.
3. Endorses as the voting delegates at the 2011 WALGA AGM the Shire President Cr Walker and the Deputy President Cr Chamberlain.
4. Endorses as the voting delegate proxies Cr De Landgraft and CEO Mr Sean Fletcher.

**MOTION CARRIED 9/0**

**15.2 CEO’S KEY PERFORMANCE INDICATORS - UPDATE**

**Applicant:** Chief Executive Officer  
**File No.** 0271  
**Attachments:** Nil  
**Author:** Mr Sean Fletcher  
 Chief Executive Officer  
**Disclosure of Interest:** Nil  
**Date of Report:** 7 July 2011  
**Senior Officer:** Mr Sean Fletcher  
 Chief Executive Officer

Summary

This report provides an update each month on the progress of the CEO's Key Performance Indicators as identified during the CEO Performance Review 2010.

Background

The Council in conjunction with the author developed a range of Key Performance Indicators for the Chief Executive Officer to achieve.

Comment

A summary on the progress of the Chief Executive Officer's key performance indicators (KPI's) are as follows:

<b>KPI 1</b>		
Present to Council a Roles and Functionality Plan that provides for services to be maintained without necessarily replacing departing staff. The report is to be presented to Council by April 2011.		
<b>Measure</b>	<b>Progress</b>	<b>Due</b>
Report is presented to Council and Councillors have an opportunity to be heard	Alasdair Malloch-Smith WALGA conducted the review 22/23 February 2011: <ul style="list-style-type: none"> <li>• Interviewed CEO &amp; Staff 22/02;</li> <li>• Interviewed Elected Members 23/02/11;</li> <li>• Report received 10 March 2011;</li> <li>• Issued to Council 23 March 2011;</li> <li>• Mr Malloch-Smith to present to Council 27 April 2011;</li> <li>• CEO's response provided to Council 27 April 2011;</li> <li>• Recommendations forwarded for 2011/12 Budget consideration</li> </ul> <p style="text-align: center;"><b>Matter completed</b></p>	30 April 11

<b>KPI 2</b>		
CEO to invest time in meeting with stakeholders on a face to face basis at their localities and to be seen in the communities attending community functions and activities wherever practicable		
<b>Measure</b>	<b>Progress</b>	<b>Due</b>
Community Survey demonstrates an improvement in the Community understanding of the Role of Council and the Role of the CEO with improved communication channels	<p>Community Engagement Workshop conducted by Barbara Maidment 28/02/11 with elected members and key staff to develop policy and process based on new Department of Local Government guidelines on community engagement.</p> <ul style="list-style-type: none"> <li>• Policy presented to Council meeting 27 April 2011 and subsequently adopted</li> </ul> <p>Attendances:</p> <ul style="list-style-type: none"> <li>• Lake Grace Sporting Precinct Working Group;</li> <li>• Colts Carnival Sponsor's Dinner;</li> <li>• Lake Grace Fire Brigade Captain's Dinner;</li> <li>• Lake Grace Centenary Map Launch;</li> <li>• Debbie Clarke – RALAG and Centenary Map;</li> <li>• Allan Marshall – Centenary Map;</li> <li>• Colleen Hopkins re GP Update</li> <li>• Newdegate Rejuvenation Committee meeting</li> <li>• RALAG Meeting</li> </ul>	31 Aug 11

<b>KPI 3</b>		
Based on the outcomes of the draft Strategic Plan, the plan's KPIs for 2010/11 will be as follows:		
<b>Action 1.1.1</b>	<b>Progress</b>	<b>Due</b>
Lake Grace Residential Land – Development of next stage (Known as Pt Lot 1 Griffin Street or Quondong Crt)	<p>As per the Corporate Plan:</p> <ul style="list-style-type: none"> <li>• Works crew completed road works;</li> <li>• Electric mains connected and street lights working;</li> <li>• Water and Sewerage lines going in. Hit rock, will take longer than anticipated. Upgrade of South St Main required. Watercorp Fee \$300,000 refunded to the Shire 12 months after completion of works</li> </ul> <p>Now starting to receive enquiries</p> <p><b>Rescheduled to 31 August 2011</b></p>	31 Aug 11
<b>Action 1.1.2</b>	<b>Progress</b>	<b>Due</b>
Lake Grace Industrial Land Development: <ul style="list-style-type: none"> <li>• Funding;</li> <li>• Commence Construction;</li> <li>• Finish Construction</li> </ul>	<p>As per the Corporate Plan:</p> <ul style="list-style-type: none"> <li>• As discussed and agreed at the strategic planning workshop 9&amp;10 March, Shire works (\$40,000) deferred to 2011/12 to meet Landcorp timetable;</li> </ul>	31 Dec 11

	<ul style="list-style-type: none"> <li>• Blocks available Feb 2012;</li> <li>• Met with Landcorp Project Manager Robert Fenn 30 March 2011: <ul style="list-style-type: none"> <li>◦ Mr Fenn has clarified matters re Native Title, soil contamination;</li> <li>◦ Will enter into pre-sale agreements with interested parties;</li> </ul> </li> <li>• Brad Harris has developed schematics and engineering plans for the site. Copy provided in this agenda;</li> <li>• Next step will be full proposal to Landcorp Board for works to commence.</li> </ul> <p><b>CEO's involvement completed for 2010/11</b></p>	
<b>Action 2.1.1</b>	<b>Progress</b>	<b>Due</b>
Construct the Newdegate Medical Centre within allocated budget	<p>As per the Corporate Plan and subsequent resolutions of Council:</p> <ul style="list-style-type: none"> <li>• Construction site and pad adequately secured and protected;</li> <li>• Second review of pad conducted by second engineer, architect and CEO;</li> <li>• Newdegate Rejuvenation Committee briefed;</li> <li>• Project timeline put in community papers 7 July 2011;</li> <li>• Brickwork commenced 5 July 2011.</li> </ul>	31 Dec 11
<b>Action 2.4.2</b>	<b>Progress</b>	<b>Due</b>
Construct the Lake Grace Childcare Centre within allocated budget	<p>As per the Corporate Plan:</p> <ul style="list-style-type: none"> <li>• Final plumbing connection completed;</li> <li>• Fit-out commenced Feb 2011;</li> <li>• Fencing nearing completion;</li> <li>• Development Officer applying for grant for fit-out costs and play equipment</li> <li>• As part of the transition now required a Management Committee is to be established regarding the running of this facility;</li> <li>• Centre expected to open July 2011</li> </ul> <p><b>Construction Completed</b></p>	31 Mar 11
<b>Action 6.1.2</b>	<b>Progress</b>	<b>Due</b>
Recruit a general practitioner that includes sourcing of a new GP for the Shire and the development with WALGA of a local government GP recruitment platform	<p>Pursuit of long term agreement with SRMG now required:</p> <ul style="list-style-type: none"> <li>• Update put to Council at the June meeting;</li> <li>• Three proposals under review. A fourth is now expected;</li> </ul>	31 Aug 11



	<ul style="list-style-type: none"> <li>Interviewed by ABC Radio 5 July 2011 re Southern Inland Health Initiative and implications for GPs</li> </ul>	
<b>Action 7.1.7</b>	<b>Progress</b>	<b>Due</b>
Complete Ward and Representation Review – By April 2011 the CEO to run a workshop for Councillors allowing Councillors the opportunity to review the report to ensure that it is appropriate for the Shire	<ul style="list-style-type: none"> <li>Special Council Meeting decision was to lay the matter on the table and for further consultation to be undertaken;</li> <li>Special Electors meeting requested and called for 7 April 2011. Resolutions forwarded to 27 April Council meeting;</li> <li>Advisory Board requested and met with Council on 13 April to review “Impasse”;</li> <li>Revised process regarding public comment and submissions closes 28 July 2011</li> </ul>	30 Jun 11

Legal Implications

Nil

Policy Implications

Nil

Consultation

External: As per the comments in this report.

Internal: Shire President  
Council at the Information Sessions  
Strategic Planning Workshop 9 & 10 March 2011  
Senior Management Team  
Key Staff (as defined by the Corporate Plan)

Financial Implications

Nil.

Strategic Implications

Shire of Lake Grace Strategic Plan

Voting Requirements

Simple majority required.

Recommendation/Resolution**MOTION 11265**

Moved Cr Chappell  
Seconded Cr Armstrong

That Council note the progress of the Chief Executive Officer's Key Performance Indicators – Year Two.  
**MOTION CARRIED 9/0**

<b>16.0 INFORMATION BULLETIN</b>
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**16.1 INFORMATION BULLETIN REPORT – JUNE 2011**

<b>Applicant:</b>	Executive Services
<b>File No.</b>	N/A
<b>Attachments:</b>	1. Annual Grants Register 2. Letters: Mr Tony Crook MP Hon Simon Crean MP Minister John Castrilli MLA Minister Robyn McSweeney MLC WA LG Grants Commission Dept of Regional Development & Lands WALGA
<b>Author:</b>	Mrs Jeanette Bennett Executive Assistant
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	19 July 2011
<b>Senior Officer:</b>	Mr Sean Fletcher 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 'Monthly Circular' is also distributed alongside the Agenda and contains management reports, committee meeting and other minutes, circulars, newsletters and items of correspondence received by the Shire.

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. Letters**

Mr Tony Crook MP	Constitutional Recognition of Local Govt
Hon Simon Crean MP	Formation of expert panel of Recognition of Local Government in the Australian Constitution.
Minister John Castrilli MLA	Metropolitan Boundaries & Governance Review
Minister Robyn McSweeney MLC	Age Friendlies Communities Grant
WA LG Grants Commission	WA Local Govt Grants Commission Hearing

Dept of Regional Development & Lands

WALGA

Royalties for Regions CLGF 08/09  
Proposed Amendments to WALGA  
Constitution

Legal Implications

Nil

Policy Implications

Nil

Consultation

Nil

Financial Implications

Nil

Strategic Implications

Shire of Lake Grace Strategic Plan

Voting Requirements

Simple majority required.

Recommendation/Resolution

**MOTION 11266**

Moved Cr Milton  
Seconded Cr Chappell

That Council receive the Information Bulletin Report.

**MOTION CARRIED 9/0**

**17.0 URGENT BUSINESS BY DECISION OF THE MEETING**

None.

**18.0 SCHEDULING OF MEETING**

**18.1 AUGUST 2011 ORDINARY MEETING**

**Motion 11124 November 2010 states:**

An Ordinary Meeting of Council will be held on Wednesday 24 August 2011, commencing at 3:00pm at Council Chambers, 1 Bishop St Lake Grace WA.

4.37pm *Chamberlain left the meeting.*

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

**MOTION 11267**

Moved Cr Chappell  
Seconded Cr Milton

That Council close the meeting to the public at this time, being 4.38 pm, to consider Item 19.1 - Recruitment of a General Practitioner for the Shire of Lake Grace – Update and 19.2 – Chief Executive Officer Performance Review.

**MOTION CARRIED 8/0**

4.39pm *Meeting adjourned for a short break.*

4.55pm *Meeting reconvened with all those previously in attendance present as well S Cr Chamberlain.*

**19.1 RECRUITMENT OF A GENERAL PRACTITIONER FOR THE SHIRE OF LAKE GRACE**

*Confidential Item forwarded under separate cover.*

**MOTION 11268**

Moved Cr Milton  
Seconded Cr Armstrong

That Standing Orders be suspended at this time being 4.56pm to allow general discussion regarding the GP issue.

**MOTION CARRIED 9/0**

**MOTION 11269**

Moved Cr Newman  
Seconded Cr Armstrong

That Standing Orders resume at his time being 4.43pm.

**MOTION CARRIED 9/0**

Officer Recommendation

That the Shire of Lake Grace:

1. Considers entering into an agreement with Jupiter Medical Services for the provision of primary health care services to the Shire of Lake Grace.
2. Continues discussions with Dr Jacobs and Southern Regional Medical Group in the meantime.
3. Does not adopt any final agreement for the provision of primary health care services until the Southern Inland Health Initiative Guidelines regarding the funding for GPs are handed down and that Shire access to applicable funding is clarified.

Resolution

**MOTION 11270**

Moved Cr De Landgraft  
Seconded Cr Chamberlain

1. That the Shire of Lake Grace engage the services of Dr Jacobs immediately to take on the Lake Grace Newdegate Medical Practice as per the meeting on the 8 March 2011 between the Shire President, the CEO and Dr Francois and Mrs Henriette Jacobs. As discussed this includes a term of four years with the following level of support:
  - a) Existing fully furnished house;
  - b) A fully maintained vehicle (excluding fuel);
  - c) The Lake Grace and Newdegate Medical Centre at nil cost;
  - d) An annual allowance of \$50,000 on the basis the Dr Jacobs is prepared to maintain the medical equipment and purchase new equipment.
2. The annual allowance of \$50,000 is for two (2) years, at which point the level of the allowance will be reviewed.
3. Dr Jacobs shall provide a dispensary (Pharmacy) as part of the Lake Grace Newdegate Practice at his own cost.

**MOTION CARRIED 9/0**

***REASON FOR CHANGE: Council believed it was appropriate to engage the services of Dr Jacobs.***

5.45pm The Chief Executive Officer, Manager Corporate Services and the Manager Community Services left the meeting.

**19.2 CHIEF EXECUTIVE OFFICER - PERFORMANCE REVIEW**

*Late Confidential Item – forwarded under separate cover*

Recommendation/Resolution

**MOTION 11271**

Moved Cr Farrelly  
Seconded Cr Milton

That Council, in accordance with section 4.4.7 of the Chief Executive Officer's contract, engage WALGA Workplace Solutions to carry out the CEO's annual performance review.

**MOTION CARRIED 9/0**

**MOTION 11272**

Moved Cr Newman  
Seconded Cr Milton

That Council re-open the meeting to the public at this time, being 5.53pm.

**MOTION CARRIED 9/0**

**20.0 CLOSURE**

There being no further business, the Chairperson closed the meeting at 5.53pm.

**21.0 CERTIFICATION**

I Andrew James Walker certify that the minutes of the meeting held on the 27 July 2011 as shown were confirmed as a true record at the meeting held on the 24 August 2011.

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Date