

Shire of Lake Grace



Ordinary Council Meeting

Minutes



23 November 2011

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SHIRE OF LAKE GRACE

Minutes of the Ordinary Meeting of Council held at the Newdegate Community Library Resource Centre, Collier St Newdegate WA on Wednesday 23 November 2011.

1.0 OPENING & ANNOUNCEMENT OF VISITORS

The Shire President opened the meeting at 8.00am.

2.0 ATTENDANCE RECORD

2.1 PRESENT

Cr LW Armstrong	Shire President
Cr IG Chamberlain	Deputy Shire President
Cr R Chappell	
Cr OP Farrelly	
Cr JF De Landgrafft	
Cr AI Milton	
Cr WA Newman	
Cr DP Sinclair	
Cr AJ Walker	
Mr SK Fletcher	Chief Executive Officer
Ms S Appleton	Manager Corporate Services
Ms D Lloyd	Manager Community Services (Acting)
Mrs J Bennett	Executive Assistant
Observers	
Mr Wayne Trawinski	Building Team Supervisor
Mrs Stephanie Clarke Lloyd	Visitor Centre Manager
Ms Nicola Bateman	Finance Officer

2.2 APOLOGIES

Nil

2.3 LEAVE OF ABSENCE PREVIOUSLY GRANTED

Nil

3.0 PUBLIC QUESTION TIME

3.1 MRS SYLVIA BRANDENBURG

Mrs Brandenburg asked multiple questions at the 28 September 2011 Ordinary Meeting, several of which were answered at the meeting, with others taken on notice.

Those questions taken on notice have been recently responded to and a summary of the response will appear in the December agenda & minutes.

4.0 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

5.0 MINUTES OF PREVIOUS COUNCIL MEETINGS

5.1 ORDINARY MEETING – 26 OCTOBER 2011

Resolution

MOTION 11324

Moved Cr Newman
Seconded Cr Farrelly

That the minutes of the Ordinary Meeting of Council held on the 26 October 2011 be confirmed as a true and accurate record.

MOTION CARRIED 9/0

6.0 DECLARATIONS OF INTEREST

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

Cr Chamberlain declared a financial interest in Item 12.3.

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

6.3 DECLARATIONS OF IMPARTIALITY INTEREST – ADMINISTRATION REGULATION SECTION 34C

Cr Newman declared an interest of impartiality in Item 12.3.

7.0 NOTICES OF URGENT BUSINESS

Nil

8.0 MOTIONS OF WHICH NOTICE HAS BEEN RECEIVED

Nil

9.0 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

10.0 MEMBERS' REPORTS

10.1 CR CHAPPELL

Friday 4 November 2011

Cr Armstrong and I attended the Rural Water Council meeting in Northam. With only 10 shires in attendance and no Water Corporation or Department of Water representatives in attendance it was a fairly short meeting. The Shire of Koorda is now a member.

The Rural Water Council received written comments back from the Shires of Donnybrook-Balingup, Lake Grace, Manjimup, Murray, Northhampton, Trayning, West Arthur and Wyalkatchem in regards to the Water Tank Subsidy. In main, the added costs are the sand pad, connections and outlets. You need more than one outlet if it is set up for fire emergencies.

Letters will be sent out to Shires to find out how many other dams there are like the Buniche Dam (which the Department of Water doesn't want) and are handing them over to Shires which don't have the resources to do anything.

Monday 7 November 2011

Attended the Lake Grace Development Association meeting. Thank you to the Shire President for attending.

Friday 11 November 2011

Attended the Remembrance Service at the Lake Grace District High School.
People from shire in attendance

10.2 CR MILTON

Cr Milton along with the CEO attended the National Roads Conference in Mt Gambier – a verbal report will be provided during the information session following the meeting and a written report will be included in the December minutes.

10.3 CR ARMSTRONG

As Shire President, reported on the following for November 2011:

- 29 October 2011 – attended the Holt Rock Hoedown, proceeds went to the RFDS, community was grateful to the Shire of Lake Grace for providing sponsorship for the event via Dry Seasons funding. Approximately 250 people attended the event which was attended by our new GP and his wife, Francois & Henriette Jacobs.
- 31 October – attended the Newdegate Recreation Council Meeting, drought proofing of the Newdegate ovals was the major item of business.
- 3 November 2011 - chaired the LEMC (Local Emergency Management Committee) Meeting – no major issues arose, a suggested evacuation exercise involving the Newdegate townsite was not supported, police in attendance at the meeting advised the most dangerous event for this community would be a fuel tanker roll over.
- 4 November 2011 – attended a Rural Water Council Meeting held in Northam, minutes will be distributed to Councillors.

- 10 November 2011 – attended an all day workshop for the Newdegate Rejuvenation Committee which looked at the Project's next steps and made choices for fit out of the Medical Centre
- 14 November 2011 – attended the Lake Grace Development Association Meeting.
- 22 November 2011 – Attended the Country Local Government Fund, Royalties for Regions funding review workshop hosted by the Wheatbelt Development Commission, it was made evident that unless you are in partnership with your near neighbours and that is part and parcel of your operations as a local government, you will miss out on funding. Workshop discussion included transmission masts, digital TV and mobile coverage. A very worthwhile workshop.
- 24 November 2011 – registered to attend an Integrated Strategic Planning Workshop at the City of Albany. There is also a Regional Road Group Meeting on in Dumbleyung – looking for a Cr to attend on his behalf.
- 25 November 2011 – to attend the WALGA Central Country Zone Meeting in Williams with the CEO
- Looking for a Councillor to attend the Lake Grace District High School Awards Night to present the School Dux Award on behalf of the Shire.

11.0 MATTERS FOR CONSIDERATION – WORKS & SERVICES

No items for consideration.

12.0 MATTERS FOR CONSIDERATION – PLANNING
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12.1 PROPOSED ROAD CLOSURE - UNCONSTRUCTED PORTION OF BOULTON ST LAKE GRACE

Applicant:	Shire of Lake Grace
File No.	0355/0369
Attachments:	Plans 1 to 5 & Attachment 1
Author:	Mr Joe Douglas & Mr Carlo Famiano Urban & Rural Perspectives -Town Planning Consultants
Disclosure of Interest:	Nil
Date of Report:	15 November 2011
Senior Officer:	Mr Sean Fletcher Chief Executive Officer

Summary

This report recommends that Council resolve to proceed to request the Hon. Minister for Lands to grant final approval to permanently close an unconstructed portion of the Boulton Street road reserve in the Lake Grace townsite to enable the land to be incorporated in the proposed new light industrial/service commercial subdivision currently being progressed by LandCorp.

Background & Comment

At its Ordinary Meeting held on 24 August 2011 the Lake Grace Shire Council resolved to advertise its intention to request the Hon. Minister for Lands to permanently close an unconstructed portion of the Boulton Street road reserve between the eastern boundary of Lot 166 Dewar Street and the Dewar Street road reserve, Lake Grace.

The purpose of the proposed road closure is to enable the land comprising a portion of the road reserve, which covers a total area of approximately 1,560m², to be incorporated in the proposed new light industrial/service commercial subdivision currently being progressed by LandCorp (see attached Plans 1 to 5).

The proposed road closure was advertised for public comment for the minimum required period of thirty five (35) days. The advertising process included notices in a local newspaper, correspondence to all relevant government agencies and a nearby affected landowner and display of the relevant report and plans at the Shire's administration centre.

At the conclusion of public advertising a total of ten (10) submissions had been received by the Shire, all of which were from government agencies. A summary of the submissions received is provided in the attached 'Schedule of Submissions' (see Attachment 1).

A detailed review of the submissions received during the advertising period has revealed that the government agencies that provided a response are generally supportive of the proposed road closure and have raised no objections.

Council should note that if it resolves to proceed with the proposed road closure it will also be required to indemnify the State of Western Australia against any costs and/or claims associated with the permanent closure of the affected road.

Conclusion

Given:

- a) the potential benefits of the proposed road closure in terms of creating an additional light industrial/service commercial lot within the Lake Grace townsite; and
- b) that no objections to the proposed road closure were received during public advertising,

it is recommended that Council resolve to request the Hon. Minister for Lands to grant final approval to the proposal and agree to indemnify the State of Western Australia against any possible costs and/or claims.

Legal Implications

Land Administration Act 1997

Land Administration Regulations 1998

Policy Implications

Nil

Consultation

Community consultation completed in accordance with the specific requirements of the Land Administration Act 1997 and Land Administration Regulations 1998.

Financial Implications

It is estimated that the process to permanently close the unconstructed portion of Boulton Street will cost in the order of \$5,000.00 excluding GST and that suitable allowance for this expenditure has been made in the Shire's 2011/2012 budget.

Strategic Implications

The permanent closure of the unconstructed portion of Boulton Street will enable the creation of one (1) additional light industrial/service commercial lot in the Lake Grace townsite which is generally consistent with the strategic direction for future development in the Lake Grace townsite as prescribed in the Shire's current Local Planning Strategy.

Voting Requirements

Simple majority required.

Recommendation/Resolution

MOTION 11325

Moved Cr Farrelly
Seconded Cr Walker

That Council:

1. Note the submissions received during public advertising of the proposal to close an unconstructed portion of the Boulton Street road reserve between the eastern boundary of Lot 166 Dewar Street and the Dewar Street road reserve, Lake Grace;
2. Endorse the 'Schedule of Submissions' including Council's recommendations in respect of each submission as provided in Attachment 1 to the above report;
3. Request the Hon. Minister for Lands to grant final approval to the proposed closure of an unconstructed 1,560m² portion of the Boulton Street road reserve between the eastern boundary of Lot 166 Dewar Street and the Dewar Street road reserve, Lake Grace;
4. Authorise the Shire Administration to prepare the required documentation for submission to the Hon. Minister for Lands for formal consideration;
5. Advise those that prepared and lodged submissions during public advertising of Council's decision to proceed with the proposed road closure; and'
6. Indemnify the State of Western Australia against any possible costs and/or claims arising from the proposed road closure.

MOTION CARRIED 9/0

12.2 **APPLICATION TO CLEAR NATIVE VEGETATION - UNALLOCATED CROWN LAND FENCE ROAD HATTER HILL**

Applicant:	Mr David Leyland
File No.	0211
Attachments:	Plans 6 to 8
Author:	Mr Joe Douglas & Mr John Culmer Urban & Rural Perspectives -Town Planning Consultants
Disclosure of Interest:	Nil
Date of Report:	15 November 2011
Senior Officer:	Mr Sean Fletcher Chief Executive Officer

Summary

This report recommends that an application recently submitted to the Department of Environment and Conservation (DEC) by Mr David Leyland to clear approximately 1,350m² of native vegetation from Unallocated Crown Land on Fence Road, Hatter Hill be unconditionally supported by Council.

Background & Comment

The Department of Environment and Conservation has received an application from Mr David Leyland to clear approximately 1,350m² of native vegetation from Unallocated Crown Land located on Fence Road, Hatter Hill for apiary purposes (i.e. beehives) (see Plan 6). The application was recently referred to the Shire for review and comment.

A total of three (3) sites in the Shire comprising an area of approximately 450m² each (i.e. 15 metres x 30 metres) are proposed to be cleared to establish the new apiary sites and associated vehicle access tracks. The proposal forms part of a wider project to clear approximately 4.9 hectares of native vegetation across 109 sites on allocated and unallocated Crown Land in the South West of Western Australia for the purpose of apiary site establishment and maintenance.

The subject land is located approximately 30 kilometres east of the Varley townsite on Fence Road between Broombrush Flat Road to the north and Finlay Road to the south in the locality of Hatter Hill and comprises a total area of approximately 37,567 hectares (see Plans 6 & 7).

The areas proposed to be cleared are located in the south western portion of the property in close proximity to Fence Road. Specific details of the clearing proposal are illustrated in the attached Plan 8.

In considering the clearing proposal for the subject land Council should have due regard for the following elements of the local planning framework prior to submitting its response to the DEC:

- Shire of Lake Grace Local Planning Scheme No.4;
- Environmental Protection Authority (EPA) Position Statement No.2 – Environmental Protection of Native Vegetation in Western Australia.

The following is an assessment of the proposal in the context of the specific requirements of these documents to determine its general suitability.

Shire of Lake Grace Local Planning Scheme No.4

The subject land is currently classified 'General Agriculture' zone in the Shire of Lake Grace Local Planning Scheme No.4 (LPS No.4).

A key objective of the land's current 'General Agriculture' zoning classification is to ensure the continuation of broad hectare farming as the principle land use within the district, protect the rural landscape/character, allow for facilities for tourists and consider non-rural uses where they can be shown to be of a benefit to the district.

Clause 5.40 of LPS No.4 applies specifically to the clearing of land, including remnant vegetation, within the Shire and states:

"The clearing of any native vegetation within the Scheme Area is not permitted unless a clearing permit is obtained from the Department of Environment and Conservation under the provisions of the Environmental Protection (Clearing of Native Vegetation) Regulations 2004 or the clearing is of a type that does not require a permit i.e. the clearing is for an exempt purpose as prescribed in the Environmental Protection (Clearing of Native Vegetation) Regulations 2004."

The application submitted to the DEC by Mr David Leyland satisfies the specific requirements of Clause 5.40 of LPS No.4 and will be determined by the DEC following the receipt of any comments from the Shire of Lake Grace and any other authorities with an interest in the land.

In considering the suitability of the proposal in the context of the stated objectives and provisions of the land's current 'General Agriculture' zoning classification the following key points should be noted:

- i. The use of the land for apiary purposes is capable of being approved by Council under the provisions of LPS No.4 despite the fact that it is not a use expressly defined or listed in the Zoning Table of the scheme;
- ii. The proposed clearing works are unlikely to have any adverse impacts upon the amenity, character and landscape qualities of the immediate locality due to its general location, limited extent and siting well back from Fence Road; and
- iii. The establishment and operation of apiary sites and their associated pollination effects will be beneficial to the natural environment and local agricultural practices.

Given these facts it is concluded that the clearing proposal for the subject land is generally consistent with the specific objectives and requirements of LPS No.4 and is capable of being supported by Council. It is however recommended that the Shire advise the DEC of the proponent's obligation to obtain Council's planning approval for the proposed development and use of the land for apiary purposes in accordance with the specific requirements of LPS No.4 prior to the commencement of any development (including the proposed clearing works).

EPA Position Statement No.2 – Environmental Protection of Native Vegetation in WA

The EPA's Position Statement No.2 provides details of its current policy position regarding the clearing of all existing native vegetation in Western Australia with particular reference to clearing within the State's agricultural areas.

The position statement identifies that significant clearing of native vegetation has already occurred on land within the State's agricultural areas and that the following policy measures are now required to be implemented:

- Further reduction in native vegetation through clearing for agriculture cannot be supported;
- All existing remnant native vegetation should be protected from passive clearing (i.e. grazing by stock or chemicals);
- All existing remnant native vegetation should be actively managed by landholders;
- Revegetation strategies; and
- Clearing of deep-rooted native vegetation for replacement with non-native deep-rooted crops is generally not acceptable, with alternative deep-rooted crops being planted on already cleared land.

Notwithstanding the above, the position statement enables the DEC to consider supporting further clearing in agricultural areas to facilitate future development subject to each particular proposal addressing the criteria outlined in section 4.2 of the EPA's position statement. The following is an assessment of the clearing proposal for the subject land in the context of the relevant criteria of section 4.2:

a) The proposed land use addresses alternative mechanisms for protecting biodiversity. Opportunities for addressing biodiversity could include rehabilitation of disturbed areas and/or acquisition of areas containing remnant native vegetation. The EPA would like to see an overall environmental benefit as a result of the proposal, such as ensuring protection and management of higher quality remnant native vegetation in the general area (not necessarily on the same property).

The clearing application does not provide details of any alternative mechanisms proposed to provide for the ongoing, long term protection of biodiversity on the land or any nearby or adjoining property but it is considered that the proposed apiary sites will contribute to the protection of biodiversity through its pollination effects.

b) The area proposed for clearing is relatively small, depending on the scale over which significant biodiversity changes occur in the particular area, including the extent of vegetation in the surrounding area, and recognising that the values will vary for different ecosystems.

The application proposes the clearing of approximately 0.00035% (i.e. 1,350m²) of the subject land which is considered minor. As the area proposed to be cleared is very small, it is considered that this criterion has been satisfied.

c) The proponent demonstrates that the elements set out in section 4.3 are being met. This will require extensive local and regional biodiversity work.

As the area proposed to be cleared is very small, it is considered unnecessary for the applicant to address this particular criterion.

d) Land degradation, including aquatic environments and threatening processes, such as dieback, salinisation or disruption of catchment processes, on-site and off-site would not be exacerbated.

The application does not demonstrate that the proposal to clear 1,350m² of the subject land will not lead to or exacerbate on and off-site land degradation problems.

However due to the limited extent of the proposed clearing works it is considered unlikely to have any negative environmental impacts. As such this criterion is deemed to have been satisfied.

Conclusion

It is concluded from a detailed assessment of the application to clear approximately 1,350m² of native vegetation on unallocated Crown land on Fence Road, Hatter Hill that:

- i. It is generally consistent with the specific objectives and requirements of LPS No.4 as this applies specifically to the clearing of any land within the Shire and is capable of being supported by Council;
- ii. The proposed use of the land for apiary purposes is capable of being approved by Council under the provisions of LPS No.4 despite the fact that it is not a use expressly defined or listed in the Zoning Table of the scheme;
- iii. The proposed clearing works are unlikely to have any adverse impacts upon the amenity, character and landscape qualities of the immediate locality due to its general location, limited extent and siting well back from Fence Road;
- iv. The establishment and operation of apiary sites and their associated pollination effects will be beneficial to the natural environment and local agricultural practices; and
- v. It is generally consistent with the Environmental Protection Authority's Position Statement No.2 entitled Environmental Protection of Native Vegetation in Western Australia.

It is therefore recommended that Council advise the Department of Environment and Conservation that it supports the clearing application for the subject land as proposed.

Legal Implications

Environmental Protection Act 1986
Planning and Development Act 2005
Shire of Lake Grace Town Planning Scheme No.4

Policy Implications

Nil

Consultation

Community consultation not required

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Simple majority required

Resolution/ Recommendation

MOTION 11326

Moved Cr Newman

Seconded Cr De Landgraft

That Council advise the Department of Environment and Conservation that:

1. It supports the application submitted by Mr David Leyland to clear approximately 1,350m² of native vegetation on unallocated Crown land on Fence Road, Hatter Hill in accordance with the details of the plan submitted in support of the application; and
2. Council's planning approval for the proposed development and use of the land for apiary purposes is required in accordance with the specific requirements of LPS No.4 prior to the commencement of any development on the land.

MOTION CARRIED 9/0

**12.3 PROPOSED TRADE DISPLAY AND CARETAKER'S DWELLING - LOT 207
NEWDEGATE RAVENSTHORPE ROAD NEWDEGATE**

8.20am *Cr Chamberlain declared a financial interest in Item 12.3 being that he is a member of the Newdegate Property Trust; and left the meeting*

8.20am *Cr Newman declared an interest of impartiality in Item 12.3 being that he is a Director of Derbyshire Nominees who have an interest in the Newdegate Property Trust; and left the meeting.*

Applicant: Mr Rusty (Graham) Lee on behalf of Newdegate Property Group
File No. 0455
Attachments: Plans 9 to 13
Author: Mr Joe Douglas & Mr Carlo Famiano
 Urban & Rural Perspectives -Town Planning Consultants
Disclosure of Interest: Nil
Date of Report: 15 November 2011
Senior Officer: Mr Sean Fletcher
 Chief Executive Officer

Summary

This report recommends that the planning application submitted by Mr Rusty Lee on behalf of Newdegate Property Group (landowner) to establish a trade display and construct a caretaker's dwelling on Lot 207 Newdegate-Ravensthorpe Road, Newdegate be approved subject to conditions.

Background

At its Ordinary Meeting held on 22 October 2008 the Lake Grace Shire Council resolved to approve a planning application to establish a trade display (i.e. farm machinery) and construct a caretaker's dwelling on Lot 207 Newdegate-Ravensthorpe Road, Newdegate (Item 12.2). The landowner did not proceed with the project within the two (2) year statutory approval period which has now expired. The applicant is now seeking a new approval from Council to enable the project to proceed (see Plans 9 to 13).

Council is advised that this application is essentially the same as the previous application determined in 2008 with the exception that the current application proposes the construction of a new transportable building for the caretaker's dwelling in lieu of a second-hand transportable building proposed in 2008.

Lot 207 is located in the eastern segment of the Newdegate townsite and is surrounded by a variety of existing service commercial/industrial type land uses.

Lot 207 is irregular in shape, comprises a total area of approximately 7,933m², is relatively flat throughout its entire area and has direct frontage and access to Newdegate Road North along its western boundary and Newdegate-Ravensthorpe Road along its southern boundary. Lot 207 has been extensively cleared in its eastern and southern extremities with a portion of the land comprising being vegetation.

The land is currently vacant and does not comprise any improvements aside from overhead power transmission lines through its eastern and central portions which are protected by an easement created in favour of Western Power.

The plans submitted by the applicant are very broad and do not provide all of the information typically required in support of planning applications. However, there is scope for Council to grant planning approval subject to a range of conditions to ensure that the development proceeds in a proper and orderly manner and in accordance with the specific standards and requirements of the Shire's local planning scheme.

Under the terms of the plans submitted in support of the application the proposed development will comprise the following key elements:

- i. A new 12.8 metre long x 5 metre wide insulated wall panel and metal roofed caretaker's dwelling;
- ii. The caretaker's dwelling will be a transportable building mounted on concrete blocks approximately 500mm above the natural ground level;
- iii. The construction of a new on-site effluent disposal system to service the buildings (i.e. septic tanks & leach drains);
- iv. The construction of two (2) new crossovers along the land's frontage to Newdegate Road North; and
- v. The establishment of a trade display for the purpose of displaying farm machinery.

Comment

Current Zoning & Land Use Permissibility

Lot 207 is classified as 'Service Commercial' zone under the Shire of Lake Grace's current operative Local Planning Scheme No.4 (LPS No.4).

A key objective of the land's current zoning classification is to provide for a range of uses which complement the 'Commercial' zone and to achieve a high standard of development/presentation including buildings, landscaping and vehicle parking.

Under the terms of LPS No.4 trade display is a permitted (i.e. "P") use on land classified 'Service Commercial' zone. However, a caretaker's dwelling is a discretionary (i.e. "D") use on land classified 'Service Commercial' zone which means that it is not permitted unless Council has exercised its discretion by granting planning approval.

LPS No.4 does not contain any specific development standards applicable to the use of land for the purposes of a trade display. Any planning application lodged for a trade display must be determined on its merits with due regard for any impact the proposal may have on surrounding land uses.

The existing uses surrounding Lot 207 include industrial and service commercial uses to the east, vacant Crown land to the south which is proposed to be developed for light industrial purposes, existing industrial development to the west and a caravan park immediately north. Having regard for the existing adjoining land uses it is reasonable to conclude that the proposed use of Lot 207 for the purposes of a trade display is unlikely to have a detrimental impact on the adjoining land uses provided that suitable arrangements are made in relation to the hours of operation

and the suppression of dust arising from the manoeuvring and parking of vehicles and machinery. It is therefore recommended that:

- i. The use only be permitted to operate between the hours of 7am and 6pm Monday to Friday and 7am to 1pm on Saturdays; and
- ii. All vehicle access, parking and machinery display areas be suitably sealed.

In so doing the residential amenity afforded to the occupiers of the adjoining caravan park will be suitably protected.

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. The enclosure of the sub-floor area of all transportable buildings;
- ii. Vehicle access & parking layout; and
- iii. Landscaping.

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

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 to be exposed or visually prominent, the local government may require satisfactory landscaping measures to be carried out.

Given that the caretaker's dwelling proposed by the application is a brand new structure proposed to be located at the northern end of the property behind existing native vegetation, it is considered unlikely that the dwelling will have a detrimental impact upon the amenity and/or character of the immediate locality.

The plans prepared in support of the application indicate that the caretaker's dwelling will be based on concrete blocks, resulting in the finished floor level of the dwelling being 500mm 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. It is recommended that Council impose a suitable condition on any planning approval issued requiring the sub-floor area along the periphery of the new dwelling 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 uncertainty regarding the precise location, dimensions and treatment of the proposed new vehicle access and parking bays. It is therefore 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.

It may also be prudent for Council to require the applicant to provide, as a condition of planning approval, at least three (3) on-site car parking bays (calculated at the ratio of one bay per two employees and two customer bays) to accommodate the car parking demand likely to be generated by the proposed trade display use and one (1) on-site car parking bay for the caretaker's dwelling.

Landscaping

The application provides very little detail regarding the proposed landscaping of the property or the retention of existing native vegetation. Details regarding future landscaping arrangements are typically required to be submitted in support of planning applications with due consideration given to the location of landscaping to ensure that it enhances the appearance of the local streetscape and softens the impact of parking areas, open storage areas and any other space which, by virtue of their use, are likely to detract from the visual amenity of the townscape.

Given the above, it is recommended that the applicant be required to prepare and submit more detailed plans to the Shire regarding future landscaping 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 proposal to construct a caretaker's dwelling and establish a trade display on Lot 207 Newdegate-Ravensthorpe Road, Newdegate is capable of being implemented in a proper and orderly manner and is unlikely to have a negative impact on the general amenity, character, functionality and safety of the immediate locality subject to the imposition of a number of conditions. It is therefore 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

Nil

Voting Requirements

Simple majority required.

Recommendation/Resolution**MOTION 11327**

Moved Cr De Landgraft
Seconded Cr Sinclair

That the application for planning approval submitted by Mr Rusty (Graham) Lee on behalf of the Newdegate Property Group (landowner) to establish a trade display and construct a caretaker's dwelling on Lot 207 Newdegate-Ravensthorpe Road, Newdegate be APPROVED subject to compliance with the following conditions and advice notes:

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 become void. 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 precise location and extent of the proposed trade display area and details of the proposed surface treatments;
 - ii) The location, type and extent of all proposed landscaping and any areas of existing native vegetation proposed to be retained;
 - iii) Car parking areas for the proposed trade display comprising at least three (3) bays and one (1) bay for the proposed caretaker's dwelling; and
 - iv) The location and width of all crossovers and internal access ways and details of the proposed surface treatments.
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.
4. A completed building licence application must be submitted to and approved by the Shire's Building Surveyor prior to the commencement of development.
5. The trade display use is only permitted to operate between the hours of 7am and 6pm Monday to Friday and 7am to 1pm on Saturdays.
6. No buildings or structures are permitted to be developed within the existing easement areas on Lot 207 created to accommodate Western Power infrastructure.
7. The caretaker's dwelling proposed by the application must be a newly constructed transportable structure with all external finishes being to the satisfaction of the Shire.

MOTION 11327 continued

8. The total floor area of the proposed dwelling shall not exceed 52m², excluding areas of any unenclosed verandah/s.
9. The proposed dwelling shall not be occupied by any person other than the owner or manager or an employee of the use established on the land.
10. All stormwater drainage discharge generated by the approved structure/s and trade display area shall be managed to the specifications and satisfaction of the Shire of Lake Grace.
11. The development must be provided with an adequate on-site effluent disposal system to the specifications and satisfaction of the Shire of Lake Grace.
12. All on-site vehicle access ways and parking areas shall be constructed 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.
13. All existing and proposed vehicle crossovers shall be upgraded/constructed and maintained to the specifications and satisfaction of the Shire of Lake Grace.
14. The sub-floor area of the proposed new caretaker's dwelling shall be enclosed with brick, stone, vermin battens or other means acceptable to the Shire of Lake Grace.
15. Suitable landscaping is required to be provided in accordance with the details of the final approved plans.
16. 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.
17. Direct access to and from the land via Newdegate-Ravensthorpe Road, which is a State Road classified as a major road reserve under LPS No.4, is not permitted unless otherwise approved by Main Roads Western Australia. All access to and from the land is therefore required to be obtained via Newdegate Road North.

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.

MOTION 11327 continued

3. No works shall commence prior to 7am without the Shire's prior approval. The Shire of Lake Grace will not support the subdivision or development of Lot 207 that will:

- a) Allow the proposed caretaker's dwelling to be sold separately from the predominant use of the land; or
- b) Restrict the future potential use of the land for service commercial purposes..

MOTION CARRIED 7/0

8.25am

Crs Chamberlain and Newman re-entered the meeting and the President advised them of Council's decision.

12.4 PROPOSED UPGRADES TO CO-OPERATIVE BULK HANDLING'S DUNN ROCK RECEIVAL FACILITY

Applicant:	Co-operative Bulk Handling
File No.	0365
Attachments:	Plans 14 to 17
Author:	Mr Joe Douglas & Mr Carlo Famiano Urban & Rural Perspectives -Town Planning Consultants
Disclosure of Interest:	Nil
Date of Report:	15 November 2011
Senior Officer:	Mr Sean Fletcher Chief Executive Officer

Summary

This report recommends that the planning application submitted by Co-Operative Bulk Handling Limited (CBH) to undertake minor upgrade works at its Dunn Rock grain handling and storage facility on Lot 3098 Taylor Road, Dunn Rock be approved subject to conditions.

Background

The applicant is seeking Council's planning approval to construct reinforced concrete apron extensions at the approach to and exit from the existing weighbridge at CBH's grain handling and storage facility on Lot 3098 Taylor Road, Dunn Rock to ensure compliance with Commonwealth legislation for weighbridge approach and exit pavement levels (see Plans 14 to 17).

Lot 3098 is located in the south-eastern extremities of the Shire's municipal district approximately 41 kilometres south-west of the Lake King townsite. The land comprises a total area of approximately 10.038 hectares and has direct frontage to Taylor Road along its southern boundary.

Lot 3098 has been extensively cleared and developed for industrial purposes (i.e. 'rural industry') and contains a number of structures associated with CBH's existing grain handling and storage facilities on the land (i.e. sheds, a weighbridge, a sampling platform, grain storage bins etc.).

Under the terms of the plans submitted in support of the application the proposed development will comprise the following key elements:

- i. A 20 metre long and 3.379 metre wide extension of the existing reinforced concrete apron on the entry and exit to the weighbridge, resulting in the overall length of the weighbridge and approach/exit being approximately 65 metres;
- ii. The apron will be constructed of reinforced concrete, comprising a slab thickness of 200mm;
- iii. The weighbridge and approach/exit will maintain the existing setback of approximately 30 metres from the land's front boundary (i.e. Taylor Road); and
- iv. The proposed extension of the existing approach/exit to the weighbridge will tie into the existing internal access roads on Lot 3098.

Comment

Current Zoning & Land Use Permissibility

The subject land is classified 'Public Purpose' reserve under Shire of Lake Grace's current operative Local Planning Scheme No.4 (LPS No.4) with the designated purpose 'Government Requirements'. It is significant to note that the majority of land adjoining Lot 3098 is currently classified 'General Agriculture' zone.

Clause 3.4.2 of TPS No.1 states that when 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.

The purpose of the original reserve classification applicable to Lot 3098 is unknown and could have been associated with Reserve 41139 located opposite Lot 3098 along Taylor Road which has been set aside for 'Recreation' purposes.

Notwithstanding the above, Co-Operative Bulk Handling Limited CBH currently owns the fee simple (i.e. freehold) interest in Lot 3098, having previously purchased the land from the State of Western Australia. Given this fact it is reasonable to conclude that the State no longer requires the land for any particular purpose/s.

Given that the land is no longer required or owned by the State, Council has the discretion to grant approval to the proposed development and use of the land for a number of alternative purposes despite the land's current reserve classification in LPS No.4. Notwithstanding the flexibility afforded by the land's current reserve classification in LPS No.4 it is considered prudent for Council to consider rezoning the land as part of the impending review of LPS No.4 to reflect its current approved use for 'rural industry' type purposes and ensure that any future development and use of the land by CBH proceeds in a proper and orderly manner.

A detailed assessment of the latest development proposal in the context of the specific requirements of LPS No.4 indicates that it is generally acceptable for the following reasons:

- The proposed works represent an upgrade and expansion of the existing approved use of the land for 'rural industry' purposes;
- The nature and scale of the proposed works are consistent with all existing approved development on the site;
- The setbacks of the proposed development from all designated lot boundaries satisfy the specific requirements of LPS No.4; and
- The proposed works will help to improve the operational efficiency of the existing use of the land by CBH for grain handling, storage and distribution purposes and will ensure that the existing weighbridge complies with Commonwealth Government requirements.

Conclusion

It is concluded from a detailed assessment of the application that CBH's proposal to undertake minor upgrade works at its Dunn Rock grain handling and storage facility on Lot 3098 Taylor Road, Dunn Rock by constructing reinforced concrete apron extensions at the approach to and exit from the existing weighbridge on the land is unlikely to have a negative impact on the general amenity, character, functionality and safety of the immediate locality and may therefore be approved by Council subject to the imposition of a number of conditions to ensure that the development proceeds in a proper and orderly manner.

Legal Implications

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

Policy Implications

Nil

Consultation

Community consultation not required.

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Simple majority required.

Recommendation/Resolution

MOTION 11328

Moved Cr Sinclair
Seconded Cr De Landgraft

That the application for planning approval submitted by Co-Operative Bulk Handling Limited to construct reinforced concrete apron extensions at the approach to and exit from the existing weighbridge at CBH's grain handling and storage facility on Lot 3098 Taylor Road, Dunn Rock be APPROVED in accordance with the details of the plans submitted in support of the application subject to compliance with the following conditions:

1. The development is to be completed within a period of one (1) year from the date of this approval. If the development is not completed within this period the approval will lapse and be of no further effect. Where an approval has lapsed, no development shall be carried out without the further approval of the Shire of Lake Grace having first been sought and obtained.
2. A completed building licence application must be submitted to and approved by the Shire's Building Surveyor prior to the commencement of any development.
3. All stormwater generated on-site shall be contained and disposed of to the specifications and satisfaction of the Shire of Lake Grace.
4. All internal vehicle access ways directly associated with the new reinforced concrete apron for the existing weighbridge shall be treated and drained to the specifications and satisfaction of the Shire of Lake Grace.

MOTION CARRIED 9/0

13.0 MATTERS FOR CONSIDERATION – HEALTH & BUILDING

No items for consideration.

14.0 MATTERS FOR CONSIDERATION – FINANCE

14.1 ACCOUNTS FOR PAYMENT – OCTOBER 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: 15 November 2011
Senior Officer: Ms Samantha Appleton
Manager Corporate Services

Summary

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

Background

List of payments for the month October 2011 through the Municipal account 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 October 2011 from the Municipal and Trust Accounts Total \$888,810.39

Strategic Implications

Shire of Lake Grace Strategic Plan

7. Organisational Excellence

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

Voting Requirements

Simple majority required.

Recommendation/Resolution

MOTION 11329

Moved Cr Farrelly
Seconded Cr Chappell

That Council receive the list of payments totalling \$888,810.39 as presented for the month of October 2011 incorporating:

- Trust Account Cheques 623 to 630
- Municipal Account Cheques 34554 to 34592
- Electronic Funds Transfers EFT8630 to EFT8792

MOTION CARRIED 9/0

14.2 FINANCIAL STATEMENTS – OCTOBER 2011

Applicant:	Corporate Services Section
File No.	0275
Attachments:	Financial Reports
Author:	Ms Samantha Appleton Manager Corporate Services
Disclosure of Interest:	Nil
Date of Report:	15 November 2011
Senior Officer:	Ms Samantha Appleton Manager Corporate Services

Summary

Consideration of the financial statements for the month ending 31 October 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
- Bank Reconciliations

It should be noted that the previous years totals and carried forward position are interim figures only and may change subject to completion of the 2010/11 audit.

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 11330

Moved Cr Chappell
Seconded Cr Farrelly

That Council in accordance with Regulation 34 of the Local Government (Financial Management) Regulations 1996 approves the Statement of Financial activity for the period ended 31 October 2011.

MOTION CARRIED 9/0

15.0 MATTERS FOR CONSIDERATION – ADMINISTRATION

15.1 COUNCIL MEETING DATES 2012

MOTION 11331

Moved Cr Walker
Seconded Cr Newman

That Standing Orders be suspended, the time being 8.31am, in order to discuss appropriateness of dates, times and venues for the meetings.

MOTION CARRIED 9/0

MOTION 11332

Moved Cr Chappell
Seconded Cr Chamberalin

That Standing Orders resume, the time being 8.40am.

MOTION CARRIED 9/0

Applicant:	Chief Executive Officer
File No.	0041
Attachments:	Nil
Author:	Mrs Jeanette Bennett Executive Assistant
Disclosure of Interest:	Nil
Date of Report:	15 November 2011
Senior Officer:	Mr Sean Fletcher Chief Executive Officer

Summary

For Council to consider its meeting arrangements for 2012.

Background

In accordance with the Local Government Act 1995, Council is required, at least once each year, to give local public notice of the date, time and place of its Ordinary Meetings to be held in the coming 12 months.

Comment

Council's Policy Manual, policy 1.2, confirms that its meetings are to be held on the fourth Wednesday of each month, except December where it is the third Wednesday.

The proposed schedule of meetings replicates that of 2011 including the May and November meeting times of 6.00pm and 8.00am respectively to reflect the busy farming schedules at those times of the year.

In the proposed schedule, there is a five week break between the October and November meetings and then a three week break between the November and December meetings. Council may wish to consider putting the November meeting back one week to Wednesday 21 November which would then even out the breaks between the October, November and December meetings to an even four weeks between each.

The following proposed schedule has been prepared for Council's consideration:

Date	Time	Place
January 2012	N/A	N/A (annual break)
22 February 2012	3.00pm	Council Chambers, Lake Grace
28 March 2012	3.00pm	Varley Sports Pavilion
25 April 2012	3.00pm	Council Chambers Lake Grace
23 May 2012	6.00pm	Newdegate Library Resource Centre
27 June 2012	3.00pm	Council Chambers Lake Grace
25 July 2012	3.00pm	Council Chambers Lake Grace
22 August 2012	3.00pm	Council Chambers Lake Grace
26 September 2012	3.00pm	Lake King Hall
24 October 2012	3.00pm	Council Chambers Lake Grace
28 November 2012	8.00am	Newdegate Library Resource Centre
19 December 2012	3.00pm	Council Chambers Lake Grace

The Meeting schedule will be posted on public library notice boards and advertised through community newsletters now and again early in the New Year.

Legal Implications

Local Government Act 1995 – s5.25(g) requires that local public notice of the schedule of meetings be given.

Policy Implications

The schedule of dates is in accordance with Council Policy 1.2 which makes no provision for specific times or locations.

Consultation

Internal: Chief Executive Officer

Financial Implications

The additional cost to hold meetings in the towns of Varley, Newdegate and Lake King is not significant and is accommodated within Council's budgeted expenses.

Strategic Implications

Shire of Lake Grace Strategic Plan - 7. Organisational Excellence

Voting Requirements

Simple majority required.

Recommendation

That Council give Local public notice of the following schedule of meetings as required by the Local Government Act:

Date	Time	Place
January 2012	N/A	N/A (annual break)
22 February 2012	3.00pm	Council Chambers, Lake Grace
28 March 2012	3.00pm	Varley Sports Pavilion
25 April 2012	3.00pm	Council Chambers Lake Grace
23 May 2012	6.00pm	Newdegate Library Resource Centre
27 June 2012	3.00pm	Council Chambers Lake Grace
25 July 2012	3.00pm	Council Chambers Lake Grace
22 August 2012	3.00pm	Council Chambers Lake Grace
26 September 2012	3.00pm	Lake King Hall
24 October 2012	3.00pm	Council Chambers Lake Grace
28 November 2012	8.00am	Newdegate Library Resource Centre
19 December 2012	3.00pm	Council Chambers Lake Grace

Resolution**MOTION 11333**

Moved Cr Walker
Seconded Cr Newman

That Council give Local public notice of the following schedule of meetings as required by the Local Government Act:

Date	Time	Place
January 2012	N/A	N/A (annual break)
22 February 2012	3.00pm	Council Chambers, Lake Grace
28 March 2012	3.00pm	Varley Sports Pavilion
25 April 2012	3.00pm	Council Chambers Lake Grace
23 May 2012	4.00pm	Newdegate Library Resource Centre
27 June 2012	3.00pm	Council Chambers Lake Grace
25 July 2012	3.00pm	Council Chambers Lake Grace
22 August 2012	3.00pm	Council Chambers Lake Grace
26 September 2012	3.00pm	Lake King Hall
24 October 2012	3.00pm	Council Chambers Lake Grace
21 November 2012	8.00am	Newdegate Library Resource Centre
19 December 2012	3.00pm	Council Chambers Lake Grace

MOTION CARRIED 9/0

Reason for change: An earlier start time was agreed to for the May 2012 meeting to assist Elected Members with night time travelling.

15.2 APPOINTMENT OF DELEGATES - SHIRE OF LAKE GRACE AUDIT COMMITTEE & SHIRE OF LAKE GRACE NEWDEGATE TOWN CENTRE REJUVENATION PROJECT COMMITTEE

Applicant:	Shire of Lake Grace
File No.	0052/0039
Attachments:	Shire of Lake Grace Audit Committee Terms of Reference
Author:	Mrs Jeanette Bennett Executive Assistant
Disclosure of Interest:	Nil
Date of Report:	15 November 2011
Senior Officer:	Mr Sean Fletcher Chief Executive Officer

Summary

The purpose of this report is for Council to review its representation on two of its Committees of Council, being the Audit Committee and the Newdegate Town Centre Rejuvenation Project Committee, and to appoint delegates for the next two years.

The remaining committee representation will be dealt with in a separate report to Council in December 2012.

Background

Committees and the appointment of delegates require review following each ordinary election or upon the resignation/retirement of one of its members. The last committee review was in November 2009 and local government elections took place on 15 October 2011.

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

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

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

This report deals with two committees of Council:

1. Audit Committee
2. Newdegate Town Centre Rejuvenation Project Committee.

1. Audit Committee

Authority:	<i>Local Government Act 1995</i> section 5.9 (1) and 5.9 (2) (d), section 7. <i>Local Government Financial Regulations</i> sections 4-8.
Delegation:	The Audit Committee has no Delegated Authority. Minutes are published and distributed to Councillors..
Membership:	Cr Farrelly, Cr Milton, Cr Chappell, Mrs Anke Stoffberg
Meetings:	Quarterly – usually held immediately prior to a Council Meeting.
Current Status	Active

Background/Comment:

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

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

At its first meeting in September 2005, the Committee adopted its Terms of Reference. A copy of the Terms of Reference is attached.

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

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

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

Members are appointed for a two year term with the last appointments made in December 2009. Accordingly re-appointments to this Committee are now due.

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

Following the 2009 appointments, the community position was advertised as required and Mrs Anke Stoffberg, who has accounting qualifications, was appointed by the Audit Committee as the community representative in 2010 for a two year term. The community position will require advertising early in 2012.

Conclusion

Three member appointments be made and the community representative position be re-advertised.

2. Newdegate Town Centre Rejuvenation Project Committee

Authority:	Local Government Act 1995 section 5.9 (2) (c).
Delegation:	The Newdegate Rejuvenation Committee has no Delegated Authority. Minutes are published and distributed to Councillors..
Membership:	Cr Armstrong, Cr Chamberlain, Cr Milton, Mrs Lynne Ellard, Mrs Roz Lloyd, Mrs Judy Walker, Mrs Diana Gosling
Meetings:	As per 12 month meeting schedule
Current Status	Active

Background/Comment

In November 2010 Council confirmed the Newdegate Town Centre Rejuvenation Project Committee under the Local Government Act 1995, Section 5.9 (2) (c) as follows:

Responsible Officer:	Chief Executive Officer (or representative)
Minutes:	Executive Assistant
Venue:	As appropriate
Membership:	<ul style="list-style-type: none"> • Cr Ian Chamberlain • Cr Len Armstrong • Cr Amanda Milton • Two members from the Newdegate Community Development Association • Two Newdegate Community Representatives
Meetings:	As required
Delegation:	No delegated authority
Charter:	<p>To consult on the status of the Newdegate Town Centre Rejuvenation Project and where appropriate make recommendations to Council on the following matters:</p> <ul style="list-style-type: none"> • Stage One: Proposals for the design, construction and fit out of the Newdegate Medical Centre; • Stage Two: Proposals for the Newdegate Town Hall additions or modifications; • Stage Three: Proposals for the design, construction and fit-out of the Newdegate aged accommodation units.

At Council's instigation, invitations for membership were sent out and the following appointments made:

Newdegate Community Development Association Representatives
 Ms Lynne Ellard and Mrs Roz Lloyd
Newdegate Community Members
 Mrs Judy Walker and Mrs Diana Gosling

Letters of appointment were forwarded to the above mentioned community members.

Conclusion

That the current committee members be re-appointed for a two year term expiring October 2013.

Legal Implications

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

Local Government Act 1995 – s7

Local Government (Administration) Regulations 1996

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

Policy Implications

N/A

Consultation

Internal Chief Executive Officer
Shire President

Financial Implications

Attendance fees are payable to Elected Members for Audit Committee and Newdegate Town Centre Rejuvenation Project Committee meetings.

Elected Members and community members are entitled to re-imbusement of travelling costs as per Council Policy.

Strategic Implications

Lake Grace Strategic Plan

2. Social and Community Well-Being

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

6. Leadership

Foster opportunities and provide resources for the ongoing development of leadership – community capacity building.

Voting Requirements

Absolute majority (5) required

Recommendation/Resolution

MOTION 11334

Moved Cr Chamberlain
Seconded Cr Walker

1. That Council appoint the following as members of the Audit Committee:

Cr Farrelly, Cr Milton and Cr Chappell with the community representative position to be re-advertised.

2. That Council appoint the following as members of the Newdegate Town Centre Rejuvenation Committee for a two year term, expiring October 2013:

- Cr Len Armstrong
- Cr Ian Chamberlain
- Cr Amanda Milton

Newdegate Community Development Association Representatives:

- Mrs Lynne Ellard & Mrs Roz Lloyd

Community Representatives

- Mrs Judy Walker & Mrs Diana Gosling

MOTION CARRIED BY ABSOLUTE MAJORITY 9/0

16.0 INFORMATION BULLETIN

16.1 INFORMATION BULLETIN REPORT – NOVEMBER 2011

Applicant:	Executive Services
File No.	N/A
Attachments:	<ol style="list-style-type: none"> 1. Annual Grants Register 2. Council Status Report 3. Update & Issues Paper - Metropolitan Local Government Review Panel 4. WALGA Infopage - Container Deposit Scheme 5. Letter - Eric Ripper MLA & copy of Container Deposit and Recovery Scheme Bill 2011 6. WALGA Infopage - LG Amendment Bill 2011 7. Letter - WA Regional Development Trust 8. Letter - CBH Group
Author:	Mrs Jeanette Bennett Executive Assistant
Disclosure of Interest:	Nil
Date of Report:	15 November 2011
Senior Officer:	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.

Councillors will note the recent inclusion of the Council Status Report in this report and that the Monthly Circulars has been discontinued. Copies of other relevant information for Councillors continue via the weekly mail-out.

Comment

The information at attachment includes:

1. Grants Register

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

2. Council Status Report

Tracks the progress of Council resolutions.

3. Update - Metropolitan LG Review Panel

Update and 'Issues Paper' from the Metropolitan Local Government Review Panel appointed in June 2011 by the Minister for Local Government.

The task of this panel is to examine the social, economic and environmental challenges facing Perth and to recommend appropriate boundaries and governance models for local governments in the Perth metropolitan Area.

The Panel's Issues Paper (as attached), a key part of the Panel's consultation strategy is available on the recently launched website along with other documentation. All local governments, as well as community and other stakeholders are invited to comment.

The Minister recently made a presentation to the LGMA Conference which was held and at which the CEO was present. The Chairman of the Panel, Professor Alan Robson AM, CitWA also made a presentation on the review at the LGMA Conference.

Councillors will have received the email forwarded on to them regarding Metro Reform Update – Issue #3 7 November 2011.

4. WALGA Infopage - Container Deposit Scheme

Labor have introduced a Container Deposit Scheme Bill and are seeking local governments to write to local members of State Parliament encouraging support for a Best Practice Container Deposit Scheme for WA.

At the recent WALGA AGM, WA local governments again put their support behind a container deposit system for the State. It is suggested that local governments write to their State Parliament politicians identifying the potential benefits and encouraging them to support a best practice container deposit scheme for Western Australia.

5. Letter - Eric Ripper MLA

Letter and media release from the Leader of the Opposition with a copy of the Container Deposit and Recovery Scheme Bill 2011 introduced to Parliament on 19 October 2011.

6. WALGA Infopage - LG Amendment Bill 2011

The Minister for Local Government recently tabled the Local Government Amendment Bill 2011 in Parliament.

The Bill includes proposed amendments on the following matters :

- Elected member fees and allowances
- CEO salaries – *note : there is industry concern that this proposal is for remuneration to be determined by the Salaries & Allowances Tribunal as opposed to the present production of remuneration guidelines*
- Proposal for the peremptory suspension of a council
- Elected member to resign
- Local government investments
- Criminal conviction criteria for elected members to be aligned with that of members of parliament
- Underground power – use of service charge provisions for recoup of underground power charges

7. Letter - WA Regional Development Trust

Letter of acknowledgement regarding the Shire's submission to the Review of the Royalties for Regions Country Local Government Fund.

At the recent LGMA Conference held in Perth some 20 rural and regional CEOs including the CEO, met with the WA Regional Development Trust Chair Andrew Murray and Trust Member Sue Middleton regarding the review of the Country Local Government Fund. Council considered the Shire's submission at the September Council meeting. As a result of the meeting, Andrew Murray has asked CEOs to make some further comment re the bureaucracy surrounding the CLGF program e.g. the additional time it takes to complete reports, audits and so on.

8. Letter - CBH Group

Letter from CBH General Manager Operations, Colin Tutt advising that CBH has chosen to end its grain rail partnership with Queensland Rail and appointed Watco Companies, a successful US rail provider experienced in operating short haul rail operations.

The letter outlines CBH's objectives and advises the transition period in 2012 is likely to create many challenges. It is expected the 2012 season will produce a well above average harvest and CBH's number one priority is to ensure that grain continues to move to port and that the exporters of WA's grain have full opportunity to maximise returns to the growers of WA.

The letter advises that even with the development of numerous contingency plans, it may be that additional usage of road transport is required for a period during 2012 and CBH is keen to work more closely with Shires. A clearer picture of the export task will evolve following the Annual Shipping Capacity Auction scheduled for mid November 2011 and at that time CBH will initiate discussions with the potentially affected Shires.

In the meantime they ask that the Shire nominate an appropriate representative to receive CBH's Weekly Road Transport Activity email update. *Note: for the Shire of Lake Grace we will provide CBH with the Shire's general email contact so that weekly email updates can be dealt with and distributed accordingly.*

Legal Implications

Nil

Policy Implications

Nil

Consultation

Nil

Financial Implications

Nil

Strategic Implications

Shire of Lake Grace Strategic Plan

Voting Requirements

Simple majority required.

Officer's Recommendation

Voting Requirements

Simple majority required.

Resolution

Moved Cr

Seconded Cr

MOTION 1132

Moved Cr Farrelly
Seconded Cr Chappell

That Council:

1. Accepts the Information Bulletin report; and,
2. Contacts the various local State Politicians encouraging them to support a best practice container deposit scheme for Western Australia.

MOTION CARRIED 9/0

17.0 URGENT BUSINESS BY DECISION OF THE MEETING

None

18.0 SCHEDULING OF MEETING

18.1 DECEMBER 2011 ORDINARY MEETING

Motion 11124 November 2010 states:

An Ordinary Meeting of Council will be held on Wednesday 21 December 2011, commencing at 3:00pm at Council Chambers, 1 Bishop St Lake Grace WA.

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

None.

20.0 CLOSURE

There being no further business, the Chairperson closed the meeting at 8.47am.

21.0 CERTIFICATION

I Leonard William Armstrong certify that the minutes of the meeting held on the 23 November 2011 as shown were confirmed as a true record at the meeting held on the 21 December 2011.

Chairman

Date