

Shire of Lake Grace



Minutes

Ordinary Council Meeting

28 April 2010

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SHIRE OF LAKE GRACE

Minutes of the Ordinary Meeting of Council held at Council Chambers, 1 Bishop St Lake Grace on Wednesday 28 April 2010.

The Chief Executive Officer welcomed everyone present and advised the outcome of the recent extraordinary election for the Newdegate Ward in that Mr Len Armstrong has been elected unopposed and his term of office is to take effect immediately.

CONSTITUTIONAL MATTERS – SWEARING IN OF NEW COUNCILLOR

Newdegate Ward – Extraordinary Election

Background

An Extraordinary Election for the Newdegate Ward was called in February 2010 due to the resignation of John Dunkeld with the Election scheduled to be held on 20th May 2010.

At the close of nominations for the position on 12 April 2010, Mr Len Armstrong, being the sole nominee was elected unopposed - *Local Government Act 1995, Section 2.28 – Item 8. Elected at an extraordinary election. Councillor is elected on the day of nomination if no poll is held.*

The Chief Executive Officer conducted the swearing in of Cr Len Armstrong who made his declaration as per the Local Government (Constitution) Regulations 1998 of the Local Government Act 1995.

1.0 OPENING & ANNOUNCEMENT OF VISITORS

The Chairperson (Shire President) opened the meeting at 1.04 pm, welcomed and congratulated Cr Len Armstrong on his successful election as Councillor and also welcomed the gallery of members of the public to the meeting, attending in support of the proposed Lake Grace Childcare Centre.

2.0 ATTENDANCE RECORD

2.1 PRESENT

Cr AJ Walker	Shire President
Cr IG Chamberlain	Deputy Shire President
Cr L W Armstrong	
Cr R Chappell	
Cr JF De Landgraft	
Cr AI Milton	
Cr WA Newman	
Cr OP Farrelly	
Cr DP Sinclair	
Mr SK Fletcher	Chief Executive Officer
Mr PW Dittrich	Manager Corporate Services
Mrs NY Owen	Manager Community Services
Mrs J Bennett	Executive Assistant
Mrs G Kennedy	Lake Grace Coordinator – Gnowangerup Family Child Care Services

Mr M Gilson	President, Lake Grace Development Association
Mr J Boyland	Principal, Lake Grace District High School
Mrs R Marshall	Observer
Mrs A Trevenen	Observer
Mrs A Dines	Observer
Mrs N Hutter	Observer
Mrs L Marshall	Observer

2.2 APOLOGIES

None.

2.3 LEAVE OF ABSENCE PREVIOUSLY GRANTED

Motion 10938 24 February 2010

Cr De Landgraft granted leave of absence – 25 July to 31 July 2010.

3.0 PUBLIC QUESTION TIME

No questions from members of the public.

4.0 APPLICATIONS FOR LEAVE OF ABSENCE

None.

5.0 MINUTES OF PREVIOUS COUNCIL MEETINGS

5.1 ORDINARY MEETING – 24 MARCH 2010

Resolution

MOTION 10978

Moved Cr Milton
Seconded Cr Chappell

That the minutes of the Ordinary Meeting of Council held on the 24 March 2010 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

None

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

None.

6.3 DECLARATIONS OF IMPARTIALITY INTEREST – ADMINISTRATION REGULATION SECTION 34C

None.

7.0 NOTICES OF URGENT BUSINESS

None.

8.0 MOTIONS OF WHICH NOTICE HAS BEEN RECEIVED

None.

9.0 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

None.

10.0 MEMBERS' REPORTS

Councillors reported on attendance at various meetings and functions during April as follows:

10.1 CR DE LANDGRAFFT

- Lake King Progress Association Meeting, 13 April – discussed uncontrolled traffic issues on the main road in the old Lake King townsite.
- Lake King Progress/Main Roads/Shire of Lake Grace 21, April – meeting discussed traffic issues, truck parking and sand bagging in front of shop to determine possible kerbing placement.
- Lake King Anzac Day Dawn Ceremony – approximately 50 people attended.

10.2 CR MILTON

- Lake Grace Development Association AGM -12 April.
- Shire Strategic Planning Weekend – 9 & 10 April.
- Community Cropping Meetings – 30 March & 12 April – determined cropping program will go ahead.
- Meeting with Minister Redmond 22 April as a GRDC representative.
- Several On the Sheep's Back Project Meetings over the past month.

10.3 CR CHAMBERLAIN

- Newdegate Dam Project Opening – 21 April.
- Anzac Day Ceremony – noted it is pleasing to see more and more people attending each year.

10.4 CR SINCLAIR

- Wild Dog Meeting in Merredin – Program has received \$8.8M, R4R moneys, in this area 700 dogs have been trapped and shot over the past 12 months.

10.5 CR CHAPPELL

- Lake Grace Development Association AGM – 12 April
- Newdegate Dam Project Opening – 21 April

10.6 **CR NEWMAN**

- Met with Minister for Transport as CBH representative regarding rail network, State Govt working to keep as much grain as possible on rail assisted by \$6M subsidy. CBH Mass Management Scheme is currently being enshrined into legislation.

10.7 **CR WALKER**

- Central Country Zone Teleconference – 26 March.
- Shire Strategic Planning Workshop – 9 & 10 April.
- Lake Grace Storytrail Project unveiling ceremony – 15 April.
- Lake Grace Centenary Meeting – President of the Group to provide update for Council in near future
- Local Emergency Management Meeting, 22 April – focus on getting our emergency management arrangements in place which is a legislative requirement.
- Newdegate Dam Project Opening – 21 April.
- Lake Grace Anzac Day Ceremony – approximately 200 people attended.

11.0 MATTERS FOR CONSIDERATION – WORKS & SERVICES

No matters for consideration

12.0 MATTERS FOR CONSIDERATION – PLANNING

The President advised Item 12.1 had been withdrawn by the applicant on 27/04/2010.

12.1 PLANNING APPLICATION – PROPOSED CARPORT & STORAGE FACILITY – LOT 327 STUBBS ST LAKE GRACE

Applicant:	Mr Matthew Argent
File No.	0454
Attachments:	Plans 1 to 6
Author:	Mr Joe Douglas & Ms Elle O'Connor Urban & Rural Perspectives Consultant Town Planners
Disclosure of Interest:	Nil
Date of Report:	20 April 2010
Senior Officer:	Mr Sean Fletcher

Summary

This report recommends that the planning application submitted by Mr Matthew Argent to construct a new carport and storage facility (i.e. sea container) on Lot 327 Stubbs Street, Lake Grace be refused due to the proposal's non-compliance with the specific requirements of Local Planning Scheme No.4.

Background

The applicant is seeking Council's planning approval to construct a new carport and storage facility (i.e. sea container) on Lot 327 Stubbs Street, Lake Grace.

Lot 327 is located in the eastern extremities of the Lake Grace townsite approximately 1.2km from the town centre. The lot comprises a total area of approximately 1.51 hectares and has 20.12 metres of direct frontage to Stubbs Street along its southern boundary (see Plans 1 and 2).

The subject land currently comprises a previously approved 'machinery storage' shed, a water tank and a single detached transportable dwelling.

Under the terms of the planning application submitted by Mr Argent the proposed new carport and storage facility will:

- i) be 13.0 metres long and 8.0 metres wide;
- ii) have a wall height of 2.4 metres;
- iii) be of metal construction with zincalume roof cladding,
- iv) comprise a 32.5m² enclosed storage area (i.e. a sea container) and a 71.5m² open carport; and
- v) have a 121 metre setback from the land's front boundary (i.e. Stubbs Street) and a 10 metre setback from the southern side boundary.

Comment

Lot 327 Stubbs Street is currently classified 'Rural Residential' zone in the Shire of Lake Grace Local Planning Scheme No.4 (LPS No.4).

Council's stated objectives for land classified 'Rural Residential' zone are as follows:

- *To permit the progressive rezoning and subdivision of land in close proximity to the established townsites which is of low agricultural production value subject to such proposals being consistent with the local government's overall planning requirements and objectives for the zone.*
- *To ensure that all development in the Rural Residential zone is conducted in a manner that preserves the rural character, amenity and viability of surrounding properties.*
- *To provide for a variety of land uses of a rural-residential nature such as hobby farms, equestrian activities and cottage industries.*
- *To ensure that the more intensive use of land makes provision for the retention or improvement of the rural landscape and environment and achieves a high standard of visual amenity in a manner consistent with the proper and orderly planning of such areas.*
- *To reduce or eliminate the detrimental effect of keeping of livestock in the zone by limiting stock numbers to those kept for hobby purposes and not for commercial gain.*
- *To ensure that all applications for new Rural Residential zone areas comply with the local government's requirements for the preparation and submission of proposals.*

Under the terms of the land's current zoning classification the construction of ancillary outbuildings (i.e. carport, storage etc.) is permitted subject to compliance with the relevant standards and requirements laid down in Local Planning Scheme No.4 (LPS No.4).

An assessment of the proposal against the development standards in clause 5.12 of LPS No.4 as these apply specifically to all land classified 'Rural Residential' zone has revealed that it generally satisfies most of the prescribed standards and is therefore unlikely to have a detrimental impact upon any existing adjoining land uses or the local streetscape.

Notwithstanding the proposal's general compliance with the objectives and standards for land classified 'Rural Residential' zone, Council should note that the use of sea containers on any land within the 'Rural Residential' zone is expressly prohibited. Clause 5.22.2 clearly states that the local government may only grant planning approval to the use of a sea container for purposes other than the transportation of goods where all of the following circumstances apply:

- a) The land subject of an application for planning approval is zoned Commercial, Service Commercial, General Industry, General Agriculture or Special Use;
- b) Where the structure is located on the land so as to be completely screened from public view; and
- c) Where the height of the structure does not exceed 3 metres.

Having regard for the requirements of clause 5.22.2, and notwithstanding the proposal's general compliance with the objectives and standards for land classified 'Rural Residential' zone, Council does not have the legal authority to

approve the application as submitted as it entails the use of a sea container which is expressly prohibited by clause 5.22.2(a). As such Council has no option but to refuse the planning application submitted by Mr Argent.

Should Mr Argent choose to make application to the State Administrative Tribunal for a review of Council's decision to refuse the application in accordance with the reporting officers' recommendation, it should be noted that even SAT does not have the power to approve the application due to the specific requirements of clause 5.22.2.

In considering this matter it should be noted that the provisions contained in LPS No.4 governing the use of sea containers were formulated by Council a number of years ago due to concerns regarding the potential amenity impacts associated with the use of these structures.

Legal Implications

Local Planning Scheme No. 4.
Planning and Development Act 2005.

Policy Implications

Nil

Community Consultation

Not required.

Financial Implications

Nil

Strategic Implications

Nil

Recommendation

That Council resolve to refuse the application for planning consent submitted by Mr Matthew Argent to construct a new carport and storage facility (i.e. sea container) on Lot 327 Stubbs Street, Lake Grace in accordance with the details of the plans submitted in support of the application due to the proposal's non-compliance with the specific requirements of clause 5.22.2 of the Shire of Lake Grace Local Planning Scheme No.4 where the use of a sea container on any land classified 'Rural Residential' zone is expressly prohibited.

Voting Requirements

Simple majority required.

Resolution

Moved Cr

Seconded Cr

12.2 PLANNING APPLICATION – PROPOSED ADDITIONS TO INDUSTRIAL STORAGE SHED – LOT 155 SUGG ROAD LAKE KING

Applicant:	S & SJ Scardetta and BJ Robinson
File No.	0456
Attachments:	Plans 7 to 10
Author:	Mr Joe Douglas & Ms Melanie Conn Urban & Rural Perspectives Consultant Town Planners
Disclosure of Interest:	Nil
Date of Report:	20 April 2010
Senior Officer:	Mr Sean Fletcher

Summary

This report recommends that the planning application submitted by S & SJ Scardetta and BJ Robinson to undertake minor extensions to an existing industrial storage shed on Lot 155 Sugg Road, Lake King be approved subject to conditions.

Background

The applicant is seeking Council's planning approval to construct a new undercover area immediately adjoining an existing industrial storage shed on Lot 155 Sugg Road, Lake King to provide a suitable space for the loading and unloading of vehicles.

Lot 155 comprises a total area of approximately 1800m² and is located centrally within Lake King townsite in the town's designated industrial area.

Lot 155 has previously been developed and is currently used for the storage and distribution of rural merchandise. The land contains an existing office and storage shed which were previously approved by Council.

The plans submitted in support of the application indicate that the proposed undercover area will:

- i) be of steel frame construction with a zincalume roof to match the existing storage shed;
- ii) comprise a total floor area of 72m²;
- iii) have a total length of 12 metres;
- iv) have a total width of 6 metres;
- v) a maximum height of 4.1 metres; and
- vi) a rear setback of 10 metres.

Comment

Lot 155 is currently classified 'General Industry' zone in the Shire of Lake Grace Local Planning Scheme No 4 (LPS No.4).

Council's stated objectives for land classified 'General Industry' zone are outlined as follows:

- *To provide a location for general, light and service industries which by the nature of their operations should be separated from residential areas.*
- *To ensure an adequate supply of suitably located land for future industrial development.*
- *To provide for a range of compatible general, light and service industries to support the needs and development of the district.*
- *To provide a range of employment opportunities for residents of the district.*
- *To ensure that development is in accordance with appropriate and satisfactory standards of function, amenity and safety.*
- *To ensure that appropriate buffers are provided and maintained between industrial uses and adjacent uses so as to avoid land use conflicts.*
- *To encourage the provision of additional landscaping to the established industrial areas to improve their visual appearance.*

Having regard for:

- i) the location of Lot 155 in the Lake King townsite's designated industrial area;
- ii) the nature and purpose of the proposed use of Lot 155 and the existing approved use of the land;
- iii) the relevant development standards of Table 2 and clause 5.9 of LPS No.4;
- iv) the nature and type of existing adjoining land uses; and
- v) the details submitted in support of the application,

it is concluded that development of the proposed undercover area is generally consistent with the zoning objectives contained in LPS No 4, is unlikely to have detrimental impact on existing adjoining land uses and is capable of being implemented in a proper and orderly manner subject to compliance with a number of conditions.

Legal Implications

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

Policy Implications

Nil

Community Consultation

Nil

Financial Implications

Nil

Strategic Implications

Shire of Lake Grace Local Planning Strategy

Voting Requirements

Simple majority required.

Recommendation/Resolution

MOTION 10979

Moved Cr Milton
Seconded Cr De Landgraftt

That Council resolve to approve the application for planning consent submitted by S & SJ Scardetta and BJ Robinson to construct a new undercover area immediately adjoining an existing industrial storage shed on Lot 155 Sugg Road, Lake King in accordance with the details of the plans submitted in support of the application subject to compliance with the following conditions:

1. If this approval is not substantially commenced within a period of two (2) years, 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 local government having first been sought and obtained.
2. In accordance with the Local Government (Miscellaneous Provisions) Act 1960 and Building Regulations 1989, a Building Licence application must be submitted to and approved by the local government prior to the commencement of any earthworks or construction.
3. The proposed undercover area shall be used for the purposes of loading and unloading vehicles unless otherwise approved by the local government.
4. All on-site vehicle access ways and car parking areas shall be constructed (including sealing) and maintained to the specifications and satisfaction of the local government with appropriate measures for drainage and disposal of surface water.
5. All stormwater drainage discharge generated by the approved structure shall be managed to the specifications and satisfaction of the Shire.
6. Any additional development which is not in accordance with the application the subject of this approval or any condition of this approval will require the further approval of the local government.

MOTION CARRIED 9/0

13.0 MATTERS FOR CONSIDERATION – HEALTH & BUILDING

13.1 CONSTRUCTION - LAKE GRACE CHILDCARE CENTRE

Applicant: Manager Community Services
File No. 0668
Attachments: Nil
Author: Mrs Nadene Owen
 Manager Community Services
Disclosure of Interest: Nil
Date of Report: 20 April 2010
Senior Officer: Mr Sean Fletcher
 Chief Executive Officer

Summary

The purpose of this report is to seek Councils endorsement to proceed with the design and construction of the Lake Grace Childcare Centre through the re-allocation of budgeted project funds and by way of a loan.

Background

At its Ordinary Meeting February 2010 Council moved to postpone the design and construction of the Lake Grace Childcare Centre until the Country Local Government Funding Round 2 (CLGF2) guidelines have been released or other funding becomes available.

The CLGF2 guidelines were released 31st March 2010 and specified the following:

- Round 2 is a maximum of \$35,000 payable by 30 June 2010 for the establishment of Forward Capital Works Plans;
- Round 3 funding (10/11) will not be paid unless the Forward Capital Works Plans are completed and 08/09 funding has been acquitted;

It should also be noted the funding allocation to the Childcare Building Project is now able to be carried forward. Please see Agenda Item 14.3 for further information.

In addition to this after investigation by staff, no suitable avenues of other funding were identified.

Comment

An evaluation of Tender 1/2010 evaluation process identified APB Holdings Australia Pty Ltd as the preferred tenderer.

Project costings are as follows:

APB Holdings Australia Pty Ltd	\$ 317,501.00
Additional connection charges/costings	\$ 18,000.00
RLCIP funded – fencing installation	\$ 8,000.00
Sub-total	<u>\$ 343,501.00</u>
Council allocation:	
R4R CLGF	\$ 200,000.00
RLCIP	\$ 8,000.00
Funds required	(\$135,501.00)

Funding considerations

To enable the project to commence staff considered the following options to address the shortfall of \$135,501.00 to enable the project to commence:

1. *Raise funds of \$135,501.00, by way of a loan.*

After research was undertaken by the author, including discussion with the Senior Management Team, this option, once again, was not deemed as being a fiscally responsible alternative.

2. *Re-allocate budgeted funds to Childcare building project and the remainder by way of loan to ensure the project can be completed.*

The funds required analysis identifies a shortfall of \$135501.00 which is proposed to be funded as follows:

- Re-allocation of Works and Services projects as follows:

10021	North Newdegate Road	\$20,000.00
<small>(Note: Budgeted \$72,596, Estimated Cost of Completion \$52,000.00)</small>		

10022	Mt Vernon Road	\$30,000.00
<small>(Note: Budgeted \$50,000, Estimated Cost of Completion \$110,00)</small>		

10028	Minor works (e.g. road top-ups)	\$35,501.00
<small>(Note: Budgeted \$67,000, Estimated Cost of Completion \$25,074)</small>		

A review of the works schedule indicates the above jobs will not be completed within this budgetary period. These jobs were not funded through any tied funding hence the ability to re-allocate the funds.

- Loan as follows:

Council to raise funds by way of a loan for \$50,000.00 for the purpose of completing the Childcare building project. Repayments would be made over a 10 year period at approximately \$6,900.00 per annum @ 7.00% interest rate. Section 6.20 of the Local Government Act 1995 states that the Shire must give one month's local public notice of the proposal.

The loans for the Newdegate Medical Centre (up to \$385,000) and the Lake Grace Residential Sub-division (\$200,000) will not be drawn down until the 2010/2011 financial year.

Given the significant level of resourcing to the Shire of Lake Grace through the Lotterywest Flood Recovery Package, Mrs Lee Grmas, Programs Manager Lotterywest, has indicated that no further funding is available until this package has been acquitted. Furthermore, the Shire Chief Executive Officer Sean Fletcher has held discussions with the Hon. Terry Waldron MLA, who stated the same.

An extensive review of the State and Federal grant register has also indicated that there are no suitable funding sources available for the Childcare building project.

Legal Implications

Local Government Act 1995 - Section 6.20: Power to Borrow

Policy Implications

Nil

Consultation

Internal – Sean Fletcher, Chief Executive Officer
 Peter Dittrich, Manager Corporate Services
 Keith Dickerson, Manager Works and Services

Financial Implications

As per report information.

Strategic Implications*Shire of Lake Grace Strategic Plan***Goal 2** Social and Community Wellbeing**Action 2.1.4** Lake Grace Childcare Facility - Priority 2Voting Requirements

Absolute majority required.

Recommendation/Resolution**MOTION 10980**

Moved Cr Farrelly
 Seconded Cr Chappell

That Council:

- Approves the reduction of budgeted funds on the following jobs:

10021	North Newdegate Road	\$20,000.00
10022	Mt Vernon Road	\$30,000.00
10028	Various works	\$35,501.00

and increase expenditure in account E071500 Construct Lake Grace Childcare Facility of \$135,501.00.

- Authorise the Chief Executive Officer to raise a loan in the amount of \$50,000 to fund the Childcare building project.
- Authorise the Chief Executive Officer commence one month's public notice of the loan funding.
- Awards Tender 1/2010 for the design and construction of the Lake Grace Childcare Centre to APB Holdings Australia Pty Ltd for the amount of \$317,501.00.

MOTION LOST 4/5

Voting for the motion were Crs Walker, Milton, Farrelly & Chappell

Voting against the motion were Crs De Landgraft, Armstrong, Chamberlain, Sinclair & Newman

1.32pm

Mrs Kennedy, Mr Gilson, Mrs R Marshall, Mrs Trevenen, Mrs Dines, Mrs Hutter, Mrs L Marshall and Mr Boyland left the meeting.

14.0 MATTERS FOR CONSIDERATION – FINANCE

14.1 ACCOUNTS FOR PAYMENT – MARCH 2010

Applicant:	Shire of Lake Grace
File No.	0277
Attachments:	List of Creditors
Author:	Miss Jessica de Burgh Finance Officer
Disclosure of Interest:	Nil
Date of Report:	14 April 2010
Senior Officer:	Mr Peter Dittrich Manager Corporate Services

Summary

For Council to ratify expenditures incurred for the month of March 2010.

Background

List of payments for the month of March 2010 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 March 2010 from the Municipal Account totals \$620,176.47.

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 10981

Moved Cr Chappell
Seconded Cr Milton

That Municipal Account Cheques 33909 to 33964, Electronic Funds Transfers EFT6208 to EFT6396, and direct debits to the Municipal Account totalling \$620,176.47, having been checked and certified in accordance with the Financial Management Regulation 12, be confirmed, and passed for payment against the respective accounts as shown on the summary of Accounts for Payment schedule.

MOTION CARRIED 9/0

1.32pm

Cr Chamberlain left the meeting.

14.2 FINANCIAL STATEMENTS – DECEMBER 2009 AND JANUARY 2010

Applicant: Corporate Services Section
File No. 0275
Attachments: Financial Reports
Author: Mrs Danielle Robertson
Senior Finance Officer
Disclosure of Interest: Nil
Date of Report: 19 April 2010
Senior Officer: Mr Peter Dittrich
Manager Corporate Services

Summary

Consideration of the financial statements for the month ending 31 March 2010.

Background

The following financial reports are included for your information:

- Monthly Statement of Financial Activity
- Summary of Net Current Assets
- Operating Statement by Programme
- Balance Sheet
- Assets Purchased and Sold
- Capital Road Works, Operating Revenue & Expenditure Graphs
- Bank Reconciliations
- Rates Summary Chart

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 10982

Moved Cr Chappell
Seconded Cr Farrelly

That the financial reports for the months ending 31 March 2010 as attached be received.

MOTION CARRIED 8/0

1.34pm *Cr Chamberlain returned to the meeting.*

14.3 **ROYALTIES FOR REGIONS – COUNTRY LOCAL GOVERNMENT FUND 2009-10 – UNBUDGETED EXPENDITURE**

Applicant: Royalties for Regions – Country Local Government Fund
2009-10

File No. 0666

Attachments: Letters & Guidelines

Author: Mr Peter Dittrich
Manager Corporate Services

Disclosure of Interest: Nil

Date of Report: 19 April 2010

Senior Officer: Mr Sean Fletcher
Chief Executive Officer

Summary

For council to approve the fully funded, unbudgeted expenditure of \$35,000 for the development of a forward capital works plan to meet the requirements of Royalties for Regions under the Country Local Government Fund (CLGF).

Background

The Department of Regional Development and Lands has issued instructions in relation to Royalties for Regions – Country Local Government Fund for 2009-10. The Shire of Lake Grace is eligible to receive up to \$35,000 towards the preparation of a forward capital works plan that relates to current or developing strategic and asset management plans.

The Shire is required to submit a proposal on how it will expend the funds, in accordance with the department's guidelines, by 30 April 2010.

Comment

The expenditure of the CLGF grant on the development of the Shire's forward capital works plan in the required format will enable the Shire to access future Royalties for Regions funding. The Department of Regional Development and Lands has issued guidelines for the format and content of the plan. The Forward Capital Works Plan must be received by the department by 31 December 2010.

The proposal for the expenditure of the \$35,000 grant is to engage specialist consultant resources to the value of \$25,000 and staff time of \$10,000.

Whilst the department has allowed the carry forward of the 2008-09 projects (refer attached letter), it has confirmed that it will the 2010-11 CLGF will not be available until both this grant and the 2008-09 grant has been acquitted.

Legal Implications

Section 6.8 Local Government Act 1995

Policy Implications

Nil

Consultation

Internal – Senior Management Team

External – Consultants T.B.A

Financial Implications

Nil

Strategic Implications

Shire of Lake Grace Strategic Plan

3. Financial Sustainability

3.2 Source and secure funding for the implementation of services through a diverse and innovative funding streams.

Voting Requirements

Absolute majority required.

Recommendation/Resolution

MOTION 10983

Moved Cr Milton

Seconded Cr De Landgraft

That Council:

1. Approve the fully funded, unbudgeted expenditure of \$35,000 offered by the Department of Regional Development and Lands under the Country Local Government Fund 2009/10 for the development of Forward Capital Works Plans.
2. Endorse the proposal to spend the \$35,000 from the 2009/10 Country Local Government Fund allocation for the development of Forward Capital Works Plans as follows:
 - a) \$25,000 on consultants;
 - b) \$10,000 on staff time.

MOTION CARRIED BY ABSOLUTE MAJORITY 9/0

15.0 MATTERS FOR CONSIDERATION – ADMINISTRATION

15.1 LAKES VOLUNTARY REGIONAL ORGANISATION OF COUNCILS (LAKES VROC)

Applicant:	Lakes Voluntary Regional Organisation of Councils
File No.	0031
Attachments:	1. Wheatbelt Development Commission - Regional Groupings of Local Government – Regional Infrastructure Projects 2. Correspondence regarding the 4WD VROC
Author:	Mr Sean Fletcher Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	8 April 2010
Senior Officer:	Mr Sean Fletcher Chief Executive Officer

Summary

The purpose of this report is to keep Council abreast of matters regarding the Lakes Voluntary Regional Organisation of Councils (Lakes VROC) that consists of the Shires of Lake Grace, Dumbleyung and Kent.

Background

Council, at its Ordinary Meeting held on Wednesday 22 July 2009 resolved to sign a certificate of agreement to enter into in an MOU with the Shires of Kent and Dumbleyung to form the Lakes VROC. The MOU was subsequently signed on 18 August 2009.

The CEOs from Lake Grace and Dumbleyung, the Deputy CEO from Dumbleyung and the Manager Works from Dumbleyung met on 11 December 2009 in Lake Grace to discuss the initial parameters and projects for the VROC.

The first meeting of the Lakes VROC was subsequently held at Lake Grace on 22 February 2010. The minutes from this meeting confirm the following:

- Cathy Crosby was successfully elected as chairperson for a term of six months and a general direction developed
- Deputy Chair is Dumbleyung;
- Executive Officer: The three CEO's to liaise when appropriate;
- Secretary (Shire of Kent has agreed up to first 6 months);
- Secretarial Services are to follow the Chair;
- Procedures of meetings:
 - Meetings are to be held before Shire Council Meetings.
 - Within the first two weeks of the Month
 - Bimonthly
- Points of direction (where the VROC is going and what is to be achieved? This in conjunction with our signed MOU):

- Mobile Coverage (including GPS Correction Signals) Cr Davidson/Cr Chamberlain
- Administration Cr Chamberlain;
- Waste Disposal Cr Davidson;
- Main Roads Cr Davidson (Not widely supported);
- Aged Care Cr Milton;
- Town Planning & Health Officers Cr Davidson;
- Asset Management Cr Tuffley;
- Water Security & Water Management Cr Milton

Comment

Country Local Government Fund (Royalties for Regions)

In summary the new Guidelines for the Country Local Government Fund (Royalties for Regions) encapsulate the following:

- ❖ Round 2 is a maximum of \$35,000 payable by 30 June 2010 for the establishment of Forward Capital Works Plans;
- ❖ Round 3 funding (10/11) will not be paid unless the Forward Capital Works Plans are completed and 08/09 funding has been acquitted;
- ❖ 08/09 funding must be spent by 30 June 2010;
- ❖ The Lakes VROC component (i.e. 35%) must be for a true regional project.

In regard to the allocation to the Lakes VROC, a business plan is required for any project undertaken by this group. The business plan must be developed in conjunction with the Wheatbelt Development Commission (WDC). Wendy Newman CEO of the WDC has advised that she is required to submit a plan to the Department of Regional Development and Lands regarding how her organisation will assist the Shires in the Wheatbelt achieve this goal.

Lakes VROC vs 4WD

As discussed at the Strategic Planning Workshop on 9 and 10 April it may be prudent to look at the Lakes VROC folding into the 4WD (Wagin, Woodanilling, Williams, West Arthur, Dumbleyung) VROC.

It has become evident quite quickly that the Lakes VROC and 4WD should become one VROC for the following reasons:

- a) Similarity in issues;
- b) Seven local governments representing a population of 6 722;
- c) Already working on a number of cross shire strategies that involve the same members (except Kent) e.g. Wagin Waste Group;
- d) Greater synergies with regional projects and funding as this group has already undertaken a strategic plan.

The CEO of Dumbleyung has also contacted the author regarding the possibility of the Lakes VROC forming part of the 4WD VROC. The author is also now attending the 4WD meetings at the invitation of this VROC to ascertain the Shire's future membership of this group.

Attached for information is a copy of the letter (including the strategic plan) sent to the Minister for Regional Development from 4WD regarding a future

housing project across the region that includes the possibility of the Shire's involvement.

Next Meeting

The next meeting of the Lakes VROC is:

In Person: 5 May 2010 Shire of Dumbleyung @ 3PM (this has been changed from 4 May 2010 as this clashed with the Regional Road Group meeting)

Legal Implications

Nil

Policy Implications

Nil

Consultation

External: CEO Dumbleyung
CEO Kent

Internal: Manager Corporate Services
Shire President
Elected Member Updates
Strategic Planning Workshop 9 & 10 April 2010

Financial Implications

Nil

Strategic Implications

Shire of Lake Grace Strategic Plan - Goal 6 Leadership

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

Recommendation

That Council:

1. Receive the Chief Executive Officer's report on the latest developments regarding the Lakes VROC; and,
2. Commence discussions with the 4WD VROC regarding the Shire's possible membership with this organisation.

Voting Requirements

Simple majority required.

Resolution

MOTION 10984

Moved Cr Milton
Seconded Cr

That Standing Orders be suspended to allow discussion on projects that could be presented to the Lakes VROC as potential regional projects.

MOTION CARRIED 9/0

Potential Projects identified included:

- Communications - mobile phone towers, a footprint of the area would be required to determine the 'regional' aspect.
- Aged housing
- Water
- GP Services & Primary Health Care

Resolution

MOTION 10985

Moved Cr Milton
Seconded Cr De Landgraft

That Standing Orders be resumed.

MOTION CARRIED 9/0

Resolution

MOTION 10986

Moved Cr Milton
Seconded Cr Newman

That Council:

1. Receive the Chief Executive Officer's report on the latest developments regarding the Lakes VROC; and,
2. Commence discussions with the 4WD VROC regarding the Shire's possible membership with this organisation.

MOTION CARRIED 9/0

15.2 LOCAL GOVERNMENT REFORM UPDATE

Applicant: Local Government Reform Update
File No. 0552
Attachments: CEO Briefing Department of Local Government
Author: Mr Sean Fletcher
 Chief Executive Officer
Disclosure of Interest: Nil
Date of Report: 8 April 2010
Senior Officer: Mr Sean Fletcher
 Chief Executive Officer

Summary

The purpose of this report is to keep Council abreast of matters regarding Local Government Reform.

Background

The prior history to this item can be found in the report submitted to Council at the ordinary meeting held on 24 March 2010.

March 2010

In response to a request from the Shadow Minister for Local Government, the following information was provided regarding the cost of the Local Government Reform process to the Shire of Lake Grace:

Consultants:	\$11,000
In-kind:	\$24,000
Other:	<u>\$ 4,000</u>
Total:	\$37,000

Mr Papalia's media statement regarding the cost to Local Government was tabled at the March ordinary meeting. An infopage from WALGA's Deputy CEO was also tabled saying if a Local Government was not genuinely committed to pursuing an amalgamation, then do not participate in the RTG process.

Comment

Further to the Report prepared by the Manager Corporate Services regarding the Country Local Government Fund and the need to prepare Forward Capital Works Plans, the author has been invited by the Department of Local Government to a CEO's briefing regarding the following:

1. Forward Capital Works Plans and regional infrastructure planning for expenditure of Country Local Government Fund (CLGF) by Country Local Governments.
2. Integrated Strategic Planning Asset and Financial Management.
3. Regional Business Plan Framework.
4. Local Government Services in Remote Indigenous communities

Although the amalgamation issue may be on hold for now, it is apparent from the above that other reforms of the local government sector are continuing.

Ms Jo Burgess WALGA's Regional Cooperation Manager gave an update on the Reform process at the Shire's Strategic Planning Workshop on 9 April 2010.

Legal Implications

Nil

Policy Implications

Nil

Consultation

External

- Mr Tim Fowler and Dr Chris Berry, Department of Local Government;
- Mr Dean Taylor, CEO of Katanning;
- Mr Graeme McDonald, CEO Shire of Koorda;
- Mr Don Burnett, CEO City of Kalgoorlie - Boulder
- Mr Henry Van der Ende, CEO of Dumbleyung;
- Mr Alan Wright, CEO of Kent;
- Mr Greg Hadlow, CEO of Kulin;
- Mr Tony Cooke, Reform Consultant;
- Mr Bruce Wittber, Executive Officer Central Country Zone;
- Cr Bill Mitchell, Mr Wayne Scheggia and Ms Jo Burgess WALGA;
- Ms Pip Shields Senior Regional Officer Wheatbelt Development Commission;
- Mr Colin Holt Member for the Agricultural Region;
- Minister Waldron and Member for Wagin;
- 4WD members.

Internal

- Manager Corporate Services;
- Executive Assistant;
- Senior Management Team Information Session 28 October 2009.

Financial Implications

Nil

Strategic Implications

Shire of Lake Grace Strategic Plan - Goal 3 Financial Sustainability

3.2.6 Investigate sources of funding that could support resource sharing.

Goal 6 Leadership

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 10987

Moved Cr Chappell
Seconded Cr Farrelly

That Council receive the Chief Executive Officer's report regarding the current update on the Local Government Reform Process.

MOTION CARRIED 9/0

15.3 CENTRAL COUNTRY ZONE

Applicant: Central Country Zone
File No. 0030
Attachments: Minutes/Agendas available at the Shire Office
WALGA Item Grain Freight Taskforce
Author: Mr Sean Fletcher
Chief Executive Officer
Disclosure of Interest: Nil
Date of Report: 8 April 2010
Senior Officer: Mr Sean Fletcher
Chief Executive Officer

Summary

The purpose of this report is for Council to consider issues raised through the Central Country Zone.

Background

The Shire of Lake Grace is a member of the Central Country Zone. The purpose of the Zone is to provide feedback to WALGA (Local Government's peak body in Western Australia) and other stakeholders on key issues faced by Local Government. Members of WALGA State Council are also selected from each of the Zones.

Members of the group include:

- Beverley
- Brookton
- Corrigin
- Cuballing
- Dumbleyung
- Kulin
- Lake Grace
- Narrogin Shire
- Narrogin Town
- Pingelly
- Quairading
- Wagin
- Wandering
- West Arthur
- Wickepin
- Williams

Under the List of Committees, the Shire of Lake Grace Zone representatives are the Shire President and Deputy Shire President. The CEO also attends these meetings and has voting rights in the absence of one or both representatives.

The Zone also considers matters before State Council and a copy of the agenda/minutes of these meetings is available at the Shire Office should you wish to review them at any time.

The Executive Officer is Bruce Wittber of BHW Consulting and can be contacted on 9313 5761 should you have further queries regarding matters under discussion by the Zone.

Comment

The author and the Shire President participated in the Teleconference held on 26 March 2010 @ 9:00AM.

In summary the issues considered by the Zone included:

Changes to Child Care Benefits – Shire of West Arthur

The Darkan Childcare Group wrote to the Shire of West Arthur and outlined the various communications between their group and DEEWR as follows:

1. *We met with DEEWR on 16th Oct 2008 and they advised no objection for our child care service to operate from a collocated centre for a maximum of three days a week with a long day care license.*
2. *DEEWR provided a letter of support on 12th December 2008 for grant funding applications outlining their financial assistance towards a three day a week service.*
3. *In July 2009 DEEWR wrote to every childcare service outlining that legislation stated that long day care must operate for five days to receive Child Care Benefit (CCB).*
4. *In July 2009 we contacted DEEWR and they advised they were working to resolve the issue and we were to still continue on with our project.*
5. *We have had no contact with DEEWR until the 18th February 2010 when two WA Branch Officers visited and informed us that our service **must** operate 5 days to receive Sustainability Assistance and CCB.*

As can be seen from the above this has implications for the Shire of Lake Grace.

The Zone resolved:

1. That the Central Country Zone request that WALGA as a matter of urgency raise the issue of reduced Child Care Benefits where children attend child care facilities operating for less than 5 days per week.
2. That the matter be referred to the Hon Wilson Tuckey MP seeking his intervention to ensure equity of benefits for children attending child care facilities operating for less than 5 days per week.

Strategic Grain Network Committee Report

In response to the Strategic Grain Network Committee Report, the Zone resolved the following:

That:

1. *the Report prepared for the Freight and Logistics Council of Western Australia on behalf of the Strategic Grain Network Committee, December 2009, and its findings for the short, medium and long term direction of*

- Western Australia's grain freight network be noted;*
2. *acknowledging, as outlined in the Report, that further work needs to be undertaken to determine strategic State and Local road networks and the costs to upgrade and maintain strategic road networks to meet the grain freight task;*
 3. *there is no closure or cessation of any rail line until new funding is allocated from Government for roads to ensure that designated roads are upgraded and maintained, with road safety considerations paramount;*
 4. *Local Governments be encouraged to review, in partnership with Main Roads WA, their heavy vehicle permit policies and network of routes used for inter-bin and bin to port movements on local roads to deliver a safe and efficient freight supply chain;*
 5. *support is given to Government to address distortions between road and rail pricing through legislative, regulatory and/or other mechanisms to ensure accurate pricing signals are sent to the grain freight transport market and to facilitate appropriate capital investment by Government and industry to deliver an efficient and effective WA grain supply chain ;*
 6. *Local Government in consultation with the State and Federal Government investigate alternative funding for Local Government to recover the increased cost of road damage by heavy haulage vehicles; and*
 7. *WALGA discuss with CBH the need to ensure that its contractors follow its Code of Conduct which ensures contractors wherever possible avoid conflicts with school bus timetables/road routes and abide by the Restricted Access Vehicle Network rules that are applicable to the relevant road network.*

Local Government Reform

Cr Bill Mitchell (WALGA President) advised the meeting that he believed that the Minister will refer Regional Transition Groups to the Local Government Advisory Board for determination.

Financial Assistance Grants and Other Funding

Cr Bill Mitchell also advised the Federal Government will be looking at a 2% reduction in funding. This will mean no increases to FAGS and Roads to Recovery for 2010/11.

Constitutional Recognition

ALGA is progressing this matter with the Federal Government. The main issue regarding funding will include additional wording under Section 96 of the Constitution "and local government". There are also proposals being developed regarding indigenous matters, public health and hospitals.

Farewell to Cr Bill Mitchell

Zone President Cr Richard Chadwick wished Cr Mitchell all the best for the future on his retirement as WALGA President.

It should be noted that Mayor Troy Pickard was elected as the new WALGA President at a State Council meeting on 7 April 2010. The author has sent a letter of congratulations on behalf of the Shire to Cr Pickard.

Next Meeting

The next meeting of the Central Country Zone is:

- Teleconference - 28 May 2010 CEO's Office @ 9:00am
- In Person - 4 August 2010 Perth Convention Centre @ 3:30pm
- In Person - 1 October 2010 Shire of Wandering @ 10:00am

Legal Implications

Nil

Policy Implications

Nil

Consultation

Bruce Wittber – Executive Officer Central Country Zone

Financial Implications

Nil

Strategic Implications

Shire of Lake Grace Strategic Plan

Focus 6: Provide a visionary and proactive approach to leadership at an operational and strategic level

Focus 4 Plan, construct and maintain a safe and efficient network which reflects the importance of roads to the social and economic development of the Shire and the region.

Strategy 4.3 Establish a Forward Works Program in accordance with projected funding opportunities and changing community needs (2010 – 2015).

Action 4.3.3 Grain Freight Taskforce - Monitor Outcomes.

Voting Requirements

Simple majority required.

Recommendation/Resolution

MOTION 10988

Moved Cr De Landgraft
Seconded Cr Armstrong

That Council receive the Chief Executive Officer's report regarding the Central Country Zone.

MOTION CARRIED 9/0

15.4 FUTURE BREMER BAY TOWN CENTRE – PRELIMINARY CONCEPT PLANS

Applicant:	Shire of Jerramungup
File No.	0536
Attachments:	Preliminary Concept Plans Bremer Bay
Author:	Mr Sean Fletcher Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	12 April 2010
Senior Officer:	Mr Sean Fletcher Chief Executive Officer

Summary

The purpose of this report is to seek Council's comments regarding the request for feedback by the Shire of Jerramungup concerning the proposed development of the future Town Centre for Bremer Bay.

Accordingly, this report recommends that the Shire of Lake Grace:

- Thanks the Shire of Jerramungup for the opportunity to provide comment on the preliminary concept plans regarding the Bremer Bay Town Centre; and
- Supports Option 1B that includes a commercial precinct in the south east portion of the Town Centre for increased commercial and visual exposure.

Background

The Shire of Jerramungup has started strategic planning for the development of a future Town Centre to service the needs of the local Bremer Bay community.

Comments are sought from the Shire of Lake Grace as a stakeholder at the start of the design process so that any comments or other input can be taken into account when drafting the final concept plans. Mr Bill Parker the CEO at the Shire of Jerramungup advised the author that input from the Shire of Lake Grace was important as Bremer Bay was both a destination and place to stay for a number of Lake Grace residents.

Comment

In terms of land and development planning there is a distinct hierarchy that needs to be taken into account when considering any proposal for development. In a nutshell, the hierarchy is:

- Local Planning Strategy;
- Local Planning Scheme (formerly Town Planning Scheme);
- Local Structure Plan (also known as a concept plan, development plan or even policy).

Local Structure Plans are an effective strategic tool because it is about the overall look and feel of a proposed development. So structure plans can be

a specific design, deal with sub divisions or be documented policies and of course any combination of these.

The author believes that Option 1B would be the most suitable as it includes a commercial precinct in the south east portion of the Town Centre for increased commercial and visual exposure which corresponds with the main road into Bremer Bay. This is an important consideration when looking at external economic input from those who visit from outside a community.

Legal Implications

Nil

Policy Implications

Nil

Consultation

External

- Mr Bill Power, CEO Shire of Jerramungup

Internal

- Council at the Information Session on 24 March 2010.

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Simple majority required.

Recommendation/Resolution

MOTION 10989

Moved Cr De Landgraft
Seconded Cr Farrelly

That Council:

1. Thanks the Shire of Jerramungup for the opportunity to provide comment on the preliminary concept plans regarding the Bremer Bay Town Centre.
2. Supports Option 1B as it includes a commercial precinct in the south east portion of the Town Centre for increased commercial and visual exposure.

MOTION CARRIED 9/0

15.5 REVISED DELEGATION A01 – CALLING FOR AND ACCEPTING TENDERS

Applicant:	Sean Fletcher
File No.	0052
Attachments:	Current Delegation A01 Revised Delegation A01
Author:	Mr Sean Fletcher Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	15 April 2010
Senior Officer:	Mr Sean Fletcher Chief Executive Officer

Summary

The purpose of this report is to seek Council's amendment of the Delegation regarding Tenders. The current delegation is limited in its scope in that it does not allow the Chief Executive Officer to invite tenders without Council approval. Also the current limit that the Chief Executive Officer can accept tenders is ineffectual. Many projects are in excess of \$100,000 and a cap of \$250,000 would be appropriate. Both the call to invite tenders and referring certain projects back to Council between \$100,000 and \$250,000 causes significant time delays.

Accordingly, this report recommends that the current delegation A01 is amended and that under section 5.42 of the *Local Government Act 1995*, the Chief Executive Officer be delegated to:

- a) Invite any tenders; and
- b) Unless specified otherwise, accept tenders up to an amount of \$250,000 in total value provided that appropriate provision is made in the Shire's Budget, as per section 3.57 of the *Local Government Act 1995* and Part 4 of the *Local Government (Functions and General) Regulations 1996*.

Background

There have been a number of incidents in recent times where the Shire's current tender process has caused delays and some confusion for staff regarding the timing of these projects. This is because the current system used by the Shire requires the Chief Executive Officer and his staff to seek Council's approval before going out to tender for projects in excess of \$100,000.

Recent projects where the current tender process has contributed to delays are the Newdegate Medical Centre, the Lake Grace Day Care Centre and annual provision of Bitumen and road material. There are projects where tenders have been invited without prior Council approval but subsequently endorsed due to expediency required.

Comment

It is common practice among many local governments to delegate to the Chief Executive Officer the process regarding the invitation of tenders. Examples of local governments that have done this include the Shire of Denmark and the City of Joondalup. Department of Local Government Guideline 17 – Delegations also supports this practice.

The process regarding the invitation of tenders includes advertising of the tender and that this is done in accordance with certain selection criteria. Since the start of 2010 the author has introduced weighted selection criteria for tenders which focuses on value for money rather than just the cheapest tender.

At this point in time the Chief Executive Officer can accept a tender up to \$100,000 providing that it is within the Budget. It is the author's recommendation that this limit is amended to \$250,000 which is in keeping with the scope of a number of projects recently undertaken by the Shire.

Implementation of both requirements can reduce the timeline on a project by between three to six months.

Legal Implications

Section 3.57(1) of the *Local Government Act 1995* states that:

"A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services."

Section 5.43 of that Act states that:

"A local government cannot delegate to a CEO any of the following powers or duties:

(a) ...

(b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph."

Part 4 of the *Local Government (Functions and General) Regulations 1996* regulates and provides the procedures for local government tenders for providing goods or services.

A council may delegate to its CEO to invite tenders under section 3.57 of the *Local Government Act 1995* and Part 4 of the *Local Government (Functions and General) Regulations 1996*, without the necessity of setting a maximum limit on the tenders which the CEO may invite. However, the effect of section 5.43(b) is that if a council wishes to delegate to its CEO to accept tenders under section 3.57 of the *Local Government Act 1995* and Part 4 of the *Local Government (Functions and General) Regulations 1996*, it may attach a condition to the delegation that specifies the maximum limit of the tenders which the CEO may accept.

The delegation instrument will also be amended as per the attached draft to reflect the delegation by Council as well as call up more accurately the applicable legislation.

Policy Implications

Under Shire Policy 3.7 the Chief Executive Officer already has the power to accept a quote up to \$100,000.

Consultation

External: WALGA Tender Advice Service

Internal: Senior Management Team
Shire President

Financial Implications

Shire of Lake Grace Strategic Plan - Focus 7 Organisational Excellence

Provide sound and effective leadership in physical and financial management; to maintain a strong and flexible workforce that is well resourced to deliver infrastructure and services to businesses and communities within the Shire.

Strategic Implications

Nil

Recommendation

That Delegation A01 is amended to take into account the following requirements:

Under section 5.42 of the *Local Government Act 1995*, the Chief Executive Officer is delegated to:

- a) Invite any tenders; and
- b) Unless specified otherwise, accept tenders up to an amount of \$250,000 in total value provided that appropriate provision is made in the Shire's Budget as per section 3.57 of the *Local Government Act 1995* and Part 4 of the *Local Government (Functions and General) Regulations 1996*.

Voting Requirements

Absolute majority required.

Resolution

MOTION 10990

Moved Cr Milton
Seconded Cr Farrelly

That Standing Orders be suspended to allow discussion on the item.

MOTION CARRIED 9/0

2.03pm Mrs Owen left the meeting and returned at 2.06pm.

Resolution

MOTION 10991

Moved Cr Milton
Seconded Cr De Landgraft
That Standing Orders be resumed.

MOTION CARRIED 9/0

Resolution

MOTION 10992

Moved Cr Chamberlain
Seconded Cr De Landgraft
That Council proceed to the next item of business.

MOTION CARRIED 7/2

15.6 **REGIONAL DEVELOPMENT ASSISTANCE PROGRAM - DEWAR ST LIGHT INDUSTRIAL SUBVISION**

Applicant:	Sean Fletcher
File No.	0361, 0369 and 0355
Attachments:	Regional Development Assistance Program Application Presentation to Community 12 April 2010 Letter of Support Wheatbelt Development Commission – <i>tabled at the meeting.</i>
Author:	Mr Sean Fletcher Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	16 April 2010
Senior Officer:	Mr Sean Fletcher Chief Executive Officer

Summary

This report seeks Council's approval for the Chief Executive Officer to submit an application under the Regional Development Assistance Program for the development by Landcorp of the Dewar St Light Industrial subdivision. The report also recommends submitting for budget consideration between \$20,000 to \$40,000 to assist Landcorp to develop the Dewar St Light Industrial subdivision.

Background

The Shire received an invitation from Landcorp to apply for regional development assistance under the Regional Development Assistance Program (RDAP) for 2010.

RDAP is State Government funding for Landcorp to undertake land developments in regional Western Australia. It is available for projects in towns where there are either limited or no active private developers and as a result real land supply needs are not currently being met. Landcorp or other State or local government agencies develop land to support regional communities where there is a demonstrable need even though, due to high servicing costs or low market prices, the development may not be attractive to the private sector. Residential, commercial, tourism and light industrial developments are all eligible for RDAP funding.

Accordingly, the author has suggested the development of 10 industrial lots by Landcorp using various Crown land holdings. This is currently known as the Dewar St Light Industrial Subdivision and is located in the Town of Lake Grace.

The proposed development will (as shown in Plan 5 in the application):

- Provide for the creation of nine (9) new separately titled lots to address the current shortage of vacant service commercial and light industrial land in the Lake Grace townsite;

- Incorporate additional land into Lot 3000 being Reserve 48143 to create opportunity for the future anticipated expansion and growth of the Shire's existing 'Community Recycling Depot'. However, this could then be exchanged for Block 9 and thus provide a larger block for sale and the preservation of local salmon gums at the same time.

The Dewar St Light Industrial Project is the number two priority within the Economic Diversity Focus area under the Shire's Strategic Plan. In hand with this, Council has considered the Dewar St Light Industrial Subdivision at a number of Council meetings as follows:

- 21 December 2005 Item 11.3 Industrial Land Lake Grace Town Site. A report was prepared for Council on four possible locations for industrial land in the town site: UCL Lots 166 & 359 Dewar St, Surplus Railway Land, Portion of Williams Location 10151 Kulin – Lake Grace Road and Lots 336 & 337 Thiel Street. Accordingly Council resolved through Motion 10020 to address the current shortage of vacant industrial land in the Lake Grace townsite by seeking a report from the Shire's administration on a preliminary subdivision design concepts for Site Options 1 and 2 identified as DA3 and DA4 in the Shire of Lake Grace Planning Strategy.
- 25 February 2009 Item 12.1 Proposed Road Closure – Portion of Boulton Street Lake Grace. Council through resolution 10734 resolved to close the unconstructed portion of the Boulton Street road reserves so that the Dewar Subdivision could go ahead. This included advertising this intention for 35 days and writing to all adjacent land holders and relevant service providers.
- 25 February 2009 Item 12.2 Proposed Light Industrial/Service Commercial Subdivision – Dewar St Lake Grace. The report to Council considered the estimated construction costs per block of \$40,000 with a further cost of Western Power headworks of \$20,000 per block. Total expected sales in accordance with the PL Bolto and Co Valuation Report were expected to be \$295,000. Council subsequently resolved through Motion 10723 to receive the valuation advice prepared by Licensed Valuer Mr Ian Bolto of PL Bolto and Co for the proposed subdivision development of various Crown landholdings along Dewar St, Lake Grace to create nine (9) new light industrial/service commercial type lots and to proceed with the project.
- 26 June 2009 Item 12.1 Proposed Road Closure – Unconstructed Portion of Boulton St Lake Grace. In summary Motion 10806 noted and endorsed the submissions received during the consultation period. As such, there was no objection to the road closure. Council's motion also requested the Minister for Lands to grant final approval to proposed closure of the Boulton Street Road Reserve.

State Land Services subsequently wrote to the Shire seeking a development lease over the land in question so that the project could be consolidated (Reserves, road reserve and lots) which was subsequently agreed on 22 January 2010 at a rental of \$500 per annum for five years. The necessary deposited plan was also prepared by State Land Services.

As the project is land development ready an application has been prepared by the author in accordance with the application requirements for Council's consideration and resolution.

Comment

Under the RDAP process, there are four main areas that Landcorp requires the Shire to address:

1. Liaising with the Department of Regional Development and Lands.

The author spoke to the relevant bodies concerned including Landcorp and the Wheatbelt Development Commission. Ms Coman from Landcorp advised that the most important criteria was proving the level of demand.

In discussions with Ms Shields Senior Project Officer with the Wheatbelt Development Commission, she advised that the WDC no longer provided letters of support. The author advised that the letter of support was required. Ms Shields subsequently advised on 21 April 2010 that she has discussed the matter with Landcorp and that a letter of support will arrive in time for the meeting.

The author also spoke to the Shire's Town Planner Mr Joe Douglas regarding the planning approval status of the project and its potential for assistance under the RDAP process.

2. Ensuring the application form is complete.

The application form has been completed in its entirety and all criteria either addressed or listed as not applicable. This includes not only the overview of the proposal but also Council's resolution confirming support for the proposal.

3. Checking that the necessary service infrastructure is available (eg water, power, sewerage).

This has been done and is itemised in the application:

- Water is available to the front of the site along Dewar St;
- Power is available up to the site;
- Sewerage can either be on site in a self contained unit or accessed through a line extended from the Caravan Park where a pumping station is also located.

4. Ensuring zoning of the land is appropriate (or has a resolution from council to initiate a rezoning).

Under the Shire's Local Planning Strategy and Local Planning Scheme, the area in question is zoned Service Commercial. This means it is available for the following type of commercial activity:

- Trade Display/Auction Mart;
- Communications/Telecommunications;
- Farm Supply Centre;
- Industry – Cottage;
- Motor Vehicle Repairs;
- Warehouse.

The subdivision has been approved by the WA Planning Commission on 22 June 2009 and is valid for four years. A deposited plan is now required to be prepared during this time and lodged with the appropriate fees to the Planning Commission.

Community Meeting 12 April 2010

The community meeting on 12 April was well attended. A total of 27 people in all were in attendance made up from community organisations, local businesses and individuals. The author gave an update on the project including a presentation. A copy of the presentation is attached to the report.

There was a range of questions from the floor showing a keen insight regarding the potential and pitfalls of the project. The questions and issues raised included:

- Clarification on the type of business that could be conducted on the Dewar St land i.e. service commercial/light industrial;
- Heavy industry would have to be undertaken/developed in a different location;
- Location of services and access to the blocks including a rear access or thoroughfare to the lots;
- Environmental issues including preservation of remaining salmon gums;
- Fallback position of seeking regional headworks funding under the Royalties Program should the RDAP application be unsuccessful.

From this meeting 21 letters of support have been received as well as nine letters expressing interest in purchasing the land concerned.

A subsequent letter was received from Elsie Bishop supporting the application but contained a list of 12 signatures requesting that Block 9 was exchanged for Reserve 46937 in order to keep the salmon gums.

Final Comments

The original project was for the development of nine lots and the tidy up of Reserve 46937. The project will be modified seeking development of ten lots with the Shire retaining one lot (Reserve 46937) so that it can continue

to undertake the recycling depot. It may be prudent to exchange Lot 9 with Reserve 46937 so that the Salmon Gums are preserved. This will also allow the Shire to look at promotion of a sustainable site regarding recycling and other vegetation and practices.

Appropriate costs will be factored into the 2010/11 Budget so various in-kind works can be undertaken by the Shire to assist Landcorp develop the land in question.

In the event that the RDAP application is unsuccessful, then the author will seek funding under the Royalties for Regions Headworks funding program which opens in October/November each year. A budget adjustment would be required if successful.

Legal Implications

Nil

Policy Implications

Nil.

Consultation

External

- Kylie Coman – Landcorp
- Pip Shields – Wheatbelt Development Commission
- Lake Grace Community 12 April 2010.

Internal

- Joe Douglas – Managing Partner URP (Shire's Town Planners)
- Senior Management Team
- Shire President
- Elected Member Updates

Financial Implications

Should Landcorp agree to undertake the Dewar St project, then the expected cost to the Shire would be in the order of \$20,000 - \$40,000 for some site works on behalf of Landcorp. It should be acknowledged that the Shire has already made a significant contribution to this project through:

- Undertaking appropriate land planning and approvals including using URP to assist with this process;
- In-kind costs in terms of the author's time and other staff contributions.

Ultimately the use of Landcorp to develop the land in question represents a potential saving to the community of approximately \$500,000.

Cost of Project

The cost to develop this project is put at \$535,501 i.e. \$59,500 per block including the expected Western Power Network cost of \$20,000. A copy of the preliminary cost estimate by JDSI consulting engineering is attached (excluding the Western Power Network costs) with the application.

Total sales are expected to be in the order of \$295,000 thus representing a loss of \$240,501.

Subdivision Details

The lots range in size from 2057m² to 4937m². A copy of the subdivision plan is attached (Proposed Subdivision Plan – Plans 4 & 5).

Strategic Implications

Shire of Lake Grace Strategic Plan - Focus 1 Economic Diversity

Provide sound and effective leadership in physical and financial management; to maintain a strong and flexible workforce that is well resourced to deliver infrastructure and services to businesses and communities within the Shire.

Voting Requirements

Simple majority required.

Recommendation/Resolution

MOTION 10993

Moved Cr Chamberlain
Seconded Cr Newman

That Council:

1. Authorises the Chief Executive Officer to submit an application under the Regional Development Assistance Program 2010 for the development by Landcorp of the Dewar St Light Industrial subdivision.
2. Forwards for 2010/11 budget consideration between \$20,000 and \$40,000 for in-kind costs that can be used to assist Landcorp develop the Dewar St Light Industrial subdivision.

MOTION CARRIED 9/0

15.7 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT - ATTENDANCE

Applicant: Australian Local Government Association
File No. 0636
Attachments: ALGA Letter & Position Paper
National General Assembly Program
Author: Mr Sean Fletcher
Chief Executive Officer
Disclosure of Interest: Nil
Date of Report: 19 April 2010
Senior Officer: Mr Sean Fletcher
Chief Executive Officer

Summary

The purpose of this report is to seek Council's approval for the Shire President (or his representative) and the Chief Executive Officer to attend the National General Assembly on 13-17 June 2010 in Canberra that includes dinner with the Prime Minister.

Background

The National General Assembly is the major local government event held each year to review and discuss key matters impacting on local government across Australia.

ALGA President Geoff Lake has commented that for the first time in our political history we now have a national Government that wants to work with state government and local government.

This year's NGA is the perfect platform for local government to develop strategies at the local and regional levels to respond to the challenges highlighted in the Intergenerational Report 3 (IGR3) report to ensure that Australia's future prosperity is secured and shared equally.

Discussions and debate at the NGA will focus around the three themes of productivity, population and participation. ALGA is inviting councils to submit motions for consideration at the NGA with the release of a discussion paper on the three themes. All councils are encouraged to contribute to the shaping of local government's national direction by submitting motions to this year's NGA.

As the federal election will almost certainly be held soon after the NGA, local government is in a unique position to exert influence on the election platforms of the major parties. To this end, the NGA will feature a session with prominent political commentators discussing the election and the opportunities and risks for local government. The leaders of all main political parties will also address the NGA.

The third meeting of the Australian Council of Local Government will be held in Canberra on Friday 18 June 2010. The welcome dinner and National Awards for Local Government will be held on the evening of Thursday 17 June. As was foreshadowed last year, the meeting will be held immediately after the ALGA National General Assembly. An invitation will be issued to the Shire President shortly.

Comment

The themes for the 2010 National General Assembly for Local Government (NGA) are: population, participation and productivity. The issues discussed in the attached paper to this item aim to assist councils with discussing a limited range of key policy issues that arise from consideration of recent Australian Treasury forecasts for each of the themes.

Intergenerational Report

In January 2010 the Australian Government released *Australia to 2050 future challenges*. The report is the third in a series of Intergenerational Reports which have been prepared by the Australian Treasury to provide a comprehensive analysis of the challenges that Australia will face over the next forty years. The *Intergenerational Reports 2002, 2007 and 2010* have provided a series of up-dated forecasts on Australia's future population, participation (particularly in the workforce) and national productivity.

The *Intergenerational Report 2010* (IGR3) shows that demographic and other factors include consideration of the following:

- the population will increase from the current 22 million to 35.9 million in 2050. Although reports in the last week are saying this is more like 46 million;
- it is expected that the number of older people (65 to 84 years) will more than double and the numbers of people over 85 years will more than quadruple over the next 40 years;
- the number of traditional working aged people to support each retiree is expected to fall from 5 people to 2.7 people by 2050;
- the annual growth of real GDP per person is expected to slow to 1.5 per cent by 2050, compared to an average of 1.9 per cent for the previous 40 years;
- substantial fiscal pressures will emerge due to projected increases in spending, particularly in the areas of health, age pensions and aged care.
- In addition to the 3 Ps analysis, the 2010 IGR also discusses climate change.

Each of the above has implications on the Shire of Lake Grace and its future.

Constitutional Recognition

Further discussion will be held on this important issue. ALGA is progressing this matter with the Federal Government. The main issue regarding funding will include additional wording under Section 96 of the Constitution “and local government”. There are also proposals being developed regarding indigenous matters, public health and hospitals.

The Rudd Government has given an undertaking to prepare a constitutional referendum question on this matter.

Australia Wide Rural Lobby Group

As reported previously, the Australia Wide Rural Lobby Group is holding its next meeting at the General Assembly. The Shire of Lake Grace is a founding member of this group.

Preparation of the Group’s terms of reference prior to the Federal Election is essential.

Politicians Attending

The Prime Minister is scheduled to give the opening address. At this point the Hon. Minister Albanese has confirmed his attendance to the General Assembly. The Leader of the Opposition Hon. Tony Abbott is attending along with the Leader of the Nationals Hon. Warren Truss and Hon Bob Green Leader of the Greens.

Legal Implications

Nil

Policy Implications

Nil

Consultation

- Shire President
- Council at Information Sessions

Financial Implications

Cost of Registration:	\$1,248.00
Cost of Travel & Accommodation:	\$3,300.00

This can be funded from E041196 – Sustainability Development which has a current balance of \$8,628.

Strategic Implications

Shire of Lake Grace Strategic Plan

Focus 6 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 10994

Moved Cr Milton
Seconded Cr Farrelly

That the Shire President (or another Elected Member if the Shire President is unavailable) and the Chief Executive Officer attend the National General Assembly of Local Government in Canberra during June 2010.

MOTION CARRIED 9/0

15.8 WAGIN REGIONAL REFUSE GROUP

Applicant: Wagin Regional Refuse Group
File No. 0680
Attachments: Minutes 29 March 2010 and 13 April 2010
Author: Mr Sean Fletcher
 Chief Executive Officer
Disclosure of Interest: Nil
Date of Report: 19 April 2010
Senior Officer: Mr Sean Fletcher
 Chief Executive Officer

Summary

The purpose of this report is for Council to consider issues raised through the Wagin Regional Refuse Group.

Background

The Shire of Lake Grace is a member of the Wagin Regional Refuse Group. The purpose of the Group is to improve waste management between the 12 member local governments.

Members of the group include:

- Cuballing
- Dumbleyung
- Lake Grace
- Narrogin Shire
- Narrogin Town
- Pingelly
- Wandering
- West Arthur
- Wickopin
- Williams
- Woodanilling
- Wagin

The Group is represented at officer level including CEO's, EHO's, relevant managers and project officers.

The Chairperson is the Wagin CEO.

The Executive Officer for the Group is M Nick Samson who was employed in 2009 through funding and Shire contributions.

Comment

Project Update

Since the engagement of Mr Nick Samson as Project Officer to this group, it has been successful regarding the following:

Project	Expression of Interest into Feasibility Study for Regional Refuse Site
Budget	\$18,000
Funding Source	Shire contribution \$1,500 each
Shire Contribution	\$1,500. CEO confirmed commitment 13/04/10
Status	Lindsay Stephens of Landform Research chosen to undertake study 13 April 2010

Project	Strategic Waste Initiative Scheme (SWIS) - Application to Develop Green Waste Compound
Budget	\$286,640
Funding Source	SWIS: \$154,640 Shires: \$132,000
Shire Contribution	\$33,000 10/11
Status	<ul style="list-style-type: none"> The shires of West Arthur, Wandering, Lake Grace and Wagin generates significant volumes of Greenwaste, the majority of which goes to landfill. The project aims to provide the infrastructure for local Greenwaste drop off facilities on council land close to the population centres for residents to drop-off Greenwaste for chipping and distribution back to residents. Could be part of recycling compound

Project	RIP Grants - Completed
Budget	\$250,000
Funding Source	Zero Waste: \$175,000 Shire contribution: \$75,000
Shire Contribution	\$8,962.92 (Paid)
Status	<ul style="list-style-type: none"> Local Environmental Management Plans for each tip developed. Will be implemented during 10/11; Report on green waste recycling developed. SWIS grants to be applied for; Mobile litter fences purchased for Lake Grace tips and implemented; Fencing wire and battery recycling developed. To be implemented 10/11. Includes tip signage and development of community flyers; Options for kerbside recycling strategy developed. To be reviewed further by Group; Materials recycling strategy developed. Outcomes to commence 10/11

Project	Review Of The Recommendations From The Strategic Waste Management Plan And Other Reports.
Budget	Nil
Funding Source	N/A
Shire Contribution	N/A
Status	Project manager will discuss these recommendations with Management Committee (Warren Bow, Len Calneggia & Martin Whitely).

The author has also established an internal waste management group so that the Shire's involvement with the Wagin Regional Refuse Group is maximised and key waste issues are addressed in future.

Legal Implications

Nil

Policy Implications

Nil

Consultation

External: Wagin Regional Waste Refuse Group

Internal: Waste Management Group (Manager Works, EHO, Works Overseer, Development Officer, CEO);
Elected Member Updates and Information Bulletin

Financial Implications

09/10

Total Project costs were \$250,000. Grant funding of \$175,000 was received with \$75,000 raised from participating local governments in the Wagin Regional Refuse Group. Shire of Lake Grace contribution was \$10,463 paid from the waste management accounts regarding each tip. This was unbudgeted expenditure.

2010/11

Shire of Lake Grace green waste compound at a cost of \$72,660 made up of \$39,660 SWIS Grant and \$33,000 Shire contribution. If the funding is unsuccessful, then this could be allocated to another project or service.

\$10,000 for ongoing membership costs of the Wagin Regional Refuse Group including other projects.

Strategic Implications

Shire of Lake Grace Strategic Plan

5.4 Strive for excellence in the management of environmental and natural resource infrastructure:

- Programs
- Waste management
- Water management
- Parks and Reserves
- Salinity

Voting Requirements

Simple majority required.

Resolution

MOTION 10995

Moved Cr Milton
Seconded Cr De Landgraft

That Standing Orders be suspended to allow discussion on the item.

MOTION CARRIED 9/0

Resolution

MOTION 10996

Moved Cr Milton
Seconded Cr Chappell

That Standing Orders be resumed.

MOTION CARRIED 9/0

Recommendation/Resolution

MOTION 10997

Moved Cr Milton
Seconded Cr De Landgraft

That Council:

1. Receive the Chief Executive Officer's report regarding the Wagin Regional Refuse Group.
2. Forwards for 2010/11 budget consideration:
 - a) \$33,000 towards the development of a green resource compound if the SWIS funding is successful;
 - b) \$10,000 for ongoing membership and project costs for the Wagin Regional Refuse Group.

MOTION CARRIED 9/0

15.9 EASTERN WHEATBELT DECLARED SPECIES GROUP – DECLARED SPECIES AGREEMENT 2009/10

Applicant: Eastern Wheatbelt Declared Species Group
File No. 0062
Attachments: Eastern Wheatbelt Declared Species Group Agreement 2009/10
Author: Mrs Nadene Owen
Manager Community Services
Disclosure of Interest: Nil
Date of Report: 20 April 2010
Senior Officer: Mr Sean Fletcher
Chief Executive Officer

Summary

This report recommends Council endorse the Eastern Wheatbelt Declared Species Group (EWDSG) Agreement 2009/10 between the Agriculture Protection Board of Western Australia (APBWA) and the Shires of Lake Grace, Kulin, Mukinbudin, Mount Marshall, Merredin and Nungarin.

Background

Council formally recommended Mr Darcy Roberts as its representative on the EWDSG at its Ordinary Council meeting held July 2007. It should be noted that although Mr Roberts was a Councillor at this time a person appointed to represent Council on this group is not required to be a Councillor, preferably someone who is familiar with the impact of wild dogs. On occasion when Mr Roberts is not able to attend Cr Dean Sinclair represents the Shire of Lake Grace at the meetings.

Council, at its April 2008 meeting, resolved to support EWDSG's Wild Dog control operations over the next three (3) years by way of a financial contribution of \$5000 per annum.

At its April 2009 Ordinary meeting Council moved to accept the EWDSG Regional Wild Dog Management Plan 2008/09-2010/11 and agreed that the Chair of the EWDSG endorse the documents on Councils' behalf.

Comment

The EWDSG Agreement 2009/10 proposes the inspection and minor maintenance and repairs to the State Barrier Fence from 01/01/10 to 31/12/12. The works will be undertaken on a 133 kilometre portion of the fence from Bagshaws Corner to the Lake King-Norseman road. The Department of Agriculture and Food Western Australia (DAFWA) will contribute \$92,000 for the works to be carried out within the 3 year period.

Mr Adrian Chesson, Lake Grace Biosecurity Officer, DAFWA, is the appointed Group Co-ordinator, and will liaise with the APBWA on behalf of the EWDSG in relation to all matters within the agreement.

A contractor, Mr Stuart McEwan, is in place to undertake the works required as per the agreement. Mr McEwan is a Declared Animal Operator and recognised for his work with wild dog control in the Wheatbelt area and is very familiar with the locality.

Legal Implications

N/A

Policy Implications

N/A

Consultation

Internal – Sean Fletcher, Chief Executive Officer, Shire of Lake Grace
Phil Gough, Great Southern Ranger Services
Marcus Owen, Natural Resource Manager

External- Peter Clarke, Chief Executive Officer, Shire of Yilgarn
Adrian Chesson, Biosecurity Officer, Department of Agriculture and Food Western Australia.

Financial Implications

This report has no financial implications however as a note, Council, at its April 2008 meeting, resolved to support EWDSG's Wild Dog control operations over the following three (3) years by way of a financial contribution of \$5000 per annum.

Strategic Implications

Shire of Lake Grace Strategic Plan

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 10998

Moved Cr Farrelly
Seconded Cr De Landgraft

That Council:

1. Endorse the Eastern Wheatbelt Declared Species Group (EWDSG) Agreement 2009/10 between the Agriculture Protection Board of Western Australia and the Shires of Lake Grace, Kulin, Mukinbudin, Mount Marshall, Merredin and Nungarin.
2. Authorise the Chief Executive Officer to sign the Agreement.

MOTION CARRIED 9/0

16.0 URGENT BUSINESS BY DECISION OF THE MEETING

None.

17.0 SCHEDULING OF MEETING

17.1 MAY 2010 ORDINARY MEETING

Motion 10913 November 2009 states:

An Ordinary Meeting of Council will be held on Wednesday 26 May 2010, commencing at 6:00pm at the Newdegate Library Telecentre, Collier St Newdegate.

18.0 CONFIDENTIAL BUSINESS – As per Local Government Act s5.23 (2)

Section 5.23 of the Local Government Act 1995 states:

5.23 Meetings generally open to the public

(1) Subject to subsection (2), the following are to be open to members of the public —

- (a) all council meetings; and Council meetings, committees and their meetings and electors' meetings
- (b) all meetings of any committee to which a local government power or duty has been delegated.

(2) If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following —

- (a) a matter affecting an employee or employees;
- (b) the personal affairs of any person;
- (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;
- (d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting;
- (e) a matter that if disclosed, would reveal —
 - (i) a trade secret;
 - (ii) information that has a commercial value to a person; or
 - (iii) information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government;
- (f) a matter that if disclosed, could be reasonably expected to —
 - (i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law;
 - (ii) endanger the security of the local government's property; or
 - (iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety;
- (g) information which is the subject of a direction given under section 23(1a) of the Parliamentary Commissioner Act 1971; and
- (h) such other matters as may be prescribed.

(3) A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.

19.0 CLOSURE

There being no further business, the Chairperson closed the meeting at 2.55 pm.

20.0 CERTIFICATION

I Andrew James Walker certify that the minutes of the meeting held on the 28 April 2010 as shown were confirmed as a true record at the meeting held on the 26 May 2010.

Chairman

Date