

Shire of Lake Grace



# ***Minutes***

Ordinary Council Meeting

22 April 2009

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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 22 April 2009.

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

The Chairperson (President) opened the meeting at 1.13pm.

### **2.0 ATTENDANCE RECORD**

#### **2.1 PRESENT**

Cr AJ Walker	Shire President
Cr IG Chamberlain	Deputy Shire President
Cr JF De Landgraft	
Cr AJ Dunkeld	
Cr AI Milton	
Cr WA Newman	
Cr OP Farrelly	
Cr DP Sinclair	<i>entered the meeting at 3.08pm</i>
Cr RP Taylor	
Mr HJ Fraser	Chief Executive Officer
Mr MW Burbridge	Manager Corporate Services
Mrs N Owen	Acting Manager Community Services
Mrs J Bennett	Executive Assistant

#### **2.2 APOLOGIES**

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

**Motion 10728: 25 February 2009**

Cr Andrew Walker – Leave of Absence from 3 August to 11 September 2009.

### **3.0 PUBLIC QUESTION TIME**

No members of the public present.

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

None.

**5.0 MINUTES OF PREVIOUS COUNCIL MEETINGS**

**5.1 ORDINARY MEETING – 25 MARCH 2009**

Resolution

**MOTION 10773**

Moved Cr Dunkeld  
Seconded Cr De Landgraft

That the minutes of the Ordinary Meeting of Council held on the 25 March 2009 be confirmed as a true and accurate record.

**MOTION CARRIED 8/0**

**6.0 DECLARATIONS OF INTEREST**

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

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

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

**7.0 NOTICES OF URGENT BUSINESS**

**7.1 2009 CEO SLECTION COMMITTEE**

The Shire President advised the meeting he has an item of urgent business to deal with regarding a CEO Selection Committee Recommendation – refer Item 17.1

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

None

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

None

**10.0 MEMBERS' REPORTS****10.1 CR DE LANGRAFFT**

Reported attendance with Cr Sinclair at an opening function for the Lake King Toilets organised by the Lake King Progress Association. A BBQ followed.

**10.2 CR DUNKELD**

Attended a meeting of the Newdegate Recreation Council – items discussed:

- Lighting of the hockey oval – the Field Day Committee are looking at purchasing portable lighting.
- Building of a second dam as a back up for watering of the ovals.
- Tractor shed – the application submitted by the Rec Council to the Field Day for funding was refused.

**10.3 CR MILTON**

Over the past month has attended:

- Local Buniche/Beenong landowners meeting held at Chappell's farm to determine which local roads are most used by loaded trucks. It was a well attended positive meeting and landowners readily gave information for the collection of tonnage by road data. Council's CEO & Works Consultant also attended the meeting. During the meeting the Shire was asked to investigate usage of West Kuender Road – this is used as the transport route to Perth by landowners living in that area.
- Annual Electors Meeting
- Blessing of the Roads Ceremony – Lake Grace
- Ambulance Meeting – at this meeting it was advised that plans for renovations to the existing ambulance building are to be ready by November.

**10.4 CR WALKER**

Attended:

- Blessing of the Roads Ceremony – Lake Grace
- Annual Electors Meeting
- Local Govt Reform Meeting at Dumbleyung with CEO – the meeting was convened by Shire of Dumbleyung to discuss the possible formation of a Voluntary Regional Organisation of Councils with Shires of Dumbleyung and Kent. Also discussed were the possibilities for resource sharing between the Councils. Dumbleyung have conducted a community survey re the reform process with one of the questions asking which way the residents would prefer to realign - the result was quite evident that people are keen to come Lake Grace's way. Lake Grace informed the meeting that the matter of formation of a VROC would be brought to Council – *refer Item 15.2.*

**11.0 MATTERS FOR CONSIDERATION – WORKS & SERVICES**

*No items for consideration*

## 12.0 MATTERS FOR CONSIDERATION – TOWN PLANNING

### 12.1 PLANNING APPLICATION – PROPOSED NEW GARAGE – Lot 142 WRIGHT PLACE LAKE GRACE

<b>Applicant:</b>	J & P Willcocks (Landowners)
<b>File No.</b>	0454
<b>Attachments:</b>	Plans 1 to 6
<b>Authors:</b>	Mr Joe Douglas & Mr Carlo Famiano Town Planning Consultants
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	15 April 2009
<b>Senior Officer:</b>	Mr Jim Fraser Chief Executive Officer

#### Summary

This report provides details and recommendations in respect of an application for Council's planning consent submitted by Mr & Mrs Willcocks (landowners) to construct a new steel framed, colorbond garage (outbuilding) at the rear of Lot 142 (HN.8) Wright Place, Lake Grace to replace an existing structure of similar size and location.

#### Background

Lot 142 (HN.8) Wright Place, Lake Grace is located in the central-southern portion of the Lake Grace townsite on the south-western corner of the intersection of Griffiths Street and Wright Place. The lot comprises a total area of approximately 965m<sup>2</sup> and has direct frontage to Wright Place along its northern boundary, Griffiths Street along its eastern boundary and a laneway constructed to a gravel standard along its rear (southern) boundary (see Plan 1 – Location Plan and Plan 2 – Existing Lot Configuration).

The subject land has been developed for residential purposes and comprises a single storey detached dwelling constructed on the front (northern) portion of the property, whilst the rear of the property currently contains an existing garage/storage shed (see Plan 3 – Aerial Photograph).

The adjoining lot to the west has been similarly developed and used for residential purposes whilst the property to the east (opposite Griffiths Street) comprises a kindergarten and the adjoining property to the south (opposite the laneway) has been developed and is used for the purposes of a motel.

The application seeks Council's planning approval to construct a new 85.2m<sup>2</sup> (12.176m x 7m) colorbond garage (outbuilding) at the rear of Lot 142 to replace an existing garage/storage shed in the same location which currently has a nil setback to both Griffiths Street and the rear laneway (see Plan 4 – Proposed Site Plan). According to the plans provided by the applicant the proposed garage is slightly smaller in area than the existing garage/storage shed and is intended to be used for the garaging of vehicles.



The applicant has provided sufficiently detailed plans in support of the application (see Plans 4, 5 & 6). In summary, the proposed garage is steel framed with green colorbond sheeting ('Wilderness'). The proposed building will have a wall height of 3 metres and a ridge height of 3.5 metres above the natural ground level.

The plans submitted in support of the application illustrate that the proposed garage (outbuilding) will replace an existing old garage/storage shed, located at the rear of the property and will result in vehicular access for the garage being obtained from the secondary street (i.e. Griffiths Street). The plans also illustrate a nil setback for the proposed garage to both the Griffiths Street boundary and the rear laneway boundary which is consistent with the existing setbacks of the existing garage/storage shed on the property.

#### Comment

Lot 142 (HN.8) Wright Place is currently classified 'Residential' zone in the Shire of Lake Grace Local Planning Scheme No.4 (LPS No.4) with an applicable residential density coding of R20.

Council's stated objectives for all land classified 'Residential' zone under LPS No.4 are:

- To achieve a high standard of residential development in accordance with contemporary planning and development practice for the benefit of the community of the Shire of Lake Grace.
- To enhance the character and amenity of residential areas.
- To provide for residential development at a range of densities with a variety of housing types to meet the needs of the community.
- To provide an opportunity for residents to undertake occupations ancillary to the use of their dwelling that are compatible in character, scale and operation with the residential use and which will not have an adverse affect upon the existing character and amenity of these areas.

It is considered that the proposed garage satisfies the objectives for the 'Residential' zone contained in LPS No.4. Notwithstanding this general conclusion, Council should, in determining the application, also consider whether or not the proposal satisfies the relevant development standards of the Residential Design Codes (R-Codes) and clause 5.19 in LPS No.4 as this applies specifically to the development of 'outbuildings'.

#### **Residential Design Codes**

An assessment of the proposal against the R-Codes identifies that the proposed garage satisfies the majority of design elements except for the proposed setback from the secondary street (i.e. Griffiths Street) and the maximum wall height permitted for outbuildings.

In regards to the secondary street setback, the 'acceptable development' provisions of Element 6.2.1 ('Setbacks of Buildings Generally') identifies that a building or structure requires a minimum setback of 1.5 metres from the secondary street boundary for land coded R20. The proposal indicates a nil setback. The objective of the 1.5 metre setback is to reduce any impacts a building/structure may have on the local streetscape in terms of bulk and scale.

Whilst it is recognised that the existing garage/storage shed on Lot 142 has a nil setback to the land's Griffiths Street frontage, it is recommended that Council require that the proposal comply with the 'acceptable development' provisions of the R-Codes in terms of the minimum required setback to Griffiths Street (i.e. 1.5 metres) to help reinstate the open character of the street and improve the overall amenity of the streetscape.

In regards to the maximum wall height of the garage, the 'acceptable development' provisions of Element 6.10.1 ('Outbuildings') identify a maximum wall height of 2.4 metres with a maximum ridge height of 4.2 metres. The proposal indicates a wall height of 3 metres with a ridge height of 3.5 metres. In considering this design element it is noted that clause 5.19.8 of the Shire's LPS No.4 varies the provisions of the R-Codes in regards to maximum wall heights by allowing a wall height of 3 metres. Given the Scheme provisions and the fact that the proposed wall height is unlikely to have a detrimental impact on either the streetscape or the adjoining properties, it is recommended that Council support this proposed variation to the 'acceptable development' provisions of the R-Codes.

#### **Local Planning Scheme No.4 (LPS No.4)**

An assessment of the proposal against the development standards prescribed by clause 5.19 of LPS No.4 has revealed that the proposed garage satisfies the majority of the standards except for the maximum permitted area of an outbuilding, the proposed nil setback to the rear (laneway) boundary and the maximum ridge height. These issues are discussed in detail below.

Clause 5.19.4 of LPS No.4 states:

*"The maximum floor area of an outbuilding constructed of non-reflective cladding (e.g. brick, colorbond or timber) shall be 80 square metres unless otherwise approved by the local government."*

The total outbuilding area contained on Lot 142, should approval be granted, will be approximately 85.2m<sup>2</sup>. In considering whether or not to vary the stated Scheme requirements and therefore whether or not to grant approval to the proposed outbuilding Council should consider whether the proposed outbuilding is likely to have a detrimental impact on the residential amenity of the immediate locality, its residents or neighbouring properties.

The variation being sort of 5.2m<sup>2</sup> is considered minor and is unlikely to result in any adverse impact on either the adjoining properties or the local streetscape, therefore the proposed area of the garage is supported.

Clause 5.19.7 of LPS No.4 states:

*"An outbuilding shall have a minimum setback of 1.0 metres from side and rear boundaries, with eaves not closer than 0.75 metres to such boundaries measured from the outer edge of the gutter, unless otherwise approved by the local government."*

Whilst it is recognised that the existing garage/storage shed on Lot 142 has a nil setback to the laneway, it is recommended that Council require that the proposal complies with the minimum required setback specified in LPS No.4 of 1 metre. The provision of a 1 metre setback from the laneway will assist with any potential widening of the laneway in the future, improve manoeuvring within

the laneway and create a visual truncation at the intersection of the laneway and Griffiths Street therefore improving sight lines and traffic safety.

Clause 5.19.8 of LPS No.4 states:

*“The wall height of any outbuilding including parapet walls shall not exceed 3 metres or 3.3 metres at the apex of a pitched roof unless otherwise approved by the local government.”*

The proposed wall height of the garage is 3 metres, therefore compliant with the provisions of LPS No.4. The maximum height to the ridge is 3.5 metres which results in a variation of 300mm above the maximum height permitted by LPS No.4. In reviewing the proposal in context with the surrounding area, the proposed variation to the development standards is considered minor and would not result in any adverse impacts on either the adjoining properties or the local streetscape and may therefore be supported.

In considering the above matters it should also be noted that the proposed garage (outbuilding):

- i) replaces an existing old (run down) garage/storage shed in a similar location with similar dimensions;
- ii) is constructed of new materials;
- iii) will not result in a detrimental impact on the local streetscape if a 1.5 metre setback to the secondary street (i.e. Griffiths Street) is provided;
- iv) maintains adequate open space areas around the dwelling (i.e. backyard space);
- v) satisfies the maximum wall height requirements of LPS No.4; and
- vi) will be restricted in its use for purposes incidental to the residential use of the land only.

Having regard to the above it may be reasonable for Council to form the view that the proposed outbuilding on Lot 142 will not have a detrimental impact on the residential amenity of the immediate locality, its residents or neighbouring properties and, to that extent, may grant its approval to the proposal subject to relevant conditions.

If the applicant is aggrieved by the decision of Council, or is aggrieved by any condition of approval imposed by Council, a right of review to the State Administrative Tribunal exists in accordance with clause 10.10 of LPS No.4 and Part 14 of the Planning and Development Act 2005.

### **Conclusion**

It is concluded from a detailed assessment of the application in the context of the Shire’s current LPS No.4 that the proposal to construct a new colorbond garage (outbuilding) at the rear of Lot 142 (HN.8) Wright Place, Lake Grace is capable of being implemented in a proper and orderly manner and is unlikely to have a negative impact upon the general amenity, character, functionality and safety of the immediate locality subject to compliance with a number of conditions which address the following matters:

- The need to ensure the preparation and submission of satisfactory building plans to the Shire for the issuance of a building license prior to the construction of the proposed garage;

- The need to ensure that the proposed garage is not used for any purposes other than those permitted under the Shire's operative Local Planning Scheme and/or specifically approved by Council;
- The need to ensure that the proposed garage is located on the land so as to satisfy setback requirements, specifically the secondary street and rear setbacks; and
- The need to ensure adequate management of on-site stormwater drainage.

Legal Implications

Planning and Development Act 2005

Shire of Lake Grace Local Planning Scheme No.4

Policy Implications

Nil

Consultation

External: Community consultation not required by Local Planning Scheme No.4.

Cultural Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Recommendation

That Council resolve to approve the application for planning consent submitted by J & P Willcocks to construct a new steel framed, colorbond garage ('outbuilding') at the rear of Lot 142 (HN.8) Wright Place, Lake Grace generally 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 two (2) years from the date of this approval. If the development is not completed within this period the approval will lapse and be of no further effect. Where an approval has lapsed, no development shall be carried out without the further approval of the Shire of Lake Grace having first been sought and obtained.
2. A completed building licence application must be submitted to and approved by the Shire's Building Surveyor prior to the commencement of any earthworks or construction on the land.
3. The proposed garage (outbuilding) shall be setback no less than 1.5 metres to the eastern boundary (Griffiths Street boundary) to the satisfaction of the Shire of Lake Grace.
4. The proposed garage (outbuilding) shall be setback no less than 1 metre to the southern (laneway) boundary to the satisfaction of the Shire of Lake Grace.

5. The proposed garage (outbuilding) shall have adequate clearance from any existing underground essential service infrastructure (e.g. reticulated sewerage, water, etc.) as required by the relevant service agencies.
6. All stormwater drainage discharge generated by the approved shed shall be managed to the specifications and satisfaction of the Shire.
7. The proposed garage (outbuilding) shall be used for domestic storage purposes only unless otherwise approved by Council.
8. The proposed garage (outbuilding) shall be externally clad with 'Wilderness' coloured colorbond sheeting and shall have a total floor area not exceeding 85.2m<sup>2</sup>.
9. The proposed garage (outbuilding) shall have a maximum ridge height of 3.5 metres.
10. Any proposed new crossover shall be suitably constructed to the specifications and satisfaction of the Shire of Lake Grace.

#### Voting Requirements

Simple majority required.

#### Recommendation/Resolution

### **MOTION 10774**

Moved Cr Taylor  
Seconded Cr Farrelly

That Council approve the application for planning consent submitted by J & P Willcocks to construct a new steel framed, colorbond garage ('outbuilding') at the rear of Lot 142 (HN.8) Wright Place, Lake Grace generally 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 two (2) years from the date of this approval. If the development is not completed within this period the approval will lapse and be of no further effect. Where an approval has lapsed, no development shall be carried out without the further approval of the Shire of Lake Grace having first been sought and obtained.
2. A completed building licence application must be submitted to and approved by the Shire's Building Surveyor prior to the commencement of any earthworks or construction on the land.
3. The proposed garage (outbuilding) shall have adequate clearance from any existing underground essential service infrastructure (e.g. reticulated sewerage, water, etc.) as required by the relevant service agencies.
4. All stormwater drainage discharge generated by the approved shed shall be managed to the specifications and satisfaction of the Shire.
5. The proposed garage (outbuilding) shall be used for domestic storage purposes only unless otherwise approved by Council.

**MOTION 10774 continued.**

6. The proposed garage (outbuilding) shall be externally clad with 'Wilderness' coloured colorbond sheeting and shall have a total floor area not exceeding 85.2m<sup>2</sup>.
7. The proposed garage (outbuilding) shall have a maximum ridge height of 3.5 metres.
8. Any proposed new crossover shall be suitably constructed to the specifications and satisfaction of the Shire of Lake Grace.

**MOTION CARRIED 8/0**

***REASON FOR CHANGE***

***Council removed the necessity for setbacks to the side and rear boundaries as the existing shed walls are already on the boundary and the extra fencing required to take in the setbacks will incur extra costs for the landowner.***

## 12.2 PLANNING APPLICATION – PROPOSED LPG BOTTLE EXCHANGE FACILITY – LOT 14 MALEY ST NEWDEGATE

**Applicant:** Newdegate Hire Pty Ltd (Mr Len Armstrong)  
**File No.** 0455  
**Attachments:** Plans 7 to 12  
**Author:** Mr Joe Douglas & Mr Steve Pandevski  
 Town Planning Consultants  
**Disclosure of Interest:** Nil  
**Date of Report:** 15 April 2009  
**Senior Officer:** Mr Jim Fraser  
 Chief Executive Officer

### Summary

This report provides details and recommendations in respect of an application for planning consent submitted by Mr Len Armstrong of Newdegate Hire Pty Ltd to establish a Kleenheat Gas LPG Bottle Exchange Facility on Lot 14 (No.25) Maley Street, Newdegate. It is understood that development of the land to accommodate the proposed use commenced in March 2009.

### Background

At its ordinary meeting held on 25 March 2009 Council considered an informal application (written request) submitted by Newdegate Hire Pty Ltd for in-principle approval to establish a Kleenheat Gas LPG Bottle Exchange Facility on Lot 14 (No.25) Maley Street, Newdegate.

At that meeting Council resolved (motion 10755):

*“That the establishment of an LPG Bottle Exchange Facility on the subject land, which is classified ‘Residential’ zone in Local Planning Scheme No.4 (LPS No.4), is consistent with the objectives of the zone and that Council accordingly requires the applicant to submit a completed planning application form with suitable plans for approval.”*

The applicant has recently submitted a formal planning application to the Shire seeking Council’s planning approval for the proposed development and use.

Lot 14 (No.25) Maley Street, Newdegate is located centrally within the Newdegate townsite on the south-western side of Maley Street (to the north west of Mitchell Street and to the south-east of Francis Street) (see Plan 7– Location Plan).

The lot comprises a total area of approximately 1,012m<sup>2</sup> and has approximately 20 metres of direct frontage to Maley Street and an unsealed (i.e. gravel) laneway at the rear.

According to the latest aerial photography available from Landgate the subject land currently contains a building which appears to be located towards the rear on the boundary between Lots 14 & 15. The land is extensively cleared.

The surrounding land uses are generally described as follows:

- North-West: Vacant Crown Reserve (R19616) zoned 'Residential' with low density residential development beyond;
- South-West: Laneway with low density residential development beyond;
- South-East: Low density residential development; and
- North-East: Maley Street and service commercial development beyond (see Plan 8 – Aerial Site Plan).

The subject land has historically been used for non-residential, non-conforming uses (i.e. a bakery and then a transport depot), all of which are understood to have ceased.

The applicant has submitted plans in support of the proposed development and use of the site as an LPG Bottle Exchange Facility (see Plans 9 to 12).

The plans submitted identify that:

- i) the existing building on the site will continue to be used for purposes associated with the storage and distribution of LPG gas bottles;
- ii) a small outbuilding located at the rear of the building will be removed;
- iii) perimeter fencing and a vehicle access gate will be installed; and
- iv) a storage compound for LPG bottles with approximate dimensions of 6.1m x 6.2m will be constructed in a location centrally between the front of the property (Maley Street boundary) and the existing building on the site.

#### Comment

As previously mentioned Council at its Ordinary Meeting held on 25 March 2009 resolved that the establishment of an LPG Bottle Exchange facility on the subject land is consistent with the objectives of the land's current 'Residential' zoning classification under Local Planning Scheme No. 4 (LPS No.4) and accordingly requested the applicant to submit a formal planning application for Council's consideration.

The use of the subject land for an LPG Bottle Exchange facility does not comfortably fall within any single defined land use under LPS No.4 and to that extent must be dealt with as a 'Use not Listed' in LPS No.4. Under the terms of clause 9.4.1 (b) of LPS No.4 where an application is made for planning approval to commence a use or commence or carry out development which involves a use which is not listed in the Zoning Table, Council is unable to grant planning approval to that application until such time as it has been advertised for public comment for a minimum period of 14 days.

In light of the specific requirements of clause 9.4.1 (b) of LPS No.4 the proposed development and use of Lot 14 (No.25) Maley Street, Newdegate will need to be advertised for public comment prior to the issuance of planning approval.

In order to help expedite the processing and determination of the application it is recommended that Council grant to the Chief Executive Officer (or his nominee) delegated authority to approve the application, subject to suitable conditions, in the event that no substantial objections to the proposal (as



determined by the Chief Executive Officer) are received during the 14 day public advertising period. In the event that substantial objections to the proposal are received by the Shire, it is recommended that the matter again be presented to the next available Council meeting for final determination.

In issuing any approval to the application it is recommended that suitable conditions be imposed to address the following matters:

- The need for a building licence for any works proposed on the site as required by the Shire's Building Surveyor.
- The need for the development to be constructed and operated in accordance the requirements of Kleenheat Gas and all relevant State and Federal Government legislation and regulations.
- The need to improve the amenity along the land's frontage to Maley Street by perhaps requiring the establishment of a landscaped buffer strip; and
- The need to maintain a reasonable level of residential amenity for surrounding properties by limiting noise emission, light emission, dust nuisance and storm water discharge from the site.

Legal Implications

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

Policy Implications

Nil

Cultural Implications

Nil

Consultation

External: Community consultation required in a manner consistent with clause 9.4 of the Shire of Lake Grace Local Planning Scheme No.4 for a minimum period of 14 days.

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Simple majority required.

Recommendation/Resolution

**MOTION 10775**

Moved Cr Newman  
Seconded Cr De Landgraft

That Council:

1. Requires the application for planning consent submitted by Mr Len Armstrong of Newdegate Hire Pty Ltd to establish a Kleenheat Gas LPG Bottle Exchange Facility on Lot 14 (No.25) Maley Street, Newdegate to be advertised for public comment for a minimum period of 14 days in accordance with the specific requirements of clauses 9.4.1 and 9.4.3 of the Shire of Lake Grace Local Planning Scheme No.4.

2. Grant to the Chief Executive Officer or his nominee delegated authority to approve the application for planning consent submitted by Mr Len Armstrong Newdegate Hire Pty Ltd for a Kleenheat Gas LPG Bottle Exchange Facility on Lot 14 (No.25) Maley Street, Newdegate in accordance with the details of the plans submitted in support of the application and subject to the following conditions if, at the conclusion of the public advertising period no substantial objections have been received by the Shire:

i) A completed building licence application must be submitted to and approved by the Shire's Building Surveyor for any earthworks or construction on the land.

ii). The development is to be constructed and operated in accordance the specific requirements of Kleenheat Gas and all relevant State and Federal legislation and regulations.

iii) A 3 metre wide vegetated "strip" is to be planted on the land along the Maley Street frontage for the purpose of providing a positive contribution to the Maley Street streetscape to the satisfaction of the Shire of Lake Grace.

iv) The landscaping is to be established within 60 days of the date of this approval and maintained to the satisfaction of the Shire of Lake Grace.

v) The noise generated by activities on-site, including machinery motors or vehicles is not to exceed the levels as set out under the Environmental Protection (Noise) Regulations 1997.

vi) The carrying on of the development and use must not cause a dust nuisance to neighbours. Where appropriate such measures as installation of sprinklers, mulching or sealing of access ways and parking areas shall be implemented to prevent or control dust nuisance as directed by and to the satisfaction of the Shire of Lake Grace.

**MOTION 10775 continued**

vii) Should floodlights be required they shall not be illuminated after 10pm, with all illumination being confined to the limits of the development or as otherwise approved by the Shire of Lake Grace in writing.

viii) The discharge of any additional storm water drainage generated by the development shall be contained within the lot to the satisfaction of the Shire of Lake Grace.

ix) Any proposed advertising signage must be provided in accordance with the specific requirements of the Shire of Lake Grace Local Planning Scheme No.4.

3. If any substantial objections to the proposal are received during the public advertising period the application shall be presented at the next available Council meeting for further consideration and a final determination by Council.

**MOTION CARRIED 8/0**

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

*No items for consideration*

## 14.0 MATTERS FOR CONSIDERATION – FINANCE

1.57pm Cr Farrelly left the meeting.

### 14.1 ACCOUNTS FOR PAYMENT – MARCH 2009

**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:** 15 March 2009  
**Senior Officer:** Mr Jim Fraser  
 Chief Executive Officer

#### Summary

For Council to ratify expenditures incurred for the month of March 2009.

#### Background

List of payments for the month of March 2009 through the Municipal account is attached.

#### Comment

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

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

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

#### Legal Implications

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

#### Policy Implications

N/A

#### Consultation

N/A

#### Financial Implications

The list of creditors paid for the month of March 2009 from the Municipal Account totals \$636,729.89. There were no Trust Account payments during March 2009.

#### Strategic Implications

N/A

Cultural Implications

N/A

Recommendation

Voting Requirements

Simple majority required.

Recommendation/Resolution

**MOTION 10776**

Moved Cr Taylor  
Seconded Cr Newman

That Municipal Account cheques 33516 to 33540, Electronic Funds Transfers EFT4924 to EFT5012, and direct debits to the Municipal Accounts totalling \$636,729.89; 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 7/0**

## 14.2 FINANCIAL STATEMENTS – MARCH 2009

2.59pm *Cr Farrelly returned to the meeting.*

**Applicant:** Shire of Lake Grace  
**File No.** 0275  
**Attachments:** Financial Reports  
**Author:** Danielle Robertson  
Senior Finance Officer  
**Disclosure of Interest:** Nil  
**Date of Report:** 15 April 2009  
**Senior Officer:** Jim Fraser  
Chief Executive Officer

### Summary

Consideration of the financial statements for the month ending 31 March 2009.

### 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 Expenditure and Operating Income Graphs
- Bank Reconciliations

### Legal Implications

Local Government Act 1995 – section 6.4  
Local Government (Financial Management) Regulations 1996

### Policy Implications

N/A

### Community Consultation

N/A

### Financial Implications

Nil

### Strategic Implications

N/A

### Cultural Implications

N/A

### Voting Requirements

Simple majority required.

Recommendation/Resolution

**MOTION 10777**

Moved Cr Newman  
Seconded Cr Dunkeld

That the financial reports for the month ending 31 March 2009 as attached be received.

**MOTION CARRIED 8/0**



### 14.3 INVESTMENT OF SURPLUS FUNDS

**Applicant:** Shire of Lake Grace  
**File No.** 0267  
**Attachments:** Nil  
**Author:** Mr Mark Burbridge  
 Manager Corporate Services  
**Disclosure of Interest:** Nil  
**Date of Report:** 15 April 2009  
**Senior Officer:** Mr Jim Fraser  
 Chief Executive Officer

#### Summary

Report on the investment of surplus funds for the Municipal and Reserve Funds.

#### Background

A report on investment activity is presented to Council each month (where applicable) in accordance with Council Policy 3.5.

#### Comment

The following surplus funds have been invested during March 2009:

Financial Institution	Fund	Lodgement	Maturity	Term	Amount	Interest Rate
Elders Rural Bank	Municipal	12/12/08	12/03/09	3 months	\$769,144.81	5.70%
<i>Transferred to Cash Management Account Below:</i>						
BankWest	Municipal	23/03/09	N/A	N/A	\$1,000,000.00	3.65%
Elders Rural Bank	Reserve	12/09/08	12/03/09	6 months	\$1,200,000.00	8.05%
<i>Reinvested Below</i>						
Elders Rural Bank	Reserve	12/03/09	12/06/09	3 months	\$1,247,822.75	4.50%

Council held approximately \$100,000 in its Municipal Cheque account at the end of March to meet upcoming cash expenditure requirements. A cash management account with BankWest Lake Grace has been established with the aim of maximising Council's interest returns whilst maintaining availability of funds in the short term. This approach also helps limit Council's financial exposure as deposits up to \$1million with each financial institution are automatically covered by the Federal Government's Deposit Guarantee.

#### Legal Implications

Nil

#### Policy Implications

As per Council Policy 3.5

#### Consultation

N/A

Financial Implications

N/A

Strategic Implications

N/A

Voting Requirements

Simple majority required.

Recommendation/Resolution

**MOTION 10778**

Moved Cr Taylor  
Seconded Cr Dunkeld

That Council receive the March 2009 investment report.

**MOTION CARRIED 8/0**

## 15.0 MATTERS FOR CONSIDERATION – ADMINISTRATION

### 15.1 POLICY REVIEW

<b>Applicant:</b>	Chief Executive Officer
<b>File No.</b>	0050
<b>Attachments:</b>	Existing Policies 1.3, 4.2 & 4.3
<b>Author:</b>	Mr Jim Fraser Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	15 April 2009
<b>Senior Officer:</b>	Mr Jim Fraser Chief Executive Officer

#### Summary

This report recommends changes to Policies 1.3 Annual Dinner, 4.2 Staff Subsidy – Owner Occupied Housing and 4.3 Senior Employees.

#### Background

Staff have been reviewing policies and the current agenda item provides a further opportunity for review.

The Policy Manual includes reference to the manner in which Policy is to be amended and is as follows:

*Additions, deletions or alterations to Council Policy shall only be effected by specific Council resolution stating:*

- *The proposed policy; and,*
- *That the Policy Manual be updated*

#### Comment

##### **Governance Policy 1.3 – Annual Dinner**

Policy 1.3 Annual Dinner was amended in June 2006 to broaden the objectives to recognise honours bestowed by organisations outside of the Shire.

To reflect the views of the current Council it is recommended the policy be further amended as follows.

#### **Policy**

Council is to hold a dinner every two years following the electoral cycle; the function is to be held during October/November and to be restricted to current Councillors and their partners; immediate past Councillors and their partners and Senior Staff and their partners.

**Objectives**

To host a bi-annual dinner at the conclusion of the two year electoral cycle to recognise the contribution of serving and immediate past Councillors and their partners.

**Guidelines**

Function to be held within a reasonable time of the elections.

**History**

Former Policy.

Amended as per review Motion 10222 June 2006.

**Review**

Chief Executive Officer

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**Staff Policy 4.2 Staff Subsidy – Owner Occupied Housing**

**Policy**

All permanent full time staff homeowners living in their own home within a gazetted townsite in the Shire shall receive a subsidy equal to the Shire rates and charges payable in respect to that property.

All permanent part time staff homeowners living in their own home within a gazetted townsite in the Shire shall receive a subsidy on a pro-rata basis calculated on their full time equivalent for Shire rates and charges payable in respect to that property.

**Objectives**

To encourage Council employees to purchase their own homes within the townsites of the Shire of Lake Grace.

**Guidelines**

Staff members are to first pay their rates and lodge with the Manager Corporate Services a claim for recoup.

**History**

Former Policy 4.26

Motion 8794 October 2000

**Review**

Manager Corporate Services

**NOTE:** The Policy has been amended:

- to include Permanent Part Time staff some of whom have been receiving a full subsidy.
- to encourage employees to purchase their own homes within Shire townsites.

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## **Staff Policy 4.3 – Senior Employees**

### **Policy**

Under the provisions of Sections 5.37 and 5.39 of the Local Government Act 1995 and the current staffing structure the following positions are designated Senior Employees:

- Manager Corporate Services
- Manage Community Services
- Manager of Works
- Works Overseer

### **Objectives**

To recognise the Senior Employee designations under the current staffing structure.

### **Guidelines**

Sections 5.37 and 5.39 of the Local Government Act 1995

### **History**

Former Policy 4.30

Amended as per Review Motion 10237 July 2006

### **Review**

Chief Executive Officer

**NOTE:** The policy has been amended to reflect Council's decision to create the Senior Position of Works Overseer – refer Motion 10769 March 2009

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There are two further areas to be reviewed. Staff will seek the support of Urban & Rural Planning to assist with the review of Section 6 – Planning for submission to the May 2009 Meeting of Council. Section 7 Administration will be submitted for review to the June 2009 Meeting.

### Legal Implications

N/A

### Policy Implications

As above.

### Consultation

Internal – Manager Corporate Services

### Financial Implications

N/A

Strategic Implications

N/A

Cultural Implications

N/A

Voting Requirements

Simple majority required

Recommendation/Resolution

**MOTION 10779**

Moved Cr Dunkeld  
Seconded Cr Farrelly

That Policy 1.3 Annual Dinner, Policy 4.2 Staff Subsidy and Policy 4.3 Senior Employees, as reviewed be adopted and subsequently endorsed by the Shire President and Chief Executive Officer and the Policy Manual updated.

**MOTION CARRIED 8/0**

## 15.2 VOLUNTARY REGIONAL ORGANISATION OF COUNCILS - PROPOSAL TO ESTABLISH

<b>Applicant:</b>	Chief Executive Officer
<b>File No.</b>	0031
<b>Attachments:</b>	LG Reform Submission Timeframe & Checklist, Shire of Jerramungup correspondence, Council Minutes extract – Shires of Jerramungup & Dumbleyung
<b>Author:</b>	Mr Jim Fraser Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	15 April 2009
<b>Senior Officer:</b>	Mr Jim Fraser Chief Executive Officer

### Summary

This report recommends Council join other local governments in establishing a Voluntary Regional Organisation of Councils (VROC).

### Background

The Minister for Local Government, the Hon John Castrilli MLA, at a combined Zone Meeting held in Exmouth in February 'threatened' Councils with forced amalgamations should local government generally not participate in a reform process for the industry. There has been strong reaction from local government at the Minister's comments particularly as most local authorities were engaging in dialogue with neighbouring Councils in line with the recommendations of the Systemic Sustainability Study undertaken by the Western Australian Local Government Association.

During January 2009 the author and Cr De Landgraft met with representatives from the Shires of Ravensthorpe, Kent and Jerramungup in Ravensthorpe to discuss resource sharing and the possible formation of a VROC.

There have been several meetings with staff from the Shire of Dumbleyung to consider resource sharing.

The Shire of Dumbleyung has also arranged meetings with adjoining shires and the Shire President Cr Walker has been able to attend these meetings.

The Minister for Local Government has requested all Councils to provide information to the Department of Local Government and Regional Development by the 30<sup>th</sup> April 2009 and to advise the Minister by the end of August 2009 of their intentions in relation to amalgamations.

It is evident from the meetings with other local governments that there is little support for the concept of amalgamations however resource sharing through the VROC concept has wide appeal.

Councils are most concerned with the loss of identity and a reduction in service delivery. The Minister has also indicated that there needs to be a reduction in Councillor Representation to between six (6) and nine (9) Councillors. Through the amalgamation process there is the possibility that many population centres would be denied local representation and thus a perceived if not real loss of democratic representation.

The Minister recently advised that a grant of up to \$10,000.00 is available to assist Councils with the preparation of submissions and the community consultation process.

The Western Australian Local Government Association has also offered assistance to local government. Mr Tony Brown has been invited to address Councillors prior to the Council Meeting on Wednesday 22 April 2009.

#### Comment

The Shire of Jerramungup has written to Council requesting consideration of a proposal to join with them in the preparation of a report into amalgamation. The concept includes utilising all or portion of the \$10,000.00 grant available to local governments to complete the report. Whilst there is limited support for the amalgamation process at Council level, staff are of the view that there may be advantages in the process. On the basis that *'you don't ask the question if you don't know the answer'* the report could determine that the Shire of Lake Grace should remain a stand alone entity.

The establishment of a Voluntary Regional Organisation of Councils (VROC) is another initiative for Council to consider. At a recent meeting held in Dumbleyung there was support from the Shires of Kent and Dumbleyung. The Shire of Kent has already established links with some of their neighbours and are firm in their resolve to oppose amalgamations. The Shire of Dumbleyung has also been involved with other Shires and also opposes amalgamations. A VROC comprising Lake Grace, Kent and Dumbleyung would provide opportunities for resource sharing and co-operation. All Shires operate with the same IT programme and have similar structures.

There is a requirement for each local government to complete a checklist. A copy is at attachment.

Following the visit of Mr Tony Brown from WALGA and the completion of the Plan for the Future by Mr Bill Bond, staff will complete the checklist and forward it to the Local Government Reform Steering Committee. It is fair to say that at staff level there is some concern that the information provided in the checklist may be used against a local government at a later date in assessing the subject of amalgamation.



It is the view of the Chief Executive Officer that Council's position in relation to amalgamation would have some protection due to the utilisation of Specified Area Rates (SAR) within Schedule 11. The use of SAR already reflects the willingness of ratepayers to pay for a particular level of service delivery and Council's role in delivering the services.

Again in relation to amalgamation, staff attended a meeting with Joanne Trezona who was involved in the amalgamation of the Shires of Broomehill and Tambellup. The process was certainly assisted in that the Chief Executive Officer at Broomehill was retiring. Joanne has continued in the position since amalgamation and it is interesting to note that most of the staff now operate out of the Tambellup office and Joanne spends minimal time in Broomehill.

The State Government provided nearly \$500,000.00 to assist in the amalgamation process so it is not a cheap exercise considering the centres are only about 25 kilometres apart.

Staff will continue to monitor opportunities for resource sharing and will report these opportunities to Council. Currently Council shares the services of Environmental Health and Building with other Councils. The Shires of Dumbleyung and Lake Grace utilise the same Town Planning Consultants and Council is involved in zero waste issues with eleven other local governments.

The Eastern Wheatbelt Declared Species Group is another example of Shire co-operation.

#### Legal Implications

There are no provisions within the Local Government Act 1995 for Voluntary Regional Organisations of Councils. The provisions of the Act are quite onerous for the establishment of a legal Regional Council entity.

#### Policy Implications

N/A

#### Consultation

External: Various local governments including Dumbleyung, Kent, Ravensthorpe, Jerramungup and Katanning.

Internal: Senior Management Group

Crs Walker, Chamberlain & De Landgraft have attended meetings and forums.

#### Financial Implications

There will be financial implications should Council join a VROC.

Strategic Implications

N/A

Cultural Implications

N/A

Recommendation

That Council:

1. Continues to liaise with the Shires of Kent and Dumbleyung for the possible formation of a Voluntary Regional Organisation of Councils; and ,
2. Liaises with the Shire of Jerramungup to enter into an agreement to consider amalgamation issues.

Voting Requirements

Simple majority required

Resolution

**MOTION 10780**

Moved Cr Farrelly  
Seconded Cr Dunkeld

That Council continues to liaise with the Shires of Kent and Dumbleyung for the possible formation of a Voluntary Regional Organisation of Councils

**MOTION CARRIED 8/0**

**REASON FOR CHANGE**

*Though Council is more than happy to continue discussions with the Shire of Jerramungup it was decided not to enter into an 'agreement'.*

**15.3**      **LOCAL GOVERNMENT COMPLIANCE AUDIT – 1 JANUARY 2008 TO 31 DECEMBER 2008**

**Applicant:** Department of Local Government & Regional Development  
**File No:** 0528  
**Attachments:** Correspondence & Compliance Return  
**Author:** Mrs Jeanette Bennett  
Executive Assistant  
**Disclosure of Interest:** Nil  
**Date of Report:** 15 April 2009  
**Senior Officer:** Mr Jim Fraser  
Chief Executive Officer

**Summary**

The purpose of this report is for adoption of the Statutory Compliance Audit Return for the year ending 31 December 2008 and endorsement of the required certification.

**Background**

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

The return is to be approved by Council, certified by the President and Chief Executive Officer and submitted to the Director General Department of Local Government and Regional Development by 31 March 2009.

Due to high work load and staff sick leave, the return has only recently been completed.

**Comment**

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

The following non compliance issues are noted for information:

**Executive Functions**

Question 1 – Note is made of the difficulty in assessing requirements due to shifting of responsibility by Government Departments.

**Finance**

Question 2 – The Annual Report was not accepted by Council by the due date because of delays experienced with the Audit Report.

Question 5 – A Plan for the Future is being prepared for consideration by Council prior to 30 June 2009.

Question 27 – The annual financial reports were not submitted to the Department within 30 days after receiving the Auditor’s Report – there has been a change in the Financial Management Regulations which now requires the financial reports to be submitted.

**Local Government Employees**

Senior Management Position contracts are pending.

**Swimming Pools**

No inspections of private swimming pools were undertaken.

Consultation

Internal: Chief Executive Officer  
Manager Corporate Services  
Executive Assistant

Legal Implications

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

Policy implications

N/A

Financial implications

N/A

Strategic implications

N/A

Cultural Implications

N/A

Voting Requirements

Simple majority required

Recommendation/Resolution

**MOTION 10781**

Moved Cr Chamberlain  
Seconded Cr De Landgraft

That:

1. The Local Government Statutory Compliance Return for the Shire of Lake Grace for the period 1 January 2008 to 31 December 2008 be adopted; and that,
2. The Certification contained within the Local Government Statutory Compliance Return be endorsed by the Shire President and the Chief Executive Officer.

**MOTION CARRIED 8/0**

**15.4 EASTERN WHEATBELT DECLARED SPECIES GROUP – REGIONAL WILD DOG MANAGEMENT PLAN**

**Applicant:** Eastern Wheatbelt Declared Species Group  
**File No.** 0062  
**Attachments:** Regional Wild Dog Management Plan  
**Author:** Mrs Nadene Owen  
A/Manager Community Services  
**Disclosure of Interest:** Nil  
**Date of Report:** 14 April 2009  
**Senior Officer:** Mr Jim Fraser

Chief Executive Officer

Summary

This report recommends Council adopt the Regional Wild Dog Management Plan 2008/09-2010/11 (RWDMP) within the Eastern Wheatbelt Declared Species Group (EWDSG).

Background

Council has received correspondence requesting that the RWDMP be adopted. The Department of Environment and Conservation (DEC) has ratified the Plan and individual Councils are now requested to formally endorse the document.

Council appointed 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.

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 \$5,000 per annum.

Comment

The RWDMP has been developed to assist stakeholders with management of wild dogs throughout the Shire as part of the EWDSG.

The focus of the EWDSG is to limit the impact of wild dogs on agricultural activities within the eastern agricultural areas. The EWDSG is made up of the following financial members: Western Areas NL Forresteria Nickel project, the Shires of Kondinin, Kulin, Lake Grace, Merredin, Mt Marshall, Mukinbudin, Narembeen, Westonia and Yilgarn, DEC and the Department of Agriculture and Food WA (DAFWA).

The Shire of Nungarin has also recently been invited to become a financial member of the EWDSG. Recognition of nine other key stakeholders and six other interested parties listed for this management plan are as per the attached plan.

Initially a DEC Dogger was employed to implement wild dog control and a second Dogger was then employed via the creation of the EWDSG in 2001. An agreement between both parties made provision for both Doggers to operate on public and private land. The DEC Dogger conducts wild dog control measures in an area north of the Great Eastern Highway whilst the EWDSG Dogger is responsible for the same work in an area south of the Great Eastern Highway. Ground baiting is implemented through their work and, subject to available funding; an aerial baiting program has been requested through the EWDSG.

Through the adoption of this plan, and as a stakeholder, Council will be responsible for:

- Regulating the control and improving the welfare of domestic dogs.
- Participating in the review of program outcomes in their area of responsibility.
- Providing support to Wild Dog Management Groups.

DAFWA will manage the EWDSG's finances and provide administrative support to the EWDSG.

The plan will be reviewed 12 months from its endorsement date and is subject to amendment only if all signatories are in agreement.

Legal Implications

N/A

Policy Implications

N/A

Consultation

Internal: Great Southern Ranger Services  
Chief Executive Officer  
Manager Corporate Services

Financial Implications

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 \$5,000 per annum.

Contributions in future years will need to be allowed for in budget deliberations.

Strategic Implications

Involvement in a regional management plan that fosters and encourages partnerships and input between community and industry groups, local and state government agencies/authorities and committees.

Cultural Implications

N/A

Voting Requirements  
Simple majority required

Recommendation/Resolution

**MOTION 10782**

Moved Cr Newman  
Seconded Cr De Landgraft

That Council:

1. Accept the Eastern Wheatbelt Declared Species Group Regional Wild Dog Management Plan 2008/09-2010/11; and,
2. Agree that the Chair of the Eastern Wheatbelt Declared Species Group endorse the document on Council's behalf.

**MOTION CARRIED 8/0**



**15.5**      **ANNUAL ELECTORS MEETING YEAR ENDED 30 JUNE 2008 - MINUTES**

**Applicant:** Chief Executive Officer  
**File No:** 0042  
**Attachments:** Minutes  
**Author:** Mrs Jeanette Bennett  
Executive Assistant  
**Disclosure of Interest:** Nil  
**Date of Report:** 16 April 2009  
**Senior Officer:** Mr Jim Fraser  
Chief Executive Officer

Summary

The purpose of this report is for Council to approve the minutes of the Electors Meeting held on Monday, 30 March 2009.

Background

The Annual General Meeting of Electors was held on Monday 30 March 2009 in the Lake Grace Town Hall, as advertised, and commenced at 7.30pm, with Cr Andrew Walker, Shire President, presiding.

Minutes of the Annual Electors Meeting are attached and are made available to the public through Council's libraries and website.

Under the provisions of sections 5.32 and 5.33 of the Local Government Act, 1995 (the Act) any decisions made at an Elector's Meeting need to be considered by Council at its next Ordinary Meeting or if that is not possible, at the first Ordinary Meeting after that meeting.

Further, under the provisions of the Act, Council is required to record in the minutes of its Ordinary Meeting the reasons for any decision it makes in response to the decision(s) made at the Elector's Meeting.

Comment

Twenty persons were in attendance with seven Councillors present. The content of the 2007/08 Annual Report was considered and motions passed accepting the various reports contained therein, including the Auditors Report and Management Report.

Other than the procedural motions no further decisions were made at the meeting.

Questions asked and answered during the meeting, along with discussion related to:

- Lake King Cascade Rd
- Access to Road Counts
- Lake King Maintenance Issues

- Lake King Toilets – Costs To Date
- Lake King Streetscape Development Funding
- Informal Meetings between Councillors & Staff
- Lake King Hall Maintenance
- Federal Government Funding to Councils
- Medical Services
- Local Government Structural Reform Process
- Community Housing in Lake King

Consultation

The convening of the Electors Meeting was advertised in accordance with the requirements of the Act. The minutes of the Electors Meeting represent the community's input.

Statutory Implications

Local Government Act 1995 – s5.32 & s5.33

Local Government (Administration) Regulations 15, 17 & 18

Policy Implications

N/A

Financial Implications

N/A

Strategic Implications

N/A

Cultural Implications

Council rotates the holding of the Electors Meeting in each of its towns on a four year roster to ensure equality of opportunity for each community.

Voting Requirements

Simple majority required.

Recommendation/Resolution

**MOTION 10783**

Moved Cr Taylor  
Seconded Cr Dunkeld

That the minutes of the Annual Electors Meeting held on Monday, 30 March 2009 be received and the following decisions be endorsed:

- The President's Report for 2007/08 be accepted;
- The Chief Executive Officer's Report for 2007/08 be accepted:
- The 2007/08 Annual Financial Statements as presented be received and accepted: and,
- The Auditor's Report and the Auditor's Management Report be received and accepted.

**MOTION CARRIED 8/0**

## 16.0 URGENT BUSINESS BY DECISION OF THE MEETING

3.08pm Cr Sinclair entered the meeting.

### 16.1 2009 CEO SELECTION COMMITTEE

#### Background

Council at its March 2009 Ordinary Meeting resolved:

*That 'Expressions of Interest' be invited immediately from suitable consultants to assist Council and the 2009 CEO Selection Committee in the recruitment process for the Chief Executive Officer position*

A Consultant's Brief was prepared and expressions of interest were invited from various parties. Submissions closed on 17 April 2009 and four submissions were received.

The 2009 CEO Selection Committee met this morning to review the submissions and following consideration agreed to recommend that Council consider the appointment of Fitzgerald Strategies.

#### **Committee Resolution:**

*Moved Cr De Landgraftt*

*Seconded Cr Dunkeld*

*That Council consider the appointment of Fitzgerald Strategies to assist with the Chief Executive Officer recruitment and selection process.*

#### Council Resolution

#### **MOTION 10784**

Moved Cr Newman  
Seconded Cr Taylor

That Council appoint Fitzgerald Strategies to assist with the CEO recruitment and selection process.

**MOTION CARRIED 9/0**

## 17.0 SCHEDULING OF MEETING

### 17.1 MAY 2009 ORDINARY MEETING

#### **Motion 10720 December 2008 states:**

An Ordinary Meeting of Council will be held on Wednesday 27 May 2009, commencing at 6:00pm at the Newdegate Lesser Hall, Maley St Newdegate WA.

3.12pm Meeting adjourned for afternoon tea.

3.31pm Meeting re-convened with all those previously in attendance present.

**18.0 CONFIDENTIAL BUSINESS – As per Local Government Act s.5.23 (2)**

**MOTION 10785**

Moved Cr Sinclair  
Seconded Cr Farrelly

That Council close the meeting to the public at this time, being 3.33 pm to discuss the appointment of the Manager Community Services.

**MOTION CARRIED 9/0**

**18.1 MANAGER COMMUNITY SERVICES – APPOINTMENT TO POSITION**

*Item forwarded under separate cover.*

**MOTION 10786**

Moved Cr Farrelly  
Seconded Cr Milton

1. That the action of the Chief Executive Officer in appointing Mrs Nadene Owen to the position of Manager Community Services, on the basis of a three year contract commencing 30 April 2009 be accepted; and,
2. The use of the Common Seal on the contracts for Senior Officer appointments be authorised.

**MOTION CARRIED 7/2**

**MOTION 10787**

Moved Cr Newman  
Seconded Cr De Landgraftt

That Council re-open the meeting to the public at this time, being 4.12pm.

**MOTION CARRIED 9/0**

**19.0 CLOSURE**

There being no further business, the Chairperson closed the meeting at 4.14 pm.

**20.0 CERTIFICATION**

I Andrew James Walker certify that the minutes of the meeting held on the 22 April 2009 as shown were confirmed as a true record at the meeting held on the 27 May 2009.

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Date