

Shire of Lake Grace

# Ordinary Council Meeting

# Minutes

18 December 2013





## Shire of Lake Grace

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## **SHIRE OF LAKE GRACE**

Minutes of the Ordinary Meeting of Council held at Council Chambers, 1 Bishop St Lake Grace WA on Wednesday 18 December 2013.

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

The Shire President opened the meeting at 2.00pm and welcomed Ms Kaz Sternberg, CEO of the Great Southern Housing Association to the meeting.

### **2.0 ATTENDANCE RECORD**

#### **2.1 PRESENT**

Cr AJ Walker	Shire President
Cr JF De Landgraft	Deputy Shire President
Cr LW Armstrong	
Cr R Chappell	
Cr DS Clarke	
Cr SG Hunt	
Cr AD Marshall	
Cr DP Sinclair	
Cr Murray Stanton	
Mr NA Hale	Chief Executive Officer
Mr J Bingham	Manager Corporate Services
Mr M Harrop	Manager Infrastructure Services
Ms L Holben	Manager Community Services
Mrs J Bennett	Executive Assistant

#### **2.2 APOLOGIES**

None

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

Nil

### **3.0 PUBLIC QUESTION TIME**

Nil

**4.0 APPLICATIONS FOR LEAVE OF ABSENCE**

**4.1 CR CHAPPELL**

**MOTION 11724**

Moved Cr Clarke  
Seconded Cr De Landgraftt

That Cr Chappell's application for leave from 1 February 2014 to 28 February 2014 be approved.

**MOTION CARRIED 9/0**

**5.0 MINUTES OF PREVIOUS COUNCIL MEETINGS****5.1 ORDINARY MEETING – 20 NOVEMBER 2013**Resolution**MOTION 11725**

Moved Cr Armstrong  
Seconded Cr Stanton

That the minutes of the Ordinary Meeting of Council held on the 20 November 2013 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****6.2 DECLARATIONS OF PROXIMITY INTEREST – LOCAL GOVERNMENT ACT 1995 SECTION 5.60B****6.3 DECLARATIONS OF IMPARTIALITY INTEREST – ADMINISTRATION REGULATION SECTION 34C**

- Cr Chappell declared an impartiality interest in Item 20.2
- Cr Marshall declared impartiality interests in Items 20.2 & 20.3

**7.0 NOTICES OF URGENT BUSINESS**

None

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

None

**9.0 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS****9.1 PRESENTATION - GREAT SOUTHERN COMMUNITY HOUSING ASSOCIATION**

Great Southern Community Housing Association (GSCHSA), Chief Executive Officer, Kaz Sternberg was in attendance and provided Council with a report on the Shire's community housing currently under management by agreement with the GSCHA.

Ms Sternberg's report contained the following main points:

- GSCHA have been managing the Shire's community housing stocks for 12 months now



- To date for this year there is \$90,000 in the account
- Good tenants who are looking after the houses well
- Lakes Village tenants are very happy with the arrangement – the Property Manager has been around meeting the people, Christmas cakes were recently distributed to the tenants and well received
- GSCHA has a good record for managing arrears with current arrears less than 1%, the normal average is 3.5%
- A new budget has been prepared for 2014
- GSCHA housing portfolio is growing rapidly, they now manage 350 properties across the Great Southern and are now having discussions with Ravensthorpe & Jerramungup Shires
- GSCHA has a building program which has capacity build another 25 properties in the next 18 months
- Strong risk management
- For Shire of Lake Grace we need to look at current housing stock Department of Housing interest involved, that conversation can be had next year, the Department of Housing prefers GSCHA to stay out of the discussions re equity.

The Shire President thanked Ms Sternberg for her very informative update on where things are at and requested that this could perhaps be an annual update and include an arrears and surplus report.

*Ms Sternberg left the meeting at 2.22 pm.*

## 10.0 MEMBERS' REPORTS

### 10.1 CR HUNT

Reported attendance at:

- Waste Management Seminar in Albany on 3 December with Councillors Stanton and Armstrong, Manager of Infrastructure and the Chief Executive Officer. It was very informative and participants had the chance to look at Albany's recycling and processing plant. Ideally the community needs more education on how to recycle.
- LGDHS Board Meeting at which the School's new Business Plan was presented
- Audit Committee Meeting held earlier today.

### 10.2 CR MARSHALL

Reported attendance at:

- Eastern Wheatbelt Primary Care Project Meeting with Cr Walker, it was most informative and interesting and good to meet people and discuss local issues.
- Unfortunately could not attend the new Councillor seminar at the last minute.
- Newdegate School concert last night, very impressed, 55 students attend Newdegate Primary School and shows a great ethnic mix.

### 10.3 CR CLARKE

Reported attendance at the Newdegate Primary School Concert.

### 10.4 CR STANTON

Reported attendance at:

- Newdegate Primary School Concert, it was a really good night.
- Waste Seminar in Albany which was a very informative day.

**10.5**      **CR DE LANDGRAFFT**

Reported attending the Newdegate Primary School Concert last night to present the Shire award. There were five Councillors present, it was a wonderful evening. This year the Shire's award was presented to Hannah Tonkin.

**10.6**      **CR ARMSTRONG**

Reported attendance at:

- Waste Management seminar in Albany, reinforced that one shoe doesn't fit all sizes i.e. licensing and management of tips.
- Met with Newdegate Community Development Association members last Friday and went through a list of community issues.
- Last night's Newdegate Primary School Presentation Evening at the Newdegate Town Hall

**10.7**      **CR CHAPPELL**

Reported attendance at:

- Lake Grace Development Association Meeting.
- Last night's Newdegate Primary School Presentation Evening at the Newdegate Town Hall.

Cr Chappell took the opportunity to apologise for not being able to attend the Shire's Christmas Party and wished everyone a Merry Christmas.

**10.8**      **CR WALKER**

Cr Walker thanked Cr De Landgraftt for presenting the Shire's awards at the Newdegate Primary School's Presentation Evening and apologised that he was unable to make it to the Waste Seminar in Albany.

Reported attendance at:

- Central Country Zone Meeting in Quairading on 29 November
- Eastern Wheatbelt Primary Care Project Meeting in Corrigin on 9 December with Cr Marshall, and encourages other Councillors to attend.
- 4WDL VROC in Williams earlier this month, received an update on funding which is coming in
- Shire Christmas function, a very good evening with refreshments & good food
- Lake Grace DHS for the E & C Bennett Scholarship selection panel with Cr Stanton
- Audit Committee Meeting held earlier today

## 11.0 MATTERS FOR CONSIDERATION – WORKS & SERVICES

### 11.1 LAKE GRACE RUBBISH TIP – OPENING HOURS

<b>Applicant:</b>	Shire of Lake Grace
<b>File No.</b>	0335
<b>Attachments:</b>	Nil
<b>Author:</b>	Mr Neville Hale Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	6 December 2013
<b>Senior Officer:</b>	Mr Neville Hale Chief Executive Officer

#### Summary

For Council to consider extending the opening hours of the Lake Grace Rubbish Tip to include both Saturday and Sunday.

#### Background

The operating licence for the Lake Grace Rubbish Tip was re-issued on 28 February 2013 in the new standardised REFIRE format.

In the “Introduction” preamble to the licence it is noted that the Lake Grace Rubbish Tip has been manned since 1 September 2010 and is open on Mondays, Wednesdays and Saturdays between 9am and 3pm.

However, under clause 1.3.5 there is no requirement for the facility to be manned (the Newdegate licence does have such a requirement).

Accordingly, in view of the financial pressures upon the Shire at that time the Shire ceased manning this facility and instead moved to a controlled access regime whereby the access gates were opened Mondays, Wednesdays and Saturdays between the hours of 7am to 6pm.

#### Comment

In response to community feedback, the opportunity exists to extend the opening hours of the Lake Grace Rubbish Tip at minimal cost whilst there is no requirement under the licence to man the facility during opening hours. As Councillors would be aware, manning the facility costs in the order of \$300-\$400 per day or approximately \$20,000 per year including on costs.

Whilst there is currently no requirement to man the Lake Grace Rubbish Tip facility, the opening hours could be extended to include Sundays at minimal cost to the Shire. Such a change would significantly improve the Shire’s service delivery and its effectiveness, and community response can be monitored over the next 6 months leading up to the 2014/15 budget deliberations.

Arrangements would need to be made to engage someone to open and close the access gate and negotiate with them an appropriate fee for service.

This additional service would be subject to the licence continuing to exclude manning of the facility during opening hours.

Legal Implications

*Local Government Act 995* – budget management provisions  
*Environmental Protection Act 1986* – Licence – Waste Facility

Policy Implications

N/A

Consultation

This item is in response to expressed community wishes.

Financial Implications

Given the cost of this additional service is limited to opening and closing the access gate on a Sunday, one would expect the cost to be in the order of \$2,000 to \$2,500 per annum against a total budget provision of \$70,454 which is currently showing savings sufficient to meet this cost.

If approved the cost incurred for 6 months against the 2013/14 budget will be approximately \$1,000 to \$1,250.

Strategic Implications

*Shire of Lake Grace Community Strategic Plan*

CI 5 Demonstrate commitment to the delivery of excellent customer service that is responsive to community needs.

The additional access during the weekend will substantially increase this service availability and meet the expressed wishes of the community.

This increase to service delivery can be re-assessed during the 2014/15 budget deliberations and is subject to the licence not requiring the facility to be managed.

Voting Requirements

Simple majority required.

Recommendation/Resolution

**MOTION 11726**

Moved Cr Stanton  
Seconded Cr Hunt

That Council extend the Lake Grace Rubbish Tip opening hours to include Sundays between the hours of 7.00 am to 6.00 pm as from 6 January 2014 to 30 June 2014 with the additional cost to be funded from the existing provisions within Account E101201.

**MOTION CARRIED 9/0**

## 11.2 **NEWDEGATE DOLOMITE SUPPLIES - APPLICATION FOR EXTRACTIVE INDUSTRY LICENCE FOR 11 WATSON RD NEWDEGATE**

<b>Applicant:</b>	Mr Ashley McDonald on behalf of D J McDonald (LakeBiddy) Nominees Pty Ltd (Landowners)
<b>File No.</b>	455
<b>Attachments:</b>	Appendix 1
<b>Author:</b>	Mr Martin Harrop Manager Infrastructure Services
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	11 December 2013
<b>Senior Officer:</b>	Mr Neville Hale Chief Executive Officer

### Summary

This report recommends that an Extractive Industry Licence Application submitted by Mr Ashley McDonald on behalf of D J McDonald (Lake Biddy) Nominees Pty Ltd (Landowners) to undertake an extractive industry ('Dolomite Quarry') on Lot 11 Watson Road, Newdegate be approved subject to conditions.

### Background

Lot 11 is located approximately 5.2 kilometres north-west of the Newdegate townsite immediately adjacent to the western edge of Lake Stubbs. The land is irregular in shape, comprises a total area of approximately 320.28 hectares and has direct frontage and access to Watson Road along its western boundary (see Plan 1 & 2).

The council resolved at its October 2013 Ordinary Meeting to grant planning approval to relocate an existing extractive industry use (i.e. a 'Dolomite Quarry') to a new portion of Lot 11 Watson Road, Newdegate to replace an existing quarry on the land which is understood to have been exhausted of all available dolomite since it was first established in 2004.

A requirement of the planning permit and Extractive Industries local law is to make application to the shire for an extractive industry licence and provide a Management Plan detailing the following:

- Scale plan of the excavation site
- Description of nature of works and excavation programme
- Rehabilitation and decommissioning programme

Shire staff met with the applicant onsite to discuss the nature of the extractive industry proposal and requirements of the planning approval, in particular need to address road upgrade and maintenance issues.

### Comment

Under the powers conferred by the Local Government Act 1995 the local government of Shire of Lake Grace resolved to make Extractive Industry local law on 27 September 2000. The Extractive Industry Local law means a person must not carry out an extractive industry unless the person is a holder of a valid and current licence.

### **Nature of the Extractive Industry**

- The quarry will operate during daylight hours between January and March each year

- All excavation works will be undertaken during January of each year and will involve the removal and stockpiling of up to 5,000 tonnes of unprocessed dolomite using a bulldozer
- The total amount of dolomite to be extracted, processed and transported from the site on an annual basis is estimated to be in the order of 3,000 to 5,000 tonnes
- Access to the quarry from within Lot 11 will be via an existing gravel access way which provides a direct connection to Watson Road along the land's western boundary. No visitors will be permitted to enter the land unless authorised to do so;
- Truck movements from Lot 11 will be via Watson Road (unsealed) through to Lake Bidy Road (sealed) which is approximately 3 kilometres away. A total of 100 fully laden truck movements from the property through to Lake Bidy Road are estimated to occur per annum;
- The land will be rehabilitated upon completion of the proposed quarrying activities, the timeframe for which has not been specified by the applicant. Rehabilitation works will include the redistribution of stockpiled topsoil and regrading of the land to enable it to again be used for broadacre agricultural purposes (i.e. cropping & grazing);
- The nearest sensitive land use (i.e. residential dwelling) is located approximately 1.76 kilometres

### **Watson Road Upgrade**

The existing road pavement condition of Watson Road is unsuitable for high volumes of heavy vehicles to access the site for freight of dolomite. In addition, the road alignment has poor horizontal road geometry. The applicant is in discussion with the neighbouring landowner about the prospect of realigning the Watson Road to increase the radius of the corner, the discharge of roadside stormwater and boundary fencing modifications.

It is proposed that with contributions from the applicant in terms of gravel supply, drainage and fencing, along with land compensation costs being waived, that the shire undertake Watson Road upgrade as part of future road program 2014-15. The nature of the upgrade would be limited to constructing road pavement of existing carriageway width, construct drainage and corner realignment subject to landowner consent.

Part 2 of licensing requirements of the Extractive Industry Local Law requires the applicant to advertise the proposal prior to applying to the local government for a licence. The applicant has not undertaken this step however given that an extractive industry has been operating on the property since 2004 and the planning approval was for the relocation of an existing extractive industry use and the advertising requirement under the Extractive Industry Local law is deemed unnecessary.

It is recommended that Council waive the requirement to advertise and grant a licence to the proposed extractive industry ('Dolomite Quarry') on Lot 11 Watson Road, Newdegate subject to the following conditions:

1. The extractive industry is limited to the excavation area of the site plan.
2. The applicant contribute to the upgrade of Watson Road to provide a road pavement suitable for the proposed traffic volume and type generated by the development and include:

- a. supply gravel for the upgrade of Watson Road (Approximately 15,000 cubic metres)
  - b. obtain landowner approval for construction of roadside drainage offshoots to discharge stormwater
3. The applicant negotiates with neighbouring landowners about the realignment of Watson Road and obtains written consent including waiving all land compensation and boundary fencing requirements.
4. The applicant shall be responsible for the cost of repairing any undue damage to Watson Road caused by the heavy vehicle movements associated with the extractive industry operations on the land as determined on a yearly basis by the Shire of Lake Grace. This could include supply of gravel for reinstatement of blow outs on unsealed road surfaces.
5. Dust management be implemented in accordance with the Management Plan and include watering stockpiles and/or ceasing work in strong winds.

Legal Implications

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

Policy Implications

State Planning Policy 2.4 – Basic Raw Materials  
State Planning Policy 2.5 – Agriculture and Rural Land Use Planning  
State Planning Policy 4.1 – State Industrial Buffer Policy  
Basic Raw Materials Applicants' Manual 2009

Consultation

Internal: Neville Hale, Chief Executive Officer  
Martin Harrop, Manager Infrastructure Services  
External: Applicant - Ashley McDonald  
Urban & Rural Perspectives - Consultant Town Planners

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Simple majority required.

Recommendation/Resolution

**MOTION 11727**

Moved Cr Marshall  
Seconded Cr Sinclair

That Council:

1. Waive the requirement to advertise the application for an Extractive Industry Licence ('Dolomite Quarry') on Lot 11 Watson Road under Section 2.2 of the Shire of Lake Grace Extractive Industry Local Law.

2. Approve and issue an Extractive Industry Licence for Lot 11 Watson Road Newdegate subject to the following conditions:

a. The applicant notify adjoining landowners that an extractive industry licence has been obtained for dolomite operations on Lot 11 Watson Road

b. The extractive industry is limited to the site plan of the excavation area.

c. The applicant contribute to the upgrade of Watson Road to provide a road pavement suitable for the proposed traffic volume and type generated by the development and include:

i. supply gravel for the upgrade of Watson Road (Approximately 15,000 cubic metres)

ii obtain landowner approval for construction of roadside drainage offshoots to discharge stormwater

d. The applicant negotiates with neighbouring landowners about the realignment of Watson Road and obtains written consent including waiving all land compensation and boundary fencing requirements.

e. The applicant shall be responsible for the cost of repairing any undue damage to Watson Road caused by the heavy vehicle movements associated with the extractive industry operations on the land as determined on a yearly basis by the Shire of Lake Grace. This could include supply of gravel for reinstatement of blow outs on unsealed road surfaces.

f. Dust management be implemented in accordance with the Management Plan and include watering stockpiles and/or ceasing work in strong winds.

g. Decommissioning and Rehabilitation of site be undertaken in accordance with the management plan.

**MOTION CARRIED 9/0**



## 12.0 MATTERS FOR CONSIDERATION – PLANNING

### 12.1 PROPOSED AMENDMENT NO 3 - SHIRE OF LAKE GRACE LOCAL PLANNING SCHEME - REZONING OF PORTION OF CROWN RESERVE 20531 NEWDEGATE-RAVENSTHORPE ROAD, NEWDEGATE FOR LIGHT INDUSTRIAL PURPOSES

<b>Applicant:</b>	Shire of Lake Grace
<b>File No.</b>	0370 & 0726
<b>Attachments:</b>	Plans 1 to 5 & Attachments 1 & 2
<b>Author:</b>	Mr Joe Douglas Urban & Rural Perspectives -Town Planning Consultants
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	11 December 2013
<b>Senior Officer:</b>	Mr Neville Hale Chief Executive Officer

#### Summary

This report recommends that Council resolve to initiate a suitable amendment to the Shire's current operative Local Planning Scheme No.4 to reclassify a portion of Crown Reserve 20531 Newdegate-Ravensthorpe Road, Newdegate from 'Conservation' reserve to 'General Industry' zone as per the details shown in Attachment 2 to this report.

This is to help progress the future proposed subdivision and development of six (6) new industrial lots in the Newdegate townsite accordance with a revised Subdivision Guide Plan for the land.

#### Background & Comment

Council has previously resolved to progress the subdivision development of portion of Reserve 20531 Newdegate-Ravensthorpe Road, Newdegate for light and service industry type purposes to address the current shortage of land of this type in the Newdegate townsite. In December 2012 the Western Australian Planning Commission granted formal approval to a minor amendment to the Shire's current Local Planning Strategy to facilitate commencement of the required scheme amendment (i.e. rezoning) process.

Following a recent on-site meeting and discussions with LandCorp and subsequent review of previous advice received from the Department of Environment Regulation (formerly the Department of Environment and Conservation) and environmental consultants regarding the process and costs associated with dealing with the uncontrolled fill and potential contamination in the southern half of Reserve 20531, the reporting officer, in consultation with the Shire's Chief Executive Officer, has prepared a revised Subdivision Guide Plan for the land (see Plans 4 & 5 attached).

Under the terms of the revised Subdivision Guide Plan a total of six (6) new industrial lots ranging in size from 2,650m<sup>2</sup> to 3,744m<sup>2</sup> are proposed to be created along the land's frontage to Newdegate-Ravensthorpe Road with all vehicle access to be derived via a 10 metre wide controlled access way.

It is significant to note that no subdivision development is proposed on the remaining balance portion of Reserve 20531 due to the existence of rare and priority flora and presence of uncontrolled fill and potential contamination in the southern half of the land. By avoiding development within these areas it is reasonable to expect that the

overall cost of the project will be significantly less than the subdivision proposal contained in the previously endorsed Subdivision Guide Plan for the land which proposed the creation of fourteen (14) new industrial lots ranging in size from 2,000m<sup>2</sup> to 4,175m<sup>2</sup> over a much larger portion of Reserve 20531 and within an area identified as containing uncontrolled fill and potential contamination (see Attachment 1).

LandCorp has indicated its willingness to assist the project's implementation and encouraged the Shire to lodge an application seeking financial assistance under the latest round of the State Government's Regional Development Assistance Program (RDAP) which has been set up to deliver regional development projects that are essential to supporting the revitalisation and growth of regional towns and centres such as Newdegate.

Notwithstanding LandCorp's general support for the project, which appears to be limited to the northern most portion of Reserve 20531 fronting Newdegate-Ravensthorpe Road, it is important to note that the success of any application made under the fiercely contested and under-funded RDAP will be dependent upon the Shire having secured all necessary approvals from those government agencies with an interest in the land's future development and use (i.e. the Department of Lands, the Environmental Protection Authority, Main Roads WA, the Western Australian Planning Commission, Water Corporation, Western Power etc.).

Given that rezoning and subdivision approvals are yet to be secured for the project and the significant timeframes and costs associated with the relevant approval processes, the reporting officer is of the view that any application made to LandCorp for funding assistance under the current round of RDAP funding is unlikely to be successful. Instead it is recommended that the Shire Administration be authorised to proceed with the work required to secure all the necessary planning approvals and that an application for RDAP funding assistance be completed and submitted to LandCorp when those approvals have been secured.

It is anticipated that an application for RDAP funding assistance could be submitted to LandCorp in the latter half of 2014 and that any such application will be considered far more favourably with a greater chance of success. This approach was taken by the Shire in the recent development of a number of new industrial lots along Dewar Street, Lake Grace in a successful joint venture with LandCorp in which funding assistance was provided under the RDAP following the issuance of all necessary approvals.

#### Legal Implications

- Shire of Lake Grace Local Planning Scheme No.4
- Planning and Development Act 2005 (as amended)
- Town Planning Regulations 1967 (as amended)
- Environmental Protection Act 1986
- Contaminated Sites Act 2003
- Land Administration Act 1997
- Land Administration Regulations 1998

#### Policy Implications

Nil

#### Consultation

In the event Council resolves to initiate the proposed amendment to Local Planning

Scheme No.4 it will then be referred to the Environmental Protection Authority (EPA) for environmental clearance.

Should environmental clearance be granted by the EPA the proposal will then be advertised for the minimum required period of forty two (42) days. This process will include appropriate notices in local newspapers and correspondence to adjoining/nearby landowners and all government and essential service agencies with an interest in the land.

#### Financial Implications

The total cost to rezone Reserve 20531 to accommodate the original subdivision proposal for the land as illustrated in Attachment 1 (i.e. the 14 new industrial lots ranging in size from 2,000m<sup>2</sup> to 4,157m<sup>2</sup>) is estimated to be approximately \$100,000 excluding GST. This can be attributed to the significant amount of environmental investigation and reporting required by the Environmental Protection Authority (EPA) to address the issues associated with the uncontrolled fill and potential contamination in the southern half of the land. It is significant to note that this estimate does not include the cost of any site remediation works that will be required to deal with the current site contamination issues which are yet to be determined but could be expected to add significantly to the total development cost.

The total cost to rezone portion of Reserve 20531 to accommodate the latest revised subdivision proposal for the land (i.e. 6 new industrial lots ranging in size from 2,650m<sup>2</sup> to 3,744m<sup>2</sup> as illustrated on attached Plans 4 & 5) is estimated to be in the order of \$6,000 excluding GST. This significant reduction in cost can be attributed to the environmental investigation and reporting commissioned by the Shire in previous years and the fact that the subject land has been extensively cleared and excludes those portions of Reserve 20531 affected by uncontrolled fill and potential contamination. It is reasonable to expect that the level of environmental scrutiny by the EPA will be considerably less hence the significantly reduced cost to rezone the land.

If the EPA does require any additional environmental assessment work in respect of the latest rezoning and subdivision proposal, the total cost to rezone the land could be expected to increase to approximately \$25,000 excluding GST. As the land is understood to be free of any contamination, no contamination assessments or site remediation works will be required as part of any future rezoning or subdivision development works.

It is understood that some allowance has been made in Council's budget for the 2013/2014 financial year to progress a suitable amendment to Local Planning Scheme No.4 to rezone portion of Reserve 20531 for industrial purposes however this may need to be increased as part of the forthcoming budget review.

Given that Council has now resolved not to proceed with the industrial subdivision project recently approved by the Western Australian Planning Commission on portion of Reserves 29080, 39314 and 20629 Lake Grace – Newdegate Road in the western segment of the Newdegate townsite, it may be appropriate, should the need arise, to reclassify this land from 'General Industry' zone to 'Recreation Reserve'.

This will require, as a first step, the initiation of a suitable amendment to the Shire's current Local Planning Strategy, the total cost of which is estimated to be in the order of \$5,000 excluding GST.

Following completion of the Local Planning Strategy amendment process, the land

could then be re zoned as part of the impending consolidation of Local Planning Scheme No 4 for which a suitable allowance has been made in Council's Budget for the 2013/14 financial year.

Strategic Implications

The need for suitably located and serviced land in the Newdegate townsite for light/service industry type land uses has been well documented in previous reports considered by Council over the last 16 years.

In order to now implement Council's preference to develop portion of Reserve 20531 for light/service industrial purposes a suitable amendment to the Shire's current Local Planning Scheme No.4 is required which is consistent with the strategic direction for future development in the Newdegate townsite prescribed in the Shire's current Local Planning Strategy.

Voting Requirements

Simple majority required.

Recommendation/Resolution

**MOTION 11728**

Moved Cr De Landgraft  
Seconded Cr Clarke

That Council:

1. Endorse the revised Subdivision Guide Plan for the northern portion of Crown Reserve 20531 Newdegate-Ravensthorpe Road, Newdegate comprising an area of approximately 20,967m<sup>2</sup> for industrial purposes as illustrated in Plans 4 & 5 of this report;
2. In pursuance of section 75 of the *Planning and Development Act 2005* (as amended), amend the Shire of Lake Grace Local Planning Scheme No.4 by reclassifying the northern portion of Crown Reserve 20531 Newdegate-Ravensthorpe Road, Newdegate comprising an area of approximately 20,967m<sup>2</sup> from 'Conservation' reserve to 'General Industry' zone and modifying the Scheme Map accordingly;
3. Grant delegated authority to the Shire President and Chief Executive Officer to sign and seal the local planning scheme amendment documentation for portion of Reserve 20531 as required during the processing period;
4. Authorise the Shire Administration to make all necessary arrangements to progress the local planning scheme amendment and land administration changes required to help facilitate the proposed rezoning and subdivision of portion of Reserve 20531 for industrial purposes in accordance with the procedural requirements of the *Town Planning Regulations 1967* (as amended) and the *Land Administration Act 1996* and *Land Administration Regulations 1997*;

**MOTION 11728 continued**

5. Authorise the Shire Administration to prepare and lodge an application to LandCorp in 2014 following the issuance of all necessary planning approvals seeking funding assistance for the proposed subdivision development of the northern portion of Crown Reserve 20531 Newdegate-Ravensthorpe Road, Newdegate for industrial purposes under the State Government's Regional Development Assistance Program (RDAP); and
6. Indemnify the State of Western Australia against any possible costs and/or claims arising from the project's implementation.

**MOTION CARRIED 9/0**

**12.2 PLANNING APPLICATION - PROPOSED UPGRADES TO CO-OPERATIVE BULK HANDLING'S LAKE KING RECEIVAL FACILITY - LOT 184 VARLEY ROAD, LAKE KING BEING RESERVE 39098**

<b>Applicant:</b>	Co-operative Bulk Handling
<b>File No.</b>	0456
<b>Attachments:</b>	Attachment 3 & Plans 6 to 10
<b>Author:</b>	Mr Joe Douglas & Mr Carlo Famiano Urban & Rural Perspectives -Town Planning Consultants
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	11 December 2013
<b>Senior Officer:</b>	Mr Neville Hale Chief Executive Officer

Summary

This report recommends that a planning application submitted by Co-Operative Bulk Handling Limited (CBH) to construct two (2) new open grain storage bulkheads on Lot 184 being Crown Reserve 39098 Varley Road, Lake King be approved subject to conditions.

Background

CBH is seeking Council's planning approval to expand its existing grain handling and storage facility currently located on Lot 107 Varley Road, Lake King by constructing two (2) new open grain storage bulkheads on adjoining Lot 184 being Crown Reserve 39098 Varley Road, Lake King to provide emergency grain storage capacity for the 2013/2014 harvest.

Lot 184 is located in the northern extremities of the Lake King townsite immediately abutting the north-eastern boundary of the Damnose Nature Reserve. The land comprises a total area of approximately 1.9804 hectares and has direct frontage and access to Varley Road along its north-eastern boundary (see Plans 6 & 7).

The subject land is a Crown Reserve currently vested in Main Roads Western Australia (MRWA) for the designated purpose 'Depot' (see Attachment 3 – Reserve Enquiry Detail). It is significant to note that the Department of Lands is currently amending the designated purpose of the Reserve 39098 to enable the land to be developed and used by CBH for grain handling and storage purposes. It is understood that MRWA have agreed to the proposed change to the land's current designated purpose under the *Land Administration Act 1997*.

Lot 184 has been extensively cleared and used as an MRWA depot for general storage purposes (i.e. gravel, road base etc.) and contains two small buildings associated with MRWA's activities. Vehicle access to the land is currently provided by two (2) existing single driveway crossovers along the land's frontage to Varley Road which have both been constructed to a basic gravel standard (see Plan 8).

Under the terms of the information and plans submitted in support of the application the following is proposed:

- i) Installation of two (2) new 70 metre long and 30 metre wide open grain storage bulkheads and all associated bulk earthworks;
- ii) The proposed bulkheads will have a setback of approximately 30 metres from the

land's frontage to Varley Road, a setback of approximately 38 metres to the land's rear boundary and a setback of approximately 37 metres to the common boundary with the adjoining Lot 107 being CBH's existing grain handling and storage facility;

iii) Clearing of a small amount of existing native vegetation and construction of internal access roads within Lot 184 and across to the adjoining Lot 107 to provide vehicle access to / from the proposed bulkheads;

iv) Utilisation of the two existing single driveway crossovers along the land's frontage to Varley Road for vehicle access purposes; and

v) Retention of all existing buildings on the land.

#### Comment

##### **Current Zoning & Land Use Permissibility**

Lot 184 is classified 'Public Purpose Reserve – Main Roads WA Depot' under the Shire of Lake Grace's current operative Local Planning Scheme No.4 (LPS No.4) which directly reflects the land's current approved and designated purpose under the *Land Administration Act 1997*.

The proposed use of Lot 184 for grain handling and storage purposes is most appropriately defined in Schedule 1 of LPS No.4 as a 'rural industry'.

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

In exercising discretion, and pursuant to clause 10.2 of LPS No.4, Council must be satisfied that the proposal is consistent with general principles of proper and orderly planning, the provisions and standards contained in LPS No.4 and any other planning considerations the local government deems relevant.

Following an assessment of the proposal in the context of the specific requirements of LPS No.4 the reporting officers have formed the view that it may be supported by Council for the following reasons:

i) Main Roads WA have agreed to the proposed development and use of the land by CBH for grain handling and storage purposes including a change to the land's current designated purpose under the *Land Administration Act 1997*;

ii) The Department of Lands has confirmed that arrangements are now being made to amend the designated purpose of Reserve 39098 (Lot 184) under the *Land Administration Act 1997* to enable the land to be developed and used by CBH;

iii) The proposed works constitute a minor expansion to the existing approved grain handling and storage facility on the immediately adjoining Lot 107;

iv) The nature and scale of the proposed works are consistent with the current approved use and development on the adjoining Lot 107 for 'rural industry' purposes;

v) The setbacks of the proposed development from all designated lot boundaries satisfy the specific requirements of LPS No.4;

vi) The location and scale of the proposed works are unlikely to have a detrimental impact on the character or amenity of the immediate locality; and

vii) The proposed works will help to improve the operational efficiency of CBH's existing grain handling and storage facility on Lot 107 and provide emergency storage capacity for the record breaking 2013/2014 harvest.

It is significant to note that Lot 184 is located immediately adjacent to Varley Road which is classified as a 'Major Road' under the care, control and management of MRWA. Under the terms of clause 5.31 of LPS No.4 any planning application proposing the development and use of any land abutting a 'Major Road' reserve requires referral to MRWA for review and comment prior to Council making a final determination.

Details of the proposal were recently forwarded to MRWA's Narrogin office for review and comment. By email correspondence dated 11<sup>th</sup> December 2013 MRWA confirmed that it has no objections to the proposed development and use of the land by CBH subject to:

1. The two (2) existing driveway crossovers along the land's frontage to Varley Road being restricted to single unit trucks only; and
2. If CBH wishes to have direct access between Lot 184 and Varley Road for vehicles larger than single unit trucks it must seek and obtain MRWA's prior approval.

### **Conclusion**

It is concluded from a detailed assessment of the application that CBH's proposal to construct two (2) new open grain storage bulkheads on Lot 184 being Reserve 39098 Varley Road, Lake King to provide additional storage capacity is unlikely to have a negative impact on the general amenity, character, functionality and safety of the immediate locality and may therefore be approved by Council subject to the imposition of a number of conditions to ensure that the development proceeds in a proper and orderly manner. It is therefore recommended that Council exercise its discretion and grant conditional approval to the application.

### Legal Implications

- Shire of Lake Grace Local Planning Scheme No.4
- Planning and Development Act 2005 (as amended)

### Policy Implications

Nil

### Consultation

Community consultation not required however given the land's direct frontage and access to Varley Road which is a State Road under the care, control and management of Main Roads WA (MRWA), the application was referred to MRWA's Narrogin office for review and comment in accordance with the specific requirements of clause 5.31 of Local Planning Scheme No.4.

### Financial Implications

Nil

### Strategic Implications

Nil



Voting Requirements

Simple majority required.

Recommendation/Resolution

**MOTION 11729**

Moved Cr Chappell  
Seconded Cr De Landgraft

That the application for planning approval submitted by Co-Operative Bulk Handling Limited (CBH) to construct two (2) new open grain storage bulkheads on Lot 184 being Reserve 39098 Varley Road, Lake King be APPROVED in accordance with the information and plans submitted in support of the application subject to compliance with the following conditions and advice notes:

**Conditions**

1. The clearing of any native vegetation required to accommodate the proposed development and use of Lot 184 shall be limited to the new internal road connection between the subject land and the adjoining Lot 107 being CBH's existing grain handling and storage facility. The clearing of any other existing vegetation on the balance portion of the land is not permitted.
2. All vegetation cleared to accommodate the proposed development and use of the land shall be disposed of to the specifications and satisfaction of the Shire of Lake Grace.
3. All stormwater generated by the proposed development and use of the land shall be managed and disposed of to the specifications and satisfaction of the Shire of Lake Grace.
4. All internal vehicle accessways directly associated with the two (2) new open grain storage bulkheads on Lot 184 shall be treated and drained to the specifications and satisfaction of the Shire of Lake Grace.
5. Access from Lot 184 to Varley Road via the two (2) existing single driveway crossovers shall be restricted to single unit trucks only unless otherwise approved by Main Roads Western Australia.
6. The two (2) existing single driveway crossovers along the land's frontage to Varley Road shall be sealed and drained to the specifications and satisfaction of the Shire of Lake Grace.

**Advice Notes**

1. The development shall 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.

**MOTION 11729 continued**

2. A completed building permit application must be submitted to and approved by the Shire's Building Surveyor prior to the commencement of any construction on the land.
3. The proposed development is required to comply in all respects with the National Construction Code of Australia. Plans and specifications which reflect these requirements shall be submitted with the building permit application.
4. The noise generated by any activities on-site including machinery motors or vehicles shall not exceed the levels as set out under the Environmental (Noise) Regulations 1997.
5. No construction works shall commence prior to 7.00 am without the Shire's written approval.
6. Failure to comply with any of the conditions of this planning approval constitutes an offence under the provisions of the *Planning and Development Act 2005* and the Shire of Lake Grace Local Planning Scheme No.4 and may result in legal action being initiated by the local government.

**MOTION CARRIED 9/0**

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

*No items for consideration.*

## 14.0 MATTERS FOR CONSIDERATION – FINANCE

### 14.1 ACCOUNTS FOR PAYMENT – NOVEMBER 2013

**Applicant:** Shire of Lake Grace  
**File No.** 0277  
**Attachments:** List of Creditors  
**Author:** Ms Tracie Bruntock  
Finance Officer  
**Disclosure of Interest:** Nil  
**Date of Report:** 10 December 2013  
**Senior Officer:** Mr John Bingham  
Manager Corporate Services

#### Summary

For Council to ratify expenditures incurred for the month of November 2013

#### Background

List of payments for the month November 2013 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 November 2013 from the Municipal and Trust Account Total \$289,976.57

#### 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 11730**

Moved Cr Armstrong  
Seconded Cr Chappell

That Council ratify the list of payments totalling \$289,976.57 as presented for the month of November 2013 incorporating:

- Direct Debits	DD4805.1 to DD4818.1	\$ 6590.81
- Municipal Account Cheques	35275 to 35304	\$ 42055.00
- Electronic Funds Transfers	11757 to 11870	\$ 240,664.76
- Trust Account Cheques	750 to 752	\$ 666.00

**MOTION CARRIED 9/0**

## 14.2 **FINANCIAL STATEMENTS - NOVEMBER 2013**

<b>Applicant:</b>	Shire of Lake Grace
<b>File No.</b>	0275
<b>Attachments:</b>	Financial Reports
<b>Author:</b>	Mrs Lee-Anne Trevenen Coordinator Finance & Administration
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	10 December 2013
<b>Senior Officer:</b>	Mr John Bingham Manager Corporate Services

### Summary

Consideration of the financial statements for the month ending 30 November 2013.

### Background

The following financial reports are included for your information:

- Monthly Statement of Financial Activity
- Financial Activity Variances
- Significant Accounting Policies
- Statement of Objective
- Acquisition of Assets
- Disposal of Assets
- Information on Borrowings
- Reserves
- Net Current Assets
- Rating Information
- Trust Funds
- Operating Statement by Programme
- Balance Sheet
- Financial Ratios
- Bank Reconciliation

### Comment

The Capital Road Works, Operating Revenue & Expenditure Graphs were not able to be presented this month due to technical issues – an updated version will be presented at the February Meeting.

### 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 11731**

Moved Cr Armstrong

Seconded Cr Clarke

That Council in accordance with Regulation 34 of the *Local Government (Financial Management) Regulations 1996* receives the Statement of Financial activity for the period ended 30 November 2013 as attached.

**MOTION CARRIED 9/0**

**14.3      2012/13 ANNUAL REPORT & ANNUAL GENERAL MEETING OF ELECTORS**

<b>Applicant:</b>	Manager Corporate Services
<b>File No.</b>	0202
<b>Attachments:</b>	2012/13 Annual Report and Annual Financial Statements, Supplementary Information to be made available at the meeting.
<b>Author:</b>	Mr John Bingham Manager Corporate Services
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	11 December 2013
<b>Senior Officer:</b>	Mr Neville Hale Chief Executive Officer

Summary

The purpose of this item is to accept the Audited Annual Financial Statements for the 2012/13 financial year and to set a date for the annual General Meeting of Electors.

Background

In accordance with the Local Government Act 1995, Council is to accept the Audited Annual Financial Statements for a financial year no later than 31 December after that financial year. At the time of writing this item, the audited financial statements are expected to be delivered to the Shire within the next week.

The CEO is to give local public notice of the availability of the annual report as soon as practicable after the report has been accepted by the local government.

An annual General Meeting of Electors is to be held once every financial year, on a day not more than 56 days after Council has accepted the Annual Report.

Comment

The Final Audit for the Shire of Lake Grace was held on the 5th & 6th November 2013. The completion of the audit and the financial report confirms all figures for the 2012/13 year including the carried forward position at 30 June 2013, which will need to be taken into consideration at the 2013/14 budget review.

The 2012/13 End of Year Surplus of \$1,787,176 varies to the 2013/14 Budget Surplus estimate of \$1,796,434 by \$9,258. It is envisaged that an adjustment will be taken up in the 2013/14 Budget Review.

It is anticipated that the Annual Report will be presented to the Audit Committee at its meeting to be held at 11.00am on Wednesday 18th December 2013 prior to the Council meeting.

It is recommended that the Annual General Meeting of Electors be held at 7.30pm on Thursday 6th February 2014 at the Newdegate Town Hall. The venue is in keeping with the rotation of the electors meetings between the four towns.



It should be noted that the Annual Electors Meeting is to be held within 56 days of the Annual Report being received by Council, which means that the Annual Electors meeting needs to be held prior to the 12 February 2014.

Legal Implications

Local Government Act 1995 s1.7, s1.8, s5.54, s5.27 & s5.29

Policy Implications

N/A

Consultation

Internal - Chief Executive Officer  
- Shire of Lake Grace Audit Committee

External - UHY Haines Norton (Auditors)

Financial Implications

Nil

Strategic Implications

Shire of Lake Grace Asset Management Plan  
Shire of Lake Grace Long Term Financial Plan

Voting Requirements

Absolute majority (5) required.

Recommendation/Resolution

**MOTION 11732**

Moved Cr Clarke  
Seconded Cr Hunt

That Council:

1. Accept the 2012/13 Annual Report and audited financial statements as recommended by the Audit Committee;
2. Receive the 2012/13 Independent Audit Report and Management Report provided by UHY Haines Norton; and,
3. Be advised that the Chief Executive Officer has convened the Annual General Meeting of Electors for 7.30 pm on Wednesday 5th February 2014 at the Newdegate Recreation Centre.

**MOTION CARRIED BY ABSOLUTE MAJORITY 9/0**

**15.0 MATTERS FOR CONSIDERATION – COMMUNITY SERVICES**

**15.1 GREAT SOUTHERN COMMUNITY HOUSING ASSOCIATION -  
MANAGEMENT AGREEMENT UPDATE**

<b>Applicant:</b>	Community Services
<b>File No.</b>	0665
<b>Attachments:</b>	Great Southern Community Housing Association Agreement
<b>Author:</b>	Ms Lee Holben Manager Community Services
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	29 November 2013
<b>Senior Officer:</b>	Mr Neville Hale Chief Executive Officer

Summary

At the 20 November 2013 Ordinary meeting of Council, Councillors requested a report on the status of the Management Agreement between the Shire of Lake Grace and the Great Southern Community Housing Association.

Great Southern Community Housing Association, Chief Executive Officer, Kaz Sternberg will give a verbal presentation at the 18 December 2013 Council meeting.

Background

**History**

Recommendations from the Department of Housing Compliance Report received by the Shire post 17 August 2010 recommended that:

1. The Shire transfers the management of all community housing properties to the Registered Housing Provider, Great Southern Community Housing Association.
2. A management agreement between Great Southern Community Housing Association and the Shire be negotiated with the approval of the final document by the Department of Housing, detailing use of local contractors where available, and other matters, at the earliest opportunity.
3. It is recommended that failing any transfer of management to a Registered Provider that a Breach of Agreement is issued to the Shire of Lake Grace.

**Management Agreement with Great Southern Community Housing**

In this model the key components are:

- The Shire would retain ownership/equity/leasehold of properties;
- Under the Management Agreement, Great Southern Community Housing would be responsible for all aspects regarding the administration and maintenance of the properties and would still make up to 30% of the units available for key worker housing.

The Agreement would cover:

- Responsibilities of both parties;
- The allocation process of the units;
- Communication between both parties;
- Dispute resolution;
- Financial matters such as chasing arrears;
- Reviews, variations and termination of leases.

Community Housing properties currently tenanted are:-

**Lake Grace**

- Units 1 – 7 / 2 Bennett St – Lakes Village
- 69 A & 69B Bennett St
- 67B Bennett St
- 67A Bennett Street handed over 29 November 2013 with a tenant moving in mid December

**Lake King**

- 169A & 169B Pickernell Way
- 170B Pickernell Way (moving in January 2014)

**Newdegate**

- 9A & 9B Collier St. 9A Collier became vacant 20 November 2013 currently having maintenance done before new tenant found
- 11A & 11B Collier St
- 39A & 39B Maley St
- 40A & 40B Maley St

**Varley**

- 48B Tamar Terrace
- 13 Arthur St

**Properties currently vacant**

170A Pickernell Way, Lake King. This property is currently being considered to support a local home business as no other facilities available and no waiting list for tenants.

Units 1, 2 & 3 at 5 Bennett Street will be ready for occupancy by the end of January 2014.

Legal Implications

The *Housing Act 1980*. The Regulatory Framework includes:

- National Community Housing Standards;
- National Regulatory Code (Growth Providers);
- Compliance with legal agreements and Community Housing Guidelines.

Policy Implications

Policy 1.12 Community Engagement

Consultation

## Internal:

Chief Executive Officer  
 Manager Corporate Services

## External:

Kaz Sternberg – Chief Executive Officer Great Southern  
 Community Housing Association  
 Debbie Stone – Housing Services Manager Great  
 Southern Community Housing Association

Financial Implications**Shire Equity**

The equity that the Shire has in each of the 28 community properties is based on the contributions that the Shire and the Department of Housing made at the time the project was agreed to or subsequently amended as in the case of the Lakes Village.

The following table provides information on equity and maintenance provisions. The information has been sourced from the original Homeswest Agreements.

PROPERTY LOCATION	JV or LOGCHOP	Shire Equity	Long Term Maintenance Provision
39A Maley Street, Newdegate – 3 bedrooms	-		
39B Maley Street, Newdegate - 3 bedrooms	-		
40A Maley Street, Newdegate - 3 bedrooms	JV	18%	1%
40B Maley Street, Newdegate - 3 bedrooms	JV	18%	1%
169A Pickernell Way, Lake King – 3 bedrooms	JV	18%	1%
169B Pickernell Way, Lake King – 2 bedrooms	JV	18%	1%
170A Pickernell Way, Lake King – 3 bedrooms	JV	22.94%	1%
170B Pickernell Way, Lake King – 3 bedrooms	JV	22.94%	1%
13 Arthur Street, Varley – 4 bedrooms	JV	14.36%	1%
48A Tamar Terrace, Varley – 3 bedrooms	JV	14.36%	1%
48B Tamar Terrace, Varley – 3 bedrooms	JV	14.36%	1%
69A Bennett Street, Lake Grace – 2 bedrooms	LOGCHOP		
69B Bennett Street, Lake Grace – 3 bedrooms	LOGCHOP	Homeswest provided \$150,000	
67A Bennett Street, Lake Grace – 3 bedrooms	JV	28.42%	1%
67B Bennett Street, Lake Grace – 3 bedrooms	JV	28.42%	1%
9A Collier Street, Newdegate – 2 bedrooms	LOGCHOP		
9B Collier Street, Newdegate – 2 bedrooms	LOGCHOP	Trustee (the Shire of Lake Grace) contribution \$56,600	
11A Collier Street, Newdegate – 2 bedrooms	LOGCHOP		
11B Collier Street, Newdegate – 2 bedrooms	LOGCHOP	Homeswest provided \$150,000	
Unit 1, Lakes Village, Lake Grace - 2 bedrooms	JV	33.8%	1%
Unit 2, Lakes Village, Lake Grace - 2 bedrooms	JV	33.8%	1%
Unit 3, Lakes Village, Lake Grace - 2 bedrooms	JV	33.8%	1%
Unit 4, Lakes Village, Lake Grace - 2 bedrooms	JV	33.8%	1%
Unit 5, Lakes Village, Lake Grace - 2 bedrooms	JV	33.8%	1%
Unit 6, Lakes Village, Lake Grace - 2 bedrooms	JV	33.8%	1%
Unit 7, Lakes Village, Lake Grace - 2 bedrooms	JV	33.8%	1%

The total original project value for the 28 properties is \$4,348,058.50.  
 The Shire's average equity is 20.10% or \$873,959.75.

**Lake's Village**

The total equity for the Lake's Village is 33.8% or \$279,509 of the total project cost of \$829,048.

### Properties with Zero Equity

69A & 69B Bennett St Lake Grace, 9A and 9B, 11A & 11B Collier St Newdegate were fully funded by the Department of Housing, thus making the Shire's equity in these properties at a nil value.

As at September 2013 Income Statement provided by Great Southern Community Housing for 2012/2013 is as follows:

Income	Budget	Actual	\$ Difference	% Difference	Total Income
Rent	\$213,044	\$155,171	(\$57,873)	-27%	<b>\$155,171</b>
<b>Expenditure</b>					
Management Fee	\$36,679	\$39,679	(0)	0.0%	
Maintenance	\$13,097	\$19,158	\$6,060	46.3%	
Major Maintenance	\$18,291	\$2,105	(\$16,187)	-88.5%	
Statutory Charges	\$30,225	\$1,541	(\$28,684)	-94.9%	
Insurance	\$9,343	\$7,198	\$2,146)	-23.0%	<b>Total Exp.</b> \$69,680
				<b>Surplus</b>	<b>\$85,491</b>

### Management Fee

The Management Fee is a fixed rate (\$37,856 the first year's budget) per annum based on direct labour costs to manage the units. It is reviewed annually.

### Ongoing Maintenance

This is day to day responsive maintenance including plumbing, electrical, minor repairs etc. At this point in time local contractors are utilised for these services.

### Major Maintenance

Includes replacement of hot water systems and stoves, painting, floor coverings, fencing and gates etc.

### Statutory Charges

Shire and water rates.

### Insurance

Industrial Special Risks and Public Liability insurance for all properties. Also includes Contractors Workers Compensation insurance.

It is noted that Building Insurance is still being paid by the Shire which should be expensed against rental income. This needs to be followed up.

### Surplus Funds

The Management Agreement states:

*"The accumulated surplus funds generated from the properties will be finally determined after all expenses have been reconciled and audited.*

*All surplus funds will be utilised for further "social housing" provision in the Shire of Lake Grace."*

(This clause was required by the Department of Housing).

The Project budget submitted by Great Southern Housing Association for the 2014 calendar year for the 28 rental properties is as follows:

<b>GREAT SOUTHERN COMMUNITY HOUSING ASSOCIATION (INC)</b>	
<b>Special Purpose Budget - 2014 Calendar Year</b>	
<b>Shire of Lake Grace - 28 rental properties</b>	
<b>Income</b>	
Rental Income	211,120
<b>Total Income</b>	<b>211,120</b>
<b>Expenditure</b>	
Vacancies & bad debts @ 3%	6,334
Maintenance day to day	14,000
Maintenance Major	19,600
Water Rates	10,718
Insurances - ISR & PL	10,981
Management Fee	48,655
<b>Total Expenditure</b>	<b>110,288</b>
<b>Annual Surplus / -Deficit</b>	<b>100,832</b>

**NOTES TO BUDGET:****Income**

Rents are based on average rental income of \$290 per fortnight

**Expenditure**

Vacancies and bad debts are calculated at 3%

Day to Day and Major Maintenance are set at \$500 and \$700 per property respectively.

The insured value of the properties is \$6,741,000, this is re-assessed periodically.

Water Rates - concessional rates

Management Fee - based on direct labour costs and travel only.

*\*Note - As this is a special purpose budget requested by the Shire of Lake Grace to cover the 2014 calendar year, the actual budget figures may vary due to annual reviews that take effect on 1st July each year. For this exercise I have factored in a 3% increase for the period Jul-Dec 2014 on Water Rates, Insurances and Management Fees.*

*As the management fee is calculated only on direct labour costs and travel, any surplus will be retained by the GSCHA for development where there is an identified need.*

**Strategic Implications****Shire of Lake Grace Strategic Plan****Focus 1. - Economic Diversity**

1.4 Undertake and review the level of housing required by the Shire.

**Focus 2. – Social and Community Well Being**

2.2 In partnership with key stakeholders facilitate the introduction of suitable accommodation for self funded retirees and those requiring aged care.

Conclusion

The Great Southern Community Housing Association has managed the Shire of Lake Grace's community housing for twelve months.

This organisation has proven that they have the required processes in place as a Preferred Provider with a proven track record and have successfully managed these properties.

Voting Requirements

Simple majority required.

Officer Recommendation/Resolution

**MOTION 11733**

Moved Cr De Landgraftt  
Seconded Cr Sinclair

That Council accept the information provided.

**MOTION CARRIED 9/0**

***Cr Armstrong wished that thanks be noted in the minutes to staff for the turnaround in the management of the Shire's community housing to where it is today. It has turned the Shire's fortunes on its head from where we were in a mismanaged and non compliant situation to a position of strength today in a relatively short time frame.***

**15.2            UNBUDGETED EXPENDITURE - LAKE GRACE SWIMMING POOL BLANKET**

**Applicant:** Shire of Lake Grace  
**File No** 0517  
**Attachments:** Nil  
**Author:** Ms Lee Holben  
Manager Community Services  
**Disclosure of Interest:** Nil  
**Date of Report:** 29 November 2013  
**Senior Officer:** Mr Neville Hale  
Chief Executive Officer

**MOTION 11734**

Moved Cr Chappell  
Seconded Cr De Landgraft

That, in accordance with clause 16.1 of the Shire's Standing Order Local Law, the meeting be suspended at 3.05 pm under clause 8.5 to allow discussion on the unbudgeted expenditure for the Lake Grace Swimming Pool.

**MOTION CARRIED 9/0**

**MOTION 11735**

Moved Cr Clarke  
Seconded Cr Chappell

That Standing Orders resume, the time being 3.12 pm.

**MOTION CARRIED 9/0**

Summary

For Council to consider the purchase of a pool blanket for the Lake Grace Pool.

Background

The Lake Grace Swimming Pool is owned and operated by the Shire of Lake Grace for the benefit of the community.

At its 20 November 2013 Ordinary Meeting, Council requested staff investigate the purchase of a pool blanket to maximise water temperature and to improve the amenity; and report to the next meeting.

In the past the Lake Grace Swimming Pool has had a pool blanket but this deteriorated with age and use. The roller is still in use as a storage unit for the lane ropes.



### Comment

There are a number of types of pool blankets available and include the following:

#### **Foam Blanket**

The ThermoTech foam blanket is made of 3mm thick, cross-linked PE closed cell Polyolefin foam. This foam consists of 3 layers, is flame-bonded each side to a UV-stabilised, waterproof, non-toxic and chemical resistant blue woven PE material called Canvacon. It has an R-value (thermal resistance of 0.088 m<sup>2</sup>/k. It is covered by a 5 year pro-rate warranty. Installations with symmetrical pools can invert the blanket to get an extended life span. The blankets come complete with full edge binding; end reinforcing and haul cords are installed onto the blanket. Covered by a manufactures 5 year pro-rata warranty. If wind is a problem the blankets come fitted with wind skirts.

#### **Bubble Blanket**

The Bubble blanket is made from commercial grade PE (Polyethylene). UltraDome Series 8 is a 500 micron thick translucent blue bubble material. It has an R-value (thermal resistance) of 0.067m<sup>2</sup>/K, thermal conductivity of 0.080W/mk and a weight of 460g/m<sup>2</sup>. It comes complete with full edge binding and end reinforcing, cords, flotation rod, multi point attachment and an attached over cover to protect when on the roller. A floating haul cord is supplied to enable ease of operation. If wind is a problem the blankets can be flittered with a wind skirt at additional cost.

#### **Rollers**

The commercial roller system is constructed from solid 10mm thick 316 stainless steel that is CNC bent, then TIG welded (with only one weld per roller). The frame is electro-polished to oil rig corrosion resistant standards, has a square drive, machined into the axles, to enable positive drive of the Blanket Buddy Power Pack or detachable steering wheel manual drive.

Pool blankets promote water conservation by reducing water evaporation by up to 97%, which provides water saving of 50,000 litres per year. (Figures based on Bureau of Meteorology annual evaporations rates of an outdoor pool with a 40m<sup>2</sup> surface area.) By conserving pool water it will also reduce chemical consumption of 50-70%.

Staff have investigated three companies that offer a range of high quality fully automatic pool cover system. All three companies offer a similar range but of varying quality of product.

After advice from pool companies, pool manager and residents who have pool blankets it is recommended that we purchase a Foam blanket as they can increase water temperature by up to 8 degrees, can be used both sides therefore having a longer life expectancy. From an Occupational Health and Safety perspective it is recommended that the foam blanket be in three sections, with three rollers and supported by a Blanket Buddy which takes the manual handling out of operating the pool blankets

Legal Implications

N/A

Policy Implications

Shire of Lake Grace Policy 3.3 - Specified Area Rating requires all Shire capital contributions to recreation and culture exceeding \$50,000 be first approved by way of a community survey.

As this capital expenditure does not exceed \$50,000, community consultation is not required.

Consultation

Internal: Senior Management Team  
Lake Grace Pool Managers

External: Elite Pool Covers  
Daisy Pool Covers  
Abgal Liners and Covers

Financial Implications

This unbudgeted item could be funded from Reserve fund A001324 Lake Grace Sport and Recreation Specified Area Rate.

The Specified Area Rate Reserve is anticipated to have approximately \$75,000 of unexpended funds available this financial year.

The indicative cost for the purchase and installation of the equipment is detailed as follows:

3 x Blankets Elite 5mm Reversible Thermal 0.13kw R value 6 year warranty Includes wind edges and ends, pull cord system Built in UV over covers and security straps	\$23,540
Rollers (3 rollers) single 200 mm x 3.25 Anodised Tube Extra Heavy Duty 10 mm SS frames & 38 mm SS/Axles	\$10,200
Blanket Buddy – deals with any OH&S issues as it takes the manual handling out of operating the pool blankets and rollers, as well as reduces the time needed to cover and uncover the pool blankets.	\$8,620
Freight and Installation	\$1,700
Total	\$44,060 + GST

Strategic Implications

Governance - Asset management and service delivery requirements.

Recommendation

That Council approve the an unbudgeted expenditure for the purchase of a Thermal pool blanket, rollers, blanket buddy, freight and installation at a cost of \$44,060 plus GST, from Capital Expenditure account E112523

Lake Grace Swimming Pool, Pool Cover Capital expenditure with funds sourced from the Lake Grace Sport and Recreation Specified Area Rate Reserve Account.

Voting Requirements

Absolute majority (5) required.

Resolution

**MOTION**

Moved Cr Stanton  
Seconded Cr Hunt

That Council approve the an unbudgeted expenditure for the purchase of a Thermal pool blanket, rollers, blanket buddy, freight and installation at a cost of \$44,060 plus GST, from Capital Expenditure account E112523 Lake Grace Swimming Pool, Pool Cover Capital expenditure with funds sourced from the Lake Grace Sport and Recreation Specified Area Rate Reserve Account.

**MOTION 11736**

Moved Cr De Landgraft  
Seconded Cr Chappell

That Council proceed to the next item of business.

**MOTION CARRIED 9/0**

***REASON FOR CHANGE***

***Council acknowledged the efforts of staff in presenting the information as requested and agreed to lay the matter on the table whilst additional information is obtained prior to consideration during the 2014/15 budget deliberations.***

<b>16.0 MATTERS FOR CONSIDERATION – ADMINISTRATION</b>
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3.14 pm      *Cr Marshall left the meeting.*

**16.1      WALGA COUNTRY REFORM POLICY FORUM - AUTHORISED COUNCILLOR REPRESENTATIVE**

<b>Applicant:</b>	Executive Services
<b>File No.</b>	0029
<b>Attachments:</b>	Letter & Terms of Reference
<b>Author:</b>	Mrs Jeanette Bennett Executive Assistant
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	10 December 2013
<b>Senior Officer:</b>	Mr Neville Hale Chief Executive Officer

Summary

The purpose of this report is for Council to recognise the appointment of Cr Armstrong to WALGA's Country Reform Policy Forum as an authorised delegate of the Shire.

Background

The Shire has received a letter from the WA Local Government Association regarding the appointment of Cr Armstrong to its Country Reform Policy Forum as a representative for WALGA Central Country Zone.

The Group has elected member representation from each of the five Country Zones, six Local Government Officers plus a representative from LGMA. A membership list is included at attachment.

The objectives of the Forum are detailed in point 4 of the Terms of Reference (refer attachment) and cover the areas of research and development of 'best practice' governance models appropriate to country local governments, the current poll provisions and provision of guidance and direction to WALGA in their advocacy to the State Government.

Comment

Councillors, as authorised delegates of this Shire are eligible to recoup accommodation and travelling costs incurred when travelling on official Shire business.

It is proposed that Cr Armstrong be recognised as an authorised delegate to enable him to recoup incurred costs.

Legal Implications

Nil

Policy Implications

Shire of Lake Grace Policy 1.6 Members Travel Expenses

Consultation

Nil

Financial Implications

Budget Account E 041020 Members Travel allows for recoup of accommodation and travel costs for Councillors when travelling on official Shire business.

Strategic Implications

Shire of Lake Grace Community Strategic Plan

Voting Requirements

Simple majority required.

Voting Requirements

Simple majority required.

Recommendation/Resolution

**MOTION 11737**

Moved Cr Chappell  
Seconded Cr De Landgraft

That Council recognise Cr Armstrong's appointment to the West Australian Local Government Association's Country Reform Policy Forum as an authorised delegate of the Shire.

**MOTION CARRIED 8/0**

**NOTE:**

***Cr Chappell expressed thanks to Cr Armstrong for taking on this task.***

3.16 pm      *Cr Marshall re-entered the meeting.*

**16.2 QUONDONG COURT SUBDIVISION NEW TITLE APPLICATION – USE OF COMMON SEAL**

**Applicant:** Shire of Lake Grace  
**File No.** 0704  
**Attachments:** Application for new title  
**Author:** Mrs Jeanette Bennett  
Executive Assistant  
**Disclosure of Interest:** Nil  
**Date of Report:** 16 December 2013  
**Senior Officer:** Mr Neville Hale  
Chief Executive Officer

Summary

This report is for Council to approve the use of the common seal on the Application for New Titles in relation to the Quondong Court residential land subdivision in Lake Grace.

Background

The Shire of Lake Grace has undertaken a staged subdivision of Lot 1 Wattle Drive Lake Grace for residential purposes.

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

The Shire is now required to register Deposited Plan 47225 and apply for the issue of the relevant Certificates for Lot 9001, Quondong Court Lake Grace, being the 10 new residential blocks. This is the final stage prior to the land being made available for sale.

Comment

Affixing of the Shire's Common Seal requires a resolution of Council to authorise the Shire President and the Chief Executive Officer to use the seal and execute the agreement

Legal Implications

*Transfer of Land Act 1893 as amended*

*Local Government Act 1995 – Section 9.49A*

Shire of Lake Grace Standing Orders Local Law – clause 17.1

Policy Implications

Shire of Lake Grace Policy 1.11 – Use of Common Seal

Consultation

N/A

Financial Implications

Freeway Settlement Services have been instructed to make the application on behalf of the Shire at the cost of \$932.00.

Budget 2013/14 Account E 137050 Land Sale expenses has funds available for this purpose.

Strategic Implications

N/A

Voting Requirements

Simple majority required.

Recommendation/Resolution

**MOTION 11738**

Moved Cr Armstrong  
Seconded Cr Hunt

That Council authorise the Shire President and the Chief Executive Officer to affix the common seal on the Application for New Titles for Lot 9001 on Deposited Plan 47225 being the Quondong Court Subdivision.

**MOTION CARRIED 9/0**

## 17.0 INFORMATION BULLETIN

### 17.1 INFORMATION BULLETIN REPORT – DECEMBER 2013

<b>Applicant:</b>	Executive Services
<b>File No.</b>	N/A
<b>Attachments:</b>	1 to 5 <i>(provided for Councillors information under separate cover)</i>
<b>Author:</b>	Mrs Jeanette Bennett Executive Assistant
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	10 December 2013
<b>Senior Officer:</b>	Mr Neville Hale Chief Executive Officer

#### Summary

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

Included in this item is the recommendation to endorse the appointment of Cr Armstrong to WALGA's Country Reform Policy Forum.

#### Background

The Information Bulletin Report deals with monthly standing items and other information of a strategic nature relevant to Council. The Information Bulletin is an internal management document; therefore attachments are not for public information.

Copies of other relevant Councillor information are distributed via email and the weekly mail-out system.

#### Comment

The information at attachment includes:

#### **1. Council Status Report**

Tracks progress of Council resolutions.

#### **2. Lake Grace Library & Community Resource Centre Management Committee**

Minutes of the meeting held Thursday 7 November 2013.

#### **3. Letter – ALGA**

Letter from the Australian Local Government Association regarding the Constitutional Recognition Campaign.

#### **4. WALGA Economic Briefing**

November 2013 issue of the Local Government Economic Briefing newsletter issued through WALGA.

#### **5. Infrastructure Services Report**

Report of works undertaken during November 2013 in the Infrastructure Services Department.



Legal Implications

Nil

Policy Implications

Nil

Consultation

N/A

Financial Implications

Nil

Strategic Implications

Shire of Lake Grace Community Strategic Plan

Voting Requirements

Simple majority required.

Officer's Recommendation/Resolution

**MOTION 11739**

Moved Cr Clarke  
Seconded Cr Stanton

That Council accepts the Information Bulletin report.

**MOTION CARRIED 9/0**

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

Nil

**19.0 SCHEDULING OF MEETING**

**19.1 FEBRUARY 2014 ORDINARY MEETING**

**Motion 11711 November 2013 states:**

An Ordinary Meeting of Council will be held on Wednesday 26 February 2014 commencing at 2:00pm at Council Chambers, 1 Bishop St Lake Grace WA.

**MOTION 11739**

Moved Cr Chappell  
Seconded Cr Hunt

That Council adjourn the meeting at this time, being 3.20 pm for a Citizenship ceremony for Vangi, Greg, John and Kendrick Amores at the Lakes Village Hall.

**MOTION CARRIED 9/0**

**MOTION 11740**

Moved Cr Stanton  
Seconded Cr Chappell

That Council reconvene the meeting at this time, being 4.22 pm.

**MOTION CARRIED 9/0**

*(Meeting reconvened with all those previously present in attendance).*

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

**MOTION 11741**

Moved Cr Chappell  
Seconded Cr Marshall

That Council close the meeting to the public at this time, being 4.23 pm, to consider Item 20.1 Unauthorised Building Structures in the Shire of Lake Grace, Item 20.2 2014 Australia Day Citizenship Awards, Item 20.3 Medical Service Provider Agreement - Review and Item 20.4 Chief Executive Officer - Probation Review.

**MOTION CARRIED 9/0**

**20.1 UNAUTHORISED BUILDING STRUCTURES IN THE SHIRE OF LAKE GRACE**

*Item forwarded under separate cover.*

**20.2 2014 AUSTRALIA DAY CITIZENSHIP AWARDS**

*Item forwarded under separate cover.*

*Declarations of Impartiality: Cr Chappell declared an interest affecting impartiality in that he is the Acting President of the Lake Grace Development Association.*

*Cr Marshall declared an interest affecting impartiality in that he is a Committee Member of the Lake Grace Pingrup Football Club.*

**20.3 MEDICAL SERVICE PROVIDER AGREEMENT - REVIEW**

*Item forwarded under separate cover.*

*Declaration of Impartiality: Cr Marshall declared an interest affecting impartiality regarding his perceived social contact with Dr Jacobs.*

*5.12 pm Manager Infrastructure Services Martin Harrop, Manager Corporate Services John Bingham, Manager Community Services Lee Holben and Executive Assistant Jeanette Bennett left the meeting.*

**20.4      CHIEF EXECUTIVE OFFICER - PROBATION REVIEW**

*Item forwarded under separate cover.*

**MOTION 11742**

Moved Cr Chappell  
Seconded Cr Hunt

That Council re-open the meeting to the public at this time, being 5.18 pm.

**MOTION CARRIED 9/0**

*The Shire President read aloud the decisions of Council relating to Items 20.1, 20.2, 20.3 & 20.4 as follows:*

**MOTION 11743**

Moved Cr Sinclair  
Seconded Cr Chappell

That Council use this report to direct the Shire's Building Surveyor to take the following actions;

1. Write to the owner/applicants advising that the requested information or action required be supplied to the Shire along with prescribed fees within 90 days of this resolution;
- 2 Report back to Council if the owner/applicant fails to meet the deadline including a recommendation to address the non compliance.

**MOTION CARRIED 8/1**

**MOTION 11744**

Moved Cr Stanton  
Seconded Cr Clarke

1. That Council, having determined the Award recipients, announce and present the Awards at the Australia Day Celebrations being held throughout the Shire on 26th January 2014.

**MOTION CARRIED 9/0**

**MOTION 11745**

Moved Cr Chappell  
Seconded Cr Marshall

That Council appoint President, Deputy President, Cr Armstrong and the CEO to meet with Dr Francois Jacobs to discuss the annual allowance and his concerns should a pharmacy be established within the district.

**AMENDMENT**

Moved Cr Marshall  
Seconded Cr Armstrong

Addition to the motion - Point 2: That the proponent pharmacist be requested to confirm and clarify his intentions re the establishment of a pharmacy in Lake Grace.

**MOTION CARRIED 9/0**

**COUNCIL DECISION**

1. That Council appoint the President, Deputy President, Cr Armstrong and the Chief Executive Officer to meet with Dr Francois Jacobs to discuss the annual allowance and his concerns should a pharmacy be established within the district.
2. That the proponent pharmacist be requested to confirm and clarify his intentions re the establishment of a pharmacy in Lake Grace.

**MOTION CARRIED 9/0**

**MOTION 11746**

Moved Cr Marshall  
Seconded Cr Chappell

1. That Council confirms that the Chief Executive Officer has satisfied the conditions of his probation and is hereby confirmed in the role of Chief Executive Officer.
2. That the President liaise with the Chief Executive Officer to establish suitable Key Performance Indicators for the basis of his annual review in August/September 2014.

**MOTION CARRIED 9/0**

**21.0 CLOSURE**

There being no further business, the Shire President closed the meeting at 5.19 pm.

**22.0 CERTIFICATION**

I Andrew James Walker certify that the minutes of the meeting held on the 18 December 2013 as shown were confirmed as a true record at the meeting held on the 26 February 2014.

\_\_\_\_\_

Shire President

\_\_\_\_\_

Date