

Shire of Lake Grace

Ordinary Council Meeting

# Minutes

22 April 2015

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## **SHIRE OF LAKE GRACE**

Minutes of the Ordinary Meeting of Council held in Council Chambers, Lake Grace WA, on Wednesday 22 April 2015.

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

The Shire President opened the meeting at 3.06 pm.

### **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 SG Hunt	
Cr AD Marshall	
Cr DG Sinclair	
Cr MG Stanton	
Mr N Hale	Chief Executive Officer
Mr P Dittrich	A/Manager Corporate Services
Mr L Shopov	Manager Infrastructure Services
Ms L Holben	Manager Community Services
Mrs J Bennett	Executive Assistant

#### **2.2 APOLOGIES**

Cr DS Clarke

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

No current leave of absence applicable.

### **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 2015**

#### Resolution

#### **MOTION 12019**

Moved Cr Armstrong  
Seconded Cr Stanton

That the minutes of the Ordinary Meeting of Council held on the 25 March 2015 be confirmed as a true and accurate record subject to the following correction:

Item 14.1 Accounts for Payments – February 2015, page 22 Motion 12013, Municipal Account Cheques – that Municipal Account Cheque 35818 be amended to read Municipal Account Cheque 35819.

**MOTION CARRIED 8/0**

## **6.0 DECLARATIONS OF INTEREST**

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

None.

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

None.

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

None.

## **7.0 NOTICES OF URGENT BUSINESS**

None.

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

None.

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

None.

**10.0 MEMBERS' REPORTS****10.1 CR SINCLAIR**

Reported that the Eastern Wheatbelt Biosecurity Group has approached Western Areas NL mining company and they have agreed to contribute \$10,000 to the Group to assist with wild dog control.

**10.2 CR HUNT****Monday 13 April 2015**

Attended the CY O'Connor TAFE regional meeting held at the Lake Grace CRC, participated in the town tour for the visitors and attended the luncheon.

**10.3 CR MARSHALL****Monday 13 April 2015**

Attended the CY O'Connor TAFE regional meeting held at the Lake Grace CRC, participated in the town tour for the visitors and attended the luncheon.

Attended the Lake Grace Development Association Annual General Meeting.

**10.4 CR DE LANDGRAFFT****Thursday 2 April 2015**

Attended the Lake King Primary School assembly and presented a copy of The Western Australian Explorations of John Septimus Roe 1829-1849 to the Lake King Primary School.

*Background: In February 2014, in response to a request from the Western Australian Explorer's Diaries Project the Shire provided sponsorship towards typesetting and printing costs for this publication.*

*In acknowledgement of the sponsorship, two complimentary copies of the publication were received by the Shire and it was decided that one each be made available for borrowing through the Lake King and Lake Grace Public Libraries.*

*The Project involved volunteers compiling maps and documents for publication, this is the 11th volume in the WA Explorers Diaries series and it includes John Septimus Roe's work within the Shire of Lake Grace.*

*It is noted that local Lake Grace resident, Mr Allan Zweck is one of the volunteers involved and that he wrote the introduction to the section of the book devoted to the South East Expedition of 1829-1849.*

*Allan Zweck moved to Lake Grace as a new-land farmer in 1965 until retirement when he became an enthusiastic family history researcher. While researching William Rudall, to whom his wife was related, he developed a great interest in the Explorer's Diaries Project which led to his involvement as a proof reader for the book.*

**Monday 13 April 2015**

Attended the CY O'Connor TAFE regional meeting held at the Lake Grace CRC, participated in the town tour for the visitors and attended the luncheon.

**Wednesday 15 April 2015**

Attended a meeting at the Newdegate Medical Centre with Dr Jacobs, Shire President and the CEO regarding advertising of the GP position.

Attended and chaired the Newdegate Rejuvenation Committee meeting held in Newdegate.

**Monday 20 April 2015**

Attended the Asset Management Committee meeting in Lake Grace.

**10.5 CR ARMSTRONG**

**Monday 13 April 2015**

Attended the CY O'Connor TAFE regional meeting held at the Lake Grace CRC, participated in the town tour for the visitors and attended the luncheon.

Attended the Newdegate Community Development Association Meeting.

**Tuesday 14 April 2015**

Attended the Newdegate Field Day Committee Meeting.

**Wednesday 15 April 2015**

Attended the Newdegate Rejuvenation Committee meeting held in Newdegate.

**Monday 20 April 2015**

Attended the Newdegate Recreation Council Meeting.

**10.6 CR CHAPPELL**

**Monday 30 March 2015**

Attended the Asset Management workshop in the Shire Chambers.

**Wednesday 8 April 2015**

Attended the Lake Grace Regional Health Advisory Group meeting.

**Monday 13 April 2015**

Attended the Lake Grace Development Association AGM and general meeting.

**Thursday 16 April 2015**

Attended and chaired the AGM and general meeting of the Bushfire Advisory Committee at Newdegate.

**Saturday 18 April 2015**

Busy bee at Lake Grace Shire Hall: After putting out a call to my friends, fellow ambulance officers and shire staff eleven of us assembled 100 chairs and 16 tables. This was a saving of \$9.00 a chair and the extra freight if we had had them assembled in Perth.

**10.7 CR WALKER**

**Wednesday 25 March 2015**

Chaired the Annual Meeting of Electors held at the Varley Sports Pavilion.

**Thursday 26 March 2015**

Attended the Eastern Wheatbelt Primary Care Project meeting in Corrigin with the Chief Executive Officer.



**Monday 30 March 2015**

Attended the Shire's Asset Management workshop held in Lake Grace, funded by the Department of Local Government and facilitated by Trevor Seymore Jones.

**Monday 13 April 2015**

Attended the CY O'Connor TAFE regional meeting held at the Lake Grace CRC, presented an economic overview of the Shire to those present, participated in the town tour for the visitors and attended the luncheon.

**Tuesday 14 April 2015**

Attended the 4WDL VROC meeting held in Woodanilling. One of the items of discussion was the need for the Group to come up with its next regional project.

During the meeting, Dumbleyung Shire President, Cr Gordon Davidson congratulated Heidi Cowcher, Community Development Officer with the Shire of Williams who has been coordinating the regional aged housing project across the seven shires over the past four years. With regard to this project, Heidi has been the driving force behind making it happen and her hard work, passion and professionalism in managing this project and submitting and succeeding with the numerous grant applications is a continual inspiration to the 4WDL Group.

**Wednesday 15 April 2015**

Attended a meeting in Newdegate with Dr Jacobs, Deputy Shire President Cr De Landgraft and the Chief Executive Officer to discuss the advertising campaign for the upcoming GP vacancy.

**Monday 20 April 2015**

Attended and chaired the Shire's Asset Management Committee meeting held in Lake Grace.



<b>11.0 MATTERS FOR CONSIDERATION – WORKS &amp; SERVICES</b>
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*No items for consideration.*

<b>12.0 MATTERS FOR CONSIDERATION – PLANNING</b>
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*No items for consideration.*

<b>13.0</b>	<b>MATTERS FOR CONSIDERATION – HEALTH &amp; BUILDING</b>
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*No items for consideration.*

## **14.0 MATTERS FOR CONSIDERATION – FINANCE**

### **14.1 ACCOUNTS FOR PAYMENT – MARCH 2015**

<b>Applicant:</b>	Shire of Lake Grace
<b>File No.</b>	0277
<b>Attachments:</b>	List of Creditors
<b>Author:</b>	Mrs Lynda Trawinski Finance Officer
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	10 April 2015
<b>Senior Officer:</b>	Mr Peter Dittrich A/Manager Corporate Services

#### Summary

For Council to ratify expenditures incurred for the month of March 2015.

#### Background

List of payments for the month March 2015 through the Municipal and Trust accounts are attached.

#### Comment

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

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

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

#### Legal Implications

Local Government (Financial Management) Regulations 1996 – Reg 12

Local Government (Financial Management) Regulations 1996 – Reg 13

#### Policy Implications

N/A

#### Consultation

N/A

#### Financial Implications

The list of creditors paid for the month of March 2015 from the Municipal and Trust Account Total \$ 912,412.45

Strategic Implications*Shire of Lake Grace Strategic Community Plan*

- EC1.3 Ensure the Shire's capital investment program is cost effective and financially sustainable.

Voting Requirements

Simple majority required.

Recommendation/Resolution**MOTION 12020**

Moved Cr Chappell

Seconded Cr De Landgraft

That Council ratify the list of payments totalling \$912,412.45 as presented for the month of March 2015 incorporating:

- Trust Account Cheques:	825 to 828	\$	550.00
- Electronic Funds Transfer:	EFT 13749 to EFT 13889	\$	838,660.89
- Municipal Account Cheques:	35820 to 35846	\$	32,242.22
- Direct Debits:	DD5462.1 to DD5462.8	\$	40,959.34

**MOTION CARRIED 8/0**

**14.2      FINANCIAL STATEMENTS – MARCH 2015**

<b>Applicant:</b>	Shire of Lake Grace
<b>File No.</b>	0275
<b>Attachments:</b>	Financial Reports
<b>Author:</b>	Mr Warrick Millar Senior Finance Officer
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	13 April 2015
<b>Senior Officer:</b>	Mr Peter Dittrich A/Manager Corporate Services

Summary

Consideration of the financial statements for the month ending 31 March 2015.

Background

The following financial reports are included for Councillors information:

- Monthly Statement of Financial Activity
- Financial Activity Variances
- Significant Accounting Policies
- Statement of Objective
- Acquisition of Assets
- Disposal of Assets
- Information on Borrowings
- Reserves
- Net Current Assets
- Rating Information
- Trust Funds
- Operating Statement by Programme
- Balance Sheet
- Financial Ratios
- Capital Road Works
- Operating Revenue & Expenditure Graphs
- Bank Reconciliations

Comment

Nil

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 Community Plan*

Civic Leadership Focus Area (5)

- Excellence in Shire administration and communication

Voting Requirements

Simple majority required.

Recommendation/Resolution**MOTION 12021**

Moved Cr Hunt

Seconded Cr Marshall

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 31 March 2015 as attached is received.

**MOTION CARRIED 8/0**

## 15.0 MATTERS FOR CONSIDERATION – COMMUNITY SERVICES

### 15.1 LEASE AGREEMENT – LAKE GRACE DAYCARE SERVICE

<b>Applicant:</b>	TBZ Leyte Holdings Pty Ltd
<b>File No.</b>	0750
<b>Attachments:</b>	Proposed Lease Agreement
<b>Author:</b>	Ms Lee Holben Manager Community Services
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	2 April 2015
<b>Senior Officer:</b>	Mr Neville Hale Chief Executive Officer

#### Summary

The purpose of this report is to formalise the Lease Agreement with TBZ Leyte Holdings Pty Ltd which relates to the provision of Child Care services to the Shire of Lake Grace at the Lake Grace Day Care facility and to approve the use of the common seal on the document.

#### Background

The volume of land on Reserve no 27864, Lot 233/234 on Deposited Plan 170888, Certificate of Title Volume LR301, Folio 709 has two buildings on it, the Day care building and the Playgroup building (old Kindergarten building).

The Playgroup operates out of the Playgroup building on a Thursday. TBZ Leyte Holdings Pty Ltd operates a Day Care Services five days per week.

#### Comment

Sarah Short Regional Manager Children Services Support Unit (CSSU) met with the Manager Community Services on the 23 February 2015. This meeting was instigated by the Manager Community Services to seek information on how the service was running for feedback to the Councilor's at the Ordinary meeting of Council to be held on the 25 February 2015.

At this meeting Sarah Short notified the Shire that the Manager of the Lake Grace Day Care Centre had submitted her resignation to take effect as from 24 April 2015 and the recommendation to the CSSU Board to be held in early April 2015 would be that they discontinue the service due to the service making a loss as a result of low number of participating families.

Contact was made with the owner of Katanning Start Child Care Centre in February 2014. The husband/wife team were interested in the Lake Grace proposal but had to decline due to being in the middle of setting up a childcare centre in another Wheatbelt Regional Town.

The Katanning centre was established in 2002 and operates 6.45 am to 5.45 pm Monday to Friday and caters for 26 children aged 6 weeks to 6 years. The Katanning current fee structure is \$64 to \$72 dollars, before any subsidy is allocated.

The owners (Rebecca Leyte) have made contact with Manager Community Services over the last three months checking on the progress of CSSU and confirming that if an

opportunity arose they would be interested in discussing the prospect of taking on the business.

Rebecca met with the Lake Grace Child Care Community Committee on Saturday 1 April 2015 to discuss the prospect of her providing a Day Care Centre in Lake Grace and to view the facility.

The Committee and Rebecca both contacted the Manager Community Services the following week to confirm that they were working together to provide a Day Care Service in Lake Grace. Rebecca requested the possibility of the lease for the facility be put in her name.

#### Legal Implications

Lease Agreement between the Shire of Lake Grace and TBZ Leyte Holdings Pty Ltd. The Lease to be reviewed in three years' time.

#### Policy Implications

Shire of Lake Grace Policy 1.11 Use of the Common Seal

#### Consultation

Internal: Senior Management Team

External: Jamie-Lee King, Senior State Land Officer, Department of Lands.  
Sarah Short, Regional Manager, Children Services Support Unit Inc.  
Chloe DeFrenne  
Rebecca Leyte, TBZ Leyte Holdings Pty Ltd

#### Financial Implications

The Agreement sets out the Shire's financial obligations for the provision of building insurance and any capital expenditure.

The costs are consistent with previous agreements and in line with the current budget.

#### Strategic Implications

*Shire of Lake Grace Strategic Community Plan*

- S1: Maintain current populations and attract new people to live in the shire.
- S2 Maintain and support the growth of basic services.
- S3: Maintain and improve social/community infrastructure to support community wellbeing.

#### Voting Requirements

Simple Majority required.

Recommendation/Resolution

**MOTION 12022**

Moved Cr Chappell

Seconded Cr Stanton

That Council:

1. Enters into the Lease Agreement with TBZ Leyte Holdings Pty Ltd, subject to approval by the Minister for Lands.; and,
2. Authorises the use of the common seal by the Shire President and the Chief Executive Officer on the Lease Agreement documents.

**MOTION CARRIED 8/0**

**16.0 MATTERS FOR CONSIDERATION - ADMINISTRATION****16.1 PROPOSED 'A' CLASS RESERVE – RESERVE 34213 FENCE RD, LAKE CAMM**

<b>Applicant:</b>	Dept of Parks and Wildlife
<b>File No.</b>	0359
<b>Attachments:</b>	Letter dated 23 March 2015 & Reserve 34213 plan
<b>Author:</b>	Mr Neville Hale Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	10 April 2015
<b>Senior Officer:</b>	Mr Neville Hale Chief Executive Officer

Summary

The Department of Parks and Wildlife (PAW), formerly the Department of Environment and Conservation (DEC), has written to the Shire seeking reconsideration of Council's earlier decisions regarding this Reserve and is again seeking the support of the Shire for the transfer of Crown Reserve 34213 to the Conservation Commission of Western Australia as a class "A" nature reserve.

Background

Council previously resolved in October 2011 by resolution 11308:

*That Council does not support the DEC's bid to re-classify Reserve 34213 to a Class A Reserve for conservation purposes on the grounds that Reserve 34213 may be required in the future for water requirements for what is a water deficient area .*

Council again considered a similar request in June 2013, and resolved by resolution 11652:

*That as previously resolved through motion 11308 of October 2011: Council does not support the DEC's bid to re-classify Reserve 34213 to a Class "A" Reserve for conservation purposes on the grounds that Reserve 34213 may be required in the future for water or other community requirements for what is a water deficient area.*

The Department of Parks and Wildlife (PAW) has again sought The Shire's support for the change of the Reserve's purpose and as before advises Council as follows:

- The reserve is 323.7ha in size and contains vegetation in good condition, a large granite outcrop, an access track to the granite outcrop and records of *Isoetes brevicula*, a Priority level 3 perennial herb found only in rock hollows on granite outcrops;
- Reserve 34213 is currently managed by the Department of Water, which in mid 2011 identified this reserve as surplus to its management requirements and approached PAW to accept management of the area;

- Reserve 34213 has significant values as both a nature refuge and a recreational site for locals. To ensure both of these uses are supported, PAW proposes that the reserve be managed for the purpose of “Conservation of Flora and Fauna”, thus becoming a Nature Reserve;
- Nature reserves when managed by PAW are set aside for the conservation of flora and fauna and they are managed so as to maintain and restore the natural environment. Passive recreation that is compatible with the proposed reserve’s purpose of “Conservation and Flora and Fauna”, such as bushwalking and nature appreciation, are allowed;

PAW (formally DEC) previously approached the Shire of Lake Grace on two occasions and the above comments are consistent with those previously made in 2011 and 2013.

At the time the Shire indicated that the Lake King area is water deficient and that the reserve, which currently is set aside for the purpose of “Water” might be required for future water needs.

The Department of Water (DOW) has indicated that there is no water infrastructure currently constructed within Reserve 34213 and there is no documented water source of any significance or water extraction information for this reserve. The site is not a priority for establishment of a community water supply as there are a number of existing strategic community water supplies in the Shire of Lake Grace which are currently being upgraded and provided with swipe card access.

Moreover, the Water Corporation has recently provided Shire access for community purposes to its Lake King water catchment. The Shire, with assistance of a State grant of \$49,958, has recently installed a new tank, standpipe and water pipe to supplement the Lake King community dam.

#### Comment

Reserve 34213 is located on the western side of Fence Road between Broombrush Flat Road and Finley Road in the Lake Camm locality and comprises a total area of 323.7ha.

The subject land is characterised by low level scrub type vegetation and includes a centrally located granite outcrop and an internal walking track from Fence Road to the granite outcrop.

As mentioned when this matter was previously considered in 2013, Management of this area is difficult because of its remote location and it abuts farming land. PAW has again stated that *“management of this area for conservation will ensure that the vegetation and associated fauna within Reserve 34213, including Isoetes brevicula is protected and that community can continue to use this area for passive recreation”*.

As noted by the then Acting CEO, one would hope that such comment can be viewed in a positive light as the proposed management arrangement should encourage PAW to make sure firebreaks are maintained.

### Legal Implications

The Shire of Lake Grace Local Planning Scheme No 4 shows the current classification as Local Scheme Reserve – Public Purposes – Water Supply and if a change was to be approved, would need to be changed to Local Scheme Reserve – Conservation.

This can be considered to be a minor amendment and left to the next review or as a part of a future omnibus amendment to LPS4.

Officers of the Department of Local Government and Communities have advised that as the previous decisions did not result in any change to the status of the Reserve, there is no requirement to revoke the earlier decisions. It is contended that the decisions reflected the views of Council at that time and that Council is open to change its position.

### Policy Implications

Nil

### Consultation

The Department of Parks and Wildlife (formally Department of Environment and Conservation) has indicated that it had discussions with the Department of Water and its advice was;

- There is no water infrastructure currently constructed on the reserve 34213
- There is no documented water source of any significance or water extraction information for this reserve and the site and not a priority for establishment of a community water supply.
- There is a number of existing strategic community water supplies in the Shire and the Department of Water is focused on maintaining those sites to provide emergency water supplies

### Financial Implications

There will be a cost to amend the Local Planning Scheme No 4 which will include advertising the proposed change. This could cost up to \$750.00 to complete.

### Strategic Implications

The proposal is consistent with the environment protection objectives of the Shire of Lake Grace Planning Strategy.

The proposal will allow the land to be used for passive recreation purposes in a manner consistent with and complementary to DEC's conservation objectives. As such it is likely to have significant and worthwhile cultural benefits for the local community and travelling public.

The Shire has recently negotiated access to the Water Corporation's Lake King water storage and obtained grant finding of \$49,958 to provide additional water supply for the local community dam with water tank and standpipe access. These works are currently in the process of completion.

Voting Requirements

Recommendations 1 and 2 require a simple majority.

Recommendation/Resolution

**MOTION 12023**

Moved Cr Hunt

Seconded Cr Marshall

1. That Council advise the Department of Environment and Conservation that the Shire of Lake Grace supports the proposal to have Reserve 34213 set aside as a 'Class A' reserve vested in the Conservation Commission of Western Australia for the purpose of Conservation of Flora and Fauna; and,
2. That the classification of Reserve 34213 in the Shire of Lake Grace Local Planning Scheme no 4 (LPS No 4) be changed from 'Local Scheme Reserve – Public Purpose – Water Supply' to 'Local Scheme Reserve – Conservation' reserve in the next review of LPS No 4 or as part of a future possible omnibus amendment to LPS No 4.

**MOTION LOST 2/6**

**NOTE:**

***Cr Armstrong requested that Chief Executive Officer issue an invitation to the Department of Environment and Conservation to make a presentation to Council at its May Meeting regarding the Department's future management of Reserve 34213.***



## 16.2 **LAKE GRACE AND RAVENSTHORPE LAND CONSERVATION DISTRICT COMMITTEES – APPOINTMENT OF DELEGATES**

<b>Applicant:</b>	Office of the Commissioner of Soil and Land Conservation
<b>File No.</b>	0068
<b>Attachments:</b>	Letters (2) & nomination form
<b>Author:</b>	Mrs Jeanette Bennett Executive Assistant
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	15 April 2015
<b>Senior Officer:</b>	Mr Neville Hale Chief Executive Officer

### Summary

The purpose of this report is to consider the appointment of delegates to both the Lake Grace Land Conservation District Committee and the Ravensthorpe Land Conservation District Committee (LCDC).

### Background

Two letters have been received from the Department of Agriculture and Food on behalf of the Commissioner of Soil and Land Conservation requesting nominations for appointment to the Lake Grace and Ravensthorpe LCDC's.

Both the Lake Grace and Ravensthorpe LCDC's currently have provision to appoint one representative from the Shire of Lake Grace to each of the LCDC's (i.e. Ravensthorpe and Lake Grace).

The current term of appointment for the Lake Grace LCDC expires on 30 April 2015 and the Ravensthorpe LCDC on the 31 July 2015.

### **Current Membership**

- **Lake Grace LCDC** - the Shire's current representative is former staff member Mr Marcus Owen. Council will recall at the time of the appointment in 2012, Mr Owen was the Shire's former NRM Officer.
- **Ravensthorpe LCDC** - at this point there is no current representative, Council may appoint a representative if it so wishes.

Nominations to the Office of the Commissioner Soil and Land Conservation are required as soon as possible. Members will be appointed for a three (3) year term expiring in 2018.

Appointment is made by the Commissioner of Soil and Land Conservation and gazetted (i.e. published in the Government Gazette) under the Soil and Land Conservation Act 1945.

An email advising Councillors of this proposed agenda item was sent on 31 March 2015 inviting comment. One reply was received from Cr Armstrong expressing interest in either position.

The Committees consist of appointed representatives from the Dept of Agriculture, WA Farmers Federation, PGA, local landowners and the Shire.

Current members of the Lake Grace LDC include Mr Bill Willcocks (South LG), Mr Ian (Geoff) Duckworth, Mrs Deb Clarke, Mrs Paula Carruthers, Mr Ron Lay and Mrs Kerrie Argent.

#### Comment

The Lake Grace LCDC has not had regular meetings over the last three years.

The Annual General Meeting of the Committee is scheduled to be held in the near future to seek nominations for re-appointments to the Committee by the Minister.

The author has approached Mr Ollie Farrelly regarding his interest in the taking up of the Shire's Lake Grace LCDC position, he has declined.

#### Legal Implications

Local Government Act 1995 – s5.9, s5.11, s5.17, s5.98

Local Government (Administration) Regulations 1996

Soil and Land Conservation Act 1945, s23 (2b)

#### Policy Implications

N/A

#### Consultation

Internal: Councillors

External: Mr Ollie Farrelly  
Lake Grace LCDC – Suzanne Reeves Lake Grace CRC  
Coordinator

#### Financial Implications

No attendance fees are applicable. Section 5.98 (7) of the Local Government Act 1995 prescribes that a “committee meeting” for the purpose of entitlement to an attendance fee is a committee comprising:

1. Council Members only; or,
2. Council Members and employees.

However, travel expenses may be payable to Councillor and non-Councillor delegates in accordance with s5.10 (2) of the Local Government Act 1995.

Natural Resource Funding is available to Landcare Committees actively involved in land conservation practices.

Strategic ImplicationsLake Grace Strategic Community Plan

The Shire's Vision Statement states the following:

*Into the future, our vision for the Shire of Lake Grace is to be:*

*⇒ a leader in water, waste and natural resource management.*

Recommendation

That Council advise the Commissioner of Soil and Land Conservation that:

1. it nominates \_\_\_\_\_ as its representative to the Lake Grace Land Conservation District Committee for a three (3) year term expiring in 2018.
2. it nominates \_\_\_\_\_ as its representative to the Ravensthorpe Land Conservation District Committee for a three (3) year term expiring in 2018.

Voting Requirements

Simple majority required.

Resolution**MOTION 12024**

Moved Cr De Landgraft

Seconded Cr Chappell

That Council advise the Commissioner of Soil and Land Conservation that:

1. it nominates Cr Allan Marshall as its representative to the Lake Grace Land Conservation District Committee for a three (3) year term expiring in 2018.
2. it nominates Cr Len Armstrong as its representative to the Ravensthorpe Land Conservation District Committee for a three (3) year term expiring in 2018.

**MOTION CARRIED 8/0**

**16.3      ACTING CHIEF EXECUTIVE OFFICER - APPOINTMENT**

<b>Applicant:</b>	Chief Executive Officer
<b>File No.</b>	0009
<b>Attachments:</b>	Nil
<b>Author:</b>	Mr Neville Hale Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	16 April 2015
<b>Senior Officer:</b>	Mr Neville Hale Chief Executive Officer

**Summary**

For Council to endorse Mr Peter Dittrich to undertake the role of Acting Chief Executive Officer for the period 28 April 2015 to 10 May 2015

**Background**

The Chief Executive Officer is attending the National Local Government Managers Congress from 28 April 2015 to 1 May 2015 and has obtained the Shire President's approval to take annual leave for the week of 4 May 2015 to 8 May 2015 returning on 11 May 2015.

Mr Dittrich has indicated that he is available and willing to take on this Acting position in the absence of Mr Hale.

**Comment**

Mr Dittrich is familiar with all the operations of the Shire given his involvement with budget control and his previous employment with the Shire.

Mr Hale will be in contact with the office during the week of 28 April 2015 to 1 May 2015.

The Acting Chief Executive Officer is paid a higher duties allowance.

**Legal Implications**

Section 5.36 (1) of the *Local Government Act 1995* stipulates a local government is to employ a person to be the Chief Executive Officer of the local government.

**Policy Implications**

The Delegations Register sets out the arrangement for unscheduled absences but not scheduled absences.

**Delegation A 05**

*During un-scheduled absences of the Chief Executive Officer, the Chief Executive Officer is delegated authority to appoint the Manager Corporate Services, the Manager Infrastructure Services or the Manager Community Services to act, as Chief Executive Officer in accordance with the terms of his/her contract.*

**NOTE:**

*During scheduled absences of the Chief Executive Officer, the Chief Executive Officer is to recommend to Council to appoint a senior employee of the Shire's staff to act in the capacity of Chief Executive Officer.*

Consultation

Salaries and Allowance Tribunal Determination Report,

Financial Implications

The cost of higher duties is offset against the leave provision within the 2014/15 budget.

Strategic Implications

Nil

Voting Requirements

Absolute majority (5) required.

Recommendation/Resolution**MOTION 12025**

Moved Cr Stanton

Seconded Cr Sinclair

That Council:

1. Approve the appointment of Peter Dittrich, Acting Manager Corporate Services as temporary Chief Executive Officer for the period Monday 27 April 2015 to Sunday 10 May 2015; and,
2. Approve the hourly rate of \$70.00 be paid during the period of temporary Chief Executive Officer appointment which is in the upper third of the prescribed band for level 4 local governments, being \$125,079 - \$195,280.

**MOTION CARRIED BY ABSOLUTE MAJORITY 8/0**

## 16.4 FINANCIAL ASSISTANCE GRANTS TO LOCAL GOVERNMENT

*Late Item – forwarded separately to Councillors*

<b>Applicant:</b>	Australian Local Government Association (ALGA)
<b>File No.</b>	0284
<b>Attachments:</b>	Letter
<b>Author:</b>	Mr Neville Hale Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	17 April 2015
<b>Senior Officer:</b>	Mr Neville Hale Chief Executive Officer

### Summary

For Council to consider a request from ALGA to support its campaign to restore indexation of the Commonwealth's Financial Assistance Grants (FAGS).

### Background

Local government, particularly regional shires, rely significantly on financial assistance grants to maintain services to the community. This year council's across Australia will receive \$2.3 billion from the Australian Government under this important programme.

FAG's funding has, over the past 15 years, reduced as a portion of Australia's GDP from somewhere over 1.5% of GDP to less than 1%. FAG's is not keeping pace with demand for services and infrastructure and the freeze of indexation imposed in the 2014 Federal Budget will compound this disconnect between demand and funding availability. Freezing FAG's at its current level until 2017-18 and will see \$925 million cut from FAG's and will result in a permanent reduction of 13% to the base FAG's funding pool.

ALGA is seeking to highlight the importance of FAG's funding to the viability of local government and its capacity to deliver important services and infrastructure. It is calling on local government to identify a project that can be used in the local media to highlight the importance of the FAG's payment.

Council, along with every other council in Australia, is being asked to pass a resolution acknowledging the importance of the Commonwealth's Financial Assistance Grants in assisting Council to provide important community services – refer attached letter.

### Comment

It is acknowledged that the reduction in FAG's funding reflects the similar problems of the Western Australian economy from the impact of falling iron ore and oil prices and the flow on decline in Royalties for Regions and other funding programmes. However, during these times of constraint, the FAG's funding plays an increasingly important role in securing ongoing services to regional communities.

### Legal Implications

N/A

Policy Implications

N/A

Consultation

External: ALGA  
Department of Infrastructure and Regional Development website

Financial Implications

The Shire of Lake Grace will receive \$2,221,530 under the FAG's scheme for the 2014/15 financial year. A loss of indexation over the three year term could see a loss of some \$200,000+ of funding foregone. It is difficult to be specific as there are varying factors taken into consideration each year that impact on the distribution of pool funds.

Strategic Implications

*Shire of Lake Grace Strategic Community Plan*

Civic Leadership

- CL 1.3 Improve organisational capability and capacity - Operate in a financially sustainable manner.

Any reduction of funding opportunity that flows from the loss of indexation of FAG's will impact on the capacity of the Shire to maintain its levels of service.

Voting Requirements

Simple majority required.

Recommendation/Resolution**MOTION 12026**

Moved Cr Chappell

Seconded Cr De Landgraft

That Council:

1. Acknowledges the importance of Commonwealth funding through the Financial Assistance Grants programme for the continued delivery of council services and infrastructure;
2. Acknowledges that the Shire of Lake Grace will receive \$2,221,530 in 2014/15; and,
3. Will ensure that this Commonwealth funding, and other funding provided by the Commonwealth Government under relevant grant programmes, is appropriately identified as Commonwealth grant funding in Council's publications, including annual reports.

**MOTION CARRIED 8/0**

## 16.5 **PURCHASE OF 44 BENNETT ST LAKE GRACE – USE OF THE COMMON SEAL**

<b>Applicant:</b>	McConnell Nominees Pty Ltd T/as Freeway Settlement Services
<b>File No.</b>	0097
<b>Attachments:</b>	Nil
<b>Author:</b>	Mr Neville Hale Chief Executive Officer
<b>Disclosure of Interest:</b>	None
<b>Date of Report:</b>	22 April
<b>Senior Officer:</b>	Mr Neville Hale Chief Executive Officer

### Summary

For Council to authorise use of the Common Seal in regard to the purchase of 44 Bennett St Lake Grace.

### Background

At its March 2015 Ordinary Meeting, Council authorised the purchase of 44 Bennett St Lake Grace WA from the Uniting Church in Australia Property Trust WA.

### Comment

In order to finalise the sale the Shire is now required to affix the Common Seal to the following documents:

1. Appointment of Settlement Agent for Buyer
2. Identification of Certificate of Title for Buyer
3. Satisfaction of Property Inspection Document
4. Transfer of Land

The settlement date of the land transfer is 30 April 2015.

Under the Shire of Lake Grace Standing orders:

#### ***Part 17 - Common Seal***

##### ***17.1 The Council's Common Seal***

*(1) The CEO is to have charge of the common seal of the Local Government, and is responsible for the safe custody and proper use of it.*

*(2) The common seal of the Local Government may only be used on the authority of the Council given either generally or specifically and every document to which the seal is affixed must be signed by the President and the CEO or a senior employee authorised by him or her.*

### Policy Implications

Policy 1.11 – Use of the Common Seal

### Consultation

Internal: CEO



Financial Implications

Land purchase price: \$15,000.00

The settlement agency costs associated with the purchase of property at 44 Bennett St Lake Grace being:

1. Settlement Fees and disbursements	\$ 874.66
2. Registration of the transfer of land	\$ 160.00
3. Transfer duty on the Contract of Sale	<u>\$ 313.50</u>
<b>Total:</b>	<b>\$1,348.16</b>

Strategic Implications

Nil

Voting Requirements

Simple majority required

Recommendation/Resolution**MOTION 12027**

Moved Cr Hunt

Seconded Cr Chappell

That Council authorise the Shire President and Chief Executive Officer to apply the Common Seal to the following documents relating to the purchase of 44 Bennett St Lake Grace:

1. Appointment of Settlement Agent for Buyer
2. Identification of Certificate of Title for Buyer
3. Satisfaction of Property Inspection Document
4. Transfer of Land

**MOTION CARRIED 8/0**

<b>17.0 INFORMATION BULLETIN</b>
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**17.1 INFORMATION BULLETIN REPORT – APRIL 2015**

<b>Applicant:</b>	Executive Services
<b>File No.</b>	N/A
<b>Attachments:</b>	1- 8 <i>(under separate cover)</i>
<b>Author:</b>	Mrs Jeanette Bennett Executive Assistant
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	15 April 2015
<b>Senior Officer:</b>	Mr Neville Hale Chief Executive Officer

Summary

The purpose of the Information Bulletin is to keep Elected Members informed on matters of interest and importance to Council.

Background

The Information Bulletin Reports deal 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.

Comment

This month's (April 2015) Information Bulletin Report has been emailed to Councillors. There are some minutes not available at the time of publication – these will be forwarded when available.

The April 2015 Information Bulletin at attachment includes:

**A. Reports**

1. Council Status Report
2. Infrastructure Services Report
3. Outstanding Rates Report
4. Monthly Financial Reports – Schedules
5. Website & Facebook Reports
6. Eastern Wheatbelt Primary Care Project Report
7. Perth Caravan & Camping Show Wheatbelt Report

**B. Letters**

8. Shire of Boddington – Thank you

**C Minutes**

9. Annual Electors Meeting – 25 March 2015
- 10 Audit Committee Meeting – 25 March 2015
11. Newdegate Rejuvenation Committee Meeting – 15 April 2015 *(to be forwarded)*
12. Asset Management Committee Meeting – 20 April 2015 *(to be forwarded)*
13. 4WDL VROC Meeting – 14 April 2015 *(to be forwarded)*

**Eastern Wheatbelt Primary Care Project – 26 March 2015**Legal Implications

Nil

Policy Implications

Nil

Consultation

N/A

Financial Implications

Nil

Strategic Implications*Shire of Lake Grace Strategic Community Plan*

Civic Leadership - Focus Area 5)

- Excellence in Shire Administration and Communication

Voting Requirements

Simple majority required.

Voting Requirements

Simple majority required.

Recommendation/Resolution**MOTION 12028**

Moved Cr Marshall

Seconded Cr Chappell

That Council accepts the Information Bulletin report.

**MOTION CARRIED 8/0**

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

None.

**19.0 SCHEDULING OF MEETING****19.1 MAY 2015 ORDINARY MEETING**

As per Resolution 11960, 19 November 2014 the May 2015 Ordinary Meeting of Council has been scheduled to take place on Wednesday 27 May 2015, commencing at 3.00 pm at the Newdegate Community Library & Resource Centre, Newdegate WA.

**20.0 CONFIDENTIAL BUSINESS – as per Local Government Act s5.23 (2)****MOTION 12029**

Moved Cr Chappell  
Seconded Cr Hunt

That Council close the meeting to the public at this time, being 3.55 pm, to consider Item 20.1.

**MOTION CARRIED 8/0**

**20.1 ACQUISITION OF PROPERTY****MOTION 12030**

Moved Cr Chappell  
Seconded Cr Stanton

That Council re-open the meeting to the public at this time, being 4.33 pm.

**MOTION CARRIED 8/0**

**MOTION 12031**

Moved Cr Marshall  
Seconded Cr Sinclair

*(This resolution/item remains confidential being 'commercial in confidence')*

**MOTION LOST 2/6**

## **21.0 CLOSURE**

There being no further business, the Shire President closed the meeting at 4.34 pm.

## **22.0 CERTIFICATION**

I Andrew James Walker certify that the minutes of the meeting held on the 22 April 2015 as shown were confirmed as a true record at the meeting held on the 27 May 2015.

\_\_\_\_\_

Chairman

\_\_\_\_\_

Date