

SHIRE OF LAKE GRACE



AGENDA

Ordinary Council Meeting
17 September 2025

Notice of Meeting

To the Shire President and Councillors

The next Ordinary Council Meeting will be held on Wednesday 17 September 2025
in the Council Chambers, 1 Bishop Street, Lake Grace commencing at 3:30pm.

Alan George
Chief Executive Officer
12 September 2025

Information

This information is provided on matters which may affect members of the public. If you have any queries on procedural matters, please contact the Shire of Lake Grace on 9890-2500 or ea@lakegrace.wa.gov.au.

Question Time for the Public

The Local Government (Administration) Regulation 1996 states that members of the public shall be allowed to ask public question during Council meetings. The Shire of Lake Grace allocates a minimum of 15 minutes for Public Question. Anyone may ask questions and may be submitted in two ways:

- Questions submitted in writing and be “*put on notice*” before the Council Meeting
- Questions may be raised from the public gallery “*without notice*” during public question time

Questions that are complex in nature and that may require research should be submitted as early as possible to allow the Shire time to prepare a response. The Presiding Member may nominate a senior executive or member of staff to answer the question presented. There will be no debate or discussion to take place on any question or answer to ask a question.

For more information regarding Question Time for the Public and to obtain a Public Question Time form, please visit www.lakegrace.wa.gov.au or call (08) 9890-2500 or email ea@lakegrace.wa.gov.au.

Disclaimer

No responsibility whatsoever is implied or accepted by the Shire of Lake Grace for any act, omission or statement or intimation occurring during Council or Committee meetings or during formal or informal conversations with staff. The Shire of Lake Grace disclaims any liability for any loss whatsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council or Committee meetings or discussions. Any person or legal entity who acts or fails to act in reliance upon any statement does so at that person's and or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for license, any statement or limitation or approval made by a member or officer of the Shire of Lake Grace during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire of Lake Grace. The Shire of Lake Grace warns that anyone who has an application lodged with the Shire of Lake Grace must obtain and only should rely on WRITTEN CONFIRMATION of the outcome of the application and any conditions attaching to the decision made by the Shire of Lake Grace in respect of the application.

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SHIRE OF LAKE GRACE

Agenda for the Ordinary Council Meeting to be held at the Council Chambers, 1 Bishop Street, Lake Grace, WA on Wednesday 17 September 2025 commencing at 3:30pm.

1.0 DECLARATION OF OPENING ANNOUNCEMENT OF VISITORS

President Len Armstrong opened the meeting at ____ pm

2.0 ACKNOWLEDGEMENT OF COUNTRY

I wish to acknowledge the traditional Custodians of the land on which we meet today, and pay my respects.

I extend that respect to Aboriginal and Torres Strait Islander peoples here today.

3.0 RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE (PREVIOUSLY APPROVED)

3.1 PRESENT

Cr LW Armstrong	Shire President
Cr SG Hunt	Deputy Shire President
Cr R Chappell	
Cr RA Lloyd	
Cr BJ Hyde	
Cr AJ Kuchling	
Cr DS Clarke	

3.2 APOLOGIES

3.3 IN ATTENDANCE

Mr Alan George	Chief Executive Officer
Mr Aaron Wooldridge	Deputy Chief Executive Officer
Mrs T Hall	Manager Corporate Services
Mrs A Adams	Executive Assistant

3.4 OBSERVERS / VISITORS

3.5 LEAVE OF ABSENCE PREVIOUSLY GRANTED

4.0 APPLICATIONS FOR LEAVE OF ABSENCE

5.0 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

6.0 PUBLIC QUESTION TIME

7.0 PETITIONS/DEPUTATIONS/PRESENTATIONS

8.0 NOTATIONS OF INTEREST

**8.1 DECLARATIONS OF FINANCIAL INTEREST – LOCAL GOVERNMENT ACT 1995
SECTION 5.60A**

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

**8.3 DECLARATIONS OF IMPARTIALITY INTEREST – ADMINISTRATION
REGULATIONS 1996 SECTION 34C**

9.0 ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION

10.0 CONFIRMATION OF MINUTES

10.1 ORDINARY COUNCIL MEETING – WEDNESDAY 27 AUGUST 2025

RECOMMENDATION / RESOLUTION

RESOLUTION

Moved: Cr

Seconded: Cr

That the Minutes of the Ordinary Council Meeting held on Wednesday 27 August 2025 be confirmed as a true and accurate record of the meeting.

CARRIED

For:

Against:

10.2 SPECIAL COUNCIL MEETING

RECOMMENDATION / RESOLUTION

RESOLUTION

Moved: Cr

Seconded: Cr

That the Minutes of the Special Council Meeting held on Tuesday 2 September 2025 be confirmed as a true and accurate record of the meeting.

CARRIED

For:

Against:

11.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

12.0 URGENT BUSINESS APPROVED BY THE PRESIDING MEMBER OR BY DECISION OF COUNCIL

13.0 REPORTS OF COMMITTEES

Nil

14.0 REPORTS OF OFFICERS

14.1 INFRASTRUCTURE SERVICES

Nil

14.2 PLANNING

14.2.1 PLANNING APPROVALS UNDER DELEGATION P01

The following applications for planning have been approved by the Chief Executive Officer under the Delegation P01 as legislated by the *Planning and Development Act 2005*, Planning and Development (Local Planning Schemes) Regulations 2015 – schedule 2 (Deemed Provisions) clauses 82 to 84 and the Shire of Lake Grace Local Planning Scheme No.4:

Date of Approval	Applicant	Activity
30/07/2025	Joel Frederick deVree & Vynka Lee deVree	Construction of a 12.5m x 8m steel-frame shed in back of dwelling 11 Absolon Street

14.2.2 DEVELOPMENT APPLICATION – PROPOSED LIGHT INDUSTRY, COMMERCIAL VEHICLE PARKING & CARETAKER'S DWELLING ON LOT 193 (NO.9) SUGG ROAD, LAKE KING

Applicant	Mr Bruce Nigel Hill (Landowner)
File No.	0371
Attachments	1. Development application documentation and plans
Author	Mr Joe Douglas – Town Planner
Disclosure of Interest	Nil
Date of Report	8 September 2025
Senior Officer	Mr Alan George – Chief Executive Officer

Summary

This report recommends that Council grant conditional approval to a development application received from Mr Bruce Nigel Hill (Applicant/Landowner) to develop and use Lot 193 (No.9) Sugg Road, Lake King for light industrial purposes, commercial vehicle parking and a caretaker's dwelling.

Background

Mr Bruce Nigel Hill has submitted a development application requesting Council's approval for the following:

- i) The construction and use of a proposed new 227m² steel framed, Colorbond clad shed that will be used as a workshop to manufacture light trailers (i.e. a light industry) including an associated 106m² awning and 15m² ablution facility at the rear;
- ii) The placement and use of a 57m² transportable dwelling at the rear of the abovementioned shed, awning and ablution facility that will be used for the purposes of a caretaker's dwelling;
- iii) The parking of a 6 metre long truck and 14 metre long trailer on the land to support the landowner's transport business; and
- iv) Various other associated improvements including new internal driveways, a new crossover to Sugg Road, landscaping, rainwater tanks for stormwater drainage management purposes, and an on-site effluent disposal system.

A full copy of the development application received, including supporting documentation and plans, is provided in Attachment 1.

Lot 193 is located in a designated industrial precinct in the Lake King townsite and comprises a total area of approximately 2,024m². The property is generally flat throughout its entire area and has direct frontage and access to Sugg Road along its southern boundary which is a sealed and drained local road under the care, control and management of the Shire.

The subject land is currently vacant, has not been developed for any specific purpose/s and is served by reticulated power, water and telecommunications infrastructure. Reticulated sewerage disposal infrastructure is not available and therefore all effluent disposal associated with any future development must be undertaken on-site using a suitable effluent disposal system approved by the Shire or the Executive Director of Public Health. All stormwater drainage is

required to be managed and disposed on the land insofar as possible with any excess stormwater permitted to be directed to the Sugg Road road reserve for discharge into the Shire's local drainage system to the specifications and satisfaction of the Shire.

Whilst the land has been extensively cleared and contains no native vegetation, there are a number of large, mature trees in the road reserve area along the land's Sugg Road frontage that were planted for general amenity purposes when the land was originally subdivided for industrial purposes.

Council should note the land does not contain any sites of cultural heritage significance, is not subject to inundation or flooding during extreme storm events, and is not located in any designated environmentally sensitive or public drinking water supply areas. It has however been designated by the Fire and Emergency Services Commissioner as being bushfire prone throughout its entire area.

Immediately adjoining and other nearby land uses are broadly described as follows:

- North: The Lake King Golf Course with extensive agriculture (i.e. broadacre cropping & grazing) beyond;
- South: The Sugg Road road reserve with existing industrial development, a drainage reserve and the Lake King Caravan Park beyond;
- East: Three (3) vacant, undeveloped industrial lots of the same size as Lot 193 with the Lake King Golf Course beyond; and
- West: Existing industrial development with the Varley Road road reserve and a public recreation reserve beyond that is under the care, control and management of the Shire.



Location & Lot Configuration Plan (Source: Landgate 2025)

Comment

Lot 193 is classified 'General Industry' zone in the Shire of Lake Grace Local Planning Scheme No.4 (LPS4).

The key objectives prescribed in LPS4 for the development of any land classified 'General Industry' zone are as follows:

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

Under the terms of the Zoning Table in LPS4 the use class 'Industry – Light' is listed as a permitted (i.e. 'P') use on any land classified 'General Industry' zone subject to compliance with the standards and requirements of LPS4.

The use class 'caretaker's dwelling' is listed as a discretionary (i.e. 'D') use on any land classified 'General Industry' zone which means it is not permitted without the Shire's formal development approval.

The use class 'commercial vehicle parking' is not expressly listed in the Zoning Table of LPS4. As such when considering any development application for this use class the Shire must determine:

- a) Whether it is consistent with the objectives of the 'General Industry' zone;
- b) Whether it may be consistent with the objectives of the 'General Industry' zone and advertise any development application received for public comment for a minimum required period of 28 days; or
- c) Whether it is not consistent with the objectives of the 'General Industry' zone and is not therefore permitted.

Having regard for the proposed location, nature and scale of commercial vehicle parking on Lot 193 and the fact the use class 'transport depot' is listed as a discretionary use on any land classified 'General Industry' zone which is a more intensive form of commercial vehicle parking, the Shire administration has concluded the proposed use of the property for commercial vehicle parking may be consistent with the objectives of the zone. As such the application was advertised for public comment in accordance with the procedural requirements of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the minimum required period of 28 days. Council should note at the completion of public advertising no

submissions had been received. As such it is reasonable to conclude all adjoining and other nearby landowners and the local community more generally have no issues or concerns with the proposal to develop and use Lot 193 for commercial vehicle parking purposes.

The application has been assessed with due regard for the relevant zoning objectives and various development standards and requirements prescribed in LPS4 and those matters required to be considered pursuant to clause 67 of the Deemed Provisions of the *Planning and Development (Local Planning Scheme) Regulations 2015*.

This assessment has confirmed the proposal is generally consistent with the objectives of the land's 'General Industry' zoning classification in LPS4 and is compliant or capable of compliance with the following relevant standards and requirements:

- Land capability and suitability;
- Land use compatibility including buffer separation distances;
- Lot boundary setbacks;
- Maximum permitted building height;
- Maximum permitted floor area for caretaker's dwellings;
- Vehicle access and parking;
- Landscaping;
- The provision of key essential service infrastructure including on-site effluent disposal and stormwater drainage;
- Waste disposal; and
- Bushfire management.

Notwithstanding the above conclusion Council should note the following key points when considering and determining the application:

1. Front Building Façade

Clause 4.9 of LPS4 requires the front façade of all buildings in the 'General Industry' zone to be orientated to the street and constructed in brick, concrete or masonry unless otherwise approved by Council.

Under the terms of the development application received the front façade of the proposed new workshop building will be constructed using Colorbond wall cladding which does not strictly comply with the requirements of clause 4.9.

Having regard for:

- i) the design, finish, scale, setbacks and orientation of the proposed workshop building;
- ii) the nature of existing development and associated built form improvements on immediately adjoining and other nearby properties which also do not strictly comply with clause 4.9;
- iii) the limited impact the proposed workshop building will have on the existing visual amenity and character of the local streetscape; and
- iv) the significant benefits the proposed development will have in terms of additional business activity and potential employment opportunities in the Lake King townsite and the Shire more generally,

it is considered appropriate that Council exercise the discretion afforded by clause 4.5 of LPS4

as it applies to variations to site and development requirements and allow the development to proceed as proposed in terms of the materials to be used on the building's front façade.

2. Parking

Clause 4.9 and Table 2 of LPS4 require a minimum of one (1) car parking bay to be provided for every two (2) persons employed on any land proposed to be developed and used for light industrial purposes.

The plans prepared and submitted in support of the application make no allowance for any on-site car parking bays as required by LPS4. As such it is recommended Council impose a condition on any development approval that may ultimately be granted requiring the applicant/landowner to provide one (1) car parking bay on the land in a location approved by the Shire's Chief Executive Officer prior to occupation and use of the proposed development.

3. Boundary Fencing

Clause 4.9 of LPS4 requires fencing to be provided on all boundaries abutting reserved land to prevent vehicular ingress and egress. Such fencing is required to be of a uniform design, colour, material and height, to the satisfaction of the local government, so as to not detract from the amenity of the reserved land and the general amenity of the surrounding area.

Given the rear boundary of Lot 193 immediately abuts the Lake King Golf Course which is a Crown reserve that is classified 'Recreation' reserve in LPS4, the applicant/landowner is obliged to comply with the boundary fencing requirements of LPS4. As such it is recommended Council impose a condition on any development approval that may ultimately be granted requiring the applicant/landowner to install new fencing along the rear boundary of Lot 193 to the specifications and satisfaction of the Shire's Chief Executive Officer prior to occupation and use of the proposed development to ensure compliance with the requirements of LPS4.

In light of all the above it is concluded the development proposal for Lot 193 is unlikely to have a negative impact on the general amenity, character, functionality and safety of the immediate locality and may therefore be supported and approved by Council subject to compliance with a number of conditions to ensure it proceeds in a proper and orderly manner. As such it is recommended Council exercise discretion and grant conditional development approval.

Legal Implications

- Planning and Development Act 2005
- Planning and Development (Local Planning Schemes) Regulations 2015
- Shire of Lake Grace Local Planning Scheme No.4

Policy Implications

- State Planning Policy 3.7 – *Bushfire*
- State Planning Policy 4.1 – *Industrial Interface*
- Government Sewerage Policy 2019

Consultation

Public advertising was undertaken in accordance with the procedural requirements of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the

minimum required period of 28 days with no submissions received. Referral of the application to State government agencies for review and comment was not required or deemed necessary.

Financial Implications

The administrative costs associated with processing the application are provided for in Council's annual budget and have been offset in part by the development application fee paid by the applicant/landowner. All costs associated with the proposed development will be met by the applicant/landowner.

It is significant to note should the applicant/landowner be aggrieved by Council's final decision in this matter they have the right seek a formal review of that decision by the State Administrative Tribunal. Should this occur for whatever reason, which is considered unlikely in this particular instance, the Shire would need to respond. The cost to respond to an appeal cannot be determined at this preliminary stage but could be expected, based on the recent experience of other local government authorities in Western Australia, to range anywhere from \$5,000 to \$60,000 excluding GST depending upon how far the matter proceeds through the review process.

Strategic Implications

- Shire of Lake Grace Local Planning Strategy 2007 as it applies specifically to the development of a diversified range of commerce and industry in appropriate locations to provide local employment opportunities.
- Aspire 2033 - Shire of Lake Grace Strategic Community Plan:

Economic Objective - A prosperous economy supporting diversification of industry		
Outcome	1	An innovative, productive agriculture industry
Strategy	1.3	Support and promote the agricultural productivity of the district
Outcome	2	A diverse and prosperous economy
Strategy	2.2	Support local business and promote further investment in the district
Environment Objective - Protect and enhance our natural and built environment		
Outcome	4	A well maintained attractive built environment servicing the needs of the community
Outcome	5	A natural environment for the benefit and enjoyment of current and future generations
Strategies	5.1	Manage and preserve the natural environment

Voting Requirements

Simple Majority

RECOMMENDATION / RESOLUTION

RESOLUTION

Moved: Cr
Seconded: Cr

That Council:

1. Determine the proposed use of Lot 193 (No.9) Sugg Road, Lake King for commercial vehicle parking is consistent with the objectives of the land's 'General Industry' zoning classification in the Shire of Lake Grace Local Planning Scheme No.4 and may therefore be permitted; and
2. Approve the development application submitted by Mr Bruce Nigel Hill (Applicant/Landowner) to develop and use Lot 193 (No.9) Sugg Road, Lake King for light industrial purposes, commercial vehicle parking and a caretaker's dwelling subject to the following conditions and advice notes:

Conditions:

1. The proposed development shall be undertaken strictly in accordance with the information and plans submitted in support of the application subject to any modifications required as a consequence of any condition/s of this approval or otherwise approved by the local government.
2. Any additional development which is not in accordance with the application the subject of this approval or any condition of approval will require the further approval of the local government.
3. The proposed development shall be substantially commenced within a period of two (2) years from the date of this approval. If the development is not substantially commenced within this period the proposed development shall not be carried out without the further approval of the local government having first being sought and obtained.
4. The proposed development must be undertaken in accordance with the requirements specified in pages 18 to 20 of the Bushfire Attack Level Assessment prepared by Natalia Smirnova of Bushfire Perth Pty Ltd dated 30 June 2025 (Report / Job Number #KC4150) and maintained thereafter in perpetuity to achieve a bushfire hazard risk rating of BAL-12.5.
5. All proposed buildings on the land must be brand new structures unless otherwise approved by the local government's Chief Executive Officer following receipt of all the information required to demonstrate compliance with the requirements of the Shire of Lake Grace Local Planning Scheme No.4 and all associated local planning policies of relevance as they apply to second-hand and relocated buildings.
6. The proposed development shall be provided with an adequate on-site effluent disposal system as determined by the local government's Environmental Health Officer or the Executive Director of Public Health with all such work to be undertaken to the specifications and satisfaction of the local government or the Executive Director of Public Health prior to occupation and use of the proposed development.
7. The proposed development shall be provided with reticulated electricity and water supply services to the specifications of the relevant service providers prior to its occupation and use.

8. All stormwater generated by the proposed development shall be managed and disposed on-site to the specifications and satisfaction of the local government for the life of the development.
9. A minimum of one (1) on-site parking bay must be provided on the land in a location approved by the local government's Chief Executive Officer prior to occupation and use of the proposed development.
10. The on-site parking bay required by Condition 9 of this approval and associated vehicle accessway shall be designed and constructed in accordance with Australian Standard AS/NZS 2890.1:2004 entitled 'Parking Facilities – Part 1: Off-Street Car Parking' (as amended) prior to occupation and use of the proposed development.
11. The on-site parking bay required by Condition 9 of this approval and all proposed new on-site vehicle accessways must be suitably drained and sealed to the specifications and satisfaction of the local government's Chief Executive Officer prior to occupation and use of the proposed development.
12. The proposed new crossover to Sugg Road shall be designed and constructed to the specifications and satisfaction of the local government's Chief Executive Officer prior to occupation and use of the proposed development to ensure a suitable means of access is provided to/from the land and to provide for the protection and preservation of the existing street trees in the road verge area.
13. All landscaping shown on the site development plan must be installed by no later than 30 September 2026 unless otherwise approved by the local government and maintained thereafter to the satisfaction of the local government's Chief Executive Officer for the life of the development.
14. New fencing must be installed along the rear boundary of Lot 193 to the specifications and satisfaction of the local government's Chief Executive Officer prior to occupation and use of the proposed development to ensure compliance with the specific requirements of the Shire of Lake Grace Local Planning Scheme No.4 as it applies to any new development immediately abutting reserved land (i.e. the Lake King Golf Course).
15. Any open storage, drying and/or waste disposal area or any other space used in connection with the proposed development which, by virtue of its location and use is likely to detract from the visual amenity of the surrounding area, shall be screened from public view by a closed wall or fence no less than 1.8 metres in height, or screen landscaping approved by the local government.
16. The front setback area on the property shall not be used for the parking of vehicles which are being wrecked or repaired, nor for the stacking or storage of fuel, raw materials, products or by-products, or waste of manufacture.
17. The washing down of vehicles on the land is not permitted without a suitable washdown bay being provided. Any proposed new washdown bay must be provided with an adequate wastewater disposal system as determined by the local government's Environmental Health Officer or the Executive Director of Public Health with all such work to be undertaken to the specifications and satisfaction of the local government and the Executive Director of Public Health.
18. A maximum of two (2) commercial vehicles, including trailers, are permitted to be parked on the land at any given time. The proposed development shall not be used for the purposes of a transport depot unless otherwise approved by the local government. A

‘transport depot’ is defined Local Planning Scheme No.4 as follows:

“transport depot” means premises used primarily for the parking or garaging of 3 or more commercial vehicles including:

- a) any ancillary maintenance or refuelling of those vehicles; and*
- b) any ancillary storage of goods brought to the premises by those vehicles; and*
- c) the transfer of goods or persons from one vehicle to another.*

19. The caretaker’s dwelling shall not be occupied by any person other than the owner or manager or an employee of the uses hereby permitted and established on the land.
20. Any future proposed advertising signage shall be provided in accordance with the specific requirements of the Shire of Lake Grace Local Planning Scheme No.4 and Local Planning Policy 6.5 entitled ‘Advertising Signage’ unless otherwise approved by the local government following receipt of the required development application.
21. All waste generated during the construction process shall be removed from the land on a regular basis and either recycled or disposed of at an approved waste disposal facility. The stockpiling of any construction waste on the land is not permitted.

Advice Notes:

1. This approval is not an authority to ignore any constraint to development on the land which may exist through contract or on title, such as an easement, memorial or restrictive covenant. It is the responsibility of the applicant/landowner and not the local government to investigate any such constraints before commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether or not it has been drawn to the local government’s attention.
2. This is a development approval of the Shire of Lake Grace under its Local Planning Scheme No.4. It is not a building permit or an approval to commence or carry out development under any other law. It is the responsibility of the applicant/landowner to obtain any other necessary approvals, consents, permits and licenses required under any other law, and to commence and carry out development in accordance with all relevant laws.
3. An ‘Application to Construct or Install an Apparatus for the Treatment of Sewage’ prepared pursuant to the specific requirements of the *Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974* must be prepared and submitted to the local government or the Executive Director of Public Health for consideration and determination prior to the commencement of development. Confirmation of the relevant requirements in this regard can be obtained by contacting the local government’s Environmental Health Officer.
4. In accordance with the *Building Act 2011* and *Building Regulations 2012*, a building permit application must be submitted to and approved by the local government’s Building Surveyor prior to the commencement of any earthworks or construction on the land.
5. The proposed development is required to comply in all respects with the National Construction Code of Australia. Plans and specifications which reflect these requirements are required to be submitted with the building permit application.
6. The applicant/landowner is reminded of their obligation to ensure compliance with the requirements of the Shire of Lake Grace Fire Hazard Reduction Notice as it applies specifically to all townsite land in the Shire to help guard against any potential bushfire

risk (<https://www.lakegrace.wa.gov.au/services/bushfire-emergency-management/fire-management-requirements.aspx>).

7. The applicant/landowner is responsible for ensuring the correct siting of all structures and associated improvements on the land the subject of this approval. An identification survey demonstrating the correct siting and setbacks of structures, including fill and final finished floor levels, may be requested by the local government at the applicant's/landowner's cost to ensure compliance with this determination notice and all applicable provisions.
8. No construction works shall commence on the land prior to 7.00am without the local government's written approval. No construction works are permitted on Sundays or Public Holidays unless otherwise approved by the local government.
9. 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*.
10. All fuel and chemical storage on the land must be undertaken in a manner consistent with the *Dangerous Goods Safety Act 2004* and all associated regulations.
11. Failure to comply with any of the conditions of this development 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.
12. If the applicant/landowner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be submitted directly to the State Administrative Tribunal within 28 days of this determination.

CARRIED

For:

Against:

14.3 HEALTH AND BUILDING

Nil

14.4 ADMINISTRATION

14.4.1 PLANNED ORE HAULAGE ROUTE – MEDALLION METALS LIMITED

Applicant	Internal
File No.	0527 / 0471
Attachments	1. User Guide-Estimating the Incremental Cost Impact on Unsealed Local Roads from Additional Freight Tasks 2. Planned Transport Route
Author	Alan George – Chief Executive Officer
Disclosure of Interest	Nil
Date of Report	9 September 2025
Senior Officer	Alan George – Chief Executive Officer

Summary

Council is asked to take note of a planned ore transport route on local gravel roads by Medallion Metals Limited from its mining operations in Ravensthorpe to the former IGO's Cosmic Boy processing plant in Forrestania.

Background

Shire administration received an email from Main Roads on 26 August 2025 advising that they had received an application to add Frenchs Rd and Carstairs Rd Varley on to the **Performance Based Standards (PBS) Tri Drive Quad Network PBSTDQ3B.3**.

This application was lodged by Ravensthorpe Bulk Haulage.

Comment

The proposed PBS Networks will allow 42 metre PBS vehicle combinations, which are slightly longer than the prescriptive road trains already using the roads and have an additional axle group. However, these PBS vehicles perform within the network envelope of currently approved Tandem Drive Network 7, with the following added benefits:

- **Improved Vehicle Safety** - PBS vehicles are specifically designed to achieve improved safety outcomes and the PBS assessment ensures the vehicles meet a minimum safety performance standard. In addition, braking capability and vehicle stability is improved on PBS vehicles with the mandatory requirement in WA for Electronic Braking Systems (EBS) with Rollover Stability Controls (RSC).
- **Reduced Traffic & Risk Exposure** - By reducing the number of heavy vehicle movements, this consequently reduces the risk exposure, meaning it reduces the number of vehicle interactions, reduces the number of drivers behind the wheel of a heavy vehicle, reducing the risk of human error and the potential for a serious crash.
- **Environment** – Less trips to perform the transport task compared to using prescriptive road trains will result in reduced carbon emissions and heavy vehicle noise. Furthermore, the PBS approved vehicles generally consist of newer prime movers, which meet higher emission standards

- **Reduced Pavement & Bridge Impact** - PBS vehicles are not considered to cause additional road wear compared to prescriptive road trains. The higher productivity PBS vehicles have the same maximum axle loads as prescriptive road trains, however, can carry a greater payload in less trips. Overall, they result in less road wear per payload tonne. Refer to the [RAV Route Assessment Calculators](#) for useful comparisons.

Notwithstanding the above perceived benefits of running said configurations, the application shows that the estimated loaded movements per year are 4,545 with an estimated annual tonnage of 500,000t.

Up until fairly recently Carstairs Rd was partly maintained by IGO (and formerly Western Areas) to enable the shipment of nickel ore to the port of Esperance. Since the closure of the IGO operations it has received minimal maintenance due to its isolation.

A complaint was recently received from a farm manager adjacent to Carstairs Rd regarding the poor state of the road.

Mega Resources the owner of the Rama gold project in the adjacent Kondinin shire was contacted regarding the use of our roads and they have advised that they do not use Carstairs Rd or the haulage company. It is obvious however that the road has been the subject of heavy vehicle movements during rain events and that the road is in a poor state. Mega Resources pointed us in the direction of Medallion Mining. Upon examining the Medallion Mining website it was confirmed that they were the owners of the ore being transported.

Medallion Mining was emailed on 9 September regarding their planned use of our 2 roads advising them that they are substandard for the volumes of ore that they are planning to transport and that during rain events gravel roads within the shire are periodically closed to heavy vehicles to preserve the roads for local road users and ratepayers. Furthermore, some form of assistance will be required from themselves to bring the condition of the roads up to a suitable standard and to maintain them in that condition should they wish to access the roads to the level that they require. In addition, they were advised that it would have been preferable to have found out their proposed route direct from themselves rather than discover it via a third party given the level of planned activity and the impact it will have on our local roads.

In the meantime, Carstairs Rd will be graded as a temporary fix. Neighbouring farm, Altona Farms, who are the main ones affected by the damage to the roads, has offered to provide us with gravel to commence some remedial works. To what extent the road will be remediated is dependent upon the outcome of discussions with Medallion Mining.

We will continue to monitor the road and close it to heavy vehicles if necessary during rain events to maintain the integrity of the road for the local residents.

Legal Implications

Nil

Policy Implications

Nil

Consultation

Cr Len Armstrong
Mark Burgess – Manager of Works Shire of Kondinin

Financial Implications

In May 2025 WALGA prepared a User Guide entitled Estimating the Incremental Cost Impact on Unsealed Local Roads from Additional Freight Tasks which will be used as a base point in any negotiations with the producer.

The use of the road by the gold producer is of no benefit to the shire due to the heavy costs of maintaining the road to a superior stand for the use of a non-resident and non-ratepayer.

To carry out the required works funds would need to be re-allocated from budgeted roadworks for this financial year.

Costings have not been determined until a response is received from the mining company.

Strategic Implications

Without some input into the continued maintenance of the roads from the mining company the implications of the additional road use does not align with the Economic Objectives and outcome and strategies of the Strategic Community Plan

Aspire 2033 - Shire of Lake Grace Strategic Community Plan

Economic Objective - A prosperous economy supporting diversification of industry		
Outcome	1	An innovative, productive agriculture industry
Strategies	1.1	Enhance and maintain transport network
	1.3	Support and promote the agricultural productivity of the district
Leadership Objective - Strong governance and leadership, demonstrating fair and equitable community values		
Outcome	8	A strategically focused, unified Council functioning efficiently
Strategies	8.1	Provide informed leadership on behalf of the community
	8.2	Promote and advocate for the community and district
	8.3	Provide strategic leadership and governance
	8.4	Provide timely communications on all Council activities to community

Voting Requirements

N/A

RECOMMENDATION / RESOLUTION

N/A

For Information Only

14.4.2 CHRISTMAS 2025 AND PUBLIC HOLIDAY 2026 RETAIL TRADING HOURS

Applicant	Shire of Lake Grace
File No.	0498
Attachments	- Email from Geoff Hales – Principal Inspector Investigations Branch, Consumer Protection 2025-26 Regional Extended Trading Package
Author	Alex Adams - Executive Assistant
Disclosure of Interest	Nil
Date of Report	11 September 2025
Senior Officer	Aaron Wooldridge – Deputy Chief Executive Officer

Summary

For Council to consider the extension of retail trading hours over the 2025 Christmas period and 2026 Public Holidays.

Background

An email has been received from the Department of Local Government, Industry Regulation and Safety advising that the Minister for Commerce has approved extended trading hours for the Perth Metropolitan area over the 2025 Christmas period, and public holidays in 2026. The same approval is being offered to regional Local Governments, as listed below:

Monday 8 December to Friday 12 December	8.00 am to 9.00 pm
Monday 15 December to Friday 19 December	7.00 am to 9.00 pm
Monday 22 to Wednesday 24 December	7.00 am to 9.00 pm
Weekends from 6 & 7 to 27 & 28 December inclusive	8.00 am to 6.00 pm
Christmas Day	Closed
Boxing Day	8.00 am to 6.00 pm
Public Holidays in 2026	8.00 am to 6.00 pm

In the offer, it is stressed that with all extended trading hour variations the decision to open or not during the additional hours provided is at the discretion of the retailer.

Comment

The Department of Local Government, Industry Regulation and Safety-Consumer Protection Division recognises that metropolitan hours may not meet the needs of the local community, therefore local governments that require amended trading hours outside of those being offered need to consider their specific requirements and submit a proposal with a separate application.

It is recommended that Council accept the proposal.

If Council does not support the extension of trading hours based on those in the metropolitan area, then an alternative recommendation would be that *'Council does not support extended trading arrangements over the 2024/2025 Christmas and New Year period and Public Holidays in 2025'*. Council will need to specify its preferred trading hours and direct Administration to complete and return the attached submission form.

Legal Implications

Retail Trading Hours Act 1987

Part III Retail Trading Hours

12E. Variation of trading hours (1) The Minister may by order vary the trading hours of retail shops by — (a) requiring retail shops to be closed at a time or times when the shops would otherwise not be required to be closed under section 12(1) or (3), 12B or 12D; or (b) authorising retail shops to be open at a time or times when the shops would otherwise be required to be closed under any of those provisions

Policy Implications

Nil

Consultation

Internal: Mr Aaron Wooldridge – Deputy Chief Executive Officer

Financial Implications

Nil

Strategic Implications

This item aligns with Aspire 2033 - Shire of Lake Grace Strategic Community Plan

Economic Objective - A prosperous economy supporting diversification of industry		
Outcome	2	A diverse and prosperous economy
Strategies	2.2	Support local business and promote further investment in the district

Voting Requirements

Simple majority

RECOMMENDATION / RESOLUTION

RESOLUTION

That Council accepts the offer from the Department of Commerce for extended trading hours for the Shire of Lake Grace over the 2025 / 2026 Christmas period, and Public Holidays in 2026 as follows:

Monday 8 December to Friday 12 December	8.00 am to 9.00 pm
Monday 15 December to Friday 19 December	7.00 am to 9.00 pm
Monday 22 to Wednesday 24 December	7.00 am to 9.00 pm
Weekends from 6 & 7 to 27 & 28 December inclusive	8.00 am to 6.00 pm
Christmas Day	Closed
Boxing Day	8.00 am to 6.00 pm
Public Holidays in 2026	8.00 am to 6.00 pm

CARRIED

For:

Against:

14.4.3 APPROVAL FOR USE OF PART OF ROAD RESERVE – DRAGON ROCKS ROAD RESEARCH PROJECT BY DEPARTMENT OF BIODIVERSITY, CONSERVATION AND ATTRACTIONS

Applicant	Lisa Xian – Research Scientist, Department of Biodiversity, Conservation and Attractions (DBCA)
File No.	0309
Attachments	Watering Trials on <i>Caladenia graniticola</i> – Research Proposal
Author	Aaron Wooldridge – Deputy Chief Executive Officer
Disclosure of Interest	Nil
Date of Report	11 September 2025
Senior Officer	Alan George – Chief Executive Officer

Summary

Council is requested to consider granting approval for the use of part of the road reserve located along Dragon Rocks Road for the purpose of undertaking a research project on the threatened *Caladenia graniticola* (Pingaring spider orchid). The project, led by DBCA Research Scientist Lisa Xian, involves installation of temporary infrastructure including fencing, irrigation system, water tank, and monitoring equipment to trial water supplementation to assist in preserving the orchid species.

Background

Declining autumn and winter rainfall in the Wheatbelt region has been identified as a key threat to the survival of *Caladenia graniticola*. Monitoring data collected over the past 25 years indicates a consistent decline in the population of the species, correlating with reduced rainfall.

DBCA proposes to evaluate whether increasing water availability during autumn and early winter through supplementary irrigation will improve the species' persistence.

The proposed site is located on the southern end of Dragon Rocks Nature Reserve, adjacent to Dragon Rocks Road within the Shire's boundary. Works will extend into the road reserve to enable installation of fencing, irrigation system, a ~2000L water tank, and associated monitoring equipment. The project is planned to commence in September 2025 and run until the end of 2027, at which point all infrastructure will be removed unless otherwise agreed with DBCA, the Shire, or the community.

Comment

The research will provide significant conservation value by trialling a practical intervention aimed at reversing the decline of a threatened native species. Use of the road reserve is required due to site constraints and proximity to the orchid population.

Minimal disturbance is expected as works are limited to hand clearing for fencing and placement of aboveground irrigation lines. Infrastructure is temporary in nature. DBCA has committed to removal and rehabilitation at project completion.

Council's approval is therefore sought to formalise permission for the use of the designated portion of the Dragon Rocks Road reserve for the duration of the project.

Legal Implications

Approval from Council is required to permit use of the road reserve for non-transport related purposes under the Local Government Act 1995.

Policy Implications

Nil

Consultation

Alan George - Chief Executive Officer

Financial Implications

There are no financial implications for the Shire. All costs associated with the project, including installation, maintenance, and removal of infrastructure, will be borne by DBCA.

Strategic Implications

This item aligns with Aspire 2033 - Shire of Lake Grace Strategic Community Plan

Environment Objective - Protect and enhance our natural and built environment		
Outcome	5	A natural environment for the benefit and enjoyment of current and future generations
Strategies	5.1	Manage and preserve the natural environment

Voting Requirements

Simple Majority

RECOMMENDATION / RESOLUTION

RESOLUTION

Moved: Cr

Seconded: Cr

That Council:

1. Approves the use of part of the road reserve located on Dragon Rocks Road within the Shire of Lake Grace boundary for the purpose of the Department of Biodiversity, Conservation and

Attractions' research project on the threatened *Caladenia graniticola* (Pingaring spider orchid).

2. Notes that all costs, installation, maintenance, and removal of infrastructure will be borne by the applicant.
3. Requires that the site be rehabilitated to the satisfaction of the Shire upon completion of the project in 2027 unless otherwise agreed.

CARRIED

For:

Against:

14.5 FINANCE

14.5.1 ACCOUNTS FOR PAYMENT – AUGUST 2025

Applicant	Internal Report
File No	0277
Attachments	List of Accounts Payable
Author	Tegan Hall - Manager Corporate Services
Disclosure of Interest	Nil
Date of Report	4 September 2025
Senior Officer	Mr Alan George – Chief Executive Officer

Summary

For Council to ratify expenditures incurred for the month of August 2025.

Background

List of payments for the month of August 2025 through the Municipal account are attached.

Comment

In accordance with the requirements of the Local Government Act 1996, a list of creditors and Credit cards and Fuel Cards transactions 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 and Reg 13A

Policy Implications

Policy 3.6 - Authorised Use of Credit Card/Fuel Cards

Policy 3.7 - Purchasing Policy

Consultation

Nil

Financial Implications

The list of creditors paid for the month of August 2025 from the Municipal account

Total \$832,423.57

Strategic Implications

This aligns with Aspire 2033 - Shire of Lake Grace Strategic Community Plan

Leadership Objective - Strong governance and leadership, demonstrating fair and equitable community values		
Outcome	9	An efficient and effective organisation
Strategies	9.1	Maintain accountability and financial responsibility through effective planning
	9.2	Comply with statutory and legislative requirements

Voting Requirements

Simple majority

RECOMMENDATION / RESOLUTION

RESOLUTION

Moved: Cr
Seconded: Cr

That Council ratify the list of payments totalling \$832,423.57 as presented for the month of August 2025 incorporating:

Payment Method	EFT/DD Number	Amount
Electronic Funds Transfers	EFT28433 – EFT28550	\$779,504.10
Direct Debits	DD11564.1 – DD11582.12	\$43,452.98
Fuel Cards	EFT28457	\$2,309.19
Credit Cards	DD11567.2	\$7,157.30
	TOTAL	\$832,423.57

CARRIED

For:
Against:

Shire of Lake Grace



CERTIFICATE OF EXPENDITURE August 2025

This Schedule of Accounts to be passed for payment, covering

Payment Method	EFT/DD Number	Amount
Electronic Funds Transfers	EFT28433 – EFT28550	\$779,504.10
Direct Debits	DD11564.1 – DD11582.12	\$43,452.98
Fuel Cards	EFT28457	\$2,309.19
Credit Cards	DD11567.2	\$7,157.30
	TOTAL	\$832,423.57

to the Municipal Account, totalling \$832,423.57 which were submitted to each member of the Council on 17 September 2025, have been checked and fully supported by vouchers and invoices which are submitted herewith and which have been duly certified as to the receipt of goods and the rendition of services and as to prices, computations, and costing's and the amounts shown are due for payment.

Alan George
CHIEF EXECUTIVE OFFICER

14.5.2 FINANCIAL REPORTS – 31 AUGUST 2025

Applicant	Internal Report
File No.	0275
Attachments	• Monthly Financial Reports • Bank Reconciliations – 31 August 2025
Author	Mrs Victoria Fasano - Senior Finance Officer Investments & Reporting
Disclosure of Interest	Nil
Date of Report	31 August 2025
Senior Officer	Mr Alan George - Chief Executive Officer

Summary

Consideration of the Monthly Financial Reports for the period ending 31 August 2025 and Bank Reconciliations for the month ending 31 August 2025.

Background

The provisions of the Local Government (Financial Management) Regulations 1996 require a monthly financial report to be presented at an Ordinary Council meeting within two (2) months of the period end date.

Comment

As at 31 August 2025, operating revenue is slightly under the target by \$14,554 (0.21%), mainly due to Fees and charges.

Operating expenditure is below YTD budget by \$1,421,440 (43.22%), mainly due to Depreciation, which will be posted in Synergy after 24/25 Annual Financial Statement audit.

Investing activities expenses are below the target by \$1,121,311 (75.27%) due to early days in the new FY. The bulk of Capital projects are not being initiated (80.8%) or are in an early stage of completion.

Cash at bank is slightly higher than the corresponding period last year. An investment agreement is in place for Overnight Cash Deposit with WA Treasury Corporation for total of \$3,387,686, as well as 2 term deposits invested in CBA – a total of \$9,376,743.

The due date for rates payments is 19/09/2025, thus the rates collected are only 5.1%.

General debtor is \$516,034 with no major outstanding debts to follow up.

The monthly financial reports include the accompanying Local Government special purpose financial statements for the Shire of Lake Grace, which comprises the Statement of Financial Activity (by Statutory Reporting Program), a summary of significant accounting policies and other explanatory notes for the period ending 31 August 2025. The financial statements have been compiled to meet compliance with the Local Government Act 1995 and associated regulations.

The Shire of Lake Grace is responsible for the information contained in the financial statements and is responsible for maintenance of an appropriate accounting system in accordance with relevant legislation.

Legal Implications

Section 6.4 of the Local Governments Act 1995 provides for the preparation of financial reports.

In accordance with Regulation 34(5), a report on variances greater than the materiality threshold (\$10,000 and 10% whichever is greater) must be compiled and adopted by Council. As this report is composed at a program level, variance commentary considers the most significant items that comprise the variance.

Policy Implications

Nil

Consultation

Internal Mrs Tegan Hall – Manager Corporate Services

Financial Implications

Nil

Strategic Implications

This item aligns with Aspire 2033 - Shire of Lake Grace Strategic Community Plan

Leadership Objective - Strong governance and leadership, demonstrating fair and equitable community values		
Outcome	9	An efficient and effective organisation
Strategies	9.1	Maintain accountability and financial responsibility through effective planning
	9.2	Comply with statutory and legislative requirements

Voting Requirements

Simple Majority

RECOMMENDATION / RESOLUTION

RESOLUTION

Moved: Cr

Seconded: Cr

That Council in accordance with *Regulation 34* of the *Local Government (Financial Management) Regulations 1996* receives the attached:

1. Statements of Financial activity for the period ended 31 August 2025 and
2. Municipal, Trust and Reserve Funds bank reconciliations for the period ended 31 August 2025.

CARRIED

For:

Against:

14.6 COMMUNITY SERVICES

Nil

15.0 QUESTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN**16.0 INFORMATION BULLETIN – SEPTEMBER 2025**

Applicant	Internal Report
File No.	Nil
Attachments	Information Bulletin Cover Page Only
Author	Alex Adams - Executive Assistant
Disclosure of Interest	Nil
Date of Report	11 September 2025
Senior Officer	Mr Aaron Wooldridge - Deputy 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 / Comment

The Information Bulletin Reports deal with monthly standing items and other information of a strategic nature relevant to Council. Copies of other relevant Councillor information are distributed via email.

The September 2025 Information Bulletin attachments include:

Reports:

- Infrastructure Services Report

External Organisations

- Walga Central Country Zone Meeting Minutes

Circulars, Media Releases, Newsletters, Letters

- Emailed to Councillors

Legal Implications

Nil

Policy Implications

Nil

Consultation

Nil

Financial Implications

Nil

Strategic Implications

This item aligns with Aspire 2033 - Shire of Lake Grace Strategic Community Plan

Leadership Objective - Strong governance and leadership, demonstrating fair and equitable community values		
Outcome	8	A strategically focused, unified Council functioning efficiently
Strategies	8.1	Provide informed leadership on behalf of the community
Outcome	9	An efficient and effective organisation
	9.2	Comply with statutory and legislative requirements

Voting Requirements

Simple majority

RECOMMENDATION / RESOLUTION

RESOLUTION

Moved: Cr
Seconded: Cr

That Council accepts the Information Bulletin Report for September 2025.

CARRIED

For:
Against:

17.0	CONFIDENTIAL ITEMS AS PER LOCAL GOVERNMENT ACT S5.23 (2)
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Nil

18.0	DATE OF NEXT MEETING – 22 OCTOBER 2025
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The next Ordinary Council Meeting is scheduled to take place on Wednesday 22 October 2025 commencing at 3:30pm at the Council Chambers, 1 Bishop Street, Lake Grace.

19.0	CLOSURE
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There being no further business, the Shire President closed the meeting at __ pm.