

Shire of Lake Grace

Ordinary Council Meeting

Minutes

23 March 2022

Meeting Commencing at 3:30 pm



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SHIRE OF LAKE GRACE

Minutes of the Ordinary Council Meeting held at Council Chambers, 1 Bishop Street, Lake Grace, WA on Wednesday 23 March 2022 commencing at 3:30pm.

1.0 DECLARATION OF OPENING ANNOUNCEMENT OF VISITORS

2.0 CONSTITUTIONAL MATTERS

2.1 DISCLAIMER READING AND ACKNOWLEDGEMENT OF COUNTRY

No responsibility whatsoever is implied or accepted by the Shire of Lake Grace for any act, omission or statement or intimation occurring during Council and Committee meetings or during formal and 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 and 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.

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Acknowledgement of Country

I begin today by acknowledging the Ballardong people, Traditional Custodians of the land on which we meet today, and pay my respects to their Elders past, present and emerging. I extend that respect to Aboriginal and Torres Strait Islander peoples here today

Before the record of attendance/apologies/leave of absence were read, having been informed by the Chief Executive Officer that Cr Debrah Clarke had requested to join the meeting via Zoom Videoconference, the Shire President presented the following motion to the Councillors and was resolved:

RESOLUTION 13546

Moved: Cr Chappell

Seconded: Cr Lloyd

That Cr Debrah Clarke be allowed to join the Council meeting via Zoom Videoconference in accordance with the requirements of the Local Government (Administration) Regulation 14A.

CARRIED: 8/0

After the voting, the Shire President read the list of names to confirm the attendance.

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

3.1 PRESENT

Cr LW Armstrong	Shire President
Cr R Chappell	Deputy Shire President
Cr SD Carruthers	
Cr DS Clarke	Via Zoom Videoconference
Cr SG Hunt	
Cr BJ Hyde	
Cr AJ Kuchling	
Cr RA Lloyd	
Cr JV McKenzie	

3.2 APOLOGIES

3.3 IN ATTENDANCE

Mr A George	Chief Executive Officer
Mr C Paget	Deputy Chief Executive Officer
Mrs T Hall	Manager Corporate Services
Mr C Elefsen	Manager Infrastructure Services
Mr M Castaldini	Community & Emergency Services Manager
Mrs R Rose	Executive Assistant (for the Minutes)

3.4 OBSERVERS / VISITORS

Nil

3.5 LEAVE OF ABSENCE PREVIOUSLY GRANTED

Nil

4.0 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

5.0 PUBLIC QUESTION TIME

Nil

6.0 PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil

7.0 NOTATIONS OF INTEREST

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

Nil

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

Nil

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

Nil

8.0 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

9.0 ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION

Nil

10.0 CONFIRMATION OF MINUTES

10.1 ORDINARY COUNCIL MEETING – 16 FEBRUARY 2022

RESOLUTION 13547

Moved: Cr Chappell

Seconded: Cr Hyde

That the Minutes of the Ordinary Council Meeting held on 16 February 2022 be confirmed as a true and accurate record of the meeting.

CARRIED BY MAJORITY: 8/1

Cr Debra Clarke voted against the motion and requested this be recorded.

10.2 SPECIAL COUNCIL MEETING

The Shire of Lake Grace is holding a Special Council Meeting on Thursday 24 March 2022 at 11:00am, Council Chambers – 1 Bishop Street, Lake Grace WA.

10.3 ANNUAL MEETING OF ELECTORS

Nil

11.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

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

Infrastructure Services presented a Late Item 14.1.1 – Speed Limit Reduction Collie Lake King Road (Stubbs Street).

13.0 REPORTS OF COMMITTEES

13.1 LOCAL EMERGENCY MANAGEMENT COMMITTEE (LEMC) – 10 FEBRUARY 2022

RESOLUTION 13548

Moved: Cr Chappell

Seconded: Cr Carruthers

That the Minutes of the Local Emergency Management Committee Meeting held on 10 February 2022 be accepted as a record of the meeting.

CARRIED: 9/0

**13.2 SHIRE OF LAKE GRACE TOURISM ADVISORY COMMITTEE (SOLGTAC) – 21
FEBRUARY 2022**

RESOLUTION 13549

Moved: Cr Carruthers

Seconded: Cr Clarke

That the Minutes of the Shire of Lake Grace Tourism Advisory Committee 21 February 2022 be accepted as a record of the meeting.

CARRIED: 9/0

**13.3 LAKE GRACE LIBRARY/CRC MANAGEMENT COMMITTEE MEETING – 15 MARCH
2022**

RESOLUTION 13550

Moved: Cr Clarke

Seconded: Cr Chappell

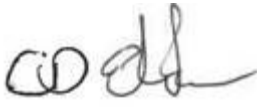
That the Minutes of the Lake Grace Library / Community Resource Centre Management Committee Meeting held on 15 March 2022 be accepted as a record of the meeting.

CARRIED: 9/0

14.0 REPORTS OF OFFICERS

14.1 INFRASTRUCTURE SERVICES

14.1.1 SPEED LIMIT REDUCTION COLLIE LAKE KING ROAD (STUBBS STREET)

Applicant:	Manager Infrastructure Services
File No.:	TBA
Attachments:	1) Letter from Roadwise Secretary 2) Map of Area of Concern
Author:	 Mr Craig Elefsen Manager Infrastructure Services
Disclosure of Interest:	Nil
Date of Report:	22/03/2022
Senior Officer:	 Mr Alan George Chief Executive Officer

Summary

For council to support the speed limit reduction on the Collie Lake King Road (Commonly known as Stubbs Street) from the current posted speed limit of 50kmph to a proposed speed limit of 40kmph between SLK 274.26 & SLK 274.71 (between Mather Street and Lawson Street in Lake Grace)

Background

During the November 2021 Roadwise meeting in the general business part of the meeting the issue of pedestrian safety on Stubbs street (Collie Lake King Road) was raised by concerned members of the public. As the shire is the overarching body of the community Roadwise has approached the Shire to contact Main Roads to see if the speed limit can be reduced in the area of concern.

Comment

On the 17th March 2022 the Shire received a letter from the Lake Grace Roadwise Secretary requesting the Shire to contact Main Roads WA to see if the speed limit could be lowered on a section of Stubbs Street Lake Grace. The Manager Infrastructure Services has since contacted Main Roads WA and they are seeking official Shire support/comment as the overarching representative of the community.

The Manager Infrastructure Services has inspected the area of concern and has deemed it necessary to expand the area initially mentioned by the Roadwise letter. Due to the increase in

pedestrians and vehicles in the mentioned area I believe it is the Shires best interest to support the speed limit reduction to improve the safety of all pedestrians and road users.

Legal Implications

Nil

Policy Implications

Nil

Consultation

Internal	Mr Alan George - Chief Executive Officer Mr Jason Lip - Technical Officer
External	Ms Suzanne Reeves - Secretary Roadwise Committee Mr Gren Putland - Main Roads WA

Financial Implications

Nil

Strategic Implications

Shire of Lake Grace Strategic Community Plan 2017-2027

Environment Objective		Strong governance and leadership, demonstrating fair and equitable community values
Outcome	4.1	A strategically focused, unified Council functioning efficiently
Strategy	4.1.1	Provide informed leadership on behalf of the community
	4.1.2	Promote and advocate for the community and district

Voting Requirements

Simple majority required.

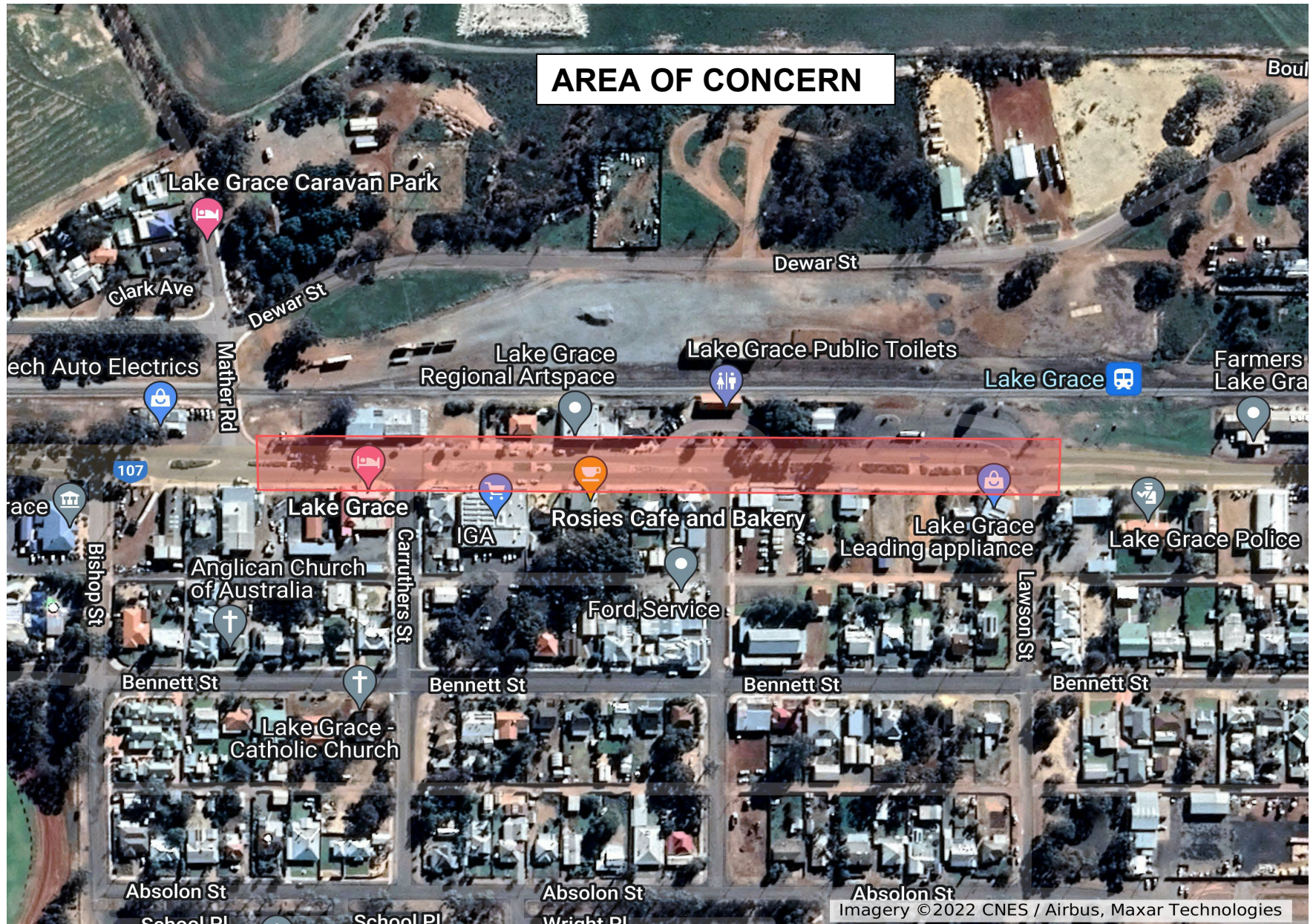
RESOLUTION 13551

Moved: Cr Hunt
Seconded: Cr Chappell

That Council:

1. Support the reduction of the current 50km per hour posted speed limit to 40km per hour between SLK 274.26 and SLK 274.71 Collie Lake King Road.
2. Authorise administration to provide Council's comment/s to Main Roads WA regarding this issue.

CARRIED: 9/0



14.2 PLANNING

14.2.1 DEVELOPMENT APPLICATION – PROPOSED SEA CONTAINER ON LOT 5 (NO.26) STUBBS STREET, LAKE GRACE

Applicant:	Mr Andrew Keays under authority from Mr Paul Wheeler & Ms Michelle Donegan (Landowners)
File No.:	TBA
Attachments:	Development Application - Documentation and Plans
Author:	Mr Joe Douglas – Town Planner
Disclosure of Interest:	Nil
Date of Report:	11 March 2022
Senior Officer:	 Mr Alan George Chief Executive Officer

Summary

This report recommends that Council **grant conditional approval** to a development application received from Mr Andrew Keays under the authority of Mr Paul Wheeler and Ms Michelle Donegan (Landowners) to place a second-hand 20-foot-long sea container on Lot 5 (No.26) Stubbs Street, Lake Grace for incidental storage purposes.

Background

Mr Andrew Keays has submitted a development application requesting Council's approval for the proposed placement of a second-hand 20-foot-long sea container at the rear of an existing approved commercial building on Lot 5 (No.26) Stubbs Street, Lake Grace for general storage purposes.

The existing commercial building on Lot 5 is currently being used for the purposes of a '*restaurant/cafe*' and '*reception centre*'. It is understood Mr Keays has secured a lease to operate the existing approved business on the land and requires some additional storage space in close proximity to the existing commercial building to support the approved business activities.

A full copy of the application received is provided in Attachment 1.

Lot 5 (No. 26) is located centrally in the Lake Grace townsite's designated commercial precinct and comprises a total site area of approximately 1,060m².

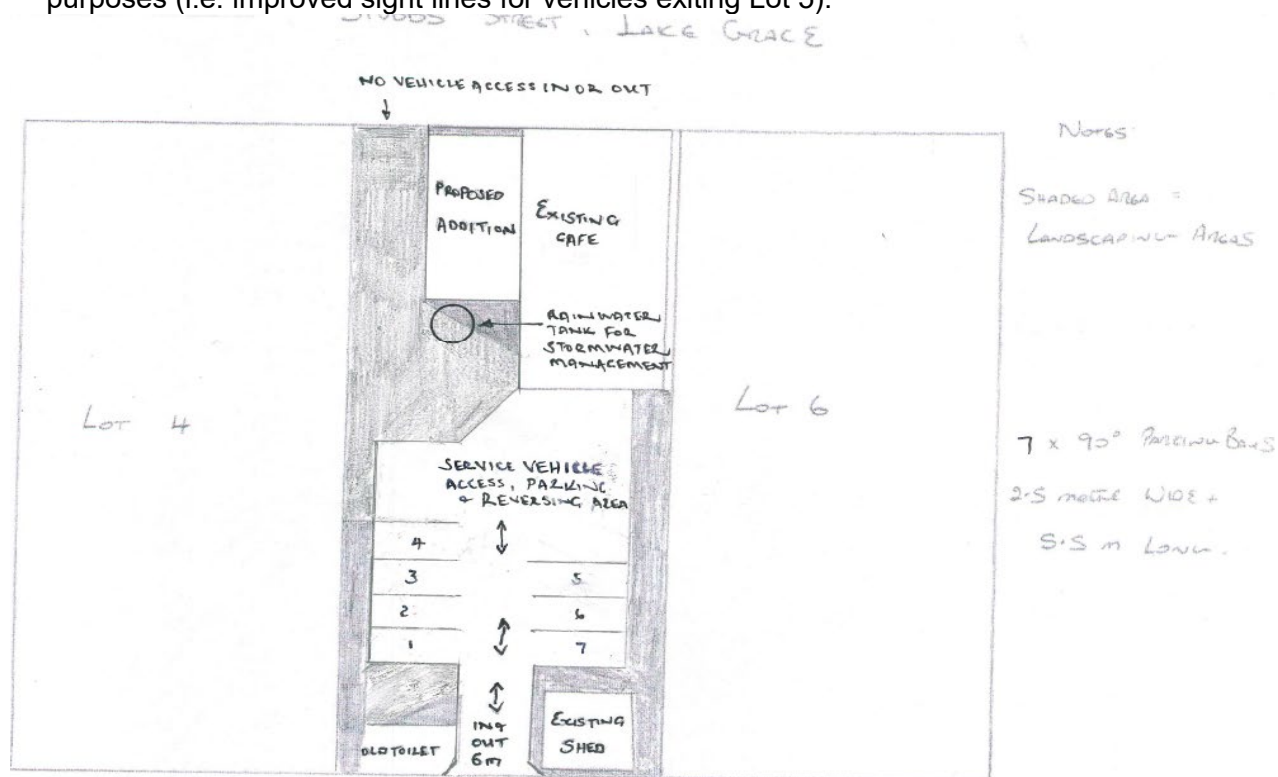
Lot 5 has direct frontage and access to Stubbs Street along its northern front boundary and a constructed right-of-way along its southern rear boundary. The property has historically been developed and used for both '*shop*' and '*restaurant/cafe*' purposes (i.e. Rosie's Cafe) and contains a single storey commercial building originally constructed in 1918 and two associated outbuildings at the rear.

Council should note that whilst the single storey commercial building on Lot 5 is included in the Shire's Heritage List due to it being identified and classified as a place of considerable cultural

heritage significance, the proposed development, the subject of this report, will have no direct impact on the building or compromise its heritage character or value.

In December 2017, Council granted conditional development approval for the following:

- i) Construction of a new 72m² addition to the western side of the existing commercial building on Lot 5;
- ii) Use of the proposed new 72m² addition for the purposes of an expanded 'restaurant / cafe';
- iii) Use of the entire premises, including the proposed addition, for the purposes of a 'reception centre';
- iv) Construction of a new vehicle access and parking area at the rear of the property with direct access to/from an existing constructed right-of-way along the land's rear boundary;
- v) The installation of new guttering on the existing building and proposed addition and a rainwater storage tank of sufficient capacity at the rear of the addition to capture, store and provide for the re-use of all storm water collected from the roof catchment;
- vi) The provision of landscaping in select locations including the retention of all existing eucalypt trees at the rear of the property with the exception of one smaller sized tree that has been subject to previous lopping works and required removal to provide safe and convenient vehicle access via the adjoining right-of-way; and
- vii) Removal of an existing corrugated iron storage shed at the rear of the property for vehicle safety purposes (i.e. improved sight lines for vehicles exiting Lot 5).



Council Approved Site Development Plan (December 2017)

It is noted Lot 5 has not been developed in accordance with the previous development approval granted by Council in December 2017, with a number of proposed improvements yet to be completed (e.g. vehicle access and parking, stormwater drainage, landscaping and removal of old shed). As this is a compliance related matter, Council cannot withhold any further development approvals due to this non-compliance or impose further conditions requiring the land to be developed in accordance

with any previous approvals granted. The onus is on the current landowners to comply with all previous approvals, with the Shire responsible for compliance and enforcement if the works are not completed as required.

Comment

Lot 5 is classified 'Commercial' zone under the Shire of Lake Grace Local Planning Scheme No.4 (LPS4).

Under the terms of LPS4 the use class 'restaurant / cafe' is listed as being a permitted (i.e. 'P') use on any land classified 'Commercial' zone. The use class 'reception centre' is listed as being a discretionary (i.e. 'D') use on any land classified 'Commercial' zone, with Council having previously granted development approval to use Lot 5 for this purpose.

As the proposed sea container will be incidental to and support the current permitted and approved use of Lot 5 for 'restaurant / cafe' and 'reception centre' purposes, Council has sufficient discretion to grant development approval in this particular instance, if it satisfied the proposed development meets the objectives, standards and requirements of the Shire's local planning framework.

The application has been assessed with due regard for all relevant objectives, standards and requirements prescribed in LPS4, clause 67 of the Deemed Provisions of the *Planning and Development (Local Planning Scheme) Regulations 2015* and Council's policy manual. This assessment has confirmed the proposal is compliant, or capable of compliance, with the following requirements:

- Land use compatibility;
- Siting, design and lot boundary setbacks;
- Maximum permitted building height;
- Environmental protection and conservation;
- Visual character and amenity;
- Heritage conservation and protection;
- Vehicle access, parking, loading / unloading; and
- Stormwater drainage and bushfire risk management.

To ensure the proposed sea container does not have a detrimental impact on the visual amenity of the immediate locality when viewed from the public realm, it is recommended Council impose a condition on any development approval that may ultimately be granted requiring the applicant to paint the western and southern walls of the sea container in a colour that matches or complements the external appearance of the existing commercial building on the property.

It is also recommended Council impose a condition requiring all stormwater drainage from the proposed sea container to be managed and disposed of on-site in a manner that does not compromise the integrity of any existing improvements on the land or the sea container itself.

In light of all of the above, it is concluded the proposal for Lot 5 (No.26) Stubbs Street, Lake Grace 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 the imposition of a number of conditions to ensure the development proceeds in a proper and orderly

manner. As such, it is recommended Council exercise its 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

Nil

Consultation

Not required or deemed necessary.

Financial Implications

There are no known financial implications in relation to this item aside from the administrative costs associated with processing the application which are provided for in Council's annual budget and have been partially offset by the development application fee paid by the applicant. All costs associated with the proposed development will be met by the applicant.

It is significant to note should the applicant / landowners 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 highly 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

The proposed development is consistent with the following strategic planning documents:

- Shire of Lake Grace Local Planning Strategy 2007 as it applies to supporting business development and growth and improving the general appearance, character and amenity of the Shire's main settlements; and
- Shire of Lake Grace Strategic Community Plan 2017-2027:

Economic Objective		A prosperous agricultural-based economy, supporting diversification of industry
Outcome	1.2.2	Support local business and promote further investment in the district.
Environment Objective		Protect and enhance our natural and built environment
Outcome	3.1.1	Maintain the integrity of heritage buildings and places

Voting Requirements

Simple majority required.

RESOLUTION 13552

Moved: Cr Chappell

Seconded: Cr Hyde

That the development application submitted by Mr Andrew Keays to place a second-hand 20-foot-long sea container on Lot 5 (No.26) Stubbs Street, Lake Grace for incidental storage purposes associated with the current approved uses on the land be **approved** 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 Council.
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 Council.
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 this approval shall lapse and be of no further effect. Where an approval has so lapsed, the proposed development shall not be carried out without the further approval of Council having first being sought and obtained.
4. The western, northern and southern facing walls of the proposed sea container shall be painted in a colour that matches or complements the external appearance of the existing commercial building on the property within ninety (90) days of the date of this approval unless otherwise approved by the Shire's Chief Executive Officer.
5. All stormwater drainage from the proposed sea container shall be contained and disposed of on-site in a manner that does not compromise the integrity of any existing improvements on the land or the sea container itself.
6. The proposed sea container shall only be used for incidental storage purposes associated with the current approved uses on the land unless otherwise approved by Council.

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 and landowner and not the Shire 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 Shire'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. The applicant is reminded of their obligation to ensure compliance with the following requirements:
 - i) The Shire of Lake Grace Annual Fire Management 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>); and

- ii) The terms and conditions of the development approval granted for the land in December 2017 as it applies to the maximum number of people permitted to be accommodated within the commercial building, heavy vehicle access, parking and loading/unloading, waste management and disposal, and the screening of any open storage and/or drying areas.
- 4. In accordance with the *Building Act 2011* and *Building Regulations 2012*, a building permit application must be submitted to and approved by the Shire's Building Surveyor prior to the commencement of any earthworks or placement of the proposed sea container 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. 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.
- 7. If the applicant / landowners are 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 the determination.

CARRIED: 9/0

Cr Hunt asked as to what happened to the original development conditions that were imposed on the former owners, whether or not they have been done:

Reply from the CEO was, now that the Shire's Planner Joe Douglas is back, this will be looked at by the administration.

14.3 HEALTH AND BUILDING

Nil

14.4 ADMINISTRATION

14.4.1 LAKE GRACE MEDICAL CENTRE CONTRACT UPDATE

Applicant:	Chief Executive Officer
File No.:	0159
Attachments:	Nil
Author:	 Mr Alan George Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	14 March 2022
Senior Officer:	 Mr Alan George Chief Executive Officer

Summary

For Council to confirm the change of term of the General Practice Agreement with Drs Olowu and Omoniyi (Olkowu and Omoniyi Pty Ltd).

Background/Comment

The General Practice Agreement with the doctors expired on 28 February 2022. Administration and Councillors entered into discussions with the doctors for the renewal of the contract and as a result at the 16 February 2022 Ordinary Council meeting, it was resolved to offer a three (3) year contract extension to expire 28 February 2025.

The doctors have subsequently come back and advised that a 2-year contract under the approved conditions is now what they want. All councillors were contacted and all confirmed agreeance to the change of term of the contract.

This item is to confirm the prior approval by the Councillors.

Legal Implications

The new General Practice Agreement has been executed by all parties.

Policy Implications

Nil

Consultation

All Councillors of the Shire of Lake Grace.

Financial Implications

No change to the contract price.

Strategic Implications

Shire of Lake Grace Strategic Community Plan 2017-2027

Social Objective A valued, healthy and inclusive community and life-style

Outcomes: 2.2 A healthy and safe community

 2.2.2 Provide and advocate for medical and health services

Voting Requirements

Simple majority required.

RESOLUTION 13553

Moved: Cr Carruthers

Seconded: Cr Lloyd

That Council confirms its agreeance to the change of term of the General Practice Agreement with Doctors Olowu and Omoniyi (Olowu and Omoniyi Pty Ltd) to a two (2) year term.

CARRIED 9/0

14.4.2 BUSHFIRE RISK MANAGEMENT PLAN 2022-2027 - DRAFT

Applicant:	Chief Executive Officer
File No.:	0159
Attachments:	All the working copies of the following documents: • Shire of Lake Grace BRM Plan • BRM Plan – Communication Strategy • BRM Plan – Local Government Wide Controls
Author:	 Mr Alan George Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	16 March 2022
Senior Officer:	 Mr Alan George Chief Executive Officer

Summary

For Council to review and comment on the Draft Shire of Lake Grace Bushfire Risk Management Plan 2022-2027

Background

The Bushfire Risk Management Planning (BRMP) program is a state-wide government initiative in WA that has been established to assist in the mitigation of bushfire risk. The program supports Local Governments in developing and implementing whole of Shire, tenure-blind Bushfire Risk Management Plans (BRM Plans) so that community assets are identified, risks are assessed and appropriate mitigation activities are assigned.

To support Local Government in undertaking the identified mitigation activities, the Western Australia government has established the Mitigation Activity Fund Grants Program (MAFGP) to treat extreme, very high or high bushfire risks.

The Mitigation Activity Fund Grants Program is restricted to eligible Local Governments only.

Eligible local governments are those that have an Office of Bushfire Risk Management (OBRM) endorsed Bushfire Risk Management Plan (Please note that OBRM must be given a minimum of four weeks to endorse a plan).

Comment

The draft document has been prepared by the Bushfire risk Management Coordinator based at the Shire of Narrogin and is attached for comment from Council. Comment will also be sought from

CBFCO, BFAC and CESM and interested parties prior to being finalised and adopted by Council prior to being forwarded to the OBRM for endorsement.

Please note that this is only a draft and some minor wording requires attention, however, the gist of the document is there.

Legal Implications

The following Acts and Legislation apply:

- Aboriginal Heritage Act 1972
- Building Act 2011
- Bush Fires Act 1954
- Bush Fires Regulations 1954
- Conservation and Land Management Act 1984
- Country Areas Water Supply Act 1947
- Emergency Management Act 2005
- Emergency Management Regulations 2006
- Environmental Protection Act 1986
- Environmental Protection and Biodiversity Conservation Act 1999
- Fire and Emergency Service Act 1998
- Fire Brigades Act 1942
- Metropolitan Water Supply, Sewerage and Drainage Act 1909
- Planning and Development (Local Planning Scheme) Regulations 2015
- Wildlife Conservation Act 1950

Policy Implications

Shire of Lake Grace Fire Management Notice 2021/2022
State Planning Policy 3.7 – Planning for Bushfire Prone Areas
Numerous other State Policies

Consultation

Department of Fire and Emergency Services
Shire of Lake Grace Community Emergency Services Manager
Shire of Lake Grace Bushfire Advisory Committee
Chief Bushfire Control Officer

Financial Implications

There is funding available annually through the Mitigation Activity funding (MAF) However, it must be noted that the funding available is for the initial treatment only to reduce the fire risk and thereafter it will be the responsibility of the Shire for the ongoing maintenance of the firebreaks.

Further funding may be sourced after initial works have been completed. Bushfire can pose a serious risk to communities and the receipt of mitigation funding will help offset ongoing costs and treatments into the future.

Strategic Implications

Shire of Lake Grace Strategic Community Plan 2017-2027

Economic Objective		A prosperous agricultural based economy, supporting diversification of industry
Outcome	1.1	An innovative, productive agriculture industry
	1.1.1	Enhance and maintain transport network
	1.1.3	Support and promote the agricultural productivity of the district
	1.1.5	Liaise with key stakeholders for the improvement of the agricultural industry
Environment Objective		Protect and enhance our natural and built environment
Outcome	3.1	A well maintained attractive built environment servicing the needs of the community
	3.1.1	Maintain, rationalise, improve or renew buildings and community infrastructure
	3.1.2	Maintain the integrity of heritage buildings and places
Outcome	3.2	A natural environment for the benefit and enjoyment of current and future generations
	3.2.1	Manage and preserve the natural environment
	3.2.2	Support pest and weed control within the district
Social Objective		A valued, healthy and inclusive community and life-style
Outcome	2.2	A health and safe community
	2.2.3	Support provision of emergency serviced and encourage community volunteers

Voting Requirements

Nil

NO VOTING REQUIRED

For information purposes only at this stage.

14.4.3 ACCESS AGREEMENT TO WILLIAMS LOCATION 10224

Applicant:	Chief Executive Officer
File No.:	0159
Attachments:	Agreement to Williams Location and Plan Location 10224 – Lake Grace Kulin Road
Author:	 Mr Alan George Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	16 March 2022
Senior Officer:	 Mr Alan George Chief Executive Officer

Summary

For Council to **approve** the fixing of the Shire of Lake Grace Common Seal to an access agreement to portion of Williams Location 10224 with the owners Morris and Vicki Smith for the purpose of access to water.

Background

Vesting of Reserve 18067 on which North Lake Grace Dam is located was transferred from the Water Corporation to the Shire of Lake Grace in 2021.

Comment

Administration has been working with DWER for several years in order to increase dam water supplies for drought mitigation purposes.

Last year, the federal government announced the National Water Grid Connections Fund to help identify and improve water storage and drought mitigation processes. The State government followed this up with some additional funding. DWER identified North Lake Grace Dam as a project and are in the process of gaining approval for funding to install a tank, standpipe and pipeline from the dam to a suitable area. The area for the tank will be located on the reserve to the west of the dam in an old gravel pit area. Access to the tank and standpipe will be through land owned by the Smiths and there are already access roads in place which will require some minor grading to bring up to standard.

This agreement is to formalise the access to the land with the owners and set out the conditions of the access.

Legal Implications

The Smiths have requested that the condition be put into the agreement that they will **not be liable** for any incident/accidents on any part of their property whilst being accessed for water.

Local Government Act 1995 section 9.49(A)

Policy Implications

Policy 1.1 Use of the Common Seal

Policy The Common Seal of the Shire of Lake Grace is to be affixed to the following documents:

- Deed of agreement
- Senior Officer Contracts of Employment
- Land transactions (including leases)
- Other documents requesting use of the common seal

A document is validly executed by the Shire of Lake Grace when the seal of the Shire is affixed to it by the President and the Chief Executive Officer, and the President and Chief Executive Officer attest the fixing of the seal.

All documents signed under seal must, in accordance with s9.49 of the Act, first be presented to Council for its authorisation of the seal to be affixed to it by the President and the Chief Executive Officer, and the President and Chief Executive Officer attesting the fixing of the seal.

Objective To validate the procedure for the executive of legal documents.

Consultation

External Department of Water and Environmental Regulation – Rural Water Planning
Landowners M L and V N Smith

Internal Mr Craig Elefsen - Manager Infrastructure Services

Financial Implications

Initial works will be funded by the National Water Grid Connections Fund.

The Shire of Lake Grace will be liable for future maintenance from time to time as needed.

Strategic Implications

Shire of Lake Grace Strategic Community Plan 2017-2027

Economic Objective	A prosperous agricultural based economy, supporting diversification of industry
Outcome	1.1 An innovative, productive agriculture industry
	1.1.3 Support and promote the agricultural productivity of the district
	1.1.4 Maintain and provide water infrastructure and lobby to support drought-proofing and water-harvesting initiatives
	1.1.5 Liaise with key stakeholders for the improvement of the agricultural industry

Voting Requirements

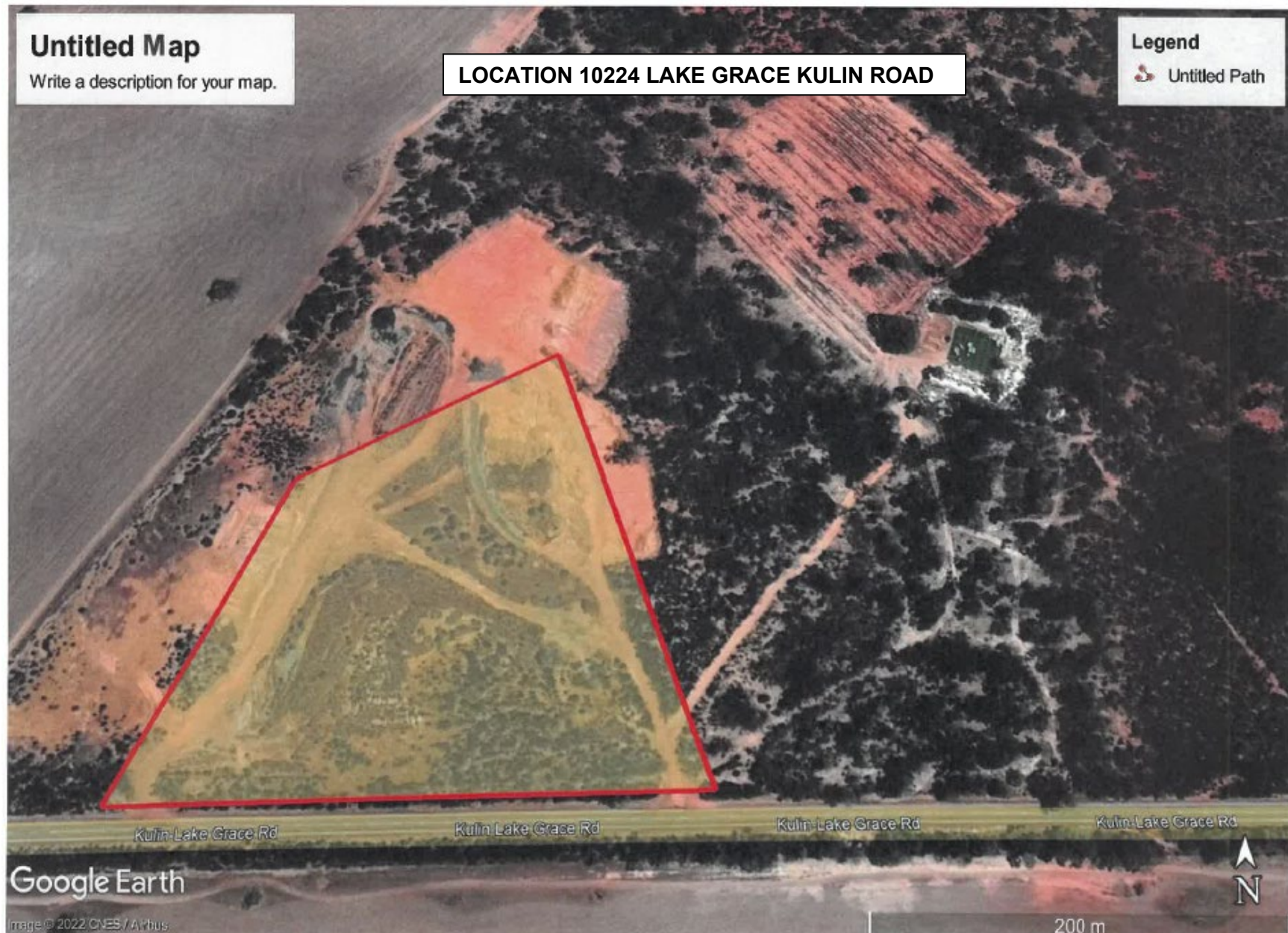
Simple majority required.

RESOLUTION 13554

Moved: Cr Chappell
Seconded: Cr McKenzie

That Council approves the fixing of the Shire of Lake Grace Common Seal to the Access Agreement between M L and V N Smith and the Shire of Lake Grace for portion of Williams Location 10224.

CARRIED: 9/0



14.4.4 ADOPTION OF LOCAL EMERGENCY MANAGEMENT ARRANGEMENTS 2022-2027

Applicant:	Mr. Alan George Chief Executive Officer
File No.:	TBA
Attachments:	Draft Shire of Lake Grace Local Emergency Management Arrangements (LEMA) 2022-2027
Author:	 Mr Chris Paget Deputy Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	16 March 2022
Senior Officer:	 Mr Alan George Chief Executive Officer

Summary

The purpose of this report is for the Council to consider the review of the Local Emergency Management Arrangements and the associated recommendation from the 10 February 2022 Shire of Lake Grace LEMC meeting.

Background

Under the *Emergency Management Act 2005* ('the EM Act'), local governments are required to have local emergency management arrangements. Local governments are the closest level of government to their communities and have access to specialised knowledge about the local environment and demographic features of their communities. Effective local emergency management arrangements enhance the community's resilience and preparedness for emergencies through strategies that apply prevention/mitigation, preparedness, response and recovery measures.

In addition to ensuring that effective local emergency management arrangements are prepared and maintained and managing recovery following an emergency in its district, each local government is required to establish and maintain a local emergency management committee (LEMC). The functions of the Shire of Lake Grace LEMC are documented in the EM Act under section 39:

- a) to advise and assist the local government in ensuring that the local emergency management arrangements are established for its districts;
- b) to liaise with public authorities and other persons in the development, review and testing of local emergency management arrangements; and
- c) to carry out other emergency management activities as directed by the SEMC or prescribed by the regulations.

Comment

The minutes of the 10 February 2022 LEMC meeting are attached with a recommendation to Council to endorse the Local Emergency Management Arrangements (LEMA) and associated plans for the Shire of Lake Grace.

In accordance with relevant legislation the plans have been reviewed by the LEMC and this report seeks Council's endorsement. Adoption of the plans will ensure the Shire remains compliant with legislative responsibilities in accordance with the EM Act 2005 and relevant State Emergency Management plans and policies.

Once adopted by Council, the LEMA document must be submitted to the State Emergency Management Committee (SEMC) via the District EMC in order to complete the approval process.

Statutory Environment

Emergency Management Act 2005 sections 41 to 43.

Policy Implications

Nil

Financial Implications

Nil

Risk Implications

The risks associated with matters in this report are:

- Failure to fulfil statutory, regulatory or compliance requirements
- Inadequate document management processes
- Inadequate engagement practices

Risk mitigation includes the well managed operations of the LEMC and ensuring all relevant plans are current and reviewed as required.

Strategic Implications

Shire of Lake Grace Strategic Community Plan 2017-2027

Leadership Objective		Strong governance and leadership, demonstrating fair and equitable community values
Outcome	3.2	A healthy and safe community
Outcome	4.1	A strategically focused, unified Council functioning efficiently
	4.1.1	Provide informed leadership on behalf of the community
	4.1.3	Provide strategic leadership and governance

Outcome	4.2	An efficient and effective organisation
	4.2.1	Maintain accountability and financial responsibility through effective planning
	4.2.2	Comply with statutory and legislative requirements

Consultation

External	Department of Fire & Emergency Services Department of Communities Western Australian Local Government Association
Internal	Mr Matt Castaldini – Community & Emergency Services Manager, Shire of Lake Grace Shire of Lake Grace – Local Emergency Management Committee

Voting Requirements

Simple majority required..

RESOLUTION 13555

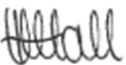
Moved: Cr Hyde
Seconded: Cr Hunt

That Council lays this item on the table to allow further amendments and corrections to be made.

CARRIED: 9/0

14.5 FINANCE

14.5.1 ACCOUNTS FOR PAYMENT – JANUARY 2022

Applicant	Internal Report
File No	0277
Attachments	List of Accounts Payable
Author	 Ms Tegan Hall Manager Corporate Services
Disclosure of Interest	Nil
Date of Report	16 March 2022
Senior Officer	 Mr Alan George Chief Executive Officer

Summary

For Council to ratify expenditures incurred for the month of January 2022.

Background

List of payments for the month of January 2022 through the Municipal account is attached.

Comment

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

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

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

Legal Implications

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

Policy Implications

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 January 2022 from the Municipal and Trust Accounts total is \$8882,065.35.

Strategic Implications

Shire of Lake Grace Strategic Community Plan 2017-2027

- | | | |
|----------------------|-------|---|
| Leadership Objective | | Strong governance and leadership, demonstrating fair and equitable community values |
| Outcome | 4.2 | An efficient and effective organisation |
| | 4.2.1 | Maintain accountability and financial responsibility through effective planning |
| | 4.2.2 | Comply with statutory and legislative requirements |

Voting Requirements

Simple majority required.

RESOLUTION 13556

Moved: Cr Carruthers
Seconded: Cr Hunt

That Council ratify the list of payments totalling \$882,065.35 as presented for the month of January 2022 incorporating:

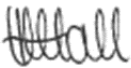
Payment Method	Cheque/EFT/DD Number	Amount
Trust Account	1541	\$51.00
Electronic Funds Transfers	EFT22982 - EFT23207	\$849,912.93
Municipal Account Cheques	36973 – 36976	\$2,326.08
Direct Debits	DD9828.1 – DD9870.3	\$29,775.34
	TOTAL	\$882,065.35

to the Municipal account, totalling \$882,065.35 which were submitted to each member of the Council on 23 March 2022, 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 the prices, computations, and costings and the amounts show are due for payment.

Alan George
CHIEF EXECUTIVE OFFICER

CARRIED: 9/0

14.5.2 ACCOUNTS FOR PAYMENT – FEBRUARY 2022

Applicant	Internal Report
File No	0277
Attachments	List of Accounts Payable
Author	 Ms Tegan Hall Manager Corporate Services
Disclosure of Interest	Nil
Date of Report	16 March 2022
Senior Officer	 Mr Alan George Chief Executive Officer

Summary

For Council to ratify expenditures incurred for the month of February 2022.

Background

List of payments for the month of February 2022 through the Municipal account is attached.

Comment

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

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

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

Legal Implications

Local Government (Financial Management) Regulations 1996 – Reg 12

Local Government (Financial Management) Regulations 1996 – Reg 13

Policy Implications

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 February 2022 from the Municipal and Trust Accounts total is \$597,130.40.

Strategic Implications

Shire of Lake Grace Strategic Community Plan 2017-2027

- | | | |
|----------------------|-------|---|
| Leadership Objective | | Strong governance and leadership, demonstrating fair and equitable community values |
| Outcome | 4.2 | An efficient and effective organisation |
| | 4.2.1 | Maintain accountability and financial responsibility through effective planning |
| | 4.2.2 | Comply with statutory and legislative requirements |

Voting Requirements

Simple majority required.

RESOLUTION 13557

Moved: Cr McKenzie

Seconded: Cr Lloyd

That Council ratify the list of payments totalling \$597,130.40 as presented for the month of February 2022 incorporating:

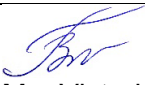
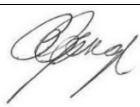
Payment Method	Cheque/EFT/DD Number	Amount
Electronic Funds Transfers	EFT23208 - EFT23324	\$546,012.25
Municipal Account Cheques	36977 – 36982	\$16,099.57
Direct Debits	DD9869.1 – DD9900.1	\$35,018.58
	TOTAL	\$597,130.40

to the Municipal account, totalling \$597,130.40 which were submitted to each member of the Council on 23 March 2022, 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 the prices, computations, and costings and the amounts show are due for payment.

Alan George
CHIEF EXECUTIVE OFFICER

CARRIED: 9/0

14.5.3 FINANCIAL REPORTS – 31 JANUARY 2022

Applicant:	Internal Report
File No.	0275
Attachments:	• Monthly Financial Reports • Bank Reconciliations – January 2022
Author:	 Mrs Victoria Fasano Finance Officer – Reporting and Investments
Disclosure of Interest	Nil
Date of Report	16 March 2022
Senior Officer	 Mr Alan George Chief Executive Officer

Summary

Consideration of the Monthly Financial Reports for the period ending 31 January 2022 and Bank Reconciliations for the month ending 31 January 2022.

Background

The provisions of the Local Government Act 1995 and associated Regulations require a monthly financial report is presented at an Ordinary Council meeting within two (2) months of the period end date.

Comment

As at 31 January 2022, operating revenue over target by \$52,562 (0.84%) mostly due to Rates and Operating grants received earlier than budgeted. Interest earnings below target due to low interest rates. Fees and Charges are below budget as well along with other revenue.

Operating expenditure is under YTD budget by \$1,123,072 (17.61%) mainly due to Materials and contracts, employee and overhead costs down along with utility charges. Insurance and depreciation expenses on the other hand are slightly over the budget target.

The capital program is below the target by \$1,828,877. Capital grants and contributions are down due to some of Local Roads & Community and Drought & Community projects are not yet initiated/finalised, funds will be recognised later in financial year. Payments for property, plant and equipment are below target as well due to slow-down in capital projects. This leads to Capital grants income decrease being offset by the reduction in payments for property, plant and equipment.

Cash at bank is similar to the corresponding period last year, an investment agreement for 3 term deposits with Bankwest is in place (total of \$9,502,735).

Outstanding rates is tracking well and have recovered 94.6% to date.

General debtor is \$61,680 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 January 2022. 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 (\$5,000 or 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

Nil

Financial Implications

Nil

Strategic Implications

Shire of Lake Grace Strategic Community Plan 2017 - 2027

Leadership Objective		Strong governance and leadership, demonstrating fair and equitable community values
Outcome	4.2	An efficient and effective organisation
	4.2.1	Maintain accountability and financial responsibility through effective planning
	4.2.2	Comply with statutory and legislative requirements

Voting Requirement

Simple majority required.

RESOLUTION 13558

Moved: Cr Chappell

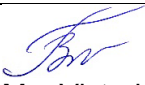
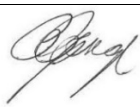
Seconded: Cr Hyde

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 January 2022 and
2. Municipal, Trust and Reserve Funds bank reconciliations for the period ended 31 January 2022.

CARRIED: 9/0

14.5.4 FINANCIAL REPORTS – 28 FEBRUARY 2022

Applicant:	Internal Report
File No.	0275
Attachments:	• Monthly Financial Reports • Bank Reconciliations – February 2022
Author:	 Mrs Victoria Fasano Finance Officer – Reporting and Investments
Disclosure of Interest	Nil
Date of Report	16 March 2022
Senior Officer	 Mr Alan George Chief Executive Officer

Summary

Consideration of the Monthly Financial Reports for the period ending 28 February 2022 and Bank Reconciliations for the month ending 28 February 2022.

Background

The provisions of the Local Government Act 1995 and associated Regulations require a monthly financial report is presented at an Ordinary Council meeting within two (2) months of the period end date.

Comment

As at 28 February 2022, operating revenue over target by \$80,890 (1.21%) mostly due to Rates and Operating grants received earlier than budgeted. Interest earnings below target due to low interest rates. Fees and Charges are below budget as well along with other revenue.

Operating expenditure is under YTD budget by \$1,406,392 (19.27%) mainly due to Materials and contracts, employee and overhead costs down along with utility charges. Insurance and depreciation expenses on the other hand are slightly over the budget target.

The capital program is below the target by \$2,355,802 (62.98%). Capital grants and contributions are down due to some of Local Roads & Community and Drought & Community projects are not yet initiated/finalised, funds will be recognised later in financial year. Payments for property, plant and equipment are below target as well due to slow-down in capital projects. This leads to Capital grants income decrease being offset by the reduction in payments for property, plant and equipment.

Cash at bank is similar to the corresponding period last year, an investment agreement for 3 term deposits with Bankwest is in place (total of \$9,505,180).

Outstanding rates is tracking well and have recovered 95.4% to date.

General debtor is \$37,536 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 28 February 2022. 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 (\$5,000 or 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

Nil

Financial Implications

Nil

Strategic Implications

Shire of Lake Grace Strategic Community Plan 2017 - 2027

Leadership Objective		Strong governance and leadership, demonstrating fair and equitable community values
Outcome	4.2	An efficient and effective organisation
	4.2.1	Maintain accountability and financial responsibility through effective planning
	4.2.2	Comply with statutory and legislative requirements

Voting Requirement

Simple majority required.

RESOLUTION 13559

Moved: Cr Carruthers
Seconded: Cr Hunt

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 28 February 2022 and
2. Municipal, Trust and Reserve Funds bank reconciliations for the period ended 28 February 2022.

CARRIED: 9/0

14.6 COMMUNITY SERVICES

Nil

15.0 QUESTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

16.0 INFORMATION BULLETIN – MARCH 2022

Applicant:	Internal Report
File No.	Nil
Attachments:	Information Bulletin
Author:	<i>RRRose</i> Mrs Racelis Rose Executive Assistant
Disclosure of Interest:	Nil
Date of Report:	16 March 2022
Senior Officer:	 Mr Chris Paget 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

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.

Comment

This month's Information Bulletin Report was emailed to Councillors.

The February 2022 Information Bulletin attachments include:

Reports:

- Infrastructure Services Report – March 2022
- Lake Grace Library Report and Statistics – March 2022
- Lake King Library Report and Statistics – March 2022
- Newdegate Library Report and Statistics – March 2022

Circulars, Media Releases, Newsletters, Letters:

- 4WDL Telstra Mobile Connectivity & Reliability
- Central Country Zone – Minutes of Meeting – 18 February 2022
- WALGA – State Council Full Minutes – Special Meeting – 23 February 2022
- WALGA – State Council Agenda – 2 March 2022
- Western Australian Community Resource Network (WACRN) Customer Research (DPIRD)
- Western Australian Community Resource Network (WACRN) Stakeholder Research (DPIRD)
- SHICC Public Health Bulletin No. 12 – 10 February 2022
- SHICC Public Health Bulletin No. 13 – 15 February 2022
- SHICC Public Health Bulletin No. 13 – 23 February 2022
- SHICC Public Health Bulletin No. 14 – 02 March 2022
- SHICC Public Health Bulletin No. 15 – 10 March 2022
- SHICC Public Health Bulletin No. 16 – 17 March 2022

Legal Implications

Nil

Policy Implications

Nil

Consultation

Nil

Financial Implications

Nil

Strategic Implications

Shire of Lake Grace Strategic Community Plan 2017 – 2027

Leadership Objective		Strong governance and leadership, demonstrating fair and equitable community values
Outcome	4.1	A strategically focused, unified Council functioning efficiently
	4.1.1	Provide informed leadership on behalf of the community
	4.1.2	Promote and advocate for the community and district
	4.1.3	Provide strategic leadership and governance
	4.2	An efficient and effective organisation
	4.2.1	Maintain accountability and financial responsibility through effective planning
	4.2.2	Comply with statutory and legislative requirements

Voting Requirements

Simple majority required.

RESOLUTION 13560

Moved: Cr Chappell

Seconded: Cr Hyde

That Council accepts the Information Bulletin Report for March 2022.

CARRIED: 9/0

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

Nil.

18.0 DATE OF NEXT MEETING – 27 APRIL 2022

The next Ordinary meeting of Council is scheduled to take place on Wednesday 27 April 2022 commencing at 3:30pm at the Council Chambers, 1 Bishop Street, Lake Grace.

19.0 CLOSURE

There being no further business, the Shire President closed the meeting at 4:13pm.

20.0 CERTIFICATION

I, Leonard William Armstrong certify that the Minutes of the Ordinary Council meeting held on 23 March 2022 as shown were confirmed as a true record of the meeting.


Signature

27 APRIL 2022
Date