

Shire of Lake Grace

Ordinary Council Meeting

MINUTES

25 May 2022

Meeting Commencing at 3:30 pm

Disclaimer

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SHIRE OF LAKE GRACE

Minutes for the Ordinary Council Meeting held at the Council Chambers, 1 Bishop Street, Lake Grace, WA on Wednesday 25 May 2022 , the meeting commenced at 3:30pm.

1.0 DECLARATION OF OPENING ANNOUNCEMENT OF VISITORS

Nil

2.0 CONSTITUTIONAL MATTERS

Nil

2.1 DISCLAIMER READING AND ACKNOWLEDGEMENT OF COUNTRY

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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.

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 DS Clarke	
Cr BJ Hyde	
Cr AJ Kuchling	
Cr RA Lloyd	
Cr JV McKenzie	

3.2 APOLOGIES

Cr SG Hunt	
Mrs T Hall	Manager Corporate Services
Mr C Paget	Deputy Chief Executive Officer
Mr M Castaldini	Community & Emergency Services Manager

3.3 IN ATTENDANCE

Mr A George	Chief Executive Officer
Mr C Elefsen	Manager Infrastructure Services
Mrs R Rose	Executive Assistant

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

Cr Ross Chappell submitted a Disclosure of Interest Affecting Impartiality for Item 14.6.1 – Shire of Lake Grace Disability Access Inclusion Plan (DAIP) Progress Report 2021/2022, his wife Mrs Cheryl Chappell is the author of the report and also a staff member of the Shire of Lake Grace.

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 – 27 APRIL 2022

RESOLUTION 13575

Moved: Cr Chappell

Seconded: Cr Lloyd

That the Minutes of the Ordinary Council Meeting held on 27 April 2022 be confirmed as a true and accurate record of the meeting.

CARRIED BY ABSOLUTE MAJORITY: 7/0

10.2 SPECIAL COUNCIL MEETING

Nil

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

Nil

13.0 REPORTS OF COMMITTEES

13.1 LOCAL EMERGENCY MANAGEMENT COMMITTEE (LEMC) – 12 MAY 2022

RESOLUTION 13576

Moved: Cr Chappell

Seconded: Cr McKenzie

That the Minutes of the Local Emergency Management Committee meeting held on 12 May 2022 be accepted as a record of the meeting.

CARRIED: 7/0

13.2 LAKE GRACE LIBRARY RESOURCE AND COMMUNITY RESOURCE CENTRE MANAGEMENT COMMITTEE (LGLRCRCMC) – 17 MAY 2022

RESOLUTION 13577

Moved: Cr Lloyd

Seconded: Cr Hyde



That the Minutes of the Lake Grace Library Resource and Community Resource Centre Management Committee meeting held on 17 May 2022 be accepted as a record of the meeting.

CARRIED: 7/0

14.0 REPORTS OF OFFICERS

14.1 INFRASTRUCTURE SERVICES

14.1.1 COMMUNITY CONSULTATION – NEW ROAD NAME, BIDDY CAMM INDUSTRIAL LOTS

Applicant:	Internal Report
File No.	0357
Attachments:	Attachment 1 - Proposed Agricultural Industrial Subdivision and Road Reserve
Author:	 Mr Jason Lip Technical Officer
Disclosure of Interest:	Nil
Date of Report:	12 May 2022
Senior Officer:	 Mr Craig Elefsen Manager Infrastructure Services

Summary

That Council authorise the administration to open up submissions for a new road name for 30 days for the road proposed to be constructed as part of the Lake Grace Agricultural Industrial Subdivision on the east edge of Lake Grace town.

Background

The Shire is in the process of subdividing Lot 101 and Lot 12 Kulin-Lake Grace Road for the purposes of future industrial development. As part of the proposal, a new sealed road will be constructed within a 20m wide road reserve that links Stubbs Street and Biddy Camm Road. This road and subdivision is presented in Attachment 1.

As a requirement for Landgate to accept the new Deposited Plan, a name is to be put forth for the road to be constructed that has also been approved by the Landgate Geographical Names Committee (GNC).

The land of this proposed subdivision cannot be sold or leased unless the Shire of Lake Grace is in possession of the Certificates of Title, which can only be received after Landgate has accepted and adopted the Deposited Plan.

Comment

It is the responsibility of the local government to propose a name to the GNC for approval. Once a letter from the GNC approving of the selected road name is received, then we can proceed with the application for the subdivision and the resulting receipt of the Deposited Plan. However, the Local Government is free to approach how they select a name for the new road.

In this instance, the Shire will seek proposals for a new road name through community consultation. The new road name submitted by the community will need to follow some rules and guidelines set forth in the Policies and Standards for Geographical Naming in Western Australia document published by Landgate as follows:

- Road names cannot start with 'THE' (i.e. "The Example ROAD" is not acceptable);
- Road names must only consist of one word followed by the road type (i.e. "Sunshine Sheep ROAD" is not acceptable);
- Road names cannot contain a road type in its name (i.e. "Lakeview ROAD", "Everglade ROAD", "Looper ROAD" and "Briarway ROAD" are not acceptable because 'VIEW', "GLADE", "LOOP" and "WAY" are actual road types);
- Road names must end in a road type, which in this case the road type will be 'ROAD';
- Road names cannot have prefixes or suffixes (i.e. "Example South ROAD", "Lakes Example ROAD" are not acceptable);
 - o The only exception *that will be considered* is if the road is related to a local feature of historical significance, such as "Mount Sheridan ROAD" or "Lake Biddy ROAD".
- Road names cannot have numerals, in either number form ("7th ROAD") or written form ("Seven ROAD");
- Road names must not sound or read similar to existing road names in the surrounding location ("Beech ROAD" would not be acceptable if there is a "Beach ROAD" nearby);
- Road names containing animals, animal breeds or the name of a specific animal are not allowed unless there is evidence they are significant to the area in question;
- Destination-to-destination road names are no longer acceptable for new road names (i.e. "Harvey-Quindanning ROAD" is no longer acceptable);
- Road names featuring the name of a person can only be proposed if—
 - o they are locally significant and have a demonstrated record of achievement,
 - o posthumously,
 - o person in question was not the victim of an accident or tragedy,
 - o preferred last name of the person is used unless it is already similar to an existing road,
 - evidence the name is supported by a community that reaches beyond a single local government region,

- ownership of nearby land by people related to the commemorated person will NOT assist the consideration of road name adoption,
- person has NOT sponsored or contributed to the development of the local area,
- names that start with Mc, Mac, M' or O' must not have a space between Mc, Mac, M' or O' and the rest of the name,
- abide by all other restrictions noted above.

Each road name proposal to the Geographical Names Committee (GNC) needs to include:

- The reason for the proposal or name change,
- Origin of each road name and its source,
- A location by local government, locality and estate name if known,
- Identification on a map clearly indicating extent and precise start and end points,
- Photographs or sketches,
- Any other supporting information such as historic articles, reference materials, publications etc,
- Where applicable, evidence of landowner, family of community support,
- If the name is Aboriginal in origin, evidence of support from relevant Aboriginal Community.

"Community" in this instance means residents living within the Shire of Lake Grace, or landowners that have property located within the Shire of Lake Grace. Proposals from outside the community will be weighed less in consideration by the Shire.

Due to the above supplementary information required, any proposed names submitted by the community to the Shire will also need to supply a reason why they have proposed that road name, and in the case of proposing a name commemorating a deceased person, evidence of their significance. Road name proposals will also need to supply the address of the proposer (whether an individual or representative of a business or corporate entity).

The Shire intends to open the community consultation for a period 30 days, whereby community members can submit their proposal to the Shire by email or post. The notice will be published to the Shire website, the Shire's Facebook account and into the local newsletters. Afterwards, all responses will be collated and the Shire will present their recommendation for which road name shall be applied to the new road in the next Ordinary Council Meeting. The Shire's road name recommendation to Council will be based on adherence to the document Policies and Standards for Geographical Naming in Western Australia and local significance.

Council reserves the right to select their own road name from amongst the received list of proposed road names separate from the Shire's recommendation. Once Council has selected a road name, this name will be advertised to the once more to the community for a period of 14 days for complaints and objections. A list of these objections are to be addressed individually or commented on by the Shire and sent to the GNC along with the formal application for the new road name.

Note that while the Shire can propose a name to the GNC that has consensus approval with the community and Council, there is no guarantee that GNC will accept the name. If this comes to pass, the Shire will liaise with GNC to find the most acceptable name from amongst the list of received road names from the community, present that again to Council at the next Ordinary Council Meeting for the written record, and be submitted back to the GNC bypassing all community consultation.

In the event where the Shire deems none of the road name proposals from the community as suitable, the Shire will present its own road name to Council for approval.

As of 19 May 2022, we received some suggestions of road names as follows:

- GWENLOPE ROAD – a combination of name/surname for Gwen and Jackson Calope, a local resident of Lake Grace.
- KWEL ROAD – An Aboriginal name for a Sheoak tree used to make boomerang, the young nuts and roots are edible, people gather around and sit under the tree to hear the sound of the wind blowing through.

Legal Implications

Nil

Policy Implications

Nil

Consultation

Internal: Mr Alan George - Chief Executive Officer, Shire of Lake Grace

External: Mr Mark Anderson - 35 Degrees South

Financial Implications

Negligible and notifications regarding the community consultation can be done at a minimal cost.

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
Strategy	1.1.1	Enhance and maintain transport network
Outcome	1.2	A diverse and prosperous economy
Strategy	1.2.2	Support local business and promote further investment in the district
Leadership 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
	4.1.3	Provide strategic leadership and governance

Voting Requirements

Simple majority required.

RESOLUTION 13578

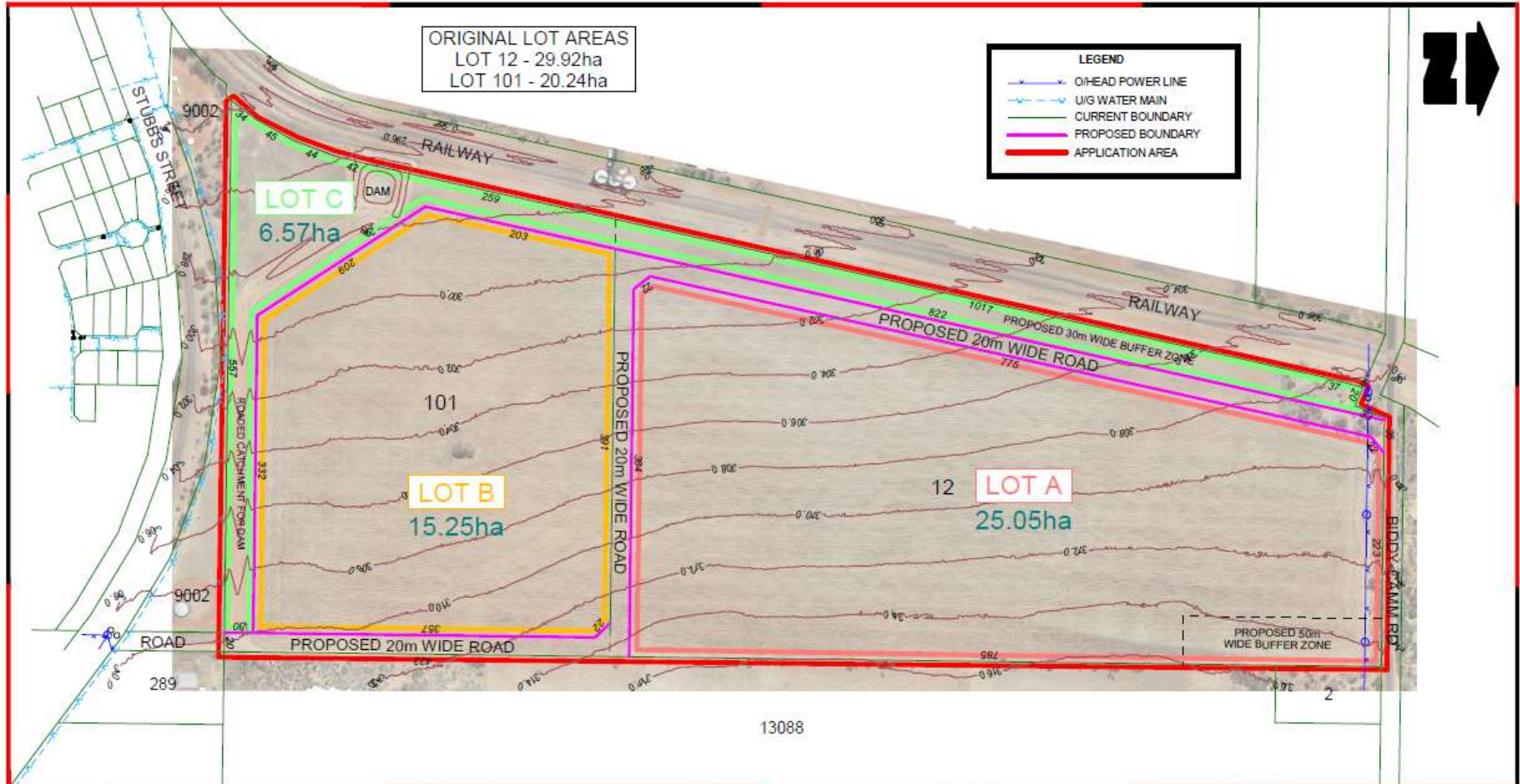
Moved: Cr Chappell



Seconded: Cr Hyde

That Council authorise the Shire to open up submissions for road name proposals for 28 days for the new road to be constructed between Lake Grace-Newdegate Road and Bidy Camm Road on existing land Lot 101 and 12 Kulin-Lake Grace Road.



CARRIED: 7/0

ATTACHMENT 1 - PROPOSED AGRICULTURAL INDUSTRIAL SUBDIVISION AND ROAD RESERVE



A		27/11/20	ORIGINAL ISSUE	MA	MA	HEIGHT DATUM : AHD COORDINATE SYSTEM : MGA'94		DISCLAIMER 35 DEGREES SOUTH HAS TAKEN DUE CARE IN THE PREPARATION OF THIS DRAWING, BUT ACCEPTS NO RESPONSIBILITY FOR ANY INACCURACY OF THE HIGH WATER MARK POSITION OR THE CADASTRAL INFORMATION, NOR INAPPROPRIATE USE OF THIS INFORMATION THE CADASTRAL AND HIGH WATER MARK LOCATION ARE OBTAINED FROM LANDGATE'S DIGITAL CADASTRAL DATABASE NO RESPONSIBILITY CAN BE ACCEPTED FOR ANY DAMAGE CAUSED TO ANY UNDERGROUND SERVICE OR ANY LOSS OR INJURY SO SUFFERED IF ENQUIRY AND VERIFICATION HAVE NOT BEEN COMPLETED IN ACCORDANCE WITH THIS NOTE.		NOTES Only above ground features have been located. Areas & dimensions are subject to final survey. Sewer information is as supplied by the Water Corporation of W.A. and has not been surveyed on site except where shown. SOIL - not surveyed VEGETATION - cleared KERB - none WIND - southerly SEWER - no POWER - o/head							
ISSUE	DATE	REVISION		BY	CHKD	COPYRIGHT of this drawing is the property of 35 Degrees South it must not be reproduced or altered without the prior written consent of the owner.		LOT 12 BIDDY-CAMM RD & LOT 101 STUBBS ST LAKE GRACE - PROPOSED SUBDIVISION FEATURE & CONTOUR SURVEY		CLIENT : SHIRE OF LAKE GRACE	SURVEY DATE : 26/11/2020	SCALE 1:4000	ORIGINAL SHEET SIZE A3				
 <p>35 DEGREES SOUTH LAND AND SEA SURVEYING ARGYLE BUILDING 46 STIRLING TERRACE ALBANY WA 6330 PH 9842 3766 FAX 9842 1019 EMAIL: marka@35degreesouth.com.au</p>						The information shown on this drawing is current as at the date of survey. Earthworks/setout dimensions may vary on site at builders discretion. Sewer/drainage may vary from schematic presentation. check minimum clearance. Retaining not included/in addition to contract remains owners responsibility. For easements check Certificate of Title, this is a site survey only, the location of boundary pegs or fences in relation to boundary is not guaranteed.						PLAN :	DP 57312 (LOT 12) DP 27172 (LOT 101)	C/T VOL FOL :	2688 / 200 (LOT 12) 2208 / 27 (LOT 101)	JOB No 5290	
 <p>ISO 9001</p>						MAP REF :						AUTHORITY : SHIRE OF LAKE GRACE	DRAWING No DWG5290S	1 of 1			

14.1.2 ADDITIONAL WORKS & FUNDING FOR NEWDEGATE TOWN HALL

Applicant:	Internal Report
File No.	0076
Attachments:	Nil
Author:	 Mr Jason Lip Technical Officer
Disclosure of Interest:	Nil
Date of Report:	20 May 2022
Senior Officer:	 Mr Craig Elefsen Manager Infrastructure Services

Summary

For Council to authorise additional works at the Newdegate Town Hall and for Council to authorise the withdrawal of \$70,000 from the Newdegate Town Hall Reserve to undertake works to the internal of the hall.

Background

At the September 2021 Council meeting Resolution 13465 was made to allow for works to be done on the external of the Newdegate Town Hall. After the resolution was passed council administration staff commenced seeking quotes and works commenced in April 2022.

RESOLUTION 13465

Moved Cr Stoffberg

Seconded Cr Hyde

That Council:

- 1) authorise the reduction of the maximum number of persons attending the Newdegate Town Hall to a maximum of 150 people down from the original maximum of 300 persons;
- 2) authorise the following works on the Newdegate Town Hall –
 - a) Install hand rails on all external stair cases,
 - b) Install a disabled access ramp to the front of the hall with a maximum gradient of 1:14;
 - c) Remove complete flooring in the Lesser Hall and replace with suitable subflooring and install vinyl plans on top
 - d) Replace all gutters and downpipes
 - e) Paint all external asbestos cladding, window frames, facia, timber doors

- f) Remove staircase to upper level to prevent access
 - g) Complete all other works required to bring it up to a usable standard for the Newdegate centenary event
- 3) Authorise the CEO to transfer money out of reserve Newdegate Hall Reserve to Job NGPHCAP "Newdegate Public Hall" if required.

Before the voting, the following changes were made on the above and below became part of the substantive motion:

- (e) paint / seal all external asbestos cladding, window frames, fascia, timber doors*
- (f) isolate staircase to upper level to prevent access and keep the door locked*
- (g) capital works to be limited to \$100,000. Any expenditure required above this amount must be taken to Council for approval.*

Number 3 above to be replaced by:

- (3) Community consultation be undertaken for the future of the Newdegate Town Hall following the Newdegate Centenary celebrations.*

CARRIED: 7/0

Comment

The Shire has awarded the current approved works to Dunkeld Construction who commenced work late April 2022. To date, approximately 90% of the approved works have been completed with only minor external painting and works on the fascias and hand rails outstanding.

The works that have been completed to date are to a high quality which has now highlighted the state of the internal walls and ceiling that desperately need attention.

After a site visit with the Shire President and CEO, it was highlighted the need to complete the painting works to the internal of the hall.

The Manager Infrastructure Services (MIS) obtained a quote from the painters currently on site to complete the proposed extra works. Due to the demand and waiting times for tradesmen, MIS is recommending that the internal painting be completed whilst the painters are onsite.

To cover the extra cost of painting that has been quoted and any minor extras that arise whilst these works are carried out, the administration is asking for a transfer of \$70,000 from the Newdegate Town Hall Reserve and any remaining funds be transferred back into Reserve in the 2022/2023 budget.

There is no provision in the requested funds for works on the stage curtains, main floor and the old doctor's surgery.

Legal Implications

Nil

Policy Implications

Nil

Consultation

Internal Cr Len Armstrong – Shire President
 Mr Alan George – Chief Executive Officer

Financial Implications

Accounts will be impacted as follows:

	Opening Balance of NGPHCAP 'Newdegate Public Hall'	\$100,000.00
Less	Outstanding purchase orders	-\$97,750.00
More	Transfer in from A001319 'Newdegate Hall Reserve Bank MUN'	\$70,000.00
	<hr/> Remaining funds for NGPHCAP	<hr/> \$72,250.00
	Opening Balance of A001319 'Newdegate Hall Reserve Bank MUN'	-\$126,133.17
Less	Transfer out to NGPHCAP 'Newdegate Public Hall'	\$70,000.00
	<hr/> Closing Balance of A001319	<hr/> -\$56,133.17

Strategic Implications

Shire of Lake Grace Strategic Community Plan 2017-2027

Social Objective		A valued, healthy and inclusive community and life-style
Outcome	2.1	An engaged, supportive and inclusive community
Strategy	2.1.1	Community services and infrastructure meeting the needs of the district
Outcome	2.2	A healthy and safe community
Strategy	2.2.1	Maintain and enhance sport and recreation facilities
	2.2.2	Provide and advocate for medical and health services
	2.2.3	Support provision of emergency services and encourage community volunteers
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
Strategy	3.1.1	Maintain, rationalise, improve or renew buildings and community infrastructure

Voting Requirements

Absolute majority required.

RESOLUTION 13579

Moved: Cr Hyde
Seconded: Cr McKenzie

That Council: -

- Authorise the transfer of \$70,000.00 from the Newdegate Town Hall Reserve to NGPHCAP;
- Authorise the additional works at Newdegate Town Hall
- Will use the current painting contractors due to their availability

CARRIED BY ABSOLUTE MAJORITY: 7/0

14.2 PLANNING


Nil

14.3 HEALTH AND BUILDING

Nil

14.4 ADMINISTRATION

14.4.1 SHIRE OF LAKE GRACE – 2022 EXTRAORDINARY ELECTIONS (19 AUGUST 2022)

Applicant:	Internal Report
File No.	0229
Attachments:	<ul style="list-style-type: none">• Letter / quote received from the Western Australian Electoral Commission (WAEC) (LGE028 / 175999)• Election Timetable
Author:	<i>RRRose</i> Mrs Racelis Rose Executive Assistant
Disclosure of Interest:	Nil
Date of Report:	02 May 2022
Senior Officer:	 Mr Alan George Chief Executive Officer

Summary / Background

At the Ordinary Council meeting on Wednesday 27 April 2022, the Chief Executive Officer received a resignation letter from Councillor Shane David Carruthers as Councillor, which leaves the Shire of Lake Grace with one (1) vacant position for Councillors. To replace Cr Carruthers, the Shire with the assistance from the WA Electoral Commission (WAEC) will conduct an extraordinary election within 80 days from Council Resolution.

The extraordinary election will take place on Friday 19 August 2022, an Election Timetable was received from the WAEC and forms part of this report.

Legal Implications

Nil

Policy Implications

Nil

Consultation

External Western Australia Electoral Commission (WAEC)
 (Reference LGE 028 / 175999 dated 29 April 2022)

Financial Implications

As per the WA Electoral Commission’s letter Reference LGE 028 / 175999 dated 29 April 2022 the cost for the extraordinary election if conducted as a postal ballot is \$10,000 including GST which was based on the following assumptions:

- 920 electors
- Response rate of approximately 50%
- One (1) Vacancy
- Count to be conducted at the offices of the Shire of Lake Grace
- Appointment of a local Returning Officer
- Regular Australia Post delivery service to apply

Costs **not** included in the estimate are:

- Non-statutory advertising (ie any additional advertisements in community newspapers and promotional advertising)
- Any legal expenses other than those that are determined to be borne by the Western Australian Electoral Commission in a Court of Disputed Returns
- One local government staff member to work in the polling place on election day

Please note that the Shire of Lake Grace has an Election Expense account E041040 in the amount of \$20,000 which is included in the 2021-2022 Annual Budget.

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
Strategy	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
Strategy	4.2.2	Comply with statutory and legislative requirements

Voting Requirements

Absolute majority required.

RESOLUTION 13580

Moved: Cr Clarke

Seconded: Cr Chappell

That Council:

- Declare in accordance with section 4.20(4) of the Local Government Act 1995, the Electoral Commissioner to be responsible for the conduct of the extraordinary election.
- Decide in accordance with section 4.61(2) of the Local Government Act 1995 that the method of conducting the election will be as a postal election.

CARRIED BY ABSOLUTE MAJORITY: 7/0



LGE 028

WESTERN AUSTRALIAN Electoral Commission

Mr Alan George
Chief Executive Officer
Shire of Lake Grace
PO Box 50
LAKE GRACE WA 6353

Attention: Ms Racelis Rose

Dear Mr George

Extraordinary Election

Thank you for your email dated 28 April advising of a Councillor's resignation in the district and requesting a cost estimate for the Commission to conduct an extraordinary election to fill the vacancy.

The estimated cost for the Commission to conduct an extraordinary election if conducted as a postal ballot is \$10,000 inc GST, which has been based on the following assumptions:

- 900 electors
- response rate of approximately 50%
- 1 vacancy
- count to be conducted at the offices of the Shire of Lake Grace
- appointment of a local Returning Officer
- regular Australia Post delivery service to apply.

An additional cost of using Australia Post Priority Service for the delivery of election packages is approx. \$270 including GST.

Costs not incorporated in this estimate include:

- non-statutory advertising (ie any additional advertisements in community newspapers and promotional advertising)
- any legal expenses other than those that are determined to be borne by the Western Australian Electoral Commission in a Court of Disputed Returns
- one local government staff member to work in the polling place on election day

The Commission is required by the Local Government Act to conduct local government elections on a full cost recovery basis and you should note that this is an estimate only and may vary depending on a range of factors including the cost of materials or number of replies received. The basis for charges is all materials at cost and a margin on staff time only.

175999

Level 2, 111 St George's Terrace, PERTH WA 6000 GPO Box F316 PERTH WA 6841
Telephone: (08) 9214 0400 Facsimile: (08) 9228 0577 Email: waec@waec.wa.gov.au
Website: www.elections.wa.gov.au



The current procedure required by the Act is that my written agreement has to be obtained before the vote by Council is taken. To facilitate the process, you can take this letter as my agreement to be responsible for the conduct of the local government extraordinary election for the Shire of Lake Grace in accordance with section 4.20(4) of the *Local Government Act 1995*. My agreement is subject to the proviso that the Shire of Lake Grace also wishes to have the election undertaken by the Western Australian Electoral Commission as a postal election.

In order to achieve this, your Council would need to pass the following two motions by absolute majority:

- Declare, in accordance with section 4.20(4) of the *Local Government Act 1995*, the Electoral Commissioner to be responsible for the conduct of the extraordinary election.
- Decide, in accordance with section 4.61(2) of the *Local Government Act 1995* that the method of conducting the election will be as a postal election.

I have enclosed an election schedule for a suggested election date of Friday 19 August 2022.

I look forward to conducting this election for the Shire of Lake Grace in anticipation of an affirmative vote by Council.

If you have any further queries please contact Phil Richards, Manager Election Events, on 9214 0443.

Yours sincerely

A handwritten signature in cursive script that reads "R Kennedy".

Robert Kennedy
ELECTORAL COMMISSIONER

29 April 2022



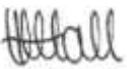

ELECTION TIMETABLE Lake Grace Local Government Extraordinary Election

Days to Polling Day	Local Government Act	References to Act/Regs	Day	Date
80	Last day for agreement of Electoral Commissioner to conduct postal election.	LGA 4.20 (2)(3)(4)	Tue	31/05/2022
80	A decision made to conduct the election as a postal election cannot be rescinded after the 80th day.	LGA 4.61(5)	Tue	31/05/2022
70	Electoral Commissioner to appoint a person to be the Returning Officer of the Local Government for the election.	LGA 4.20 (4)	Fri	10/06/2022
70 to 56	Between the 70th/56th day the CEO is to give Statewide public notice of the time and date of close of enrolments. Preferred date Wednesday 15 June 2022	LGA 4.39(2)	Fri to Fri	10/06/2022 to 24/06/2022
56	Last day for for the CEO to advise the Electoral Commissioner of the need to prepare a residents roll.	LGA 4.40(1)		24/06/2022
56	Advertising may begin for nominations from 56 days and no later than 45 days before election day. Preferred date Wednesday 29 June 2022	LGA 4.47(1)	Fri	24/06/2022
50	Close roll 5.00 pm	LGA 4.39(1)	Thu	30/06/2022
45	Last day for advertisement to be placed calling for nominations.	LGA 4.47(1)	Tue	5/07/2022
44	Nominations Open First day for candidates to lodge completed nomination paper, in the prescribed form, with the Returning Officer. Nominations period is open for 8 days.	LGA 4.49(a)	Wed	6/07/2022
38	If a candidate's nomination is withdrawn not later than 4.00 pm on the 38th day before election day, the candidate's deposit is to be refunded.	Reg. 27(5)	Tue	12/07/2022
37	Close of Nominations 4.00 pm on the 37th day before election day.	LGA 4.49(a)	Wed	13/07/2022
36	Last day for the CEO to prepare & certify an owners & occupiers roll for the election. Last day for the Electoral Commissioner to prepare & certify a residents roll.	LGA 4.41(1) LGA 4.40(2)	Thu	14/07/2022
29	Lodgement of election packages with Australia Post. Week Commencing	Approx	Thu	21/07/2022
22	The preparation of any consolidated roll under subregulation (1) be completed on or before 22nd day before election day.	Reg. 18(2)	Thu	28/07/2022
19	Last day for the Returning Officer to give Statewide public notice of the election. Preferred date Wednesday 20 July 2022	LGA 4.64(1)	Sun	31/07/2022
4	Commence processing returned election packages	Approx	Mon	15/08/2022
0	Election Day Close of poll 6.00 pm	LGA 4.7	Fri	19/08/2022

Post Election Day	Post Declaration	References to Act/Regs	Day	Date
5	Election result advertisement.	LGA 4.77	Wed	24/08/2022
14	Report to Minister. The report relating to an election under section 4.79 is to be provided to the Minister within 14 days after the declaration of the result of the election.	Reg. 81	Fri	2/09/2022
28	An invalidity complaint is to be made to a Court of Disputed Returns, constituted by a magistrate, but can only be made within 28 days after notice is given of the result of the election.	LGA 4.81(1)	Fri	16/09/2022

14.5 FINANCE

14.5.1 ACCOUNTS FOR PAYMENT – APRIL 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 May 2022
Senior Officer	 Mr Alan George Chief Executive Officer

Summary

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

Background

List of payments for the month of April 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 April 2022 from the Municipal and Trust Accounts total \$1,316,131.81.

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
- Strategy 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 13581

Moved: Cr Chappell
Seconded: Cr Kuchling

That Council ratify the list of payments totalling \$1,316,131.81 as presented for the month of April 2022 incorporating:

Payment Method	Cheque/EFT/DD Number	Amount
Trust Account	EFT23462	\$51.00
Electronic Funds Transfers	EFT23461 - EFT23587	\$1,224,562.59
Municipal Account Cheques	36990 – 36997	\$36,939.42
Direct Debits	DD9958.1 – DD9993.9	\$54,578.80
	TOTAL	\$1,316,131.81

CARRIED: 7/0

Shire of Lake Grace

CERTIFICATE OF EXPENDITURE April 2022





This Schedule of Accounts to be passed for payment, covering

Payment Method	Cheque/EFT/DD Number	Amount
Trust Account	EFT23462	\$51.00
Electronic Funds Transfers	EFT23461 - EFT23587	\$1,224,562.59
Municipal Account Cheques	36990 – 36997	\$36,939.42
Direct Debits	DD9958.1 – DD9993.9	\$54,578.80
	TOTAL	\$1,316,131.81

to the Municipal Account, totalling \$1,316,131.81 which were submitted to each member of the Council on 25 May 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 to prices, computations, and costing's and the amounts shown are due for payment.

Alan George
CHIEF EXECUTIVE OFFICER

14.5.2 FINANCIAL REPORTS – 30 APRIL 2022

Applicant:	Internal Report
File No.	0275
Attachments:	<ul style="list-style-type: none"> • Monthly Financial Reports • Bank Reconciliations - April 2022
Author:	 Mrs Victoria Fasano Finance Officer – Reporting and Investments
Disclosure of Interest	Nil
Date of Report	20 May 2022
Senior Officer	 Mr Alan George Chief Executive Officer

Summary

Consideration of the Monthly Financial Reports for the period ending 30 April 2022 and Bank Reconciliations for the month ending 30 April 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 30 April 2022, operating revenue over target by \$2,266,681 (31.62%) due to WA Financial Assistance Grant received are over budget by \$2,340,381. Interest earnings below target due to low interest rates. Fees and Charges are below budget.

Operating expenditure is under YTD budget by \$1,748,717 (18.83%) mainly due to Materials and contracts, employee and overhead costs down as well as utility charges. Depreciation and Insurance expenses on the other hand are slightly over the budget target.

The capital program is below the target by \$2,922,800 (58.84%). Capital grants and contributions are down due to some of Local Roads & Community Infrastructure Projects (LRCIP) and Drought & Communities Program (DCP) 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 2 term deposits with Bankwest is in place (total of \$6,508,205).

Outstanding rates is tracking well and have recovered 98.7% to date.

General debtor is \$193,649 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 30 April 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

Internal Mrs Tegan Hall – Manager Corporate Services

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
Strategy	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 13582

Moved: Cr Hyde

Seconded: Cr Lloyd

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 30 April 2022 and
2. Municipal, Trust and Reserve Funds bank reconciliations for the period ended 30 April 2022.

CARRIED: 7/0

14.6 COMMUNITY SERVICES

Cr Ross Chappell submitted a Disclosure of Interest Affecting Impartiality for Item 14.6.1 – Shire of Lake Grace Disability Access Inclusion Plan (DAIP) Progress Report 2021/2022, his wife Mrs Cheryl Chappell is the author of the report and also a staff member of the Shire of Lake Grace.

14.6.1 SHIRE OF LAKE GRACE DISABILITY ACCESS AND INCLUSION PLAN (DAIP) PROGRESS REPORT 2021/2022

Applicant:	Shire of Lake Grace
File No.:	0217
Attachments:	Annual Disability Access Inclusion Plan (DAIP) Report 2021/2022
Author:	 Mrs Cheryl Chappell Community Service Officer
Disclosure of Interest:	Nil
Date of Report:	03 May 2022
Senior Officer:	 Mr Alan George Chief Executive Officer

Summary

Public authorities including Local Governments are required to provide an annual report on the progress of their Disability Access Inclusion Plan (DAIP) strategies and outcomes to the Minister of Disability Services which is tabled in Parliament each year. A list of the seven (7) required outcomes are attached with the progress to date noted.

Background

The State Government’s obligation to develop policies and services required by people with disability goes in some way to ensure people with disability can contribute their own expertise and life experience to improve the approachability and person-centred nature of the programs and supports they require.

The Disability Access and Inclusion Plan (DAIP) progress reports provides an annual overview reflecting the work of public authorities to support and empower people with disability across the State. They are a mandatory requirement of all public authorities under the Disability Services Act 1993.

Comment

The Shire of Lake Grace Disability Access and Inclusion Plan (DAIP) is unique to the Shire, reflecting the size, scope and activities of this local government.

The Disability Access and Inclusion Plan (DAIP) is a developmental process. The objective of the progress report is to provide a valuable resource to public authorities and the community about the achievements and impacts of public authorities across each DAIP outcome area.

The progress report shows the ongoing commitment of the Shire to identify localised solutions. While many strategies are ongoing each year, some strategies are being reported as being implemented or completed in 2021/2022.

The Shire's DAIP Progress Report requires adoption by Council to ensure that the needs of persons with disability, their families and carers are addressed with respect to the facilities, functions and services provided by the Shire.

Legal Implications

Disability Services Act 1993

Disability Services Regulations 2004

The Disability Services Amendment Regulations 2013

Policy Implications

Ensures compliance with the Disability Services Act 1993 reporting requirements.

Consultation

Internal: Mr Alan George, Chief Executive Officer
Mr Chris Paget, Deputy Chief Executive Officer
Mr Craig Elefsen, Manager Infrastructure Services
Mrs Cheryl Chappell, Community Service Officer

External: Mr Richard Struik, Department of Communities

Financial Implications

The 2019-2024 Disability Access and Inclusion Plan (DAIP) will have financial implication to Council for each year until the expiration of the plan. Costing will vary depending on the projects carried out annually by the Shire. Each financial year the required projects will be included for consideration in the annual budget.

Strategic Implications

Shire of Lake Grace Strategic Community Plan 2017-2027

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
Strategy	3.1.1	Maintain, rationalise, improve or renew buildings and community infrastructure

Voting Requirements

Simple majority required.

RESOLUTION 13583

Moved: Cr Clarke

Seconded: Cr McKenzie


That Council accept the 2021/2022 Disability Access and Inclusion Plan (DAIP) Progress Report as presented.

CARRIED: 7/0

15.0 QUESTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

16.0 INFORMATION BULLETIN – MAY 2022

Applicant:	Internal Report
File No.	Nil
Attachments:	Information Bulletin Cover Page Only
Author:	<i>RRRose</i> Mrs Racelis Rose Executive Assistant
Disclosure of Interest:	Nil
Date of Report:	20 May 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 May 2022 Information Bulletin attachments include:

Reports:

- Infrastructure Services Report – April 2022
- Environmental Health Officer Report – January - April 2022
- Lake Grace Visitor Centre Report – Nil
- Lake Grace Library Report and Statistics – May 2022
- Lake King Library Report and Statistics – May 2022
- Newdegate Library Report and Statistics – May

External Organisations

- Central Country Zone (CCZ) Agenda and Attachments for 22 April 2022 meeting at the Shire of Wickepin
- Wheatbelt Secondary Freight Network (WSFN) Issue 1 – Newsletter – April 2022
- WALGA State Council – Summary Minutes – 4 May 2022 (Regional Meeting – south Metropolitan Zone
- WDL / VROC – 10 May 2022 at the Shire of Wagin (Elected Members and CEOs)

Circulars, Media Releases, Newsletters, Letters:

- SHICC Public Health Bulletin No. 21 – 26 April 2022
- SHICC Public Health Bulletin No. 22 – 3 May 2022
- SHICC Public Health Bulletin No. 23 – 11 May 2022
- SHICC Public Health Bulletin No. 24 – 11 May 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
Strategy	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
Outcome	4.2	An efficient and effective organisation
Strategy	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 13584

Moved: Cr Chappell

Seconded: Cr Clarke

That Council accepts the Information Bulletin Report for May 2022.

CARRIED: 7/0

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

RESOLUTION 13585

Moved: Cr Chappell

Seconded: Cr Hyde

That Council meet behind closed doors to consider the confidential Item(s) in accordance with Section 3.7 of the Shire of Lake Grace Standing Orders Local Law 2015.

- Item 17.1.1 Chief Executive Officer – Annual Performance Review 2022
- Item 17.1.2 Alleged Breach of EPA 1986 Section 51C

These items and any attachments are confidential in accordance with Section 5.23(2)(a) of the Local Government Act 1995.

CARRIED: 7/0

Before the Confidential Item 17.1.1 was tabled, the Chief Executive Officer and Manager Infrastructure Services left the Council Chambers at 3:45pm.

RESOLUTION 13586

Moved: Cr Chappell

Seconded: Cr McKenzie

That Council accept the recommendation contained in Item 17.1.1 – Chief Executive Officer – Annual Performance Review 2022

CARRIED: 7/0

After discussing Confidential Item 17.1.1 the Chief Executive Officer and Manager Infrastructure Services returned to the Council Chambers to join the discussion for Confidential Item 17.1.2 at 4:02pm.

RESOLUTION 13587

Moved: Cr Chappell

Seconded: Cr Clarke

That Council accept the recommendation contained in Item 17.1.2 – Alleged Breach of Environmental Protection Act 1986 51C.

CARRIED: 7/0

RESOLUTION 13588

Moved: Cr Chappell

Seconded: Cr Clarke

That Council move from behind closed doors to proceed with the meeting.

CARRIED 7/0

18.0 DATE OF NEXT MEETING – 22 JUNE 2022

The next Ordinary Council Meeting is scheduled to take place on Wednesday 22 June 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 4:05 pm

20.0 CERTIFICATION

I, Leonard William Armstrong certify that the minutes of the Ordinary Council Meeting held on 25 May 2022 as shown were confirmed as a true record of the meeting>

Signature

Date