

Shire of Lake Grace

Ordinary Council Meeting

MINUTES

26 MAY 2021

Meeting Commencing at 3:00 pm

Disclaimer

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SHIRE OF LAKE GRACE

Minutes of the Ordinary Meeting of Council held at Council Chambers, 1 Bishop Street, Lake Grace, WA on Wednesday 26 May 2021.

1.0 DECLARATION OF OPENING ANNOUNCEMENT OF VISITORS

The Shire President opened the meeting at 3:00 pm.

1.1 Constitutional Matters

2.0 DISCLAIMER READING

A recording of the disclaimer is to be played aloud.

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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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 RA Lloyd	
Cr AD Marshall	
Cr PS Stoffberg	

Apology

Cr SD Carruthers

In Attendance

Mr A George	Chief Executive Officer
Mr C Paget	Deputy Chief Executive Officer
Mr C Elefsen	Manager Infrastructure Services
Mr K Wilson	Manager Corporate Services
Mrs R Rose	Executive Assistant (for the Minutes)

Observers/Visitors

Ms Lynette Carruthers	Ms Danielle Robertson
Ms Annette Argent	Ms Tahryn Trevenen
Ms Anna Taylor	Ms Amber McPherson

3.2 APOLOGIES

Councillor Shane Carruthers.

3.3 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

- Presentation by the Lake Grace / Pingrup Hockey Club and Lake Grace Tennis Club – Re: Pausing of hockey lighting project and investigation of all-purpose synthetic playing surface – 15 minutes

Ms Anna Taylor from the Lake Grace/Pingrup Hockey Club and Lake Grace Tennis Club gave the Council a briefing:

- We wish to thank the Shire for the work done on the hockey field this year and would like to firstly point out that we wish to withdraw our request to pause the hockey field lighting project.
- Current playing surface has the wrong type of grass which needs regular mowing, watering, and high maintenance and with the current climate change and the scarcity of water supply, will be difficult to maintain.
- It is highly recommended that the facility be improved and installation of synthetic turf is highly recommended, but with an estimated cost of \$1.2 million, the Club understands that it might take a few more years to get this into fruition.
- The Club is looking into the future and it is envisaged that the facility will be utilised for multiple purposes and can be used not only as a hockey field but also a tennis facility.
- The Club is supporting the lighting upgrade project, it is overdue and is very critical that this upgrade go ahead for the club to function in its full capacity. It is difficult for players and spectators to train because of poor lighting.
- Improving the facility will encourage more people to participate in various sporting activities and will contribute to the improvement of health and well-being of the community which is high on the agenda of every local, state and federal government.
- The improvement of the facility will also add value to the Shire's facilities used by the community.
- The Club, with the assistance from the Shire of Lake Grace, is prepared to raise money by applying for various community grants.

Comments from the Councillors:

Cr Ross Chappell said that various grants are being sought by the Shire of Lake Grace to facilitate the upgrade of the oval. Cr Chappell suggested that a Recreation Council be formed to include representatives from various clubs as members. The Rec Council is definitely something to be seriously considered so that matters such as upgrades/modifications can be laid on the table, discussed and resolved without delay. Cr Chappell also pointed out that the Council is keen on maintaining its asset management and is looking forward to the future that assets within the vicinity can be fully maintained for the future.

Cr Len Armstrong made a general statement about R&M on sports fields and synthetic surfaces to the effect that there is a substantial capital cost to establish, and then significant reserves need

to be included in future annual budgets and/or be put aside for future asset maintenance requirements.

7.0 NOTATIONS OF INTEREST

Nil

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 MEETING – 28 APRIL 2021

RESOLUTION 13408

Moved Cr Chappell
Seconded Cr Stoffberg

That the Minutes of the Ordinary Council Meeting held on 28 April 2021 be confirmed as a true and accurate record of the meeting.

CARRIED: 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

Nil

14.0 REPORTS OF OFFICERS

Nil

14.1 INFRASTRUCTURE SERVICES**14.1.1 TRANSFER OF FUNDS – LAKE BIDDY DAM**

Applicant:	Shire of Lake Grace
File No.:	0052
Attachments:	Nil
Author:	 Ms Brooke Williamson Development Services Administration Officer
Disclosure of Interest:	The author has no interest of any form to declare
Date of Report:	18 May 2021
Senior Officer:	 Mr Craig Elefsen Manager Infrastructure Services

Summary

For Council to approve the transfer of \$30,000.00 from account "1213029" Mallee Tree Road to account "136006" Dam Catchment Clearing.

Background

Lake Bidy Dam upgrades were co-funded by the Department of Water and Environmental Regulation via the “Community Water Supply Grant” and by the Federal Government’s “Local Roads & Community Infrastructure Grant”. During the completion of works, it has been noted that repairs to the ingress & egress road ways along with a general tidy up of tree debris are required to complete the project. A solar pump was installed and a fence is recommended to surround the pump to prevent purloin. Once completed, this site will go a long way to solving the water shortage issues in the Lake Bidy and wider areas.

Comment

After the bus trip Councillors and Shire staff conducted in late 2020, it was deemed unnecessary for the Mallee Tree Road floodway to be installed. After inspection with Shire drainage contractors, it was deemed the best solution was to install 2 x 450mm HDPE culverts with headwalls and back fill with cement stabilised gravel.

Works on Lake Bidy Dam road and tidy up works will be completed by Shire staff and the fence will be installed by a local fencing contractor.

Legal Implications

Local Government Act 1995

6.8. Expenditure from municipal fund not included in annual budget

(1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —

(a) is incurred in a financial year before the adoption of the annual budget by the local government; or

(b) is authorised in advance by resolution*; or

(c) is authorised in advance by the mayor or president in an emergency.

* Absolute majority required.

(1a) In subsection (1) —

additional purpose means a purpose for which no expenditure estimate is included in the local government’s annual budget.

(2) Where expenditure has been incurred by a local government —

(a) pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and

(b) pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the council.

Policy Implications

Nil

Consultation

Internal: Mr Kevin Wilson – Manager Corporate Services
Mr Craig Elefsen – Manager Infrastructure Services
Mr John Gambuti – Works Supervisor

Financial Implications

To cover the remaining works, \$30,000.00 should be withdrawn from the Mallee Tree Road account which will decrease from \$31,405.86 to \$1,405.86. The \$30,000.00 will be transferred to account 136006 "Dam Catchment Cleaning".

Strategic Implications

Shire of Lake Grace Strategic Community Plan 2017-2027

Leadership Objective – Strong governance and leadership, demonstrating fair and equitable community values

Outcomes 4.2 An efficient and effective organisation

4.2.1 Maintain accountability and financial responsibility through effective planning

RESOLUTION 13409

Moved Cr Marshall
Seconded Cr Clarke

That Council approve the transfer of \$30,000.00 from account 1213029 "Mallee Tree Road" into account 136006 "Dam Catchment Cleaning" for the use at Lake Bidy Dam.

CARRIED: 7/0

Voting Requirements

Absolute majority required.



14.2 PLANNING

Nil

14.3 HEALTH AND BUILDING

Nil

14.4 ADMINISTRATION**14.4.1 NOONGAR HERITAGE AGREEMENT FOR LOCAL GOVERNMENT**

Applicant:	Alan George
File No.:	0633
Attachments:	<ol style="list-style-type: none"> 1. Map of South West Settlement Agreement Areas with LGA Boundaries 2. Marcus Holmes Land Equity Legal (Credentials)
Author:	 Mr Alan George Chief Executive Officer
Disclosure of Interest:	The author has no interest of any form to declare
Date of Report:	10 May 2021
Senior Officer:	 Mr Alan George Chief Executive Officer

Summary

For Council to note the Central Country Zone (CCZ) resolution:

“That the Zone defer any decision on the recommendations relating to the Template Noongar Heritage Agreement for Local Government Aboriginal and the Cultural Heritage Bill (Draft) 2020 until the Zone meeting scheduled to be held Friday 25 June 2021 at which time the Executive Officer will have prepared a report for the Zone’s consideration”.

The CCZ is seeking any further comments councils may have, **by Friday 28 May.**

Background

The South West Native Title Settlement (Settlement) is the most comprehensive Native Title agreement negotiated in Australian history. It involves around 30,000 Noongar people and covers approximately 200,000 square kilometres of the South-West region. Whilst the effects of the Settlement, the enactment of new Aboriginal Heritage legislation and any recommendations arising from the Juukan Gorge inquiry will not be apparent for some time, Councils need to be aware of the issues and the potential each of these factors may have on both themselves and their communities.

Comment

At the 23 April 2021 Central Country Zone meeting, Mr Marcus Holmes of Land Equity Legal addressed member councils providing comments on the likely impact on member councils of the Draft Noongar Heritage Agreement for Local Government and the South West Native Title Settlement.

Mr Holmes highlighted the following points during his presentation:

1. That the Template Noongar Heritage Agreement in its current form is an overly complicated document, not suited to small local governments such as those within the Central Country Zone.
2. There is no need for local governments to consider entering into any agreements until:
 - All Noongar Regional Corporations have been established;
 - The State's proposed Aboriginal Cultural Heritage Bill has been enacted and
 - The Federal Parliament's Joint Standing Committee on Northern Australia on the Juukan Gorge inquiry has released its final report.

As a result, the following recommendations were made:

That the Central Country Zone:

1. *Notes the suggestion from guest speaker Marcus Holmes, Principal of lawyers Land Equity Legal, that local governments defer consideration of entry into a Local Government version Noongar Heritage Agreement until Noongar Regional Corporations have been established, the Federal joint committee on the Juukan Gorge inquiry has released its final report, and the State's proposed Aboriginal Cultural Heritage Bill has been enacted;*
2. *Recommends to its members that they ensure interim compliance with the Aboriginal Heritage Act 1972 and any applicable Aboriginal heritage risk management policies and procedures through the Department of Planning, Lands and Heritage and Department of Premier and Cabinet;*
3. *Seeks ongoing consultation with the State Government, WALGA and SWALSC about the management of, resourcing and implications for local government of the Noongar Native Title Settlement; and*

4. *Endorses the offer of legal advice and assistance to the Zone and/or its members from Land Equity Legal regarding local government management of Aboriginal heritage and the Noongar Native Title Settlement, and instructs the Executive Officer to confer with Mr Marcus Holmes regarding terms of any engagement of Land Equity Legal services by the Zone and/or members and to then update the Zone by email as to such terms so that the Zone and/or its members (singly or collectively) can decide if they wish to take up a retainer.*

Information on the Settlement can be found on the following link:

<https://www.wa.gov.au/organisation/department-of-the-premier-and-cabinet/south-west-native-title-settlement>

and, the Aboriginal Cultural Heritage Bill 2020 (Draft) here:

https://consultation.dplh.wa.gov.au/aboriginal-heritage/aboriginal-heritage-bill-2020/user_uploads/consultation-draft---aboriginal-cultural-heritage-bill-2020.pdf

Legal Implications

Aboriginal Cultural Heritage Bill 2020 (once passed)
South West Native Title Settlement

Policy Implications

There are no policy implications at present.

Consultation

External Central Country Zone
 Mr Marcus Holmes - Land Equity Legal

Financial Implications

There are no financial implications at present.

Strategic Implications

There are no strategic implications considered relevant at present.

Cr Peter Stoffberg stated that he noticed that we were flying the Aboriginal flag and wondered what it was for; response was because of State Government directive and protocol for Reconciliation Week.

Cr Debrah Clarke asked the question on what the Shire's recommendation is and the response from the CEO is that, based on the study conducted by Mr Marcus Homes of Land Equity Legal, Council NOT support the Draft Noongar Heritage Agreement for Local Government and the South West Native Title Settlement because of its complexity and it is not suitable for small local governments particularly the member shires of the Central Country Zone.

RESOLUTION 13410

Moved Cr Hyde
Seconded Cr Chappell



For Council to note the recommendations and resolution from the Central Country Zone and to provide any further comment on that, whilst not listed in the recommendation, are of importance in the context of the debate.

CARRIED: 7/0

Voting Requirements

None required.

14.4.2 LOCAL GOVERNMENT ORDINARY ELECTION – OCTOBER 2021

Applicant:	WA Electoral Commission
File No.:	0229
Attachments:	<ul style="list-style-type: none"> • WAEC Letter ref LGE 028 – 16 December 2020
Author:	 Mr Chris Paget Deputy Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	17 May 2021
Senior Officer:	 Mr Alan George Chief Executive Officer

Summary

The purpose of this report is to seek Council's approval for the Electoral Commissioner to be responsible for conducting the 2021 ordinary election to be held on 16 October 2021.

Background

In accordance with the provisions of the Local Government Act 1995, a Local Government is to hold ordinary elections on the third Saturday in October every two years. In October 2021, the Council of the Shire of Lake Grace will have six (6) vacancies arising following the expiry of the terms of Councillors Marshall, Chappell, Stoffberg, Carruthers, Hyde and former Cr Steicke (held unfilled following her resignation in 5 February 2021).

The Local Government Act section 4.20 provides that the Chief Executive Officer (CEO) is the returning officer of a local government for each election unless Council appoints a person other than the CEO. Section 4.20(4) of the Act enables a local government to declare the Electoral Commissioner to be responsible for the conduct of the election having first obtained the Commissioner's written agreement.

Furthermore, section 4.61 of the Act enables a local government to conduct the election as a postal election.

The Commissioner has agreed to conduct the Election and seeks Council's endorsement in accordance with the requirements of the Act.

Comment

Council has previously acknowledged the benefits of postal elections, namely:

- Increased voter participation;
- Convenience for electors;
- The availability of an experienced Returning Officer at “*arm’s length*” from local government business
- Detailed candidates’ guide prepared by the Commissioner;
- All eligible electors being given information about the election;
- Statutory requirements are fulfilled; and
- It is possible to include explanatory information to each elector to assist them prior to casting a vote.

Legal Implications

Local Government Act 1995

4.20. CEO to be the returning officer unless other arrangements made

- (1) Subject to this section the CEO is the returning officer of a local government for each election.
- (a) A local government may, having first obtained the written agreement of the person concerned and the written approval of the Electoral Commissioner, appoint* a person other than the CEO to be the returning officer of the local government for —
- (b) an election; or
- (c) all elections held while the appointment of the person subsists.

* *Absolute majority required.*

- (2) An appointment under subsection (2) —
- (a) is to specify the term of the person’s appointment; and
- (b) has no effect if it is made after the 80th day before an election day.
- (3) A local government may, having first obtained the written agreement of the Electoral Commissioner, declare* the Electoral Commissioner to be responsible for the conduct of an election, or all elections conducted within a particular period of time, and if such a declaration is made, the Electoral Commissioner is to appoint a person to be the returning officer of the local government for the election or elections.

* *Absolute majority required.*

- (4) A declaration under subsection (4) has no effect if it is made after the 80th day before election day unless a declaration has already been made in respect of an election for the local government and the declaration is in respect of an additional election for the same local government.
- (5) A declaration made under subsection (4) on or before the 80th day before election day cannot be rescinded after that 80th day.

4.61. Choice of methods of conducting election

- (1) The election can be conducted as a —
- postal election** which is an election at which the method of casting votes is by posting or delivering them to an electoral officer on or before election day; or

voting in person election which is an election at which the principal method of casting votes is by voting in person on election day but at which votes can also be cast in person before election day, or posted or delivered, in accordance with regulations.

- (2) The local government may decide* to conduct the election as a postal election.
* *Absolute majority required.*
- (3) A decision under subsection (2) has no effect if it is made after the 80th day before election day unless a declaration has already been made in respect of an election for the local government and the declaration is in respect of an additional election for the same local government.
- (4) A decision under subsection (2) has no effect unless it is made after a declaration is made under section 4.20(4) that the Electoral Commissioner is to be responsible for the conduct of the election or in conjunction with such a declaration.
- (5) A decision made under subsection (2) on or before the 80th day before election day cannot be rescinded after that 80th day.
- (6) For the purposes of this Act, the poll for an election is to be regarded as having been held on election day even though the election is conducted as a postal election.
- (7) Unless a resolution under subsection (2) has effect, the election is to be conducted as a voting in person election.

Policy Implications

Nil

Consultation

External: Western Australian Electoral Commission

Financial Implications

As outlined in their letter to the Shire of Lake Grace, the WA Electoral Commission has advised that the estimated cost to conduct the 2021 election would be \$16,000 (GST inclusive), which is based on the following assumptions:

- 950 electors;
- response rate of approximately 65%;
- 5 vacancies (note there are **6** for this election);
- count to be conducted at the offices of the Shire of Lake Grace;
- appointment of a local Returning Officer; and,
- regular Australia Post delivery service to apply for the lodgement of the election packages.

Costs not incorporated in the estimate include:

- any legal expenses other than those that are determined to be borne by the Western Australian Electoral Commission (WAEC) in a Court of Disputed Returns;
- one (1) local government staff member to work in the polling place on election day;
- any additional postage rate increases by Australia Post; and
- any unanticipated costs arising from public health requirements for the COVID-19 pandemic.

The cost of engaging the WAEC for the conduct of 2019 ordinary election was \$13,164.51 GST inclusive. The prerequisite advertising for the ordinary elections was approx. \$1980.00 additional to this amount, and was arranged through the WALGA/WAEC Composite Group Scheme. It is anticipated that this will be a similar amount for 2021.

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

4.1.3 Provide strategic leadership and governance

Outcome 4.2 An efficient and effective organisation

4.2.1 Comply with statutory and legislative requirements

RESOLUTION 13411

Moved Cr Chappell

Seconded Cr Clarke

That Council:



1. Declares, in accordance with section 4.20(4) of the Local Government Act 1995, the Electoral Commissioner to be responsible for the conduct of the 2021 ordinary election together with any other elections or polls that may be required; and,
2. Decides, 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: 7/0

Voting Requirements

Absolute majority required.

14.4.3 ELECTORAL REFORM

Applicant:	Peter Rundle MLA
File No.:	Nil
Attachments:	1. Letter from Peter Rundle MLA 2. Letter from Mia Davies MLA 3. Media Release 14 May 2021 4. Petition
Author:	 Mr Alan George Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	18 May 2021
Senior Officer:	 Mr Alan George Chief Executive Officer

Summary

A letter was received from Peter Rundle MLA on 18 May 2021 outlining concerns regarding the current review being undertaken by the state government into Electoral Reform and seeking Council support for outlining the importance of regional representation to our residents and the circulation of a petition within the communities.

Background

The following background has been supplied directly from Hon Mia Davies MLA (attached letter)

“The Government has requested the Committee to review the electoral system for the Legislative Council and provide:

- (1) Recommendations as to how electoral equality might be achieved for all citizens entitled to vote for the Legislative Council; and*
- (2) Recommendations for the distribution of preferences in the Legislative Council’s proportional representation system.*

The Committee have released a Discussion Paper (two weeks after the request for submissions started), and they require all submissions to be made by 5:00 pm 8 June 2021.

It is vitally important that as many voices as possible are added to this conversation, whether you live, work or invest in regional WA or metropolitan Perth.

The National & Liberal Alliance Opposition (Opposition) is not opposed to sensible reforms – particularly when it comes to item (2) and the changes required to prevent preference harvesting to elect Members to the Parliament who have only accrued a handful of primary votes. The election of the Daylight-Saving Party representative at the March 2021 State election is a compelling reason to support sensible reform on this front.

It is unfortunate that these reforms were not pursued by the McGowan Government in the previous Parliament as it is almost certain they would have passed without challenge.

The Opposition has grave concerns in relation to the Attorney General's instruction as it relates to item (1) and regional representation in the State Parliament. We reject the assertion by the Government and Attorney General that an equal weighting system for each region in the Legislative Council of Western Australia 'fails the democratic fairness test'.

In 2008, changes that were driven by the Labor Party and Greens WA to our electoral system delivered on both Parties long-held ambition to achieve 'one-vote-one-value' in the Legislative Assembly. It effectively means that every electorate in the State has the same number of electors with a notable exception - the reform recognised the need to compensate what are considered to be large districts by a weighting mechanism known as Large District Allowance (LDA).

The issue that needs serious consideration is whether or not the pursuit of 'one-vote-one value' for the Legislative Council is appropriate or needed.

In advance of the debate (in April 2005) then Professor Greg Craven, Executive Director of the John Curtin Institute of Public Policy and Professor of Government and Constitutional Law made the following comment on the One Vote Value Bill:

"I would respectfully argue that, once the Lower House of the Parliament is constituted on a more or less strict One Vote One Value basis, the case for constituting the Upper House differently as a Chamber where regional interests receive moderately enhanced representation, is strong. This follows from the necessity to ensure that the diversity of interests contained within the State are adequately reflected in the Parliament."

Similarly, Dr Harry Phillips, Parliamentary Fellow, Adjunct Professor, Edith Cowan University and Curtin University of Technology said in April 2005:

"In Western Australia, the interpretations of the Canadian Courts have tended to be used as support for the 'one vote one value' argument. However, the Canadian Courts, have given thrust to a broader concept of 'effective representation'. The latter to do so I think there would be scope to argue that in many settings, other factors (such as geography), have to be considered for effective representation to prevail."

This type of reform pursued by the Labor Party in 2005 and now again in 2021 is centred on the notion of mathematical equality. It is the Opposition's view that there are inequalities in access to services and infrastructure in regional WA when compared to our metropolitan colleagues. There is a significant lack of parity in relation to health services, access to education, the cost of living and transport, access to core Government services and Departments, to name just a few. Tipping the balance to increase the number of metropolitan representatives and decrease regional representation can only make it harder to elevate these issues in the Parliament and with

Government. It will only widen the gap that exists between our regional and metropolitan populations.

Given our State relies on industry, communities, and people in regional Western Australia for the wealth that underpins our economy, it would seem counterproductive to pursue changes to satisfy a mathematical notion of equality.

I'd encourage you to consider making a submission to the Committee to ensure the panel can consider this matter, particularly providing them with examples of how a reduction in the number of people from regional western Australia in the State's Parliament may impact you, your organisation and/or community."

Comment

The concerns displayed are that regional representation will be diminished with more power being given to the greater metropolitan area resulting in less support for regional issues such as health, education, transport costs etc.

Submissions to the ministerial panel for the review close on 8 June and Peter Rundle has requested that Council consider making any submissions before that date. In addition, he has requested that a petition be circulated within the community to be returned to his office by 1 June 2021.

Full details of the Electoral Reform can be found on the following link

<https://www.wa.gov.au/government/ministerial-expert-committee-electoral-reform>

Legal Implications

None apparent

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

Before the voting, Cr Allan Marshall provided a draft document to be submitted to the Committee in charge of investigating the WA Parliament Upper House (Legislative Council) representation and electoral boundaries. This document outlines the Shire's concerns on how the changes that weighted representation in the upper house within the agricultural region of WA will impact on our ability to have an adequate voice for our community. The Shire is always concerned about issues relating to health, education, transport and roads and is always battling for its contribution to the state's economy

The Councillors agreed to send this document to the Committee on behalf of the residents and ratepayers of the Shire of Lake Grace.

RESOLUTION 13412

Moved Cr Marshall
Seconded Cr Clarke

That Council:



1. Considers the concerns presented regarding the matter of Electoral Reform as proposed by the state government and provides administration with the details of any submission to be made.
2. Council approves the circulation of the petition as requested by Peter Rundle MLA

CARRIED: 7/0

Voting Requirements

Simple majority required.

14.4.4 PUBLIC HEALTH PLAN

Applicant:	Llew Withers
File No.:	0320 / 0321 / 0322
Attachments:	Public Health Profile for the Shire of Lake Grace
Author:	 Mr Alan George Chief Executive Officer
Disclosure of Interest:	The author has no interest to declare
Date of Report:	19 May 2021
Senior Officer:	 Mr Alan George Chief Executive Officer

Summary

For Council to review the contents of the Public Health Profile.

Background

Local governments are required to have a Public Health Plan in place by 2023. In August 2020, quotes were sought by RoeHealth, of which Lake Grace is a member. As a result, Mr Llew Withers was engaged to prepare a Public Health Plan for each member shire. Mr Withers is a very experienced professional and is well placed to prepare the Plan.

Further information about Public Health Plans are available via the following link:

<https://ww2.health.wa.gov.au/Improving-WA-Health/Public-health/Public-Health-Act/Local-government/Public-Health-Planning>

Comment

The preparation of the Public Health Plan is a 3-stage project with the first being the preparation of a Health Profile Report followed by a Health and Wellbeing Survey and ultimately by the Public Health Plan.

The Health Profile Report is attached for Council to review and a briefing session is being arranged with Mr Withers to discuss the contents of the report and the method of consultation with community members. The Health and Wellbeing Survey will then be carried out electronically and will be released through the Shire website and social media outlets.

Legal Implications

Part 5 of the *Public Health Act 2016* requires the preparation of two types of public health plans:

1. State public health plan prepared by the Chief Health Officer and
2. Local public health plan prepared by each local government district

Part 5 of the Public Health Act comes into effect at stage 5 of implementation of the Public Health Act.

Policy Implications

Nil

Consultation

Internal	Mr Brendon Gerrard, Environmental Health Officer - RoeEHO
External	Mr Lew Withers

Financial Implications

Preparation of all stages the Public Health Plan is costing \$10,000 with the cost covered in Other Governance – Consultancy Charges

Strategic Implications

Shire of Lake Grace Strategic Community Plan 2017-2027

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

Outcome 2.2 A healthy and safe community

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

RESOLUTION 13413

Moved Cr Lloyd
Seconded Cr Stoffberg

For information purposes only.



No voting is required.

CARRIED: 7/0

Voting Requirements

None required.

14.5 FINANCE**14.5.1 ACCOUNTS FOR PAYMENT – APRIL 2021**

Applicant	Internal Report
File No.	0277
Attachments	List of Accounts Payable
Author	 Ms Rebecca Clark Finance Officer – Rates & Creditors
Disclosure of Interest	Nil
Date of Report	19 May 2021
Senior Officer	 Mr Kevin Wilson Manager Corporate Services

Summary

For Council to ratify expenditures incurred for the month of April 2021.

Background

List of payments for the month of April 2021 through the Municipal and Trust accounts are attached.

Comment

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

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

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

Legal Implications

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

Policy Implications

Policy 3.6 - Authorised Use of Credit Card/Fuel Cards
Policy 3.7 - Purchasing Policy

Consultation

N/A

Financial Implications

The list of creditors paid for the month of April 2021 from the Municipal and Trust Account Total \$776,557.32

Strategic Implications

Shire of Lake Grace Strategic Community Plan 2017-2027
Leadership – Strong governance and leadership, demonstrating fair and equitable community values.

- Outcomes 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

RESOLUTION 13414		
Moved Cr Chappell Seconded Cr Stoffberg		
That Council ratify the list of payments totalling \$776,557.32 as presented for the month of April 2021 incorporating:		
Payment Method	Cheque/EFT/DD Number	Amount
Electronic Funds Transfers	EFT22069 - EFT22166	\$680,412.35
Municipal Account Cheques	36932 - 36933	\$38,432.09
Direct Debits	DD9438.1 - DD9473.10	\$57,712.88
	TOTAL	\$776,557.32
CARRIED: 7/0		

Voting Requirements

Simple majority required.

Shire of Lake Grace

CERTIFICATE OF EXPENDITURE April 2021





This Schedule of Accounts to be passed for payment, covering

Payment Method	Cheque/EFT/DD Number	Amount
Electronic Funds Transfers	EFT22069 - EFT22166	\$680,412.35
Municipal Account Cheques	36924 - 36931	\$38,432.09
Direct Debits	DD9395.1 - DD9435.10	\$57,712.88
	TOTAL	\$776,557.32

to the Municipal and Trust Accounts, totalling \$776,557.32 which were submitted to each member of the Council on 26 May 2021, 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 2021

Applicant:	Internal Report
File No.	0275
Attachments:	<ul style="list-style-type: none"> • Monthly Financial Reports • Bank Reconciliations – April 2021
Author:	 Mrs Victoria Gracheva Finance Officer – Reporting and Investments
Disclosure of Interest	Nil
Date of Report	19 May 2021
Senior Officer	 Mr Kevin Wilson Manager Corporate Services

Summary

Consideration of the Monthly Financial Reports for the period ending 30 April 2021 and Bank Reconciliations for the month ending 30 April 2021.

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.

As at 30 April 2021, operating revenue below target by 10.4% (\$829,672) due to Operating Grants and Reimbursements and Fees and Charges less than target YTD budget. Interest earnings below target due to low interest rates; however, Fees and Charges and Rates slightly exceed the budget.

Operating expenditure is under YTD budget by \$1,647,635 (18.35%) mainly due to materials and contracts costs as well as employee and overhead costs down, with depreciation, utility charges and insurance expense slightly over YTD budget. Increase in loss on disposal of assets under \$5,000.00 and loss on disposal of NGT Fire Truck not budgeted for.

The capital program is under budget, but several projects are getting underway and both Commonwealth funded grant projects have been approved and action is underway to undertake the works.

Cash at bank is similar to the corresponding period last year and we will be investigating investment opportunities over the coming months.

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

General debtor is \$155,392 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 March 2021. The financial statements have been compiled to meet compliance with the Local Government Act 1995 and associated regulations.

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

Legal Implications

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

In accordance with Regulation 34(5), a report on variances greater than the materiality threshold (\$10,000 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 – 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

Question from Cr Len Armstrong – Background, second paragraph last sentence..... *however, fees and Charges and Rates slightly exceed the budget.*

Response from MCS – that is the exact title of the line item in the financial document “Fees and Charges and Rates”

RESOLUTION 13415

Moved Cr Stoffberg
 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 30 April 2021 and
2. Municipal, Trust and Reserve Funds bank reconciliations for the period ended 30 April 2021

CARRIED: 7/0

Voting Requirements

Simple majority required.


14.6 COMMUNITY SERVICES

Nil

15.0 QUESTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

16.0 INFORMATION BULLETIN – MAY 2021

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:	19 May 2021
Senior Officer:	 Mr Alan George 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 2021 Information Bulletin attachment include:

Reports:

- Infrastructure Services Report – May 2021
- Environmental Health Officer Report – Nil
- Lake Grace Visitor Centre Report – Nil
- Lake Grace Library Report and Statistics – Nil
- Lake King Library Report and Statistics – Nil
- Newdegate Library Report and Statistics – Nil

Circulars, Media Releases, Newsletters, Letters:

- PHEOC Bulletin No. 58
- PHEOC Bulletin No. 60
- Regional Climate Alliance Program
- LGIS Information Pack – Golf Tournament 19 & 20 August 2021

Legal Implications

Nil

Policy Implications

Nil

Consultation

Nil

Financial Implications

Nil

Strategic Implications

Shire of Lake Grace Strategic Community Plan 2017 – 2027

Leadership – 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

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

RESOLUTION 13416

Moved Cr Lloyd

Seconded Cr Chappell

That Council accepts the Information Bulletin Report.

CARRIED: 7/0

Voting Requirements

Simple majority required.

Cr Allan Marshall left the Council Chambers at 3:59pm and returned at 4:06pm.

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

RESOLUTION 13417

Moved Cr Chappell

Seconded Cr Clarke

That Council meet behind closed doors at 4:06pm to consider the confidential Item(s) in accordance with Section 3.7 of the Shire of Lake Grace Standing Orders Local Law 2015.

Chief Executive Officer – Annual Performance Review 2021

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

CARRIED: 7/0

RESOLUTION 13418

Moved Cr Stoffberg
Seconded Cr Chappell

That Council accepts the recommendations contained in Confidential Item 17.1.1 on the Chief Executive Officer – Annual Performance Review 2021.

CARRIED: 7/0

RESOLUTION 13419

Moved Cr Chappell
Seconded Cr Marshall

That Council move from behind closed doors at 4:32pm.

CARRIED: 7/0

18.0 DATE OF NEXT MEETING – 23 JUNE 2021

The next Ordinary meeting of Council is scheduled to take place on Wednesday 23 June 2021 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 4:42pm.

20.0 CERTIFICATION

I, Leonard William Armstrong, certify that the Minutes of Meeting held on 26 May 2021 as shown were confirmed as a true record of that meeting.



Signature

23 June 2021

Date