

SHIRE OF LAKE GRACE



AGENDA

Ordinary Council Meeting
27 September 2023

Notice of Meeting

To the Shire President and Councillors

The next Ordinary Council Meeting will be held on Wednesday 27 September 2023 in the Council Chamber, 1 Bishop Street, Lake Grace commencing at 3:30pm.

Alan George
Chief Executive Officer
22 September 2023

Information

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

Question Time for the Public

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

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

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

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

Disclaimer

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

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

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SHIRE OF LAKE GRACE

Agenda for the Ordinary Council Meeting to be held at the Council Chambers, 1 Bishop Street, Lake Grace, WA on Wednesday 27 September 2023 commencing at 3:30pm.

1.0 DECLARATION OF OPENING ANNOUNCEMENT OF VISITORS

2.0 ACKNOWLEDGEMENT OF COUNTRY

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

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

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

3.1 PRESENT

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

3.2 APOLOGIES

3.3 IN ATTENDANCE

Mr. Alan George	Chief Executive Officer
Mr C Paget	Deputy Chief Executive Officer
Mrs T Hall	Manager Corporate Services
Mr C Elefsen	Manager Infrastructure Services
Mrs A Adams	Executive Assistant

3.4 OBSERVERS / VISITORS

3.5 LEAVE OF ABSENCE PREVIOUSLY GRANTED

4.0 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

5.0 PUBLIC QUESTION TIME

6.0 PETITIONS/DEPUTATIONS/PRESENTATIONS

7.0 NOTATIONS OF INTEREST

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

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

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

8.0 APPLICATIONS FOR LEAVE OF ABSENCE

9.0 ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION

10.0 CONFIRMATION OF MINUTES

10.1 ORDINARY COUNCIL MEETING – WEDNESDAY 23 AUGUST 2023

RECOMMENDATION / RESOLUTION

RESOLUTION

Moved: Cr
Seconded: Cr

That the Minutes of the Ordinary Council Meeting held on Wednesday 23 August 2023 be confirmed as a true and accurate record of the meeting.

CARRIED

For:
Against:

10.2 SPECIAL COUNCIL MEETING

RECOMMENDATION / RESOLUTION

RESOLUTION

Moved: Cr
Seconded: Cr

That the Minutes of the Special Council Meeting held on Thursday 31 August 2023 be confirmed as a true and accurate record of the meeting.

CARRIED

For:
Against:

10.3 ANNUAL MEETING OF ELECTORS

11.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

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

13.0 REPORTS OF COMMITTEES

14.0 REPORTS OF OFFICERS

14.1 INFRASTRUCTURE SERVICES

14.2 PLANNING

14.2.1 DEVELOPMENT APPLICATION – UNAUTHORISED EXPANSION OF EXISTING APPROVED CATTLE FEEDLOT ON LOT 2540 ON DEPOSITED PLAN 209988 MALLEE HILL ROAD, SOUTH NEWDEGATE

Applicant	Mr Beau Waddell (Landowner)
File No.	
Attachments	1. Development Application documentation and plans
Author	Mr Joe Douglas – Town Planner
Disclosure of Interest	Nil
Date of Report	18 September 2023
Senior Officer	Mr Alan George – Chief Executive Officer

Summary

This report recommends that a development application submitted by Mr Beau Waddell (Landowner) to formalise the unauthorised expansion of an existing approved cattle feedlot on Lot 2540 on Deposited Plan 209988 Mallee Hill Road, South Newdegate be approved subject to conditions.

Background

The applicant is seeking Council's development approval to formalise the unauthorised expansion of an existing approved feedlot on Lot 2540 on Deposited Plan 209988 Mallee Hill Road, South Newdegate to accommodate a total of 2,300 cattle.

At its Ordinary Meeting on 25 February 2015 Council granted conditional approval to expand the existing feedlot on the land from 500 to 1,500 head of cattle including the installation and use of various associated improvements.

Under the terms of the latest development application received approval is sought to expand the existing approved feedlot on the property to increase its holding capacity from 1,500 to 2,300 cattle which is consistent with and has been undertaken in accordance with an approval previously granted by the Department of Water and Environmental Regulation pursuant to the

specific requirements of the *Environmental Protection Act 1986* and associated regulations.

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

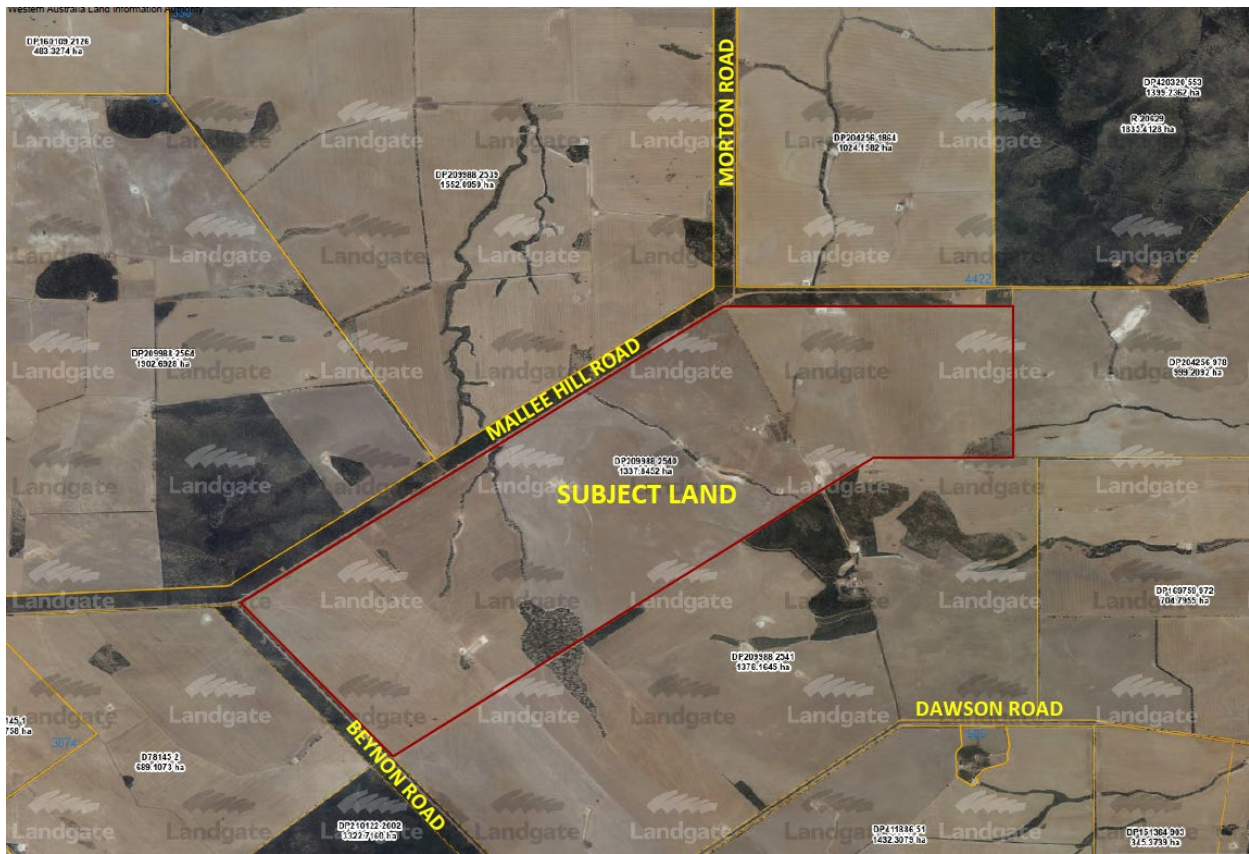
Lot 2540 is located approximately 4.85 kilometres south-west of the Newdegate townsite in the locality of South Newdegate. The property comprises a total area of approximately 1,337.85 hectares and has direct frontage and access to Mallee Hill Road along its northern boundary which is an unsealed (i.e. gravel standard) local road under the care, control and management of the Shire.

The subject land is gently sloping throughout, predominantly cleared of all native vegetation with the exception of a few small to medium size stands in select locations for environmental conservation and land management purposes, and has been extensively developed and used for extensive agricultural purposes (i.e. cropping and grazing) for many years. The existing feedlot the subject of this application is located centrally in the eastern half of the subject land with significant setbacks to all lot boundaries.

Lot 2540 contains a number of physical improvements associated with its current rural use including various sheds, animal holding pens, dams and associated catchments, rainwater tanks, internal access roads / tracks, firebreaks and fencing.

Existing adjoining and other nearby land uses are predominantly rural in nature comprising broadacre agricultural activities on lots of various sizes. The nearest dwelling not owned by the applicant and his family is located approximately 3.64 kilometres south on Lot 50 (No.565) Dawson Road, South Newdegate.

That portion of the subject land where the development has been undertaken has been cleared of all native vegetation, does not contain any sites of cultural heritage significance, is not subject to inundation or flooding during extreme storm events and has not been designated by the Fire and Emergency Services Commissioner as being bushfire prone.



Location & Lot Configuration Plan (Source: Landgate 2023)

Comment

Lot 2540 is classified 'General Agriculture' zone in the Shire of Lake Grace Local Planning Scheme No.4 (LPS4).

A key objective of the land's current 'General Agriculture' zoning classification is to ensure the continuation of broadacre farming as the principle land use within the district, protect the rural landscape/character, control the fragmentation of agricultural land through further subdivision and consider non-rural uses where they can be shown to be of a benefit to the district.

Under the terms of the Zoning Table in LPS4 the development of any land classified 'General Agriculture' zone for 'intensive animal husbandry' purposes, which by definition includes feedlots, is listed as being a discretionary (i.e. D) use which means it is not permitted without the local government's development approval.

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

This assessment has confirmed the proposal is compliant or capable of compliance with the following requirements:

-
- Zoning objectives and land use permissibility;
 - All relevant State Planning Policies itemised below;
 - Land capability and suitability including possible risks to human health and safety;
 - Location / siting including lot boundary setbacks;
 - Land use compatibility including buffer separation distance requirements to sensitive land uses;
 - Amenity of the locality including potential environmental, visual and social impacts;
 - Protection of the natural environment, water resources and cultural heritage significance;
 - Traffic safety including heavy vehicle access, parking;
 - Storage and management of waste; and
 - Bushfire, flood risk and stormwater drainage management.

In light of all the above it is concluded the proposal for Lot 2540 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 is undertaken and managed in a proper and orderly manner. As such, it is recommended Council exercise discretion and grant conditional development approval.

With respect to the unauthorised development of the land for 'intensive animal husbandry' purposes, it is recommended that Council not initiate prosecution action pursuant to Part 13 of the *Planning and Development Act 2005* in this particular instance given the limited impact the proposed development has had since it was undertaken due to good management practices and the greater awareness the landowner now has regarding the need for development approval and the potential legal and financial consequences of undertaking any further unauthorised development on the land.

Legal Implications

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

Policy Implications

- State Planning Policy 2.5 - *Rural Planning*
- State Planning Policy 2.9 – *Water Resources*
- Draft State Planning Policy 2.9 – *Planning for Water*
- State Planning Policy 4.1 – *State Industrial Buffer*
- Environmental Protection Authority Guidance Statement No.3 – *Separation Distances Between Industrial & Sensitive Land Uses*
- Department of Agriculture and Food – *Guidelines for the Environmental Management of Beef Cattle Feedlots in Western Australia 2002*

Consultation

Public advertising of the application and referral to State and Federal government agencies and key essential service providers was not required or deemed necessary. The application was however the subject of ongoing discussion with the applicant to clarify various aspects of the development and the legalities and possible consequences associated with unauthorised works and uses.

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 offset by the development application fee paid by the applicant. All costs associated with the proposed development will be met by the landowner.

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

Strategic Implications

- *Shire of Lake Grace Local Planning Strategy 2007* as it applies specifically to the following matters:
 - Economic Development Strategy (Agriculture): To achieve ecologically sustainable use of agricultural land in the Shire whilst providing diverse and compatible development opportunities in agricultural areas to promote the local economy; and
 - Environmental Protection and Conservation Strategy: To protect, conserve and enhance the environmental values and natural resources of the Shire for the benefit of future generations while providing appropriate development opportunities to promote the local economy.
- *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
Strategies	1.1.3	Support and promote the agricultural productivity of the district
Outcome	1.2	A diverse and prosperous economy
Strategies	1.2.2	Support local business and promote further investment in the district

Environment Objective - Protect and enhance our natural and built environment		
Outcome	3.2	A natural environment for the benefit and enjoyment of current and future generations
Strategies	3.2.1	Manage and preserve the natural environment

Leadership Objective - Strong governance and leadership, demonstrating fair and equitable community values		
Outcome	4.1	A strategically focused, unified Council functioning efficiently
Strategies	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
Strategies	4.2.2	Comply with statutory and legislative requirements

Voting Requirements

Simple majority

Electoral Caretaker Period Policy Statement

The Officer Recommendation has been reviewed in context of the Shire's Electoral Caretaker Period Policy and the CEO has determined that it does not constitute a Major Policy Decision. The CEO therefore provides this report for Council's consideration.

RECOMMENDATION / RESOLUTION

RESOLUTION

Moved: Cr

Seconded: Cr

That the development application submitted by Mr Beau Waddell (Landowner) to formalise the unauthorised expansion of an existing approved cattle feedlot on Lot 2540 on Deposited Plan 209988 Mallee Hill Road, South Newdegate to accommodate up to 2,300 head of cattle 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 the local government.
2. Any additional development which is not in accordance with the application the subject of this approval or any condition of approval will require the further approval of the local government.
3. The cattle feedlot shall be limited to a maximum of 2,300 head of cattle at any given time unless otherwise approved by the local government.
4. No cattle are permitted to be slaughtered on the land unless otherwise approved by the local government.
5. The property shall be maintained in a neat and tidy condition at all times to the specifications and satisfaction of the local government's Chief Executive Officer.
6. All solid and liquid waste generated by the feedlot shall be managed and disposed of to the specifications and satisfaction of the local government's Chief Executive Officer in consultation with the local government's Environmental Health Officer.

7. The waste disposal pond shall have sufficient capacity to retain a 10-year return frequency 72-hour storm event using a run-off coefficient of 0.8 for all feedlot pens and associated works. The pond shall also be capable of retaining all the captured stormwater from the feedlot in a 90 percentile wet year.
8. Suitable arrangements shall be made to ensure no solid or liquid waste generated by the feedlot is released either directly or indirectly into the existing intermittent creek lines traversing the land.
9. Suitable arrangements shall be made to minimise the potential for any dust and/or odour nuisance arising from the feedlot use at all times to the specifications and satisfaction of the local government's Chief Executive Officer in consultation with the local government's Environmental Health Officer.

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 local government to investigate any such constraints before commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether or not it has been drawn to the local government's attention.
2. This is a development approval of the Shire of Lake Grace under its Local Planning Scheme No.4. It is not a building permit or an approval to commence or carry out development under any other law. It is the responsibility of the applicant/landowner to obtain any other necessary approvals, consents, permits and licenses required under any other law, and to commence and carry out development in accordance with all relevant laws.
3. The applicant/landowner is reminded of their obligation to ensure compliance with the requirements of the Shire of Lake Grace Annual Fire Management Notice as it applies specifically to all rural 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>).
4. The applicant/landowner is reminded of their obligation to seek and obtain development approval from the local government pursuant to the specific requirements of the Shire of Lake Grace Local Planning Scheme No.4 and clause 60 of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* as they apply to all future development on the land.
5. 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.
6. If the applicant / landowner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be submitted directly to the State Administrative Tribunal within 28 days of this determination.

CARRIED

For:

Against:

**14.2.2 DEVELOPMENT APPLICATION – PROPOSED NEW GROUPED DWELLING
DEVELOPMENT ON LOT 216 (NO.7) QUONDONG COURT, LAKE GRACE**

Applicant	Akron Pty Ltd (Landowner)
File No.	
Attachments	2. Development Application documentation and plans
Author	Mr Joe Douglas – Town Planner
Disclosure of Interest	Nil
Date of Report	19 September 2023
Senior Officer	Mr Alan George – Chief Executive Officer

Summary

This report recommends that a development application submitted by Akron Pty Ltd for the construction and use of two (2) new grouped dwellings on Lot 216 (No.7) Quondong Court, Lake Grace be approved subject to conditions.

Background

The applicant is seeking Council's development approval to construct two (2) new single storey, modular style grouped dwellings on Lot 216 (No.7) Quondong Court, Lake Grace for residential purposes.

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

Lot 216 is located in the eastern part of the Lake Grace townsite in a designated, partially developed, low density residential precinct.

The subject land is currently vacant, comprises a total area of approximately 904m², and is gently sloping from east to west with the natural ground level ranging from an average of approximately 301 to 300 metres AHD.

The property has direct frontage and access to Quondong Court, a sealed and drained local access road under the care, control and management of the Shire, and is served by all key essential service infrastructure including electricity, reticulated water, reticulated sewerage, stormwater drainage and telecommunications.

The subject land has been cleared of all native vegetation, does not contain any sites of cultural heritage significance, is not subject to inundation or flooding during extreme storm events and has not been designated by the Fire and Emergency Services Commissioner as being bushfire prone.

Existing adjoining and other nearby land uses are predominantly residential in nature on lots of similar size with the exception of Lot 9002 located immediately east which is a superlot owned by the Shire of Lake Grace that is proposed to be subdivided for low density residential purposes in the future when the demand arises and funding is available.

Council should however note the property is located in close proximity to Stubbs Street which is a State road controlled by Main Roads WA that carries significant volumes of traffic on a daily

basis and has potential to generate noise impacts. As such, due consideration must be given to the specific requirements of State Planning Policy 5.4 entitled 'Road and Rail Noise' when designing and undertaking the proposed development.



Location & Lot Configuration Plan (Source: Landgate 2023)

Comment

Lot 216 is classified 'Residential' zone in the Shire of Lake Grace Local Planning Scheme No.4 (LPS4) with a density coding of R20.

The stated objectives in LPS4 for the development of any land classified 'Residential' zone are as follows:

- To achieve a high standard of residential development in accordance with contemporary planning and development practice for the benefit of the community of the Shire of Lake Grace;
- To enhance the character and amenity of residential areas;
- To provide for residential development at a range of densities with a variety of housing types to meet the needs of the community; and
- To provide an opportunity for residents to undertake occupations ancillary to the use of their dwelling that are compatible in character, scale and operation with the residential use and which will not have an adverse effect upon the existing character and amenity of these areas.

Under the terms of the Zoning Table in LPS4 the development of grouped dwellings on any land

classified 'Residential' zone is listed as a discretionary (i.e. D) use which means it is not permitted without the local government's development approval.

The application has been assessed with due regard for the relevant objectives, standards and requirements of LPS4, including the Residential Design Codes (Volume 1), and the various matters required to be considered as prescribed in clause 67 of the Deemed Provisions of the *Planning and Development (Local Planning Scheme) Regulations 2015*.

This assessment has confirmed the proposal is compliant, or capable of compliance, with the following relevant requirements:

- Zoning objectives and land use permissibility;
- Land capability and suitability including topography, soil types and stability, drainage and flood risk;
- Land use compatibility including noise attenuation measures to deal with noise generated by daily traffic movements along Stubbs Street;
- Siting, design and lot boundary setbacks;
- Building height;
- Amenity of the locality including potential environmental, visual and social impacts;
- Protection of the natural environment, water resources and cultural heritage significance;
- Vehicle access and parking;
- Connections to key essential service infrastructure; and
- Stormwater drainage and bushfire risk management.

In light of all the above it is concluded the proposal for Lot 216 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 is undertaken in a proper and orderly manner. As such, it is recommended Council exercise discretion and grant conditional development approval.

Legal Implications

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

Policy Implications

- State Planning Policy 5.4 – *Road and Rail Noise*
- State Planning Policy 7.3 – *Residential Design Codes (Volume 1)*
- *Government Sewerage Policy 2019*

Consultation

Public advertising of the application and referral to State government agencies and key essential service providers was not required or deemed necessary. The application was however the

subject of discussion with the applicant / landowner prior to and following lodgement of the application to ensure all relevant town planning related matters were considered and addressed.

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 offset by the development application fee paid by the applicant. All costs associated with the proposed development will be met by the applicant/landowner.

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

Strategic Implications

- *Shire of Lake Grace Local Planning Strategy 2007* as it applies specifically to the following matters:
 - Population and Housing Strategy: To ensure a sufficient supply of suitably zoned and serviced residential land in each of the Shire’s main settlements to accommodate future housing growth and to provide for housing choice and variety in neighbourhoods with a community identity and high levels of safety, accessibility and visual amenity; and
 - Environmental Protection and Conservation Strategy: To protect, conserve and enhance the environmental values and natural resources of the Shire for the benefit of future generations while providing appropriate development opportunities to promote the local economy.
- *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
Strategies	3.2.1	Manage and preserve the natural environment

Leadership Objective - Strong governance and leadership, demonstrating fair and equitable community values		
Outcome	4.1	A strategically focused, unified Council functioning efficiently
Strategies	4.1.3	Provide strategic leadership and governance
Outcome	4.2	An efficient and effective organisation
Strategies	4.2.2	Comply with statutory and legislative requirements

Voting Requirements

Simple majority

Electoral Caretaker Period Policy Statement

The Officer Recommendation has been reviewed in context of the Shire's Electoral Caretaker Period Policy and the CEO has determined that it does not constitute a Major Policy Decision. The CEO therefore provides this report for Council's consideration.

RECOMMENDATION / RESOLUTION

RESOLUTION

Moved: Cr
Seconded: Cr

That the development application submitted by Akron Pty Ltd for the construction and use of two (2) new grouped dwellings on Lot 216 (No.7) Quondong Court, Lake Grace be **approved** subject to the following conditions and advice notes:

Conditions:

10. The proposed development shall be undertaken strictly in accordance with the information and plans submitted in support of the application subject to any modifications required as a consequence of any condition/s of this approval or otherwise approved by the local government.
11. Any additional development which is not in accordance with the application the subject of this approval or any condition of approval will require the further approval of the local government.
12. 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 it shall not be carried out without the further approval of the local government having first being sought and obtained.
13. The development hereby approved shall not encroach upon any part of any immediately adjoining property unless otherwise approved by the local government.
14. The proposed dwellings shall be connected to an electricity supply service, reticulated sewerage disposal infrastructure, and a reticulated potable water supply service to the specifications and satisfaction of the relevant service provider prior to their occupation and use.
15. All proposed new driveways, including crossovers to Quondong Court, shall be constructed, sealed and drained to the specifications and satisfaction of the local government's Manager Infrastructure Services prior to occupation and use of the proposed development.
16. All stormwater drainage from the proposed development shall be directed to lawns, garden beds and/or rainwater tanks within the land's designated lot boundaries unless otherwise approved by the local government.
17. All external fixtures, utilities and facilities shall be provided in accordance with the relevant deemed-to-comply requirements of clause 5.4.4 of the Residential Design Codes of Western Australia (Volume 1) unless otherwise approved by the local government.

18. Prior to the commencement of development a schedule of all external materials and colours for the proposed dwellings, enclosed storage sheds, letterboxes and fencing shall be prepared and submitted to the local government for consideration and endorsement by the Chief Executive Officer.
19. The sub-floor area of the proposed dwellings shall be enclosed with brick, stone or vermin proof cladding / battens prior to their occupation and use unless otherwise approved by the local government.
20. The proposed dwellings shall be designed and constructed in accordance with the 'Quiet House' design requirements for Noise Exposure Category A in Table 3 of the *Road and Rail Noise Guidelines 2019* published by the Western Australian Planning Commission, including all new fencing along the subject land's northern side boundary which must be installed prior to occupation and use of the proposed development.
21. Mature screening-type vegetation shall be planted along the full length of the subject land's northern side boundary which must be installed prior to occupation and use of the proposed dwellings and maintained thereafter for the life of the development.
22. The proposed development shall not be used for short-term accommodation or temporary workforce accommodation purposes unless otherwise approved by the local government.

Advice Notes:

7. This approval is not an authority to ignore any constraint to development on the land which may exist through contract or on title, such as an easement, memorial or restrictive covenant. It is the responsibility of the applicant / landowner and not the local government to investigate any such constraints before commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether or not it has been drawn to the local government's attention.
8. 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.
9. In accordance with the *Building Act 2011* and *Building Regulations 2012*, a building permit application must be submitted to and approved by the local government's Building Surveyor prior to the commencement of any demolition, construction or earthworks on the land.
10. The proposed development and all associated improvements are 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.
11. The applicant / landowner is responsible for ensuring the correct siting of all structures on the land the subject of this approval, including fill and final floor levels. An identification survey demonstrating correct siting and setbacks of structures, including fill and final floor levels, may be requested by the local government at the applicant / landowner's own cost to ensure compliance with this determination and all applicable provisions.
12. No construction works shall commence on the land prior to 7am without the local government's written approval. No construction works are permitted on Sundays or Public Holidays.
13. The applicant / landowner is reminded of their obligation to ensure compliance with the

Environmental Protection (Noise) Regulations 1997.

14. The applicant / landowner is reminded of their obligation to ensure compliance with the requirements of the Shire of Lake Grace Annual Fire Management Notice as it applies specifically to all land with a total area of less than 4,000m² to help guard against any potential bushfire risk (<https://www.lakegrace.wa.gov.au/services/bushfire-emergency-management/fire-management-requirements.aspx>).
15. 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.
16. If the applicant / landowner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be submitted directly to the State Administrative Tribunal within 28 days of this determination.

CARRIED

For:

Against:

14.3 HEALTH AND BUILDING

14.4 ADMINISTRATION

14.4.1 INVESTOR PARTNERSHIP OPPORTUNITY – WA COUNTRY HEALTH SERVICE

Applicant	WA Country Health Service (WACHS)
File No.	0094/0733
Attachments	1. Letter of Offer 2. Annexure A – Special Conditions
Author	Alan George – Chief Executive Officer
Disclosure of Interest	Nil
Date of Report	12 September 2023
Senior Officer	Alan George

Summary

Administration has been negotiating with the Department of Communities (DoC) for the purchase of some land on which to construct 2 x 2 bedroom residences for WACHS in which to house nursing staff. The Shire does not hold suitable land on which to erect the residences. After lengthy

discussions DoC have finally approved the sale of 84 Bennett St to the Shire of Lake Grace for the sum of \$35,000.00.

Background

In early October 2022 notification was received through WALGA that WACHS was seeking investor partnership opportunities to build new properties for staff throughout WA. WACHS first requested that interested parties make contact with them to determine requirements in their areas. Council was advised of the opportunities and resolved to consider the options available.

WACHS was contacted and advised that they have a shortfall of accommodation in Lake Grace. At the October 2022 Council meeting Council made the following resolution;

RESOLUTION 13650

Moved: Cr Clarke

Seconded: Cr Hyde

That Council:

Considers the various options available for potential housing within the Shire of Lake Grace.

CARRIED: 8/0

Further information was received from WACHS and relayed to Council at the December 2022 meeting and the following resolution was made;

RESOLUTION 13522

Moved: Cr Hunt

Seconded: Cr Kuchling

That Council gives approval for the Administration to continue investigations and negotiations with WA Country Health Service (WACHS) for the construction of three 2 x 2 units at 51 Bennett Street, Lake Grace, WA.

CARRIED: 7/0

Comment

After subsequent investigations no Shire owned suitable land was available however DoC had 2 vacant lots in Lake Grace that suited the proposal. Initial contact made in December 2022 with DoC was not fruitful as we were advised that they were required for future development. With the assistance of Hon Shelley Payne MLC Member for the Agricultural Region and Peter Rundle MLA Deputy Leader of the Opposition pressure was put on DoC which has now resulted in the offer to purchase the land situated at 84 Bennett St Lake Grace.

Now that this land has been made available negotiations can now continue with WACHS for a suitable design and costings and funding options can be commenced. Several designs have been considered by administration. The Shire of Moora has provided one design for 2 x 2 bedroom transportables however they do not fit 84 Bennett St's dimensions. Several other options are being investigated and will be forwarded to WACHS in due course for their suitability.

Before any of this can be done however, Council is required to confirm the purchase of the vacant land at 84 Bennett St Lake Grace. In the event that the proposed partnership opportunity with WACHS falls over the land will still be available for future development of staff or worker housing as identified in the 4WDL Key Worker and Housing Survey undertaken in 2022.

Administration recommends the purchase of the vacant land at 84 Bennett St Lake Grace from the Department of Communities for the sum of \$35,000 and requests Council to confirm approval of the continuation of negotiations with WA Country Health Services (WACHS) for the construction of 2 x 2 bedroom transportable dwellings.

Legal Implications

A firm commitment to lease would be requested from WACHS before commitment to begin construction would be sought.

Formal leasing agreements would be sought from WACHS once the construction is complete.

Policy Implications

Nil

Consultation

WACHS
4WDL Key Worker Housing Survey results.

Financial Implications

Funds from the sale of Lot 213 Quondong Court can be utilised for this purchase as the sale was not budgeted for in this year's budget.

Currently there is \$595,773 in the Housing Reserve.

Loan funding could be utilised for the eventual construction of the dwellings.

Grant funding options will be investigated.

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
Strategies	2.1.1	Community services and infrastructure meeting the needs of the district
	2.1.2	Maintain and support the growth of education, childcare, youth and aged services
	2.1.3	Actively promote and support community events and activities within the district
Outcome	2.2	A healthy and safe community
Strategies	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
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Leadership Objective - Strong governance and leadership, demonstrating fair and equitable community values		
Outcome	4.1	A strategically focused, unified Council functioning efficiently
Strategies	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
Strategies	4.2.1	Maintain accountability and financial responsibility through effective planning
	4.2.2	Comply with statutory and legislative requirements
	4.2.3	Provide a positive and safe workplace

Voting Requirements

Simple majority

Electoral Caretaker Period Policy Statement

The Officer Recommendation has been reviewed in context of the Shire's Electoral Caretaker Period Policy and the CEO has determined that it does not constitute a Major Policy Decision. The CEO therefore provides this report for Council's consideration.

RECOMMENDATION / RESOLUTION

RESOLUTION

Moved: Cr

Seconded: Cr

That Council:

1. Confirms the purchase of 84 Bennett St for the sum of \$35,000, and
2. Gives approval for Administration to continue investigations and negotiations with WA Country Health Service for the construction of 2 2x2 units at 84 Bennett St Lake Grace.

CARRIED

For:

Against:

14.4.2 CHRISTMAS 2023 AND PUBLIC HOLIDAY 2024 RETAIL TRADING HOURS

Applicant	Shire of Lake Grace
File No.	0498
Attachments	<ul style="list-style-type: none"> • Email from Geoff Hales – A/Principal Compliance Officer Retail Trading • 2023-24 Regional Extended Trading Package • Application Form – Non Metropolitan Local Government – Extended Trading Hours Temporary
Author	Alex Adams - Executive Assistant
Disclosure of Interest	Nil
Date of Report	18 September 2023
Senior Officer	Chris Paget – Deputy Chief Executive Officer

Summary

For Council to consider the extension of retail trading hours over the 2023 Christmas period and 2024 Public Holidays.

Background

An email has been received from the Department of Mines, Industry Regulations and Safety advising that the Minister for Commerce has approved extended trading hours for the Perth Metropolitan area over the 2023 Christmas period, and public holidays in 2024. The same approval is being offered to regional Local Governments, as listed below:

Monday 11 December to Friday 15 December	8.00 am to 9.00 pm
Monday 18 December to Friday 22 December	7.00 am to 9.00 pm
Wednesday 27 December to Friday 29 December	8.00 am to 9.00 pm
Weekends from 9 & 10 to 30 & 31 December inclusive	8.00 am to 6.00 pm
Christmas Day	Closed
Boxing Day	8.00 am to 6.00 pm
Public Holidays in 2024	8.00 am to 6.00 pm

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

Comment

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

If Council does not support the extension of trading hours based on those in the metropolitan area, then an alternative recommendation would be that *‘Council not support extended trading arrangements over the 2023/2024 Christmas and New Year period and Public Holidays in 2024’*.

Legal Implications

Retail Trading Hours Act 1987

Part III Retail Trading Hours

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

Policy Implications

Nil

Consultation

Internal: Mr Chris Paget – Deputy Chief Executive Officer

Financial Implications

Nil

Strategic Implications

This aligns with the Shire of Lake Grace Strategic Community Plan 2017 - 2027

Economic Objective - A prosperous agricultural based economy supporting diversification of industry		
Outcome	1.2	A diverse and prosperous economy
Strategies	1.2.2	Support local business and promote further investment in the district

Voting Requirements

Simple majority

Electoral Caretaker Period Policy Statement

The Officer Recommendation has been reviewed in context of the Shire’s Electoral Caretaker Period Policy and the CEO has determined that it does not constitute a Major Policy Decision. The CEO therefore provides this report for Council’s consideration.

RECOMMENDATION / RESOLUTION

RESOLUTION

That Council accept the offer from the Department of Commerce for extended trading hours for the Shire of Lake Grace over the 2023 / 2024 Christmas period, and Public Holidays in 2024 as follows:

Monday 11 December to Friday 15 December	8.00 am to 9.00 pm
Monday 18 December to Friday 22 December	7.00 am to 9.00 pm
Wednesday 27 December to Friday 29 December	8.00 am to 9.00 pm
Weekends from 9 & 10 to 30 & 31 December inclusive	8.00 am to 6.00 pm
Christmas Day	Closed
Boxing Day	8.00 am to 6.00 pm
Public Holidays in 2024	8.00 am to 6.00 pm

CARRIED

For:

Against:

14.4.3 PUBLIC TRANSPORT AUTHORITY OF WA OFFER AND APPROVAL – LICENCE TO OCCUPY (NEWDEGATE) L2699

Applicant	Internal
File No.	400/37
Attachments	1. Email from Burgess Rawson 2. Location Map 3. Draft Template Lease Agreement
Author	Alex Adams – Executive Assistant
Disclosure of Interest	Nil
Date of Report	19 September 2023
Senior Officer	Alan George – Chief Executive Officer

Summary

For Council to approve the agreement between the Shire of Lake Grace and the PTA for land along Maley Street and adjacent to line 61 between the 181.5km and 182km rail markers, Newdegate for a further 10-year term.

Background

The Shire of Lake Grace currently has a peppercorn lease agreement for a 12,785 square metre area of railway reserve along Maley Street Newdegate, at the silo art area where the public toilets and tourist rest area / parking area is located.

The current lease came into effect on 1 September 2014. Burgess Rawson (the property management agency used by the PTA) have written to advise the lease is due to expire on 31 August 2024. They are requesting that we review the terms set out and advise if we wish to proceed. They will then draw up a new agreement which will come into effect on 1 September 2024.

Comment

There are no notable changes to the current lease agreement in the proposed agreement. We are already complying with the existing terms and conditions so there is nothing new for us to account for.

Legal Implications

Terms and Conditions as set out in the proposed agreement

Policy Implications

Policy 1.11: 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.

GUIDELINES Local Government Act 1995 section 9.49(A)

When affixing the common seal, the following clause is to be notated on the document:

“The common seal of the Shire of Lake Grace was hereunto affixed by authority of its Council in the presence of...”

Consultation

Internal – Kevin Wilson A/Manager Corporate Services

Financial Implications

- Lease preparation fee
- Insurance
- Maintenance

Strategic Implications

This item aligns with the Shire of Lake Grace Strategic Community Plan 2017-2027

Objective	Economic Objective - A prosperous agricultural based economy supporting diversification of industry	
Outcome	1.3	An attractive destination for visitors
Strategies	1.3.1	Promote and develop tourism as part of a regional approach
	1.3.2	Maintain and enhance local iconic attractions and infrastructure
	1.3.3	Continue to provide and maintain visitor support services

Electoral Caretaker Period Policy Statement

The Officer Recommendation has been reviewed in context of the Shire's Electoral Caretaker Period Policy and the CEO has determined that it does not constitute a Major Policy Decision. The CEO therefore provides this report for Council's consideration.

Voting Requirements

Simple Majority

RECOMMENDATION / RESOLUTION

RECOMMENDATION

That Council:

Accept the Public Transport Authority's new lease offer for land along Maley Street and adjacent to line 61 between the 181.5km and 182km rail markers, Newdegate for a 10-year term; and

Authorises administration to request Burges Rawson to draw up the proposed new agreement; and

Authorises the President and Chief Executive Officer to affix the Common Seal of the Shire of Lake Grace to the new Licence Agreement

Moved: Cr

Seconded: Cr

CARRIED

For:

Against:

14.4.4 COMMUNITY FUNDING REQUEST – NEWDEGATE CONTAINER EXCHANGE

Applicant	Newdegate Container Exchange (under auspices of Newdegate Machinery Field Days Inc.)
File No.	0736
Attachments	NCE Community Funding Request submission
Author	Chris Paget – Deputy Chief Executive Officer
Disclosure of Interest	Nil
Date of Report	21 September 2023
Senior Officer	Alan George – Chief Executive Officer

Summary

For Council to consider provision of community funding to the Newdegate Container Exchange for the provision of extra recycling bins and increasing community awareness around the 'Containers for Change' initiative.

Background

The Newdegate Container Exchange originally submitted a community funding request right on the deadline for evaluation in mid-April this year. Some additional information was requested to support the application, however unfortunately due to staffing changes and movements at that time the request was mistakenly not included with the initial list prepared for inclusion in the 2023-24 annual budget.

The Exchange have recently queried whether the application was able to be funded and have since provided the additional information sought for the request. For this year's annual budget Council approved an allocation of funds greater than applications received during the regular submission phase so as to enable to consideration of community funding requests right throughout the financial year.

Comment

The proposal seeks an amount of \$4230 from the Shire of Lake Grace for the "Don't Feed the Fill" - Awareness, Education and Engagement initiative. According to the project summary, the aim of the project is to:

Increase awareness of Containers for Change locally by having more visible branding and extra bins, so we can better service Newdegate including during the Field Days. Also, to place stickers on all of our bins, as a visual reminder of acceptable materials in each bin type, endeavoring to reduce contamination.

We are also aiming to educate more people about what is acceptable in the different bin options, thus cutting down on contamination which up to date has included unfinished food, general plastics and on the odd occasion, sanitary products. Our bins are hand sorted by our volunteers.

Other benefits from increased exposure and education should be:

- reduction of roadside rubbish*
- reduction of recyclables in landfill*

By putting stickers of what is allowed on each bin:

- This will hopefully prompt people to choose the correct bin for their rubbish.*
- An image will help the non-English speaking tourists/residents to choose the correct bin.*

- It will also help more of the community to become "recycling literate".

In 2022 the Newdegate Container Exchange group won the WA Containers for Change "Changemakers - Volunteer Refund Point Operator of the Year" award. The citation for the award reads as follows:

Newdegate's passion for their local community is what led Newdegate Container Exchange to be born. It provided the community with the opportunity to reduce landfill, offer recycling to shire residents and farmers who previously did not have access to recycling, and create a new fundraising stream for local clubs and not-for-profits.

It also provided opportunities for a local young adult with a disability to work at the local refund point. Newdegate Container Exchange contacted local businesses, commenced letter drops, formed partnerships with events and local commercial businesses, as well as created their own Facebook group to inspire the community to save as many containers as possible from landfill. In just over one year of operation, Newdegate has achieved everything they set out to achieve plus much, much, more.

Legal Implications

Nil

Policy Implications

Council Policy 2.9 – Community Funding Requests

Community funding requests are available to community groups / not-for-profit organisations within the shire of Lake Grace for activities which will benefit the community and demonstrate the principal interest of the Shire of Lake Grace.

Consultation

Alan George – Chief Executive Officer
Jason Lip – Technical Officer

Financial Implications

The community grants budget allocation was increased for the 2023-24 year to allow consideration of funding requests such as this which are submitted to Council outside the previous normal annual cycles.

Strategic Implications

This item aligns with the Shire of Lake Grace Strategic Community Plan 2017-2027

Economic Objective - A prosperous agricultural based economy supporting diversification of industry		
Outcome	1.2	A diverse and prosperous economy
Strategies	1.2.2	Support local business and promote further investment in the district

Outcome	1.3	An attractive destination for visitors
Strategies	1.3.2	Maintain and enhance local iconic attractions and infrastructure
	1.3.3	Continue to provide and maintain visitor support services
Social Objective - A valued, healthy and inclusive community and life style		
Outcome	2.1	An engaged, supportive and inclusive community
Strategies	2.1.1	Community services and infrastructure meeting the needs of the district
	2.1.3	Actively promote and support community events and activities within the district
Environment Objective - Protect and enhance our natural and built environment		
Outcome	3.2	A natural environment for the benefit and enjoyment of current and future generations
Strategies	3.2.3	Provide an effective waste management service
Leadership Objective - Strong governance and leadership, demonstrating fair and equitable community values		
Outcome	4.1	A strategically focused, unified Council functioning efficiently
Strategies	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

RECOMMENDATION / RESOLUTION

RECOMMENDATION

That Council approves the community funding request for the Newdegate Container Exchange.

Moved: Cr

Seconded: Cr

CARRIED

For:

Against:

14.5 FINANCE

14.5.1 DISPOSAL OF ASSETS

Applicant	Internal Report
File No.	
Attachments	Nil
Author	Mr Kevin Wilson – A/Manager Corporate Services
Disclosure of Interest	Nil
Date of Report	7 September 2023
Senior Officer	Mr Alan George – Chief Executive Officer

Summary

To consider the disposal and removal of assets from the Shire asset register that have been classified as obsolete, damaged or unserviceable

Background

On reviewing the asset register in particular plant & equipment and furniture & equipment in accordance with Local Government (Financial Management) Regulations 1996, the assets as detailed on the below table were deemed to be either obsolete, damaged and cost prohibitive to repair or are unserviceable.

Comment

The total written down value of these eight assets is \$11,483.54 which will after approval and adjustment in the asset register and general ledger result in a loss on disposal of that \$11,483.54.

Asset #	Description	Value	Depreciation	WDV 30/6/2023	Comment
1023	Electronic Fuel System	\$5,400	\$3,148.48	\$2,251.52	Not working, unserviceable
1118	John Deere 541 Forklift attachment	\$440	\$307.57	\$132.43	Obsolete
1216	Honda 4WD motorbike	\$1,960	\$1,371.5	\$588.5	Obsolete
1226	Vehicle mounted fogger	\$310	\$216.63	\$93.37	Unserviceable
1241	NS60 – GPS Receiver	\$240	\$240	\$0	Could not locate
1320	Kevrek Crane	\$1,620	\$1,129.42	\$490.58	Damaged

1441	Fogger Synafog Typhoon	\$16,420	\$9,599.44	\$6,820.56	Damaged/Unserviceable
278	Gantry	\$2,400	\$1,293.42	\$1,106.58	Damaged/Unserviceable
Total		\$28,790	\$17,306.46	\$11,483.54	

Legal Implications

Local Government (Financial Management) Regulations 1996 – Reg 17

Policy Implications

Policy 7.11 Disposal of Shire of Lake Grace Property

Consultation

Manager Infrastructure Services

Financial Implications

As stated above the net impact of these disposals will be a loss in value of \$11,483.54

Strategic Implications

This item aligns with the Shire of Lake Grace Strategic Community Plan 2017-2027

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

Electoral Caretaker Period Policy Statement

The Officer Recommendation has been reviewed in context of the Shire’s Electoral Caretaker Period Policy and the CEO has determined that it does not constitute a Major Policy Decision. The CEO therefore provides this report for Council’s consideration.

RECOMMENDATION / RESOLUTION

RECOMMENDATION

That Council endorse the disposal of assets 1023,1118,1216,1226,1241,1320,1441 and 278 as the assets are obsolete, damaged and cost prohibitive to repair or unserviceable

Moved: Cr
Seconded: Cr

CARRIED

For:
Against:

14.5.2 ACCOUNTS FOR PAYMENT – AUGUST 2023

Applicant	Internal Report
File No	0277
Attachments	List of Accounts Payable
Author	Kevin Wilson – A/Manager Corporate Services
Disclosure of Interest	Nil
Date of Report	11 September 2023
Senior Officer	Mr Alan George - Chief Executive Officer

Summary

For Council to ratify expenditures incurred for the month of August 2023.

Background

List of payments for the month of August 2023 through the Municipal and Trust accounts 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 August 2023 from the Municipal Account
Total \$604,316.88

Strategic Implications

This aligns with the Leadership Objective of the Shire of Lake Grace Strategic Community Plan 2017-2027 particularly Outcome 4.2 and Strategies 4.2.1 and 4.2.2 :

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

Electoral Caretaker Period Policy Statement

The Officer Recommendation has been reviewed in context of the Shire’s Electoral Caretaker Period Policy and the CEO has determined that it does not constitute a Major Policy Decision. The CEO therefore provides this report for Council’s consideration.

RECOMMENDATION / RESOLUTION

RESOLUTION

Moved: Cr
Seconded: Cr

That Council ratify the list of payments totalling \$604,316.88 as presented for the month of August 2023 incorporating:

Payment Method	Cheque/EFT/DD Number	Amount
Electronic Funds Transfers	EFT25298– EFT25412	\$535,877.36
Municipal Account Cheques	37083 - 37089	\$16,301.28
Direct Debits	DD10597.1 – DD10629.11	\$52,138.24
	TOTAL	\$604,316.88

CARRIED

For:

Against:

Shire of Lake Grace



CERTIFICATE OF EXPENDITURE August 2023

This Schedule of Accounts to be passed for payment, covering

Payment Method	Cheque/EFT/DD Number	Amount
Electronic Funds Transfers	EFT25298 – EFT25412	\$535,877.36
Municipal Account Cheques	37083 - 37089	\$16,301.28
Direct Debits	DD10597.1 – DD10629.11	\$52,138.24
	TOTAL	\$604,316.88

to the Municipal Account, totalling \$604,316.88 which were submitted to each member of the Council on 27 September 2023, 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

14.5.3 FINANCIAL REPORTS – 31 JULY 2023

Applicant	Internal Report
File No.	0275
Attachments	<ul style="list-style-type: none">• Monthly Financial Reports• Bank Reconciliations – July 2023
Author	Mrs Victoria Fasano Senior Finance Officer - Investments & Reporting
Disclosure of Interest	Nil
Date of Report	31 July 2023
Senior Officer	Mr Alan George Chief Executive Officer

Summary

Consideration of the Monthly Financial Reports for the period ending 31 July 2023 and Bank Reconciliations for the month ending 31 July 2023.

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 July 2023, operating revenue is slightly below the target by \$18,483 (0.31%), mainly due to Interest earnings lower than the budget. Reserve Term Deposit will mature in November 2023 and Interest will be received then.

Operating expenditure is under YTD budget by \$583,379 (52.36%) mainly due to Materials and contracts being down due to delays in operating jobs. Employee costs are slightly under budget due to vacancies in works and services. Utility charges below the budget due to bills arriving later in the year. Depreciation is lower as well and will be posted to the accounts when the 22/23 Annual Financial Statement is completed.

The capital program is below the target by \$482,174 (89.60%). Bulk 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 a large portion of Capital projects not being initiated as yet (88%) or in an early stage of completion. 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 a term deposits with Commonwealth Bank is in place (\$5,000,000), as well as Overnight Cash Deposit with WA Treasury Corporation for \$7,250,257.

The due date for rates payments is 04/09/2023, thus the outstanding rates are just below 100%.

General debtor is \$540,506 with no major outstanding debts to follow up, as the bulk of the invoices are paid in August.

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 July 2023. 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 Mr Kevin Wilson – Manager Corporate Services

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
Strategies	4.2.1	Maintain accountability and financial responsibility through effective planning
	4.2.2	Comply with statutory and legislative requirements

Electoral Caretaker Period Policy Statement

The Officer Recommendation has been reviewed in context of the Shire's Electoral Caretaker Period Policy and the CEO has determined that it does not constitute a Major Policy Decision. The CEO therefore provides this report for Council's consideration.

RECOMMENDATION / RESOLUTION

RESOLUTION

Moved: Cr
Seconded: Cr

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

1. Statements of Financial activity for the period ended 31 July 2023 and
2. Municipal, Trust and Reserve Funds bank reconciliations for the period ended 31 July 2023.

CARRIED

For:

Against:

14.5.4 FINANCIAL REPORTS – 31 AUGUST 2023

Applicant	Internal Report
File No.	0275
Attachments	<ul style="list-style-type: none"> • Monthly Financial Reports • Bank Reconciliations – August 2023
Author	Mrs Victoria Fasano Senior Finance Officer - Investments & Reporting
Disclosure of Interest	Nil
Date of Report	31 August 2023
Senior Officer	Mr Alan George Chief Executive Officer

Summary

Consideration of the Monthly Financial Reports for the period ending 31 August 2023 and Bank Reconciliations for the month ending 31 August 2023.

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 August 2023, operating revenue is slightly below the target by \$1,277 (0.02%), mainly due to Additional FAGS received, but not budgeted for. Interest revenue is lower than the budget. Reserve Term Deposit will mature in November 2023 and Interest will be received then. Fees and charges below the budget due to early months in current financial year

Operating expenditure is under YTD budget by \$912,486 (43.25%) mainly due to Materials and contracts being down due to delays in operating jobs. Employee costs are slightly under budget due to vacancies in works and services. Utility charges below the budget due to bills arriving later in the year. Depreciation is lower as well and will be posted to the accounts when the 22/23 Annual Financial Statement is completed.

The capital program is below the target by \$890,216 (82.71%). Bulk 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 a large portion of Capital projects not being initiated as yet (78%) or in an early stage of completion. 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 Commonwealth Bank is in place (\$10,500,000), as well as Overnight Cash Deposit with WA Treasury Corporation for \$3,066,375.

The due date for rates payments is 04/09/2023, thus the outstanding rates are just below 70%.

General debtor is \$265,476 with no major outstanding debts to follow up.

The monthly financial reports include the accompanying Local Government special purpose financial statements for the Shire of Lake Grace, which comprises the Statement of Financial Activity (by Statutory Reporting Program), a summary of significant accounting policies and other explanatory notes for the period ending 31 August 2023. 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 Mr Kevin Wilson – Manager Corporate Services

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

Electoral Caretaker Period Policy Statement

The Officer Recommendation has been reviewed in context of the Shire’s Electoral Caretaker Period Policy and the CEO has determined that it does not constitute a Major Policy Decision. The CEO therefore provides this report for Council’s consideration.

RECOMMENDATION / RESOLUTION

RESOLUTION

Moved: Cr
Seconded: Cr

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

1. Statements of Financial activity for the period ended 31 August 2023 and
2. Municipal, Trust and Reserve Funds bank reconciliations for the period ended 31 August 2023.

CARRIED

For:

Against:

14.6 COMMUNITY SERVICES

15.0 QUESTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN

16.0 INFORMATION BULLETIN – SEPTEMBER 2023

Applicant:	Internal Report
File No.	Nil
Attachments:	Information Bulletin Cover Page Only
Author:	Alex Adams - Executive Assistant
Disclosure of Interest:	Nil
Date of Report:	22 September 2023
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 / Comment

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

The September 2023 Information Bulletin attachments include:

Reports:

-

External Organisations

- WALGA Central Country Zone – Minutes of Meeting held Friday 25 August 2023 and; Strategic Forum notes

Circulars, Media Releases, Newsletters, Letters

- As emailed to Councillors

Legal Implications

Nil

Policy Implications

Nil

Consultation

Nil

Financial Implications

Nil

Strategic Implications

This aligns with the Leadership Objective of the 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

Electoral Caretaker Period Policy Statement

The Officer Recommendation has been reviewed in context of the Shire's Electoral Caretaker Period Policy and the CEO has determined that it does not constitute a Major Policy Decision. The CEO therefore provides this report for Council's consideration.

RECOMMENDATION / RESOLUTION

RESOLUTION

Moved: Cr

Seconded: Cr

That Council accepts the Information Bulletin Report for September 2023.

CARRIED

For:

Against:

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

18.0 DATE OF NEXT MEETING – 25 OCTOBER 2023

The next Ordinary Council Meeting is scheduled to take place on Wednesday 25 October 2023 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 __ pm.