

Shire of Lake Grace

Ordinary Council Meeting

MINUTES

28 June 2023

Meeting Commencing at 3:30 pm

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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.



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SHIRE OF LAKE GRACE

Minutes of the Ordinary Council Meeting held at the Council Chambers, 1 Bishop Street, Lake Grace, WA on Wednesday 28 June 2023 commencing at 3:30pm.

1.0 DECLARATION OF OPENING ANNOUNCEMENT OF VISITORS

Nil

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

Nil

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

Nil

3.5 LEAVE OF ABSENCE PREVIOUSLY GRANTED

Nil

4.0 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

5.0 PUBLIC QUESTION TIME

Nil

6.0 PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil

7.0 NOTATIONS OF INTEREST

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

Nil

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

Nil

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

Cr Chappell declared in interest affecting impartiality for Item 14.4.2 – Proposed Subdivision of Lot 10169 and Lot 10170

8.0 APPLICATIONS FOR LEAVE OF ABSENCE

RESOLUTION 13688

Moved: Cr Clarke

Seconded: Cr Kuchling

That under Section 2.25 of the Local Government Act 1995, Council grants a leave of absence for the following:

Cr Chappell 22 July 2023 to 07 August 2023

Cr Armstrong 30 June 2023 to 17 July 2023

CARRIED: 8/0

9.0 ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION

RESOLUTION 13689

Moved: Cr Kuchling
Seconded: Cr Chappell

That Council acknowledges the accolades forwarded to the Chief Executive Officer and Manager of Infrastructure Services plus the Shire staff in their assistance in getting the Colts Carnival up and running plus the ongoing support throughout the weekend. A big thank you to all concerned from the three Presidents of the organisations involved being; Chris Poot, John O'Neill and Spock Taylor

CARRIED: 8/0

10.0 CONFIRMATION OF MINUTES

10.1 ORDINARY COUNCIL MEETING – WEDNESDAY 24 MAY 2023

RECOMMENDATION / RESOLUTION

RESOLUTION 13690

Moved: Cr Hyde
Seconded: Cr Hunt

That the Minutes of the Ordinary Council Meeting held on Wednesday 24 May 2023 be confirmed as a true and accurate record of the meeting.

CARRIED 8/0

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

14.1. INFRASTRUCTURE SERVICES

Nil

14.2 PLANNING

14.2.1 PROPOSED SUBDIVISION OF LOT 10169 ON DEPOSITED PLAN 228676 & LOT 10170 (NO.499) HARVEY ROAD, NORTH LAKE GRACE

Applicant:	Brown McAllister Surveyors on behalf of Patricia Furphy-Cameron (Landowner)
File No.:	TBC
Attachments:	Attachment 1 – Copy of WAPC Referral Letter & Subdivision Application Documentation and Plans.
Author:	Mr Joe Douglas – Town Planner
Disclosure of Interest:	Nil
Date of Report:	19 June 2023
Senior Officer:	Mr Alan George – Chief Executive Officer

Summary

This report provides details of and a final recommendation regarding the Western Australian Planning Commission's request for comment regarding the proposed subdivision of Lot 10169 on Deposited Plan 228676 and Lot 10170 (No.499) Harvey Road, North Lake Grace.

Background

The Western Australian Planning Commission (WAPC), pursuant to the specific requirements of section 142 of the *Planning and Development Act 2005*, has referred a subdivision application for Lot 10169 on Deposited Plan 228676 and Lot 10170 (No.499) Harvey Road, North Lake Grace to the Shire for review and comment.

Under the terms of the application received the common boundaries between Lots 10169 and 10170 are proposed to be reconfigured to create two (2) new separately titled lots. Council should note no information was submitted in support of the application explaining the reasons and/or any justifications for the proposed subdivision.

Proposed Lot A, which contains an existing dwelling and various associated improvements as well as farm storage sheds, a shearing shed, animal holding pens, two (2) farm dams, numerous vehicle access tracks, firebreaks, boundary fencing and native vegetation, will comprise a total area of approximately 50 hectares with direct frontage and access to Harvey Road along its western side boundary.

Proposed Lot B, which contains cleared open paddocks used for extensive agricultural purposes (i.e. cropping and grazing), numerous farm dams, vehicle access tracks, boundary firebreaks and a number of salt lakes, will comprise a total area of approximately 966.29 hectares with direct frontage and access to Harvey Road along its western side boundary.

Full details of the subdivision proposal, including plans, are provided in Attachment 1.

The subject land is located approximately 9.5 kilometres north of the Lake Grace townsite in the locality of North Lake Grace and comprises a total combined area of approximately 1,016.29 hectares. Lot 10169 currently comprises a total area of approximately 331.84 hectares and Lot 10170 comprises a total area of approximately 684.45.

Both existing lots have direct frontage and access to Harvey Road along their western boundaries which is an unsealed local road under the care, control and management of the Shire of Lake Grace. They also have direct frontage to an unconstructed local road reserve along their eastern boundaries which is not proposed to be constructed in the short to medium term future.

Both lots are gently sloping throughout with the natural ground level ranging from approximately 280 to 290 metres AHD.

Both lots are currently used for extensive agricultural purposes (i.e. broadacre cropping and grazing) and have been extensively cleared of native vegetation aside from the south-western corner of Lot 10170 comprising all existing built form improvements referred to previously above as well as those areas not suitable for agricultural usage (i.e. salt lakes and creek lines) which have been retained for land management and general amenity purposes.

The lots do not contain any sites of Aboriginal or European cultural heritage significance and have not been designated by the Department of Water and Environmental Regulation as being contaminated or flood prone. Various portions of both lots have however been designated by the Fire and Emergency Services Commissioner as being bushfire prone. Notwithstanding this fact, the area comprising the existing single house and various associated improvements on Lot 10170 has not been designated as being bushfire prone.

Existing adjoining and other nearby land uses are predominantly rural in nature comprising lots ranging in size from 55 to 1,272 hectares, all of which have been developed and are used for extensive agricultural purposes (i.e. broadacre cropping and grazing).



Location & Lot Configuration Plan (Source: Landgate 2023)

Comment

Lots 10169 and 10170 are classified 'General Agriculture' zone in the Shire of Lake Grace Local Planning Scheme No.4 (LPS4).

The stated objectives in LPS4 for the development of any land classified 'General Agriculture' zone, including subdivision, are as follows:

- i) To ensure the continuation of broadacre farming as the principal land use in the District and encouraging where appropriate the retention and expansion of agricultural activities;
- ii) To protect the potential of agricultural land for primary production and to preserve the landscape and character of the rural areas;
- iii) To provide for a range of rural pursuits such as broadacre and diversified farming which are compatible with the capability of the land and retain the rural character and amenity of the locality;
- iv) To control the fragmentation of broadacre farming properties through the process of subdivision;
- v) To consider non-rural uses where they can be shown to be of benefit to the District and not detrimental to the natural resources or the environment; and
- vi) To protect broadacre agricultural land from land degradation and any further loss of biodiversity by:

- a) *minimising the clearing of remnant vegetation on public and private lands;*
- b) *encouraging the retention and protection of existing remnant vegetation;*
- c) *encouraging the development and protection of corridors of native vegetation;*
- d) *encouraging the development of environmentally acceptable surface and sub-surface drainage works;*
- e) *encouraging the rehabilitation of salt affected land;*
- f) *controlling the introduction and spread of alien species of flora and fauna; and*
- g) *encouraging soil conservation through the application of cultural vegetational land management measures.*

The following clauses in LPS4 are relevant to the future proposed subdivision of any land classified 'General Agriculture' zone, including Lots 10169 and 10170:

- **Clause 4.11.1** – *All development in the 'General Agriculture' zone shall comply with the objectives of the Western Australian Planning Commission's (WAPC's) planning policies applicable at the time and the objectives for the zone;*
- **Clause 4.11.2** – *The minimum setback from all lot boundaries for any building on a lot classified as General Agriculture zone shall be 20 metres;*
- **Clause 4.11.4** – *The existence of more than one dwelling house on a lot classified General Agriculture zone shall not be construed as a basis for the local government's support to the subdivision of the lot;*
- **Clause 4.11.5** – *All proposals for development in the General Agriculture zone must have regard to both on-site and off-site impacts and, where deemed necessary by the local government, such proposals shall be accompanied by information identifying:*
 - (a) *environmental values and any environmental risks;*
 - (b) *the potential for land use conflict;*
 - (c) *the potential impacts and restrictions on approved uses on adjacent or nearby locations;*
and
 - (d) *the separation distances and/or buffers relating to a potentially incompatible land use which need to be provided on-site;*
- **Clause 4.11.11** – *The local government does not recognise precedent resulting from subdivision created in the early days of settlement of the District as a reason for it to support further subdivision in the General Agriculture zone;*
- **Clause 4.11.12** – *Having regard to the prime agricultural importance of land in the General Agriculture zone the local government will only recommend to the Commission support for further subdivision of existing rural lots where the proposed subdivision accords with the provisions of the Scheme, Local Planning Strategy, Local Planning Policies and any relevant Commission Policies applicable at the time;*
- **Clause 4.11.14** – *The local government may support subdivision in the General Agriculture zone to excise land containing an existing farm residence for the purposes of a homestead lot subject to:*
 - (a) *there having been a decline in population over two intercensal periods in the Census Collector District in which the land is located;*
 - (b) *the proposed homestead lot having an area of between four (4) and twenty (20) hectares excluding any battleaxe leg;*

-
- (c) *the proposed homestead lot having its own frontage and constructed vehicular access to a dedicated and constructed road;*
 - (d) *the proposed homestead lot being served by a potable water supply and an adequate means of effluent disposal to the satisfaction of the local government and the Department of Health; and*
 - (e) *the proposed homestead lot not generating demand for additional government and community services.*

The *Shire of Lake Grace Local Planning Strategy 2007* supports and reinforces the abovementioned provisions in LPS4 by expressly stating Council will only support the subdivision of agricultural land in limited circumstances which accord with WAPC policy applicable at the time.

WAPC Development Control Policy 3.4 entitled 'Subdivision of Rural Land' expressly states the WAPC will only consider rural subdivisions in the following exceptional circumstances:

- (a) *to realign lot boundaries with no increase in the number of lots, where the resultant lots will not adversely affect rural land uses;*
- (b) *to protect and actively conserve places of cultural and natural heritage;*
- (c) *to allow for the efficient provision of utilities and infrastructure and/or for access to natural resources;*
- (d) *to allow for the continued occupation of existing homesteads in the Homestead lot policy area when they are no longer used as part of a farming operation; and*
- (e) *for other unusual or unanticipated purposes which, in the opinion of the WAPC, do not conflict with this and other relevant policies and are necessary to the public interest.*

Having regard for all the abovementioned requirements and the fact Proposed Lot A, which will only comprise a total area of approximately 50 hectares with no clear or obvious agricultural production potential, it is contended the proposed subdivision does not strictly comply with the WAPC's Development Control Policy 3.4, the Shire's Local Planning Strategy and LPS4 and cannot therefore be supported by Council in its current form.

Notwithstanding this conclusion, it is recommended Council authorise the Shire's Chief Executive Officer to advise the WAPC it would be prepared to unconditionally support the proposed subdivision of Lots 10169 and 10170 if the proponent can clearly demonstrate it will comply with all relevant town planning requirements including one of the exceptional circumstances prescribed in Development Control Policy 3.4.

Legal Implications

- *Planning and Development Act 2005 (as amended)*
- *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 3.7 – Planning in Bushfire Prone Areas*
- *WAPC Development Control Policy 3.4 – Subdivision of Rural Land*

Consultation

Not required or deemed necessary. The Shire did however provide some initial advice to the landowner regarding the proposed subdivision of Lots 10169 and 10170 in April 2023, including details of all relevant policy requirements, prior to preparation and lodgement of the attached subdivision application with the WAPC.

Financial Implications

There are no immediate financial implications for the Shire aside from the administrative costs associated with processing and responding to the WAPC's request for comment which are provided for in Council's annual budget.

All costs associated with the proposed subdivision will be met by the landowner.

It is significant to note should the applicant / landowner be aggrieved by the WAPC'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 the WAPC would need to respond (i.e. the Shire will not be a party to those proceedings).

Strategic Implications

Shire of Lake Grace Strategic Community Plan 2017-2027

Objective	Strong governance and leadership, demonstrating fair and equitable community values.
Outcome	An efficient and effective organisation.
Strategies	Comply with statutory and legislative requirements.

Voting Requirements

Simple majority required.

RECOMMENDATION / RESOLUTION

RESOLUTION 13691

Moved: Cr Hunt

Seconded: Cr Hyde

That Council authorise the Chief Executive Officer to advise the Western Australian Planning Commission the Shire of Lake Grace would be prepared to unconditionally support the proposed subdivision of Lot 10169 on Deposited Plan 228676 and Lot 10170 (No.499) Harvey Road, North Lake Grace if the proponent can clearly demonstrate it will comply with all relevant town planning requirements including section 4.3.1 of the *Shire of Lake Grace Local Planning Strategy*, clause 4.11 of the *Shire of Lake Grace Local Planning Scheme No.4* and one of the exceptional circumstances prescribed in the Commission's Development Control Policy 3.4 entitled 'Subdivision of Rural Land'.

CARRIED: 8/0

14.3 HEALTH AND BUILDING

Nil

14.4 ADMINISTRATION

14.4.1 LAKE KING REST STOP – OVERNIGHT CARAVAN PARKING

Applicant	Internal
File No.	0469
Attachments	<ul style="list-style-type: none">• Letters from Lake King Progress association and Lake King Tavern & Caravan Park• Email from Main Roads WA
Author	Alan George – Chief Executive Officer
Disclosure of Interest	Nil
Date of Report	16 June 2023
Senior Officer	Alan George – Chief Executive Officer

Summary

For Council to consider the results of the public consultation for the removal of the “Overnight Caravan Parking Not Permitted in This Area” signs at the Lake King rest stop on the Newdegate Ravensthorpe Rd

Background

In May 2023 a request was received from the owners of Lake King Agencies & Roadhouse to remove the signs from the rest stop opposite their business due to comments made by caravanners regarding the no overnight parking being allowed.

At the 23 May Council meeting Councillors approved the removal of the signs subject to consultation with Main Roads WA (MRWA), Lake King Progress Association and Lake King Caravan Park as below:

RECOMMENDATION / RESOLUTION

RESOLUTION 13677

Moved: Cr Lloyd

Seconded: Cr Hunt

That Council:

Approves the removal of the “Overnight Caravan Parking Not Permitted in This Area” sign at the rest area opposite the Lake King roadhouse subject to consultation with Main Roads WA, Lake King Progress Association and Lake King Caravan Park

CARRIED: 7/0

Comment

Responses have been received from all parties and are attached.

MRWA advised that the sign was installed by the Shire and the decision was entirely the Shires, therefore the decision to remove remains with the Shire. Concern was raised regarding the need to take into consideration other traffic including trucks and foot traffic.

The Lake King Progress Association committee had no objections to the removal however they consulted with other community groups who brought up some concerns as follows;

- The proximity of this camping area to the Lake King Primary School.
- There is an access road located at the rear of this parking area, to the left of the RV dumping station, which is used daily by school bus services and at other times by parents, staff and the Shire Garbage Truck. This is an important access point to the school (daily traffic and in case of emergency) and needs to be well signed so it does not become blocked.
- There is concern that rate payers would be expected to cover the increased cost of water used by free campers when they use the showers and fill their tanks. There is also concern whether the Shire will be able to maintain regular cleaning and rubbish removal in and around this area.
- With additional campers using this area the road speed of the Newdegate-Ravensthorpe Road may well need to be rezoned to a lower and safer speed.
- Impact on the Lake King Caravan Park.

The response received from the owners of the Lake King Tavern and Caravan Park was along similar lines regarding traffic control, proximity to the school, rubbish and regulation of campers. The main opposition to the proposal however was the impact on the caravan park as the owners believe that it would have a negative impact on their business. The owner made the comment *“I also question the local government that introduces and charges a fee for operating a caravan park in town, and then builds and operates a free caravan park as well.”* It is to be noted that at no stage is it stated or planned that a free caravan park is to be built or operated. The intent is purely to provide overnight parking for travellers that may result in some more money being spent in town and also in the interests of public safety on the roads which is now an increased MRWA focus.

As a result of the comments received from the public consultation it would appear that there are more perceived negatives with the proposal than positives and it is therefore recommended that the “Overnight Caravan Parking Not Permitted in This Area” signs at the Lake King rest stop on the Newdegate Ravensthorpe Rd remain in place.

Legal Implications

Nil

Policy Implications

Nil

Consultation

Consultation was carried out with Main Roads WA, Lake King Progress Association and Lake King Tavern & Caravan Park with all providing comment.

Financial Implications

Nil

Strategic Implications

Shire of Lake Grace Strategic Community Plan 2017-2027

Economic Objective - A prosperous agricultural based economy supporting diversification of industry		
Outcome	1.2.2	Support local business and promote further investment in the district
Strategies		
	1.3	An attractive destination for visitors
	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
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

Voting Requirements

Simple Majority

RECOMMENDATION / RESOLUTION

RESOLUTION **13692**

Moved: **Cr Lloyd**
Seconded: **Cr McKenzie**

That Council:

As a result of public consultation resolves to retain the “Overnight Caravan Parking Not Permitted in This Area” sign at the rest area opposite Lake King Agencies & Roadhouse

CARRIED: **8/0**

14.4.2 2023 WA LOCAL GOVERNMENT ASSOCIATION ANNUAL GENERAL MEETING

Applicant	Shire of Lake Grace
File No.	0029
Attachments	WALGA Guidelines for Submission of Member Motions
Author	Alex Adams – Executive Assistant
Disclosure of Interest	Nil
Date of Report	20 June 2023
Senior Officer	Alan George – Chief Executive Officer

Summary

To inform Council of the details required for a Notice of Motion to be included at the AGM.

Background

The 2023 WALGA AGM will be held from 2:00pm on Monday, 18 September at Crown Perth. All Member Local Governments are entitled to be represented by two Voting Delegates (and up to two Proxies) at the AGM. Voting Delegates must be registered in advance by their Chief Executive Officer. Council appointed its voting delegates, being Shire President and Deputy Shire President and proxies, being Cr Hunt and the Chief Executive Officer, at the May Ordinary Meeting of Council.

Comment

Local governments are invited to submit motions to be considered for inclusion in the Agenda for the AGM. WALGA have set out clear submission guidelines, which must be adhered to if Council wishes to put anything forward for the Agenda.

Motions are to be submitted by 5pm on Friday 4 August 2023. They will be considered by the WALGA President and Chief Executive Officer against the set criteria prior to finalisation of the Agenda.

The guidelines for formulating a motion are as follows:

- *Motions should focus on policy matters rather than issues which could be dealt with by the WALGA State Council with minimal delay.*
- *Due regard should be given to the relevance of the motion to the total membership and to Local Government in general. Some motions are of a localised or regional interest and might be better handled through other forums.*
- *Due regard should be given to the timeliness of the motion – will it still be relevant come the AGM or would it be better handled immediately by the Association?*
- *The likely political impact of the motion should be carefully considered.*
- *Due regard should be given to the educational value to Members – i.e. does awareness need to be raised on the particular matter?*
- *The potential media interest of the subject matter should be considered.*
- *AGM motions submitted by Member Local Governments must be accompanied by fully researched and documented supporting comment.*

Legal Implications

Nil

Policy Implications

Nil

Consultation

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

Financial Implications

Nil

Strategic Implications

This item aligns with 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
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

Voting Requirements

Simple Majority

RECOMMENDATION / RESOLUTION

RESOLUTION **13693**

Moved: **Cr Clarke**
Seconded: **Cr Lloyd**

That Council:

Takes note of the submission date and guidelines to be adhered to should they decide to submit a motion to be considered at the WALGA Annual General Meeting.

CARRIED: **8/0**

14.4.3 APPOINTMENT OF AUTHORISED PERSONS – SHIRE OF LAKE GRACE

Applicant:	Internal Report
File No.:	Nil
Attachments:	Nil
Author:	Chris Paget - Deputy Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	22 June 2023
Senior Officer:	Alan George - Chief Executive Officer

Summary

The purpose of this report is for Council to appoint Authorised Persons to exercise power under the Local Government Act 1995, associated legislation and other Acts, on behalf of the Shire of Lake Grace.

Background

In accordance with a number of provisions of various Acts, Regulations and local laws, Council is required to appoint authorised persons to perform various authorised functions.

Authorisations are regularly reviewed and updated to reflect both legislation and staff changes; the last comprehensive review was previously undertaken and presented at the Ordinary Meeting of Council held 27 October 2021. As is often the case the turnover in staff members means it is timely for Council to review and approve the proposed new authorised persons. Note that the Chief Executive Officer holds delegated authority BF05 to appoint authorised persons on an ad-hoc basis as Bush Fire Control Officers and Fire Weather Officers as recommended by the Council's Bush Fire Advisory Committee in line with sections 38 and 48 of the Bush Fires Act 1954.

Comment

- (1) Section 3.24 of the Local Government Act 1995 enables a local government to expressly authorise a person(s) to exercise its executive powers under the Act.

These authorisations relate to certain provisions about land, including issuance of notices requiring certain things to be done by an owner or occupier of land in accordance with Schedule 3.1 of the Act. These can include matters relating to drainage requirements, safety issues and unsightly land. It is proposed to appoint CEO Alan George, Deputy CEO Chris Paget and Manager Infrastructure Services Craig Elefsen.

- (2) Part 3, Division 3, Section 3.28 & 3.29 of the Local Government Act 1995 provides for Power of Entry, subject to notice and other than by a Local Law e.g. abandoned vehicles or home industry. For this purpose, it is proposed to authorise CEO Alan George, Deputy CEO Chris Paget and Manager Infrastructure Services Craig Elefsen

- (3) Section 3.39 of the Local Government Act 1995 enables Council to appoint an authorised person for the purpose of removing or impounding of goods that are involved in a contravention, as prescribed by regulation or local law, that can lead to impounding. It is proposed that CEO Alan George, Deputy CEO Chris Paget and Manager Infrastructure Services Craig Elefsen are the authorised persons.

- (4) & (5) Part 9 of the Local Government Act 1995 provides for the appointment of authorised persons relating to enforcements and legal proceedings, i.e. the fining of a person committing an offence and the issuing of infringement notices. It is proposed that CEO Alan George, Deputy CEO Chris Paget and Manager Infrastructure Services Craig Elefsen are the authorised persons.
- (6) Section 37 of the Control of Vehicles (Off-road Areas) Act 1978 also deals with infringement notices. For the purposes of the above the following staff members are designated as authorised persons: CEO Alan George, Deputy CEO Chris Paget and Manager Infrastructure Services Craig Elefsen.
- (7) The extension of the payment period (s9.19) and/or the withdrawal of the notice (s9.20) is to be authorised by Chief Executive Officer, Alan George and Deputy Chief Executive Officer, Chris Paget.
- (8) In accordance with s449 of the Local Government (Miscellaneous Provisions) Act 1960, a local government may establish and maintain one or more public pounds and may appoint persons to be keepers of those pounds so as to have care, control and management of those pounds. MIS Craig Elefsen, Works Supervisor John Gambuti, Matthew Sharpe, Steven Ball, John Scotland and Jason Cacic are appointed as the authorised persons.
- (9) Pursuant to the Dog Act 1976 the local government is required to appoint an “Authorised Person” to exercise powers on behalf of the local government, under section 29(1) of this Act. The following staff members are appointed as an “Authorised Person”:
- Alan George
 - Chris Paget
 - Craig Elefsen
 - Matthew Sharpe
 - Steven Ball
 - John Scotland
 - Jason Cacic
- (10) Pursuant to the Dog Act 1976 the local government is required to appoint a “Registration Officer” to undertake the registration of dogs in accordance with the requirements of the Act. The following staff members are appointed as an authorised “Registration Officers”:
- Alan George
 - Chris Paget
 - Craig Elefsen
 - Nicola Kuchling
 - Amber McPherson
 - Jessica Chircop
 - Joanne Oatridge
 - Alexandra Adams

-
- (11) Pursuant to the Cat Act 2011 the local government may, in writing, appoint persons or classes of persons to be authorised for the purposes of performing particular functions. Accordingly, the following staff members are appointed as an "Authorised Person":
- Alan George
 - Chris Paget
 - Craig Elefsen
 - Matthew Sharpe
 - Steven Ball
 - John Scotland
 - Jason Cacic
- (12) Pursuant to the Cat Act 2011 the local government may, in writing, appoint persons or classes of persons to be authorised for the purposes of performing particular functions. Accordingly, the following staff members are appointed as "Authorised Person – Registration Only":
- Alan George
 - Chris Paget
 - Craig Elefsen
 - Nicola Kuchling
 - Amber McPherson
 - Jessica Chircop
 - Joanne Oatridge
 - Alexandra Adams
- (13) Pursuant to s24 of the Public Health Act 2016 Council may appoint Environmental Health Officers and Authorised Officers to perform such duties as the local government from time to time directs and also such as are specifically prescribed by any order of the Executive Director, Public Health. Brendon Gerrard and Lauren Pitman are the appointed Environmental Health Officers and authorised officers.
- (14) Pursuant to s17 of the Caravan Parks and Camping Grounds Act 1995 the Chief Executive Officer may appoint such persons to be authorised persons for the purposes of the Act. An authorised person may enter and inspect premises to ensure compliance with the requirements of the Act.

The Chief Executive Officer has appointed Brendon Gerrard, Lauren Pitman and Barry Smith as authorised persons (Power of Entry and Inspection) for the purposes of s17 of the Caravan Parks and Camping Grounds Act 1995.

- (15) For the purposes of s26 of the Litter Act 1979 all Council members, Shire employees, Brendon Gerrard, Lauren Pitman, Matthew Sharpe, Steven Ball, John Scotland and Jason Cacic are deemed to be authorised persons.
- (16) Section 122 of the Food Act 2008 requires the local government as the "Enforcement Agency" (refer Delegation H04) to appoint Authorised Officers in writing and issue certificates of authorisation. For the purposes of s122, Brendon Gerrard and Lauren Pitman are the Shire's authorised officers.

- (17) Section 126 of the Food Act 2008 requires the local government as the “Enforcement Agency” (refer Delegation H04) to appoint Designated Officers in writing and issue certificates of authorisation. For the purposes of s126, Brendon Gerrard and Lauren Pitman are the Shire’s designated officers.
- (18) Under Section 96(3) of the Building Act 2011, a local government may appoint authorised persons in relation to buildings and incidental structures located or proposed to be located in the Shire (refer Delegation B01). Gary Bruhn is appointed as an authorised person.
- (19) Pursuant to the Health (Miscellaneous Provisions) Act 1911, and under Regulation 15D(5) of the Health (Asbestos) Regulations 1992, the local government may appoint officers who are authorised to issue infringement notices for the offences specified under Schedule 1 of those regulations. For the purposes of Regulation 15D(5), Brendon Gerrard and Lauren Pitman are the Shire’s authorised officers.

Statutory / Legal Implications

Local Government Act 1995
Local Government (Miscellaneous Provisions) Act 1960
Bush Fires Act 1954
Dog Act 1976
Health (Miscellaneous Provisions) Act 1911
Public Health Act 2016
Health (Asbestos) Regulations 1992
Litter Act 1979
Control of Vehicles (Off-Road Areas) Act 1978
Caravan Parks and Camping Grounds Act 1995
Cemeteries Act 1986
Cat Act 2011

Policy Implications

Nil

Consultation

Internal Mr Alan George – Chief Executive Officer
Mr Brendon Gerrard – Environmental Health Officer
Mr Matthew Sharpe - Ranger

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
	4.2.3	Provide a positive and safe workplace

Voting requirements

Simple majority required

RECOMMENDATION/RESOLUTION

RESOLUTION **13694**

Moved: **Cr Clarke**

Seconded: **Cr Hyde**

That Council appoints the individuals listed in the report as “Authorised Persons” for the Shire of Lake Grace in accordance with the requirements of the specified Acts, Regulations and Local Laws effective 28 June 2023.

CARRIED: **8/0**

14.4.4 ABORIGINAL CULTURAL HERITAGE ACT 2021

Applicant	Internal Report
File No.	0809
Attachments	Nil
Author	Chris Paget – Deputy CEO
Disclosure of Interest	Nil
Date of Report	22 June 2023
Senior Officer	Alan George – Chief Executive Officer

Summary

The purpose of this report is to provide Council with an overview of the purpose and effects of the new Western Australian *Aboriginal Cultural Heritage Act 2021* legislation.

Background / Comment

New Western Australian Aboriginal cultural heritage laws will come into effect from 1 July 2023.

The new *Aboriginal Cultural Heritage Act 2021* will supersede and replace the outdated *Aboriginal Cultural Heritage Act 1972* and the section 18 approvals process which has been used up to now to manage Aboriginal cultural heritage in WA. The new process defines various land use activities into three categories or “tiers”, and focuses on the need to obtain informed consent to undertake such activities which may possibly impact on cultural heritage and require land owners, miners and other developers or users - including local governments - to make agreements with Indigenous groups around this. The Act seeks to provide better recognition and conservation by placing traditional owners/knowledge holders at the centre of decision-making processes about heritage management instead of Government Ministers and their Departments.

Throughout 2022 a three-phase co-design process was undertaken by the Department of Planning, Lands and Heritage (DPLH) to develop a set of guidelines to support the Act. These guidelines were co-designed with input from more than 1,100 people who attended 94 workshops held across metropolitan, regional and remote areas. Throughout this co-design process WALGA conducted comprehensive consultation with the Local Government sector on the guidance materials supporting the legislation and made submissions during each phase. A clear message from the consultation was that the ACH Act must balance the need to protect Aboriginal cultural heritage with the requirements for Local Government to deliver essential infrastructure works and emergency management activities efficiently and effectively to maintain public safety and comply with its other legislative responsibilities.

The WA State Government has now released extensive [guidelines to support the new Aboriginal cultural heritage laws](#), which include details about consultation requirements, fee structures and categories of land use activities.

The following information defining the various types of land use activities and requirements is extracted from the Department of Planning, Lands and Heritage (DPLH) website at <https://www.wa.gov.au/organisation/department-of-planning-lands-and-heritage/what-approval-needed-activities-aboriginal-cultural-heritage-sites>:

Where there is no Aboriginal cultural heritage present, there is no requirement for approval.

It's illegal to impact Aboriginal cultural heritage without authorisation. This is part of the Aboriginal Cultural Heritage Act 2021, in effect from 1 July, 2023.

Communities can continue protecting one of the world's oldest living cultures by working together with local Aboriginal organisations.

Who is impacted?

All land users should understand their obligations under the new Act.

Residential properties under 1100sqm are exempt from the Act. Residential properties over 1100sqm have significant exemptions, including to undertake activities like installing a patio or pool.

People undertaking like-for-like activities – such as farmers working on established paddocks in a way they have been previously, are exempt.

Those looking to impact Aboriginal cultural heritage will need to become familiar with approvals required.

What type of approval do I need?

Find out if your activity is exempt from needing an approval, or what type of approval will be needed.

The type of approval needed is based on the level of your activity on the site, the scale of disturbance and the potential to impact Aboriginal cultural heritage.

Exempt activity (no approval is required)

- *'Like for like' activities – within the same footprint, and to the same depth.*
- *Residential development on land less than 1100sqm is exempt and can proceed as planned.*
- *This includes constructing a home, general maintenance and activities like ploughing and seeding an existing paddock or maintaining existing water, electricity and other infrastructure.*
- *A range of other exemptions also apply.*

No or minimal amount of activity

- *Where there is no, or minimal level, ground disturbance, but where there is a risk of harm to Aboriginal cultural heritage, the activity may proceed subject to a requirement to undertake all reasonable steps possible to avoid or minimise harm to Aboriginal cultural heritage.*
- *For example, putting up or installing a fence in a way that does not involve clearing is a Tier 1 activity and doesn't need authorisation.*

Low level activity

- *For activities involving low-level ground disturbance, the Act establishes a permit system based around due diligence and application to the Aboriginal Cultural Heritage Council.*
- *This could include erecting or installing a new stock watering point or a yard on existing agricultural land.*

-
- *A nominal \$100 administrative fee will apply for a permit.*

Moderate to high activity

- *Activities that involve moderate to high level ground disturbance will require an Aboriginal Cultural Heritage Management Plan to be negotiated with the relevant Aboriginal parties.*
- *This can include a new mine site, deep excavation or land clearing or major construction projects.*
- *A scalable system of fixed and variable application fees will apply for moderate to high ground disturbing activities.*
- *This takes effect with the new laws from 1 July, 2023.*

One of the key changes to be aware of is a new broader definition of what Aboriginal Cultural Heritage is under section 12 of the new ACH Act. This now includes cultural landscapes and 'intangible elements' (i.e. dreaming tracks, songlines, traditional lore/law, tribal boundaries etc that are not "physically apparent" in land areas) that are important to Aboriginal people. Under the new Act when any non-exempt land-disturbing activities are proposed on an area greater than 1100 square metres, a due diligence assessment is now mandatory to determine whether cultural heritage is present in the area and whether there is any risk of damage to the area if the proposed activity were to be carried out. This due diligence assessment must be carried out to the relevant level of detail versus activity tier classification and in compliance with the Act's statutory guidelines otherwise known as the ACH Management Code. When this is done, it may be used as a defence by the proponent under section 98 of the Act.

Another major change within the Act is the introduction of new administrative bodies known as Local Aboriginal Cultural Heritage Services or "LACHS" which will assess if activities will potentially cause harm to cultural heritage. Landholders and proponents must engage with the local LACHS before applying for a permit to carry out a potentially harmful activity, with the Aboriginal Cultural Heritage Council then assessing whether to grant the permit. A range of fees and charges applicable to these services have been prescribed under the Act and associated guidelines.

It is most important to note that whilst the State Government has stated the Act will come into full effect from 1st July 2023, the LACHS still have not been formally established and as such the 'Knowledge Holder Guidelines' set out the reasonable steps that a proponent or the ACH Council must take to identify knowledge holders for an area, where there is no LACHS. A proponent such as the Council is only required to notify or consult with knowledge holders identified during the three-step process set out in the guidelines.

In addition to searching the online Aboriginal Cultural Heritage Directory and seeking the advice of any native title party (step 1), a proponent must now also contact the DPLH for advice in all circumstances (step 2). This step is required to confirm that the proponent/Council has the identity and contact details of all knowledge holders for the area. If the Department is unable to provide this information, then step 3 outlines that a public notice must be published requesting knowledge holders for that area to provide their contact details.

Providing an important local voice to the heritage approvals process, the LACHS are intended to provide greater certainty for proponents by presenting a clear indication of the relevant people to

consult. Without any appointments to date, proponents will need to rely on the much less clear or efficient process of identifying all knowledge holders and native title parties. There are also significant concerns from all stakeholders about resourcing for LACHS and their readiness for the new system, even if they are appointed in time. Given the importance of their role in the framework, these issues could give rise to significant delays in the heritage approvals process and may have substantial implications for Councils around the workability of the new framework in regards to public infrastructure development and maintenance, at least in the short term.

Statutory/Legal Implications

Aboriginal Cultural Heritage Act 2021

Policy Implications

To be determined – likely to have effect on existing Council policies relating to works and infrastructure.

Consultation

Department of Planning, Lands and Heritage
WA Local Government Association

Financial Implications

Very difficult to quantify – the new guidelines specify fees and charges that will be applicable to the engagement process with Local Aboriginal Cultural Heritage Services; depending on the tier classification of land use activity proposed, the Shire would need to pay fees to the LACHS for assessment. These additional costs will need to be factored into budgets from 2023/24 onwards.

Strategic Implications

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

Environment Objective - Protect and enhance our natural and built environment		
Strategy	3.1.2	Maintain the integrity of heritage buildings and places
Leadership – Strong governance and leadership, demonstration fair and equitable community values.		
Outcome	4.1	A strategically focussed, 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
	4.2.1	Maintain accountability and financial responsibility through effective planning
	4.2.2	Comply with statutory and legislative requirements

Voting Requirements

Simple majority

RECOMMENDATION / RESOLUTION

RESOLUTION **13695**

Moved: **Cr Lloyd**

Seconded: **Cr Hunt**

That Council receives and notes the report on the new *Aboriginal Cultural Heritage Act 2021*

CARRIED: **8/0**

14.5 FINANCE

14.5.1 ACCOUNTS FOR PAYMENT – MAY 2023

Applicant	Internal Report
File No	0277
Attachments	List of Accounts Payable
Author	Tegan Hall – Manager Corporate Services
Disclosure of Interest	Nil
Date of Report	1 June 2023
Senior Officer	Mr Alan George - Chief Executive Officer

Summary

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

Background

List of payments for the month of May 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 May 2023 from the Municipal Account
Total \$1,717,888.05

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 required.

RECOMMENDATION / RESOLUTION

RESOLUTION 13696

Moved: Cr Hyde
Seconded: Cr Kuchling

That Council ratify the list of payments totalling \$1,717,888.05 as presented for the month of May 2023 incorporating:

Payment Method	Cheque/EFT/DD Number	Amount
Electronic Funds Transfers	EFT24910 – EFT25062	\$1,602,686.13
Municipal Account Cheques	37065 - 37073	\$34,295.32
Direct Debits	DD10488.1 – DD10517.3	\$80,906.60
	TOTAL	\$1,717,888.05

CARRIED: 8/0

Shire of Lake Grace



CERTIFICATE OF EXPENDITURE May 2023

This Schedule of Accounts to be passed for payment, covering

Payment Method	Cheque/EFT/DD Number	Amount
Electronic Funds Transfers	EFT24910 – EFT25062	\$1,602,686.13
Municipal Account Cheques	37065 - 37073	\$34,295.32
Direct Debits	DD10488.1 – DD10517.3	\$80,906.60
	TOTAL	\$1,717,888.05

to the Municipal Account, totalling \$1,717,888.05 which were submitted to each member of the Council on 28 June 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

14.5.2 FINANCIAL REPORTS – 31 MAY 2023

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

Summary

Consideration of the Monthly Financial Reports for the period ending 31 May 2023 and Bank Reconciliations for the month ending 31 May 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 May 2023, operating revenue is over the target by \$55,028 (0.71%). Profit on disposal of assets over the budget due to the sale of two Mack trucks and DCEO vehicles was higher than expected.

Operating expenditure is under YTD budget by \$2,182,619 (19.63%) mainly due to Materials and contracts being down as a consequence of delay in operating jobs. Employee costs are slightly under budget due to vacancies in works and services. On the other hand, Loss on disposal of assets over the budget target due to sale of Bomag Roller below the expected price.

The capital program is below the target by \$838,666 (19.15%). The bulk of "Local Roads & Community" and "Drought & Community" projects are not yet initiated/finalised, funds will be recognised later in the financial year. Payments for property, plant and equipment are below target as well due to the portion of Capital projects not being initiated as yet (42%) 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 1 term deposits with Commonwealth Bank is in place for \$5,087,830, along with Overnight Cash Deposit with WA Treasury Corporation for \$2,516,825.

Outstanding rates are tracking well and have recovered 98.5% to date.

General debtor is \$266,459 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 May 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 Mrs Tegan Hall – 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
	4.2.1	Maintain accountability and financial responsibility through effective planning
	4.2.2	Comply with statutory and legislative requirements

RECOMMENDATION / RESOLUTION

RESOLUTION 13697

Moved: Cr Hyde
Seconded: Cr Lloyd

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

1. Statements of Financial activity for the period ended 31 May 2023 and
2. Municipal, Trust and Reserve Funds bank reconciliations for the period ended 31 May F2023.

CARRIED: 8/0

14.6 COMMUNITY SERVICES

Nil

15.0 QUESTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

16.0 INFORMATION BULLETIN – 28 JUNE 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:	23 June 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 28 June 2023 Information Bulletin attachments include:

Reports:

- Infrastructure Services Report – May 2023
- Lake King Library Report and Statistics

External Organisations

- Roe Tourism General Meeting Minutes 22 May 2023
- Roe Tourism General Meeting Minutes – Attachment – AGO Tourism Destination Development
- SES Volunteers Association of WA – 2022-23 Major SES Deployments Debrief
- WALGA Regional Road Group Report – June 2023

Circulars, Media Releases, Newsletters, Letters

- Lake Grace – Pingrup Football Club Thank You
- Community Newsletters as circulated via email

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 required.

RECOMMENDATION / RESOLUTION

RESOLUTION **13698**

Moved: **Cr McKenzie**

Seconded: **Cr Hunt**

That Council accepts the Information Bulletin Report for 28 June 2023.

CARRIED: **8/0**

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

RECOMMENDATION / RESOLUTION

RESOLUTION 13699

Moved: Cr Kuchling
Seconded: Cr McKenzie

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

Item 17.1.1 – General Practice Agreement – Doctors
Item 17.1.2 – Proposed Sale of Lot 12 Biddy-Camm Road to Co-Operative Bulk Handling Ltd

These items and any attachments are confidential in accordance with Section 4.23(2)(a) of the Local Government Act 1995.

CARRIED 8/0

RECOMMENDATION / RESOLUTION

RESOLUTION 13700

Moved: Cr Hunt
Seconded: Cr Kuchling

That Council accepts the recommendation contained within item 17.1.1– General Practice Agreement – Doctors.

CARRIED: 8/0

RECOMMENDATION / RESOLUTION

RESOLUTION 13701

Moved: Cr Kuchling
Seconded: Cr Hyde

That Council accepts the recommendation contained within item 17.1.2 - Proposed Sale of Lot 12 Biddy-Camm Road to Co-Operative Bulk Handling Ltd.

CARRIED: 8/0

RECOMMENDATION / RESOLUTION

RESOLUTION **13702**

Moved: **Cr Kuchling**
Seconded: **Cr Hyde**

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

CARRIED: **8/0**

18.0 DATE OF NEXT MEETING – 26 JULY 2023

The next Ordinary Council Meeting is scheduled to take place on Wednesday 26 July 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 4.08pm.

20.0 CERTIFICATION

I, Leonard William Armstrong, certify that the minutes of the Meeting held on Wednesday 28 June 2023 as shown were confirmed as a true record of the meeting.

Signature

Date