

Shire of Lake Grace

Ordinary Council Meeting

MINUTES

25 September 2024

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.



CONTENTS

1.0	DECLARATION OF OPENING ANNOUNCEMENT OF VISITORS.....	4
2.0	ACKNOWLEDGEMENT OF COUNTRY	4
3.0	RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE (PREVIOUSLY APPROVED)	4
3.1	PRESENT	4
3.2	APOLOGIES	4
3.3	IN ATTENDANCE	4
3.4	OBSERVERS / VISITORS.....	5
3.5	LEAVE OF ABSENCE PREVIOUSLY GRANTED	5
4.0	APPLICATIONS FOR LEAVE OF ABSENCE.....	5
5.0	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE.....	5
6.0	PUBLIC QUESTION TIME	5
7.0	PETITIONS/DEPUTATIONS/PRESENTATIONS	5
8.0	NOTATIONS OF INTEREST	5
8.1	DECLARATIONS OF FINANCIAL INTEREST – LOCAL GOVERNMENT ACT 1995 SECTION 5.60A.....	5
8.2	DECLARATIONS OF FINANCIAL PROXIMITY INTEREST – LOCAL GOVERNMENT ACT 1995 SECTION 5.60B.....	5
8.3	DECLARATIONS OF IMPARTIALITY INTEREST – ADMINISTRATION REGULATIONS 1996 SECTION 34C.....	6
9.0	ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION	6
10.0	CONFIRMATION OF MINUTES	6
10.1	ORDINARY COUNCIL MEETING – WEDNESDAY 28 AUGUST 2024	6
10.2	SPECIAL COUNCIL MEETING	6
11.0	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	6
12.0	URGENT BUSINESS APPROVED BY THE PRESIDING MEMBER OR BY DECISION OF COUNCIL	7
13.0	REPORTS OF COMMITTEES.....	7
14.0	REPORTS OF OFFICERS	7
14.1	INFRASTRUCTURE SERVICES.....	7
14.2	PLANNING	7
14.2.1	PLANNING APPROVALS UNDER DELEGATION P01	7

14.3	HEALTH AND BUILDING	7
14.4	ADMINISTRATION.....	8
14.4.1	RELINQUISHMENT OF MANAGEMENT ORDER – PORTION OF RESERVE 21893 - PINGARING PRIMARY SCHOOL	8
14.4.2	REQUEST FOR DISCOUNT OF HALL HIRE FEES – LAKE GRACE RECONNECT	11
14.4.3	CHRISTMAS 2024 AND PUBLIC HOLIDAY 2025 RETAIL TRADING HOURS	13
14.4.4	LOCAL GOVERNMENT ELECTIONS – REVIEW OF WALGA ADVOCACY POSITIONS.....	15
14.4.5	DRAFT SHIRE OF LAKE GRACE DISABILITY ACCESS & IMPROVEMENT PLAN 2024-2029	21
14.5	FINANCE	24
14.5.1	ACCOUNTS FOR PAYMENT – AUGUST 2024	24
14.5.2	FINANCIAL REPORTS – 31 AUGUST 2024	27
14.5.3	LIVINGSTON MEDICAL PTY LTD – ANNUAL REVIEW OF MEDICAL SUPPORT PAYMENT	29
14.6	COMMUNITY SERVICES	30
15.0	QUESTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN.....	30
16.0	INFORMATION BULLETIN – SEPTEMBER 2024	31
17.0	CONFIDENTIAL ITEMS AS PER LOCAL GOVERNMENT ACT S5.23 (2).....	33
18.0	DATE OF NEXT MEETING – 23 OCTOBER 2024.....	33
19.0	CLOSURE.....	33
20.0	CERTIFICATION.....	33

SHIRE OF LAKE GRACE

Minutes of the Ordinary Council Meeting held at the Council Chambers, 1 Bishop Street, Lake Grace, WA on Wednesday 25 September 2024 commencing at 3:30pm.

1.0 DECLARATION OF OPENING ANNOUNCEMENT OF VISITORS

President Len Armstrong opened the meeting at 3:30pm

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

3.2 APOLOGIES

Nil

3.3 IN ATTENDANCE

Mr. Alan George	Chief Executive Officer
Mrs T Hall	Manager Corporate Services
Mr C Elefsen	Manager Infrastructure Services
Ms Kylie Armanasco	Administration and Records Officer

3.4 OBSERVERS / VISITORS

Master Emmett Kuchling is present in the public gallery.

3.5 LEAVE OF ABSENCE PREVIOUSLY GRANTED

Cr R Chappell

4.0 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

5.0 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

6.0 PUBLIC QUESTION TIME

Nil

7.0 PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil

8.0 NOTATIONS OF INTEREST

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

Nil

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

Nil

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

Nil

9.0 ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION

Nil

10.0 CONFIRMATION OF MINUTES

10.1 ORDINARY COUNCIL MEETING – WEDNESDAY 28 AUGUST 2024

RECOMMENDATION / RESOLUTION

RESOLUTION 13931

Moved: Cr Hyde
Seconded: Cr Lloyd

That the Minutes of the Ordinary Council Meeting held on Wednesday 28 August 2024 be confirmed as a true and accurate record of the meeting.

CARRIED 7/0

For: Cr Armstrong, Cr Hunt, Cr Chappell, Cr Lloyd, Cr Kuchling, Cr Hyde,
 Cr Clarke
Against: Nil

10.2 SPECIAL COUNCIL MEETING

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

No Committee meetings have been held this month.

14.0 REPORTS OF OFFICERS

14.1 INFRASTRUCTURE SERVICES

Nil

14.2 PLANNING

14.2.1 PLANNING APPROVALS UNDER DELEGATION P01

The following applications for planning have been approved by the Chief Executive Officer under the Delegation P01 as legislated by the *Planning and Development Act 2005*, Planning and Development (Local Planning Schemes) Regulations 2015 – schedule 2 (Deemed Provisions) clauses 82 to 84 and the Shire of Lake Grace Local Planning Scheme No.4:

Date of Approval	Applicant	Activity

There have been no approvals under delegation for this reporting period

14.3 HEALTH AND BUILDING

Nil

14.4 ADMINISTRATION

14.4.1 RELINQUISHMENT OF MANAGEMENT ORDER – PORTION OF RESERVE 21893 - PINGARING PRIMARY SCHOOL

Applicant	KS & N Argent
File No.	0251 / 0809
Attachments	Emails from the applicant Site map
Author	Chief Executive Officer - Alan George
Disclosure of Interest	Nil
Date of Report	6 September 2024
Senior Officer	Chief Executive Officer - Alan George

Summary

Council is being asked to consider “selling” its interest in Lot 2324 which forms portion of Reserve 21893 which is the old Pingaring School Site to be converted to worker accommodation.

Background

The Pingaring school closed down many years ago and is currently used as a “Community Centre”, it was used as a base for the preparation of the local newsletter and also a playgroup. It is not known exactly what it is currently being put to use as or how often it is used.

In June 2024 an expression of interest was received from a person wishing to purchase the entire old school site as well as the adjoining sporting facilities consisting of tennis courts and a football/cricket oval. The area consisted of Reserves 21893 and 24691. The plan was to use the school as a residence and the rest of the land as an operating base for an agricultural contracting business.

The applicant was advised that the Reserves were Crown Land vested and under management to the Shire from DPLH and that he needed to put his enquiry firstly through DPLH. Nothing further has been received from the applicant.

The applicant also addressed the Pingaring Progress Association regarding his intended plans. Subsequently the Pingaring Progress Association wrote to the Shire expressing some concern about the future of the Reserves in particular the sports grounds and buildings also enquiring into the process if any sale was to be considered. It was also requested that they wished to be informed and updated at each stage of the consultation process. They were advised that there was a long process to follow and that community consultation would be a very important part of it.

Comment

A request has since been received from another party interested in the old school site which is Lot 2324 on Reserve 21893 being an area of 2.0227ha. They were referred to DPLH who have now advised them to seek consent from the Shire to relinquish the management order over portion of the reserve who would then submit it to DPLH for consideration.

Following a submission being received from the Shire the Department would then undertake its standard due diligence process which includes consultation with impacted stakeholders/interested parties. Subject to favourable responses, the Department may then consider the disposition and future tenure of the parcel of land.

A Management Order places the Care, Control and Management of a reserve with the Management Body and matters concerning it should be directed to them. The rights of the Management Body and their liabilities arise from the Management Order pursuant to section 46 of the *Land Administration Act 1997*.

With any request for the grant of tenure there is the consideration of Native Title and where it exists and in order for the State to grant any tenure, it needs to comply with the future act provisions of the *Native Title Act 1993 (Cth)*.

If the Shire of Lake Grace and the Department support the request, and the applicant chooses to proceed, the applicant is responsible for the payment of all costs and disbursements associated with the grant.

These costs may include, but not be limited to:

- costs of negotiating and compensating native title parties and other existing land holders
- applying for and approval of other statutory requirements
- purchase price, lease rental, easement or licence fees
- survey and plan preparation costs
- advertising and gazettal costs
- registration and document preparation fees
- GST on any of the above.

Council's first move is to determine whether or not it wishes to divest itself of Lot 2324. If agreed a submission will be put to DPLH advising them of the decision and as well as being put out for community consultation given that there may be interest from other parties that it be put out for public tender.

The old school is now rarely used and it is difficult to justify the cost to the Shire of maintaining it in a safe and tidy condition. If the area can be better utilised and put to a purpose it is considered to be a positive move.

Legal Implications

Section 46 of the *Land Administration Act 1997*.

With any request for the grant of tenure there is the consideration of Native Title and where it exists and in order for the State to grant any tenure, it needs to comply with the future act provisions of the *Native Title Act 1993 (Cth)*.

Policy Implications

Nil

Consultation

DPLH

Pingaring Progress Association

Financial Implications

The Shire of Lake Grace currently pays water, electricity, insurance costs as well as regular termite inspections, spider spraying, fire extinguisher inspections, building maintenance and some sporadic gardening.

Annual costs for the previous 5 years are as follows;

2019/2020 \$ 6,791.96

2020/2021 \$ 6,567.66

2021/2022 \$10,612.25

2022/2023 \$24,009.92 {includes extra work for the centenary celebrations

2023/2024 \$32,870.50

In addition to this an annual payment of \$4,000.00 is paid as an annual contribution to the Pingaring Progress Association. By divesting itself of the school building the Shire would save the majority of these costs.

Strategic Implications

This item aligns with Aspire 2033 - Shire of Lake Grace Strategic Community Plan

Economic Objective - A prosperous economy supporting diversification of industry		
Outcome	1	An innovative, productive agriculture industry
Strategies	2.2	Support local business and promote further investment in the district
	2.3	Investigate and support housing market opportunities

Voting Requirements

Absolute majority

RECOMMENDATION / RESOLUTION

RESOLUTION 13932

Moved: Cr Hunt

Seconded: Cr Kuchling

That Council:

Considers the relinquishment of the Management Order over that portion of Reserve 21893 being Lot 2324, which contains the old Pingaring School site subject to community approval from the Shires of Lake Grace and Kulin and advises the Department of Planning, Lands and Heritage who will commence its due diligence.

CARRIED 7/0

For: Cr Armstrong, Cr Hunt, Cr Chappell, Cr Lloyd, Cr Kuchling, Cr Hyde, Cr Clarke

Against: Nil

14.4.2 REQUEST FOR DISCOUNT OF HALL HIRE FEES – LAKE GRACE RECONNECT

Applicant	Lake Grace Reconnect
File No.	0080
Attachments	Letter from Lake Grace Reconnect
Author	Amber McPherson – Administration Support Officer, Rates & Debtors
Disclosure of Interest	Nil
Date of Report	20 August 2024
Senior Officer	Chris Paget – Deputy Chief Executive Officer

Summary

For Council to consider the request to have the Lake Grace Hall hire fees discounted for the setting up and packing down process of the Boots and Ball Gowns event being held October 5 2024.

Background

Lake Grace Reconnect are a group of women who formed early 2023 whose purpose is to reconnect the community and surrounds through social and networking events, with the main focus of mental health awareness.

Comment

Lake Grace Reconnect are holding an additional event after the vast success of the Lake Grace Ladies Long Table Luncheon held in March 2024. Their continuing aim is to ignite the conversation around Mental Health awareness, aspiring reconnection within the community specifically bringing attention to the impact on women living rurally. Living rural has its challenges, with mental, physical and social health becoming more recognised and in need of better support.

The committee obtain guest speakers from near and far who openly share their own personal experiences. By holding such events, the committee aim to bring people together; encourage people to support one another and to reconnect people within themselves and to consider their own personal needs.

Lake Grace Reconnect are hoping to secure the venue while aligning with their budgetary constraints. Projected ticket sales will cover majority of their costs, but the committee are hoping to keep the ticket costs low and attainable for the community.

Remaining costs borne by the committee: \$167.00 for the Hall Hire fee for the night of the event and a \$7.00 Liquor Permit to consume alcohol at a Council facility.

The Shire have not contributed to this event as part the 2024/25 Community Grant Program.

Legal Implications

Nil

Policy Implications

Nil

Consultation

Aimee Turnbull – Community Economic Development Officer
Brendon Gerrard – Environmental Health Officer

Financial Implications

The Lake Grace Reconnect Committee are requesting for discounted Hall Hire fees for the set up and pack down of the Boots and Ball Gowns event. This would result in a loss of revenue to the Shire of \$192.00.

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	2.1.3	Actively promote and support community events and activities within the district

Voting Requirements

RECOMMENDATION / RESOLUTION

RESOLUTION **13933**

Moved: **Cr Hyde**

Seconded: **Cr Hunt**

That Council:

Approve the request for discounted Hall hire fees totalling \$192.00 for the Lake Grace Reconnect Group who are hosting the Boots and Ballgowns event being held in October 2024.

CARRIED: **6/1**

For: **Cr Armstrong, Cr Hunt, Cr Lloyd, Cr Kuchling, Cr Hyde, Cr Clarke**

Against: **Cr Chappell**

14.4.3 CHRISTMAS 2024 AND PUBLIC HOLIDAY 2025 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 2024-25 Regional Extended Trading Package
Author	Alex Adams - Executive Assistant
Disclosure of Interest	Nil
Date of Report	12 September 2024
Senior Officer	Chris Paget – Deputy Chief Executive Officer

Summary

For Council to consider the extension of retail trading hours over the 2024 Christmas period and 2025 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 2024 Christmas period, and public holidays in 2025. The same approval is being offered to regional Local Governments, as listed below:

Monday 9 December to Friday 13 December	8.00 am to 9.00 pm
Monday 16 December to Friday 20 December	7.00 am to 9.00 pm
Monday 23, Tuesday 24 & Friday 27 December	8.00 am to 9.00 pm
Weekends from 7 & 8 to 28 & 29 December inclusive	8.00 am to 6.00 pm
Christmas Day	Closed
Boxing Day	8.00 am to 6.00 pm
Public Holidays in 2025	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 submit a proposal with a separate application.

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 does not support extended trading arrangements over the 2024/2025 Christmas and New Year period and Public Holidays in 2025'*.

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 item aligns with Aspire 2033 - Shire of Lake Grace Strategic Community Plan

Economic Objective - A prosperous economy supporting diversification of industry		
Outcome	2	A diverse and prosperous economy
Strategies	2.2	Support local business and promote further investment in the district

Voting Requirements

Simple majority

RECOMMENDATION / RESOLUTION

RESOLUTION 13934

Moved: Cr Clarke

Seconded: Cr Lloyd

That Council accept the offer from the Department of Commerce for extended trading hours for the Shire of Lake Grace over the 2024 / 2025 Christmas period, and Public Holidays in 2025 as follows:

Monday 9 December to Friday 13 December	8.00 am to 9.00 pm
Monday 16 December to Friday 20 December	7.00 am to 9.00 pm
Monday 23, Tuesday 24 & Friday 27 December	8.00 am to 9.00 pm
Weekends from 7 & 8 to 28 & 29 December inclusive	8.00 am to 6.00 pm
Christmas Day	Closed
Boxing Day	8.00 am to 6.00 pm
Public Holidays in 2025	8.00 am to 6.00 pm

CARRIED 7/0

For: Cr Armstrong, Cr Hunt, Cr Chappell, Cr Lloyd, Cr Kuchling, Cr Hyde, Cr Clarke

Against: Nil

14.4.4 LOCAL GOVERNMENT ELECTIONS – REVIEW OF WALGA ADVOCACY POSITIONS

Applicant	WA Local Government Association
File No.	0029, 0229
Attachments	Electronic Links x 2: Advocacy Positions for a New Local Government Act WALGA submission: Local Government Reform Proposal (February 2022)
Author	WA Local Government Association
Disclosure of Interest	Nil
Date of Report	16 September 2024
Senior Officer	Alan George – Chief Executive Officer

Summary

All Local Governments are being asked to provide a Council decision on WALGA’s advocacy positions as they relate to Local Government Elections, to see if the positions are still current.

Background

The Local Government Amendment Act 2023 introduced a range of electoral reforms that came into effect prior to the 2023 Local Government ordinary elections:

- the introduction of Optional Preferential Voting (OPV);
- extending the election period to account for delays in postal services;
- changes to the publication of information about candidates;
- backfilling provisions for extraordinary vacancies after the 2023 election;
- public election of the Mayor or President for larger Local Governments;
- abolishing wards for smaller Local Governments; and
- aligning the size of councils with the size of populations of each Local Government (change to representation)

Following requests from several Zone’s, WALGA undertook a comprehensive review and analysis of 5 ordinary election cycles up to and including the 2023 Local Government election against the backdrop of these legislative reforms. The review and report focused on postal elections conducted exclusively by the Western Australian Electoral Commission (WAEC), with the analysis finding evidence of the rising cost and a reduction in service of conducting Local Government elections in Western Australia.

Comment

The Elections Analysis Review and Report was presented to State Council 4 September 2024, with State Council supporting a review of WALGA’s Local Government Elections Advocacy Positions.

WALGA is requesting Councils consider the current and alternative Elections Advocacy Positions and provide a response back to WALGA for the December 2024 State Council meeting.

WALGA State Council current advocacy positions:

The following is a summary of WALGA’s current Advocacy Positions in relation to Local Government Elections:

2.5.15 ELECTIONS

Position Statement

The Local Government sector supports:

1. Four year terms with a two year spill
2. Greater participation in Local Government elections
3. The option to hold elections through:
 - Online voting
 - Postal voting, and
 - In-person voting
4. Voting at Local Government elections to be voluntary
5. The first past the post method of counting votes

The Local Government sector opposes the introduction of preferential voting, however if 'first past the post' voting is not retained then optional preferential voting is preferred.

Background

The first past the post (FPTP) method is simple, allows an expression of the electorate's wishes and does not encourage tickets and alliances to be formed to allocate preferences.

State Council Resolution

February 2022 – 312.1/2022
December 2020 – 142.6/2020
March 2019 – 06.3/2019
December 2017 – 121.6/2017
October 2008 – 427.5/2008

2.5.16 METHOD OF ELECTION OF MAYOR

Position Statement

Local Governments should determine whether their Mayor or President will be elected by the Council or elected by the community.

State Council Resolution

February 2022 – 312.1/2022
March 2019 – 06.3/2019
December 2017 – 121.6/2017

2.5.18 CONDUCT OF POSTAL ELECTIONS

Position Statement

The *Local Government Act 1995* should be amended to allow the Australian Electoral Commission (AEC) and any other third party provider including Local Governments to conduct postal elections.

Background

Currently, the WAEC has a legislatively enshrined monopoly on the conduct of postal elections that has not been tested by the market.

State Council Resolution

May 2023 – 452.2/2023
March 2019 – 06.3/2019
December 2017 – 121.6/2017
March 2012 – 24.2/2012

WALGA has requested the following advocacy positions be considered by Councils:

1. PARTICIPATION

(a) The sector continues to support voluntary voting at Local Government elections.

OR

(b) The sector supports compulsory voting at Local Governments elections.

2. TERMS OF OFFICE

(a) The sector continues to support four-year terms with a two year spill;

OR

(b) The sector supports four-year terms on an all in/all out basis.

3. VOTING METHODS

(a) The sector supports First Past the Post (FPTP) as the preferred voting method for general elections. If Optional Preferential Voting (OPV) remains as the primary method of voting, the sector supports the removal of the 'proportional' part of the voting method for general elections

OR

(b) The sector supports Optional Preferential Voting (OPV) as the preferred voting method for general elections.

4. INTERNAL ELECTIONS

(a) The sector supports First Past the Post (FPTP) as the preferred voting method for all internal elections.

OR

(b) The sector supports Optional Preferential Voting (OPV) as the preferred voting method for all internal elections.

5. VOTING ACCESSIBILITY

The sector supports the option to hold general elections through:

(a) Electronic voting; and/or

(b) Postal voting; and/or

(c) In-Person voting.

6. METHOD OF ELECTION OF MAYOR

The sector supports:

- (a) As per the current legislation with no change – Class 1 and 2 local governments directly elect the Mayor or President (election by electors method), with regulations preventing a change in this method.
- (b) Return to previous legislated provisions – all classes of local governments can decide, by absolute majority, the method for electing their Mayor or President.
- (c) Apply current provisions to all Bands of Local Governments – apply the election by elector’s method to all classes of local governments.

Legal Implications

Local Government Act 1995
Local government Amendment Act 2023

Policy Implications

Nil

Consultation

WALGA

Financial Implications

Nil

Strategic Implications

This item aligns with Aspire 2033 - Shire of Lake Grace Strategic Community Plan

Leadership Objective - Strong governance and leadership, demonstrating fair and equitable community values		
Outcome	8	A strategically focused, unified Council functioning efficiently
Strategies	8.1	Provide informed leadership on behalf of the community
	8.2	Promote and advocate for the community and district
	8.3	Provide strategic leadership and governance
	8.4	Provide timely communications on all Council activities to community
Outcome	9	An efficient and effective organisation
Strategies	9.1	Maintain accountability and financial responsibility through effective planning
	9.2	Comply with statutory and legislative requirements
	9.3	Provide a positive and safe workplace
	9.4	Establish and maintain community endorsed levels of service across all functions of Council

Voting Requirements

Simple Majority

RECOMMENDATION / RESOLUTION

RESOLUTION **13935**

Moved: **Cr Chappell**

Seconded: **Cr Kuchling**

That Council suspend standing orders to undertake discussion of the recommendation.

CARRIED **7/0**

For: **Cr Armstrong, Cr Hunt, Cr Chappell, Cr Lloyd, Cr Kuchling, Cr Hyde,
Cr Clarke**

Against: **Nil**

RECOMMENDATION / RESOLUTION

RESOLUTION **13936**

Moved: **Cr Chappell**

Seconded: **Cr Lloyd**

That Council reinstate standing orders.

CARRIED **7/0**

For: **Cr Armstrong, Cr Hunt, Cr Chappell, Cr Lloyd, Cr Kuchling, Cr Hyde,
Cr Clarke**

Against: **Nil**

RECOMMENDATION / RESOLUTION

RESOLUTION **13937**

Moved: **Cr Hyde**
Seconded: **Cr Clarke**

That Council:

Recommends that WALGA adopt the following Local Government Election Advocacy Positions:

1. PARTICIPATION – Council support advocacy position (a) The sector continues to support voluntary voting at Local Government elections.
2. TERMS OF OFFICE - Council support advocacy position (a) The sector continues to support four-year terms with a two year spill.
3. VOTING METHODS - Council support advocacy position (a) The sector supports First Past the Post (FPTP) as the preferred voting method for general elections. If Optional Preferential Voting (OPV) remains as the primary method of voting, the sector supports the removal of the ‘proportional’ part of the voting method for general elections.
4. INTERNAL ELECTIONS - Council support advocacy position (a) The sector supports First Past the Post (FPTP) as the preferred voting method for all internal elections.
5. VOTING ACCESSIBILITY - Council support advocacy position (b) The sector supports the option to hold general elections through postal voting.
6. METHOD OF ELECTION OF MAYOR - Council support advocacy position (a) As per the current legislation with no change – Class 1 and 2 local governments directly elect the Mayor or President (election by electors method), with regulations preventing a change in this method.

CARRIED **7/0**

For: **Cr Armstrong, Cr Hunt, Cr Chappell, Cr Lloyd, Cr Kuchling, Cr Hyde, Cr Clarke**

Against: **Nil**

**14.4.5 DRAFT SHIRE OF LAKE GRACE DISABILITY ACCESS & IMPROVEMENT PLAN
2024-2029**

Applicant	Internal
File No.	0145 / 0217
Attachments	Shire of Lake Grace Draft DAIP 2024-2029
Author	Mr Chris Paget – Deputy CEO
Disclosure of Interest	Nil
Date of Report	17 September 2024
Senior Officer	Mr Alan George – Chief Executive Officer

Summary

For Council to consider the draft Shire of Lake Grace Disability and Inclusion Plan (DAIP) 2024-2029 and seek approval to use the draft as the basis for public consultation.

Background

The Disability Services Act 1993 requires all local government authorities to produce a DAIP. The DAIP must be lodged with the Department of Communities Disability Services Commission for 5-year periods. The current Shire of Lake Grace DAIP expires in 2024, with the proposed draft DAIP being for the period 2024-2029 to continue to align with the 5-year cycle.

The DAIP 2024-2029 will assist the Shire in achieving compliance with the Disability Services Act 1993.

Comment

The current DAIP 2019-2024 has been reviewed and updated to produce a draft DAIP 2024-2029 to go out for public consultation.

There is a legislative requirement to undertake a consultation process before adopting the new Plan, and the minimum standard is to invite public submissions. As the Shire does not have the resources for a more extensive consultation process, it is proposed to invite public submissions on the new draft DAIP closing on 31 October 2024 so that the new DAIP can be adopted at an Ordinary Council Meeting prior to year's end.

It is proposed to invite comments and/or submissions from residents and relevant stakeholders including those that have either lived experience or the most dealings with and knowledge of local persons with disabilities.

Statutory Implications

Disability Services Act 1993
Disability Services Regulations 2004
Equal Opportunity Act 1984
Disability Discrimination Act 1992 (Cth)

Financial Implications

The cost of giving public notice of the draft Plan and inviting submissions is accounted for within the current annual budget.

Policy Implications

There are no direct policy implications for this matter.

Risk Implications

This item has been evaluated against the Shire of Lake Grace Risk Management Framework, Risk Assessment Matrix. The perceived level of risk is “Low” risk and can be managed by routine procedures and is unlikely to need specific application of resources.

Strategic Implications

This item aligns with Aspire 2033 - Shire of Lake Grace Strategic Community Plan:

Social Objective - A valued, healthy and inclusive community and lifestyle		
Outcome	6	An engaged, supportive and inclusive community
Strategies	6.1	Maintain and enhance services and infrastructure that meets the needs of the community
	6.2	Maintain and support the growth of education, childcare, youth and aged services
	6.3	Actively promote and support local events and activities for the community
Outcome	7	A healthy and safe community
Strategies	7.1	Improve access to sport, leisure and recreation facilities, services and programs
	7.2	Provide and advocate for medical and health services
Leadership Objective - Strong governance and leadership, demonstrating fair and equitable community values		
Outcome	8	A strategically focused, unified Council functioning efficiently
Strategies	8.1	Provide informed leadership on behalf of the community
	8.2	Promote and advocate for the community and district
	8.3	Provide strategic leadership and governance
	8.4	Provide timely communications on all Council activities to community
Outcome	9	An efficient and effective organisation
Strategies	9.2	Comply with statutory and legislative requirements
	9.3	Provide a positive and safe workplace
	9.4	Establish and maintain community endorsed levels of service across all functions of Council

Voting Requirements

Simple majority

RECOMMENDATION / RESOLUTION

RESOLUTION **13938**

Moved: **Cr Lloyd**

Seconded: **Cr Hyde**

That Council:

- 1) Approves the Draft Shire of Lake Grace Disability Access and Inclusion Plan 2024-2029 as the basis for inviting general public and stakeholder comment/submissions, with this period closing 31 October 2024;
- 2) Requests a further report (taking into account any submissions received) prior to or by the last OCM for 2024 in order to endorse and adopt the final DAIP.

CARRIED **7/0**

For: **Cr Armstrong, Cr Hunt, Cr Chappell, Cr Lloyd, Cr Kuchling, Cr Hyde,
Cr Clarke**

Against: **Nil**

14.5 FINANCE

14.5.1 ACCOUNTS FOR PAYMENT – AUGUST 2024

Applicant	Internal Report
File No	0277
Attachments	List of Accounts Payable
Author	Tegan Hall - Manager Corporate Services
Disclosure of Interest	Nil
Date of Report	9 September 2024
Senior Officer	Alan George – Chief Executive Officer

Summary

For Council to ratify expenditures incurred for the month of August 2024.

Background

List of payments for the month of August 2024 through the Municipal account are attached.

Comment

In accordance with the requirements of the Local Government Act 1996, a list of creditors and Credit cards and Fuel Cards transactions 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 and Reg 13A

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 2024 from the Municipal Account
Total \$836,072.69

Strategic Implications

This aligns with Aspire 2033 - Shire of Lake Grace Strategic Community Plan

Leadership Objective - Strong governance and leadership, demonstrating fair and equitable community values		
Outcome	9	An efficient and effective organisation
Strategies	9.1	Maintain accountability and financial responsibility through effective planning
	9.2	Comply with statutory and legislative requirements

Voting Requirements

Simple majority required.

RECOMMENDATION / RESOLUTION

RESOLUTION 13939

Moved: Cr Chappell
Seconded: Cr Kuchling

That Council ratify the list of payments totalling \$836,072.69 as presented for the month of August 2024 incorporating:

Payment Method	Cheque/EFT/DD Number	Amount
Electronic Funds Transfers	EFT26892 – EFT27001	\$774,763.57
Municipal Account Cheques	37128	\$188.15
Direct Debits	DD11065.1 – DD11101.11	\$53,879.96
Credit Cards	DD11099.2 & DD11112.1	\$3,458.28
Fuel Cards	EFT26916	\$3,782.73
	TOTAL	\$836,072.69

CARRIED 7/0

For: Cr Armstrong, Cr Hunt, Cr Chappell, Cr Lloyd, Cr Kuchling, Cr Hyde, Cr Clarke

Against: Nil

Shire of Lake Grace



CERTIFICATE OF EXPENDITURE August 2024

This Schedule of Accounts to be passed for payment, covering

Payment Method	Cheque/EFT/DD Number	Amount
Electronic Funds Transfers	EFT26892 – EFT27001	\$774,763.57
Municipal Account Cheques	37128	\$188.15
Direct Debits	DD11065.1 – DD11101.11	\$53,879.96
Credit Cards	DD11099.2 & DD11112.1	\$3,458.28
Fuel Cards	EFT26916	\$3,782.73
	TOTAL	\$836,072.69

to the Municipal Account, totalling \$836,072.69 which were submitted to each member of the Council on 25 September 2024, 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 AUGUST 2024

Applicant	Internal Report
File No.	0275
Attachments	<ul style="list-style-type: none"> • Monthly Financial Reports • Bank Reconciliations – 31 August 2024
Author	Mrs Victoria Fasano - Senior Finance Officer Investments & Reporting
Disclosure of Interest	Nil
Date of Report	31 August 2024
Senior Officer	Mr Alan George - Chief Executive Officer

Summary

Consideration of the Monthly Financial Reports for the period ending 31 August 2024 and Bank Reconciliations for the month ending 31 August 2024.

Background

The provisions of the Local Government (Financial Management) Regulations 1996 require a monthly financial report to be presented at an Ordinary Council meeting within two (2) months of the period end date.

Comment

As at 31 August 2024, operating revenue is slightly under the target by \$40,436 (0.62%), mainly due to Grants, subsidies and contributions due to correction of FAGS for 24/25 FY.

Operating expenditure is below YTD budget by \$1,505,834 (50.63%), mainly due to Depreciation, which will be posted in Synergy after 23/24 Annual Financial Statement audit. Materials and contracts are down due to delays in operating jobs. Employee costs are slightly over the budget due to Labour Overheads. Utility charges are below the budget due to decreased water and power demand. Other Expenditure below the budgeted threshold due to Councillor Conference Expenses & Meeting Attendance Fees

Investing activities revenue is below the target by \$20,243 (3.51%). Some of the "Local Roads & Community" projects are not yet initiated or are in the early stage of completion, funds will be recognised later in the financial year.

Investing activities expenses are below the target by \$1,280,754 (62.60%) due to early days in the new FY. Bulk of Capital projects not being initiated (84%) or in an early stage of completion.

Cash at bank is similar to the corresponding period last year. An investment agreement is in place for Overnight Cash Deposit with WA Treasury Corporation for total of \$4,487,931, as well as 3 term deposits invested in CBA – a total of \$8,600,000.

The due date for rates payments is 16/09/2024, thus the rates collected are only 5.8%.

The General debtor is \$617,307 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 2024. The financial statements have been compiled to meet compliance with the Local Government Act 1995 and associated regulations.

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

Legal Implications

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

In accordance with Regulation 34(5), a report on variances greater than the materiality threshold (\$10,000 or 10% whichever is greater) must be compiled and adopted by Council. As this report is composed at a program level, variance commentary considers the most significant items that comprise the variance.

Policy Implications

Nil

Consultation

Internal Mrs Tegan Hall – Manager Corporate Services

Financial Implications

Nil

Strategic Implications

This item aligns with Aspire 2033 - Shire of Lake Grace Strategic Community Plan

Leadership Objective - Strong governance and leadership, demonstrating fair and equitable community values		
Outcome	9	An efficient and effective organisation
Strategies	9.1	Maintain accountability and financial responsibility through effective planning
	9.2	Comply with statutory and legislative requirements

Voting Requirements

Simple Majority

RECOMMENDATION / RESOLUTION

RESOLUTION 13940

Moved: Cr Lloyd
Seconded: Cr Kuchling

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 2024 and
2. Municipal, Trust and Reserve Funds bank reconciliations for the period ended 31 August 2024.

CARRIED 7/0

For: Cr Armstrong, Cr Hunt, Cr Chappell, Cr Lloyd, Cr Kuchling, Cr Hyde, Cr Clarke

Against: Nil

14.5.3 LIVINGSTON MEDICAL PTY LTD – ANNUAL REVIEW OF MEDICAL SUPPORT PAYMENT

Applicant	Livingston Medical Pty Ltd
File No.	0319
Attachments	Extract from the Medical Practice Agreement
Author	Chief Executive Officer - Alan George
Disclosure of Interest	Nil
Date of Report	25 September 2024
Senior Officer	Chief Executive Officer – Alan George

Summary

Council is requested to consider the review of the Practice Support Payment to Livingston Medical Pty Ltd in line with clause 11.5 of the Medical Practice Agreement.

Background

Livingston Medical Pty Ltd took over the Lake Grace Medical Centre in September 2023 after the contract to Drs Omoniyi and Olowu was terminated early. A Medical Practice Agreement was executed By Livingston Medical on 1 September 2023.

Comment

Livingston Medical has pointed out that clause 11.5 does not have a figure allocated or have the word CPI included. They wish this clarified for their accounting purposes.

Since Livingston Medical took over the running of the Lake Grace Medical Centre the services provided have generally improved and the public is largely happy with the outcome. There have been periods where there has been some hiccups however these have generally been overcome.

Regular communications are maintained between Livingston Medical and shire administration. The practice agreement states that the Practice support Payment will be reviewed on an annual basis by the Shire.

Livingston Medical is constantly monitoring the Lake Grace Practice and has undertaken measures to improve the service, this has recently resulted in the addition of a further doctor for an extra 2 days at the surgery. There are further enhancements in the pipeline.

It is recommended that given the improvement to the services being provided on a more regular basis that Council consider an increase to the Practice Support Payment of 3% which brings it in line with the recent increase to staff salaries.

Legal Implications

The General Practice Agreement Clause 11.5 states that the Practice Support Payment will be reviewed on an annual basis by the Shire.

Policy Implications

Nil

Consultation

Livingston Medical Pty Ltd – Rachel Livingston
Manager Corporate Services – Tegan Hall

Financial Implications

A 3% increase to the existing Practice Support Payment will result in increase in the monthly payment of \$625 (\$7,500 pa). There has been no increase factored into the 2024/25 budget but given the relatively small amount of the increase this can be easily covered and included in the mid-year budget review.

Strategic Implications

This item aligns with Aspire 2033 - Shire of Lake Grace Strategic Community Plan

Social Objective - A valued, healthy and inclusive community and lifestyle		
Outcome	6.1	Maintain and enhance services and infrastructure that meets the needs of the community
Outcome	7	A healthy and safe community
Strategies	7.2	Provide and advocate for medical and health services

Voting Requirements

Absolute Majority

RECOMMENDATION / RESOLUTION

RESOLUTION **13941**

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

That Council:
Reviews the annual Practice Support Payment to Livingston Medical Pty Ltd and approves a 3% (\$7,500 pa) increase.

CARRIED **5/2**

For: **Cr Armstrong, Cr Chappell, Cr Lloyd, Cr Kuchling, Cr Hyde**
Against: **Cr Clarke, Cr Hunt**

14.6 COMMUNITY SERVICES

Nil

15.0 QUESTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

16.0 INFORMATION BULLETIN – SEPTEMBER 2024

Applicant:	Internal Report
File No.	Nil
Attachments:	Information Bulletin Cover Page Only
Author:	Alex Adams Executive Assistant
Disclosure of Interest:	Nil
Date of Report:	20 September 2024
Senior 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 2024 Information Bulletin attachments include:

Reports:

- Infrastructure Services Report

External Organisations

- WALGA Central Country Zone Minutes

Circulars, Media Releases, Newsletters, Letters

- As circulated via email

Legal Implications

Nil

Policy Implications

Nil

Consultation

Nil

Financial Implications

Nil

Strategic Implications

This item aligns with Aspire 2033 - Shire of Lake Grace Strategic Community Plan

Leadership Objective - Strong governance and leadership, demonstrating fair and equitable community values		
Outcome	8	A strategically focused, unified Council functioning efficiently
Strategies	8.1	Provide informed leadership on behalf of the community
Outcome	9	An efficient and effective organisation
	9.2	Comply with statutory and legislative requirements

Voting Requirements

Simple majority required.

RECOMMENDATION / RESOLUTION

RESOLUTION **13942**

Moved: **Cr Lloyd**
Seconded: **Cr Kuchling**

That Council accepts the Information Bulletin Report for September 2024.

CARRIED **7/0**

For: **Cr Armstrong, Cr Hunt, Cr Chappell, Cr Lloyd, Cr Kuchling, Cr Hyde, Cr Clarke**
Against: **Nil**

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

Nil

18.0 DATE OF NEXT MEETING – 23 OCTOBER 2024

The next Ordinary Council Meeting is scheduled to take place on Wednesday 23 October 2024 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 4.20pm.

20.0 CERTIFICATION

I, Leonard William Armstrong, certify that the minutes of the meeting held on Wednesday 25 September 2024 as shown were confirmed as a true record of the meeting.

Signature

Date