

Shire of Lake Grace

Ordinary Council Meeting

# MINUTES

27 March 2024

Meeting Commencing at 3:30 pm

---

## **Disclaimer**

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

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

---

## **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.

---



---

<b>CONTENTS</b>
-----------------

<b>1.0</b>	<b>DECLARATION OF OPENING ANNOUNCEMENT OF VISITORS.....</b>	<b>4</b>
<b>2.0</b>	<b>ACKNOWLEDGEMENT OF COUNTRY .....</b>	<b>4</b>
<b>3.0</b>	<b>RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE (PREVIOUSLY APPROVED) .....</b>	<b>4</b>
3.1	PRESENT .....	4
3.2	APOLOGIES .....	4
3.3	IN ATTENDANCE .....	4
3.4	OBSERVERS / VISITORS.....	4
3.5	LEAVE OF ABSENCE PREVIOUSLY GRANTED .....	5
<b>4.0</b>	<b>RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE.....</b>	<b>5</b>
<b>5.0</b>	<b>PUBLIC QUESTION TIME .....</b>	<b>5</b>
<b>6.0</b>	<b>PETITIONS/DEPUTATIONS/PRESENTATIONS .....</b>	<b>5</b>
<b>7.0</b>	<b>NOTATIONS OF INTEREST .....</b>	<b>5</b>
7.1	DECLARATIONS OF FINANCIAL INTEREST – LOCAL GOVERNMENT ACT 1995 SECTION 5.60A.....	5
7.2	DECLARATIONS OF FINANCIAL PROXIMITY INTEREST – LOCAL GOVERNMENT ACT 1995 SECTION 5.60B.....	5
7.3	DECLARATIONS OF IMPARTIALITY INTEREST – ADMINISTRATION REGULATIONS 1996 SECTION 34C.....	5
<b>8.0</b>	<b>APPLICATIONS FOR LEAVE OF ABSENCE.....</b>	<b>6</b>
<b>9.0</b>	<b>ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION .....</b>	<b>6</b>
9.1	VALE MARGARET COLE .....	6
<b>10.0</b>	<b>CONFIRMATION OF MINUTES .....</b>	<b>7</b>
10.1	ORDINARY COUNCIL MEETING – WEDNESDAY 21 FEBRUARY 2024.....	7
10.2	SPECIAL COUNCIL MEETING .....	7
10.3	ANNUAL MEETING OF ELECTORS.....	7
<b>11.0</b>	<b>MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN .....</b>	<b>7</b>
<b>12.0</b>	<b>URGENT BUSINESS APPROVED BY THE PRESIDING MEMBER OR BY DECISION OF COUNCIL .....</b>	<b>7</b>
<b>13.0</b>	<b>REPORTS OF COMMITTEES.....</b>	<b>8</b>
13.1	SHIRE OF LAKE GRACE TOURISM ADVISORY COMMITTEE 20 FEBRUARY 2024 .....	8
<b>14.0</b>	<b>REPORTS OF OFFICERS .....</b>	<b>8</b>

---

14.1	INFRASTRUCTURE SERVICES.....	8
14.2	PLANNING.....	9
14.2.1	DEVELOPMENT APPLICATION – PROPOSED NEW SHADE STRUCTURE ON LOT 278 (NO.17) MASON STREET, LAKE GRACE .....	9
14.3	HEALTH AND BUILDING.....	16
14.4	ADMINISTRATION.....	17
14.4.1	SOUTH WEST NATIVE TITLE SETTLEMENT – LAND BASE CONSULTATION....	17
14.4.2	COMPLIANCE AUDIT RETURN 2023.....	20
14.4.3	OFFICE CLOSURE – FRIDAY 26 APRIL 2024 .....	23
14.5	FINANCE .....	25
14.5.1	ACCOUNTS FOR PAYMENT – FEBRUARY 2024.....	25
14.5.2	FINANCIAL REPORTS – 29 FEBRUARY 2024.....	28
14.5.3	BUDGET REVIEW 2023/24.....	30
14.6	COMMUNITY SERVICES .....	33
<b>15.0</b>	<b>QUESTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN.....</b>	<b>33</b>
<b>16.0</b>	<b>INFORMATION BULLETIN – MARCH 2024.....</b>	<b>33</b>
<b>17.0</b>	<b>CONFIDENTIAL ITEMS AS PER LOCAL GOVERNMENT ACT S5.23 (2).....</b>	<b>35</b>
<b>18.0</b>	<b>DATE OF NEXT MEETING – 24 APRIL 2024.....</b>	<b>36</b>
<b>19.0</b>	<b>CLOSURE.....</b>	<b>36</b>
<b>20.0</b>	<b>CERTIFICATION.....</b>	<b>36</b>

## **SHIRE OF LAKE GRACE**

Minutes of the Ordinary Council Meeting held at the Council Chambers, 1 Bishop Street, Lake Grace, WA on Wednesday 27 March 2024 commencing at 3:30pm.

### **1.0 DECLARATION OF OPENING ANNOUNCEMENT OF VISITORS**

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

#### **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**

Nil

**8.0 APPLICATIONS FOR LEAVE OF ABSENCE**

**RECOMMENDATION / RESOLUTION**

**RESOLUTION**            **13827**

**Moved:**                    **Cr Clarke**

**Seconded:**                **Cr Hyde**

That pursuant to Section 2.25 of the Local Government Act 1995, Council approves Leave of Absence for Cr Armstrong from 26 March 2024 to 29 March 2024

**CARRIED**                    **6/0**

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

**Against:**                    **Nil**

**9.0 ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION**

**9.1 VALE MARGARET COLE**

Presiding member to acknowledge the passing of Margaret Cole; Psychologist, Counsellor & Teacher.

The Shire of Lake Grace community will remember Margaret for her role as a counsellor with Southern Agcare, visiting Lake Grace for over a decade and helping people deal with challenges made more so by isolation. Margaret also tutored local writers, helping a number to publish books and launch their careers as authors. Additionally, Margaret hosted community workshops to create stories for the "Lake Grace 100 Years" book.

Margaret spent her life contributing to the WA community and health sectors and was one of the first professionals to recognise the needs of families caring for children with special needs, establishing the organisation Kalparrin, now known as Kiind, in 1989. Hundreds of Western Australian families of children with disabilities over the past forty + years have witnessed and or experienced first-hand the extent of Margaret's remarkable support. In 2020 she was recognised for her lifetime of work with children, women, families and communities throughout WA by induction into the Women's Hall of Fame and an honorary doctorate from Edith Cowan University.

Margaret passed away on 26 December 2023.

**10.0 CONFIRMATION OF MINUTES**

**10.1 ORDINARY COUNCIL MEETING – WEDNESDAY 21 FEBRUARY 2024**

**RECOMMENDATION / RESOLUTION**

**RESOLUTION**            13828

**Moved:**                 Cr Clarke

**Seconded:**            Cr Hyde

That the Minutes of the Ordinary Council Meeting held on Wednesday 21 February 2024 be confirmed as a true and accurate record of the meeting.

**CARRIED**                6/0

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

**Against:**                Nil

**10.2 SPECIAL COUNCIL MEETING**

Nil

**10.3 ANNUAL MEETING OF ELECTORS**

Nil

**11.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

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

Nil

**13.0 REPORTS OF COMMITTEES**

**13.1 SHIRE OF LAKE GRACE TOURISM ADVISORY COMMITTEE 20 FEBRUARY 2024**

**RECOMMENDATION / RESOLUTION**

**RESOLUTION**            **13829**

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

That the Minutes of the Shire of Lake Grace Tourism Advisory Committee meeting held on 20 February 2024 be received.

**CARRIED**                **6/0**

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

**14.0 REPORTS OF OFFICERS**

**14.1 INFRASTRUCTURE SERVICES**

Nil



**14.2 PLANNING**

**14.2.1 DEVELOPMENT APPLICATION – PROPOSED NEW SHADE STRUCTURE ON LOT 278 (NO.17) MASON STREET, LAKE GRACE**

<b>Applicant</b>	Mr Peter Hudson on behalf of Apparently Superannuation Pty Ltd (Landowner)
<b>File No.</b>	LG-D2324-08
<b>Attachments</b>	1. Development Application Documentation and Plans
<b>Author</b>	Joe Douglas – Town Planner
<b>Disclosure of Interest</b>	Nil
<b>Date of Report</b>	14 March 2024
<b>Senior Officer</b>	Mr Alan George – Chief Executive Officer

Summary

This report recommends that a development application submitted by Mr Peter Hudson on behalf of Apparently Superannuation Pty Ltd (Landowner) to construct a new 135m<sup>2</sup> steel framed shade structure on Lot 278 (No.17) Mason Street, Lake Grace to support the continued use of the land for motor vehicle repair purposes be approved subject to conditions.

Background

In December 2022 Council considered and granted approval to a development application submitted by Mr Peter Hudson on behalf of Apparently Superannuation Pty Ltd (Landowner) to construct a new 135m<sup>2</sup> steel framed shade structure on Lot 278 (No.17) Mason Street, Lake Grace to support the continued use of the land for motor vehicle repair purposes subject to the following conditions and advice notes:

Conditions:

- 1. The proposed development shall be undertaken strictly in accordance with the information and plans submitted in support of the application subject to any modifications required as a consequence of any condition/s of this approval or otherwise approved by the local government.*
- 2. Any additional development which is not in accordance with the application the subject of this approval or any condition of approval will require the further approval of the local government.*
- 3. The proposed development shall be substantially commenced within a period of two (2) years from the date of this approval. If the development is not substantially commenced within this period this approval shall lapse and be of no further effect. Where an approval has so lapsed, the proposed development shall not be carried out without the further approval of the local government having first being sought and obtained.*
- 4. All external surfaces of the proposed structure shall be clad with new materials only.*
- 5. The side elevations of the proposed structure shall not be enclosed unless otherwise approved by the local government.*

6. *All stormwater drainage shall be directed away from the proposed structure and managed and disposed to the specifications and satisfaction of the local government's Chief Executive Officer in consultation with the local government's Manager Infrastructure Services. Details regarding all proposed stormwater drainage management measures shall be submitted to the local government for consideration and determination by the Chief Executive Officer prior to the commencement of any earthworks or construction on the land. Any upgrades required to the existing stormwater drainage infrastructure in the Mason Street road reserve to accommodate stormwater generated by the proposed development shall be undertaken at the landowner's own cost.*

Advice Notes:

1. *This approval is not an authority to ignore any constraint to development on the land which may exist through contract or on title, such as an easement, memorial or restrictive covenant. It is the responsibility of the applicant and landowner and not the local government to investigate any such constraints before commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether or not it has been drawn to the local government's attention.*
2. *This is a development approval of the Shire of Lake Grace under its Local Planning Scheme No.4. It is not a building permit or an approval to commence or carry out development under any other law. It is the responsibility of the applicant/landowner to obtain any other necessary approvals, consents, permits and licenses required under any other law, and to commence and carry out development in accordance with all relevant laws.*
3. *In accordance with the Building Act 2011 and Building Regulations 2012, a building permit application must be submitted to and approved by the local government's Building Surveyor prior to the commencement of any earthworks or construction on the land.*
4. *The proposed development is required to comply in all respects with the National Construction Code of Australia. Plans and specifications which reflect these requirements are required to be submitted with the building permit application.*
5. *The applicant/landowner is reminded of their obligation to ensure compliance with the requirements of the Shire of Lake Grace Annual Fire Management Notice as it applies specifically to all townsite land in the Shire to help guard against any potential bushfire risk (<https://www.lakegrace.wa.gov.au/services/bushfire-emergency-management/fire-management-requirements.aspx>).*
6. *Any future proposed advertising signage shall be provided in accordance with the specific requirements of the Shire of Lake Grace Local Planning Scheme No.4 and Local Planning Policy 6.5 entitled 'Advertising Signage' unless otherwise approved by the local government.*
7. *The land the subject of this approval is located in a designated flood prone area and was subject to shallow flooding during the 2006 flood event to a depth of 0.02 to 0.15 metres. In granting this approval the local government has considered the potential flood risk and determined the proposed development is acceptable given it is non-habitable in nature, ancillary to development already approved and constructed on the land including finished ground levels, minor in terms of its built form size and scale and unlikely to have any detrimental impact on the existing flooding regime of the immediate locality (i.e. it will not result in obstruction to major stormwater flows and increase flood levels upstream). Notwithstanding this fact, the local government accepts no responsibility for any damage,*

*injury or loss that may occur in the event of a major flood should the development proceed as approved.*

8. *Failure to comply with any of the conditions of this development approval constitutes an offence under the provisions of the Planning and Development Act 2005 and the Shire of Lake Grace Local Planning Scheme No.4 and may result in legal action being initiated by the local government.*
9. *If the applicant/landowner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be submitted directly to the State Administrative Tribunal within 28 days of this determination.*

Mr Hudson has submitted a new development application to the Shire pursuant to the requirements of clause 77 of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* requesting Council's approval to amend the original development approval granted.

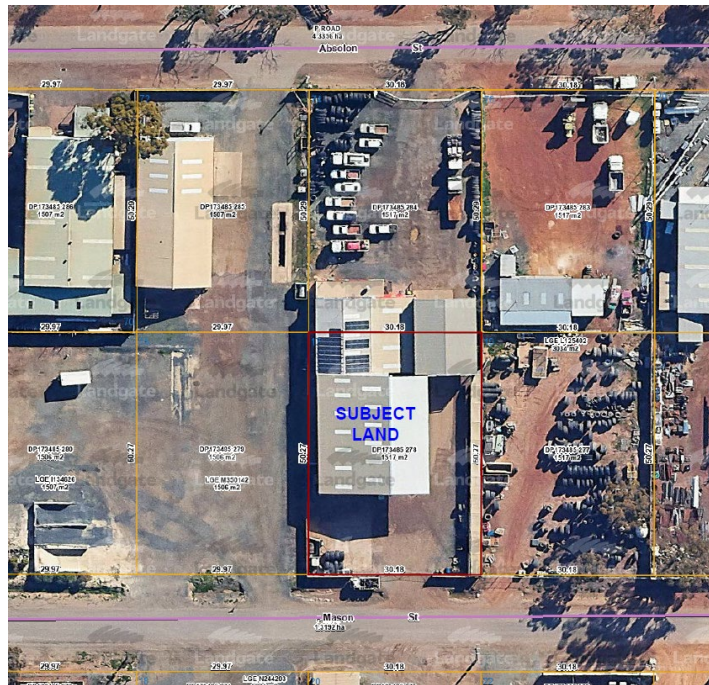
Under the terms of the revised plans submitted in support of the latest development application the proposed new shade structure will have a skillion roof instead of a gable roof constructed using the same materials previously approved (i.e. steel framework and zincalume roof sheeting).

Other key changes to the proposed design layout are itemised as follows:

- Column heights ranging from 4.8 to 5.2 metres in lieu of 4.9 metres as originally approved;
- Skillion roof heights ranging from 4.881 to 5.353 metres in lieu of a gable roof ridge height of 5.656 metres as originally approved;
- Reorientation of the proposed structure 90 degrees to what was originally approved with the same setbacks to the land's western side boundary, a reduced setback to the land's Mason Street frontage (i.e. 1.9 metres in lieu of 7.5 metres originally approved), and an increased setback to the land's eastern side boundary (i.e. 19 metres in lieu of 13.28 metres originally approved).

It is significant to note the proposed structure will have the same final finished floor level to what was originally approved with all stormwater drainage to again be retained and disposed on-site.

Further discussion with Mr Hudson during assessment of the application confirmed he would like to amend the approved design layout to ensure the proposed shade structure ties into and complements the architectural style and visual appearance of the existing workshop building on the land, which is also a steel framed skillion roofed structure, and create a safe, more efficient and user-friendly work area to protect himself and his employees from the natural elements (i.e. sun and rain).



Location & Lot Configuration Plan (Source: Landgate 2024)

Comment

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

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

- Land capability and suitability;
- Land use compatibility including buffer separation distance requirements;
- Location / siting including lot boundary setbacks with the exception of the proposed setback to Mason Street;
- Building height;
- Vehicle access and parking;
- Key essential service infrastructure including stormwater drainage; and
- Bushfire and flood risk management.

Notwithstanding the above conclusion, Council should note the following key points when considering and determining the application:

- Front Boundary Setback

Table 2 in LPS4 requires all buildings developed and used for industrial purposes to have a minimum setback of 7.5 metres to designated street frontages unless otherwise approved by Council.

---

The proposed new shade structure on Lot 278 will have a setback of 1.9 metres to its Mason Street frontage which constitutes a variation of 5.6 metres to the minimum front boundary setback required by LPS4.

Having regard for:

- i) the design, finish, scale, bulk and height of the proposed structure;
- ii) the nature of existing development and associated built form improvements on other 'General Industry' zoned properties in the immediate locality which also do not strictly comply with the minimum front setback requirements of Table 2;
- iii) the relatively limited impact the structure will have on the visual amenity of the existing streetscape and the inhabitants of the immediate locality given it is an open sided structure that will complement the existing workshop building on the land;
- iv) the limited impact the proposed structure will have in terms of all existing approved vehicle access and parking arrangements on the land; and
- v) the significant benefit the proposed structure will have for people employed on the land and the continued operation of the business,

it is considered appropriate that Council exercise the discretion afforded by clause 4.5 of LPS4 as it applies to variations to site and development requirements and allow the development to proceed as proposed in terms of the reduced front boundary setback.

- Front Building Façade

Clause 4.9 of LPS4 requires the front façade of all buildings in the General Industry zone to be orientated to the street and constructed in brick, concrete or masonry unless otherwise approved by Council.

The application for Lot 278 proposes the construction of a new steel framed shade structure with zincalume roofing and no wall cladding which does not strictly comply with the requirements of clause 4.9.

Having regard for:

- i) the design, finish, scale, bulk and height of the proposed structure;
- ii) the orientation of the existing development on the land and the adjoining Lot 284 (No.74) Absolon Street which has been designed to address the Absolon Street frontage with a compliant front boundary setback and approved building materials that do not strictly comply with the requirements of clause 4.9 of LPS4;
- iii) the nature of existing development and associated built form improvements on other 'General Industry' zoned properties in the immediate locality which also do not strictly comply with the minimum front setback requirements of Table 2;
- iv) the relatively limited impact the structure will have on the visual amenity of the existing streetscape and the inhabitants of the immediate locality given it is an open sided structure that will complement the existing workshop building on the land; and
- v) the significant benefit the proposed structure will have for people employed on the land and the continued operation of the business,

it is again considered appropriate that Council exercise the discretion afforded by clause 4.5

of LPS4 as it applies to variations to site and development requirements and allow the development to proceed as proposed in terms of the materials to be used on the structure's front façade.

- Flood Risk

The subject land is located in a designated flood prone area and was subject to shallow flooding during the 2006 flood event to a depth of 0.02 to 0.15 metres.

Notwithstanding the general requirements of clause 4.34 of LPS4 as it applies specifically to land liable to flooding, the Department of Water and Environmental Regulation has recommended a minimum floor level of 0.3 metres above the 2006 flood event for any new habitable type development in the flood prone areas of the Lake Grace townsite to help mitigate the potential flood risk.

In this case however the proposed development is non-habitable in nature, ancillary to development already approved and constructed on the land (including finished ground levels), minor in terms of its built form size and scale and unlikely to have any detrimental impact on the existing flooding regime of the immediate locality (i.e. it will not result in obstruction to major stormwater flows and increase flood levels upstream).

It is also noted that since the 2006 floods the Shire and other government agencies have undertaken a significant number of infrastructure improvements in and around the Lake Grace townsite to improve flood protection and management to mitigate any future potential risk.

In light of all the above it is not considered necessary to impose a condition on any approval that may ultimately be granted in this particular instance requiring the land to be filled to accommodate the proposed development and mitigate the potential flood risk. It is however recommended the applicant/landowner be advised of the potential flood risk and that in granting approval the Shire accepts no responsibility for any damage, injury or loss that may occur in the event of a major flood.

- Land Amalgamation

It is noted the existing development on the land has been undertaken on two (2) immediately adjoining lots of the same size and the existing workshop building and an associated cover structure have been constructed across their centrally located common boundary.

Amalgamation of the two lots into one new separately titled lot is preferred however Council is unable to lawfully require the landowner to do so unless it was a requirement of any previous development approval granted. A review of previous approval records for the land has confirmed this is not the case.

The imposition of a condition in respect this latest application requiring amalgamation of the two lots is not recommended as it could be deemed unreasonable by the State Administrative Tribunal and therefore invalid because it has no planning purpose of direct relevance to the proposal at hand.

In light of all the above it is concluded the proposal for Lot 278 is unlikely to have any negative impacts on the general amenity, character, functionality and safety of the immediate locality and may therefore be supported and approved by Council subject to the same conditions and associated advice notes imposed on the development approval granted in December 2022 to ensure the development proceeds in a proper and orderly manner. As such, it is recommended Council exercise discretion and grant conditional development approval.

Legal Implications

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

Policy Implications

- State Planning Policy 3.4 – *Natural Hazards and Disasters*
- State Planning Policy 4.1 – *Industrial Interface*

Consultation

Public advertising of the application and referral to State government agencies and key essential service providers was not required nor deemed necessary. The application was, however, the subject of discussion with the applicant during assessment of the application.

Financial Implications

There are no known financial implications in relation to this item aside from the administrative costs associated with processing the application which are provided for in Council’s annual budget and have been offset in part by the development application fee paid by the applicant. All costs associated with the proposed development will be met by the landowner.

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

Strategic Implications

- Shire of Lake Grace Local Planning Strategy 2007 as it applies specifically to the development of a diversified range of commerce and industry in appropriate locations to provide local employment opportunities.
- This item aligns with Aspire 2033 - Shire of Lake Grace Strategic Community Plan

<b>Economic Objective - A prosperous economy supporting diversification of industry</b>		
Outcome	2	A diverse and prosperous economy
Strategies	2.2	Support local business and promote further investment in the district
<b>Environment Objective - Protect and enhance our natural and built environment</b>		
Outcome	4	A well maintained attractive built environment servicing the needs of the community

Voting Requirements

Simple majority required.

**RECOMMENDATION / RESOLUTION**

**RESOLUTION**            **13830**

**Moved:**                    **Cr Chappell**

**Seconded:**                **Cr Hyde**

That Council, pursuant to the powers afforded by clause 77 of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*, **approve** the development application submitted by Mr Peter Hudson on behalf of Apparently Superannuation Pty Ltd (Landowner) to construct a new 135m<sup>2</sup> steel framed shade structure on Lot 278 (No.17) Mason Street, Lake Grace to support the continued use of the land for motor vehicle repair purposes in accordance with the amended plans submitted subject to the same conditions and advice notes imposed on the original development approval granted on 21 December 2022 (Resolution No.13517).

**CARRIED**                    **6/0**

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

**Against:**                    **Nil**

**14.3 HEALTH AND BUILDING**

Nil



**14.4 ADMINISTRATION**

**14.4.1 SOUTH WEST NATIVE TITLE SETTLEMENT – LAND BASE CONSULTATION**

<b>Applicant</b>	Department of Planning Lands and Heritage
<b>File No.</b>	0367
<b>Attachments</b>	Location maps and comments
<b>Author</b>	Alan George – Chief Executive Officer
<b>Disclosure of Interest</b>	Nil
<b>Date of Report</b>	18 March 2024
<b>Senior Officer</b>	Alan George – Chief Executive Officer

Summary

For Council to provide comment on the land identified for possible transfer and inclusion in the Noongar Land Estate.

Background

The South West Native Title Settlement (Settlement) is a landmark native title agreement reached between the State Government (State) and the six Noongar Agreement Groups. The six requisite Indigenous Land Use Agreements (ILUAs) were conclusively registered, leading to the Settlement commencing on 25 February 2021 after some years of delay. The Settlement recognises the Agreement Groups as the Traditional Owners of the south west of Western Australia, while resolving native title in exchange for a negotiated package of benefits.

A key negotiated benefit is the delivery of a 320,000 hectare Noongar Land Estate, in accordance with the Noongar Land Base Strategy (Annexure J to the ILUAs). The Noongar Land Estate will contain up to 300,000 hectares of land transferred in reserve or leasehold, and up to 20,000 hectares of land transferred in freehold. The Landholding Body for all land transferred is the Noongar Boodja Land Sub Pty Ltd, which will hold and manage the land in the Noongar Land Estate in consultation with the soon to be established Noongar Regional Corporations. All land will be used and managed in line with Noongar cultural, social and economic aspirations for the benefit of generations to come.

Over the next several years, the Department of Planning, Lands and Heritage (Department) will progress selected land parcels through to transfer under the Settlement, subject to all necessary consultation and approvals with stakeholders. Land eligible for inclusion in the Noongar Land Estate includes:

- unallocated Crown land;
- unmanaged reserves;
- land owned or held by the Aboriginal Lands Trust / Aboriginal Affairs Planning Authority; and
- land owned or held by State agencies or Local Government Authorities, at the discretion of the State agency or Local Government Authority.

Council has previously been requested to comment on several areas of land for possible inclusion in the Noongar Land Estate. The last request for land came in August 2023 for Reserves 13526 and 13527 east of the vermin fence. Reserve 23061 on the corner of Mission and Biddy-Camm Rd (under control of DPLH) and Reserve 29081 on Baanga Hill Rd under the control of the Water Corp.

---

## Comment

A key part of the process being followed by the Department involves the referral of land under consideration for inclusion in the Noongar Land Estate to relevant State agencies and Local Government Authorities.

There are 45 areas identified for possible transfer in this tranche of requests the majority of which are salt lakes including, most significantly, Lake Grace lakes north and south. Also our dams at Lake Bidy on Reserve 23140.

All locations in the current tranche will be placed on the big screen for discussion. DPLH was contacted seeking an extension of time to respond given the large amount of land in question however we were advised that there is a strict time limit on this tranche.

“...Given the high volumes of land undergoing consideration and our impending Year 3 deadline (29 March 2023), our project timeframes no longer allows for any extensions. Please be advised that officer-level comment is sufficient for consultation requirements under the *Land Administration Act 1997*, however we appreciate the Shire will provide comments as soon as practical and **I can assure you that any comments provided by the Shire prior to the land being formally offered will be included in the offer of the land. ....”**

As a result of the advice preliminary responses to each area were forwarded to DPLH under advice that Council comments would follow. A hard copy will be provided to councillors at the meeting. After council discussion the responses will be forwarded to DPLH.

Council comments are being sought on;

1. Is the Shire supportive of the transfer of this land to the Noongar People under the Settlement?
2. Does the Shire have any interest in the land?
3. Does the Shire have existing or planned infrastructure within the land parcel that requires protection? If yes, please provide details and advise if access to this infrastructure will need to be maintained.
4. Is the land parcel subject to any mandatory connection to services?
5. Are any future proposals for the land identified? Please provide detail of what is proposed and in what timeframe?
6. Are there any future proposals for adjoining land that may affect the land identified in the spreadsheet? If so, in what timeframe?
7. Please advise of any proposed planning scheme amendments that may affect the zoning of this land at a State or Local government level. If a scheme amendment is to occur, what is the change proposed and when will it come into effect?
8. Please advise of any known land management issues such as site contamination, hazards, debris or rubbish dumping, unauthorised land use and environmental considerations (such as inundation or similar site constraints).
9. Please provide any additional comments on the proposed transfer of this land as part of the Settlement.

The Department of Planning Lands and Heritage were seeking comments by 19 March 2024

---

Legal Implications

South West Native Title Settlement

Policy Implications

Nil

Consultation

Nil

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Simple majority

**RECOMMENDATION / RESOLUTION**

**RESOLUTION**            **13831**

**Moved:**                    **Cr Lloyd**

**Seconded:**                **Cr Hyde**

That Council provides further comment to DPLH on the consideration for inclusion in the Noongar Land Estate of those unmanaged Reserves and unallocated Crown Land as detailed in their latest request.

Full details of the comments will be attached to the agenda and hard copies will be made available upon request.

**CARRIED**                    **5/1**

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

**Against:**                    **Cr Clarke**

#### 14.4.2 COMPLIANCE AUDIT RETURN 2023

<b>Applicant:</b>	Internal Report
<b>File No.</b>	0229
<b>Attachments:</b>	Shire of Lake Grace 2023 Compliance Audit Return
<b>Author:</b>	Mr Chris Paget – Deputy CEO
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	21 March 2024
<b>Senior Officer:</b>	Mr Alan George - Chief Executive Officer

#### Summary

The purpose of this report is for Council to consider the Audit Committee recommendation to adopt the statutory Local Government Compliance Audit Return (CAR) for the year ending 31 December 2023.

#### Background

Under the Local Government (Audit) Regulations 1996, a Local Government is required to carry out a Compliance Audit for the period 1 January to 31 December 2023. Once received and endorsed by Council, the certified return then needs to be submitted to the Director General, Department of Local Government, Sports and Cultural Industries by 31 March 2024.

The Compliance Audit Return must be:

1. reviewed by the Audit Committee;
2. presented to Council at a meeting of the Council;
3. adopted by the Council and certified by the President and CEO, then
4. recorded in the minutes of the meeting at which it is adopted.

The Compliance Audit Return is intended to assist Council in monitoring its organisational functions and provides an additional element of accountability through a check on internal management systems, procedures and record keeping. This in turn demonstrates the Shire's emphasis on improving its good governance, compliance, and best practice methods. Council is required to note any areas of non-compliance and endorse remedial action. The Audit is provided by the Department of Local Government through their secure website CAR reporting portal, and is required to be completed by every local government in Western Australia.

#### Comment

The Audit Committee met prior to this meeting on Wednesday 27 March 2024 to review the completed 2023 CAR document and associated report in order to recommend its adoption by the Council.

There were three items of non-compliance noted out of the total 95 questions included in the Shire of Lake Grace 2023 CAR, and this equates to an achievement rate of 96.84% which is slightly lower than the 2022 result of 97.83%. The non-compliant matters identified for the three topic areas are as follows:

Disclosure of Interest

(Page 3 No.5) Local Government Act s5.76 Annual Returns: 2 employee annual returns were received on 1 September 2023, thus 1 day overdue. 1 Councillor's annual return was received on 4 September.

Integrated Planning and Reporting

(Page 9 No.1) Admin Reg 19C: The existing Shire of Lake Grace Strategic Community Plan was adopted by absolute majority of Council on 28 June 2017, and the overdue major review including community consultations was carried out in 2023. The final draft of the new SCP was adopted by Council on 21 February 2024.

Other / Optional Questions

(Page 11 No.7) Local Government Act s5.127: A report on Councillor training undertaken for the 2022/23 year was prepared as required, however the during the cutover process to the new Shire website a report from a prior year was retrieved and made available for public access in error. This has now been corrected.

Statutory / Legal Implications

Local Government Act 1995 section 7.13(i)  
Local Government (Administration) Regulations 1996 - Regs 13, 14 & 15  
Local Government (Audit) Regulations 1996  
Local Government (Elections) Regulations 1997  
Local Government (Functions and General) Regulations 1996  
Local Government (Rules of Conduct) Regulations 2007

Policy Implications

Not applicable

Consultation

Internal:  
Mr Alan George - Chief Executive Officer  
Mr Chris Paget – Deputy CEO  
Mrs Tegan Hall – Manager Corporate Services  
Mr Craig Elefsen – Manager Infrastructure Services  
Shire Administration, Infrastructure & Finance staff

Financial Implications

Nil

Strategic Implications

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

Leadership – Strong governance and leadership, demonstrating fair and equitable community values:		
Outcome	8	A strategically focused, unified Council functioning efficiently
Strategies	8.3	Provide strategic leadership and governance
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**                    **13832**

**Moved:**                            **Cr Chappell**  
**Seconded:**                    **Cr Kuchling**

That Council:

1. Adopts the Local Government Statutory Compliance Audit Return for the period 1 January 2023 to 31 December 2023 for the Shire of Lake Grace; and
2. Instructs the CEO to submit the certified 2023 Compliance Audit Return to the Department of Local Government, Sport & Cultural Industries by 31 March 2024.

**CARRIED**                            **6/0**

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

**14.4.3 OFFICE CLOSURE – FRIDAY 26 APRIL 2024**

*It was noted prior to discussion that all staff employed by Shire of Lake Grace have an interest affecting impartiality in relation to this item.*

<b>Applicant</b>	Mr Alan George – Chief Executive Officer
<b>File No.</b>	Nil
<b>Attachments</b>	Nil
<b>Author</b>	Mr Alan George – Chief Executive Officer
<b>Disclosure of Interest</b>	Nil
<b>Date of Report</b>	25 March 2024
<b>Senior Officer</b>	Mr Alan George – Chief Executive Officer

Summary

Administration is seeking permission and approval from Council to close the office and suspend service on Friday 26 April 2024 (day after ANZAC Day).

Background / Comment

ANZAC Day for 2024 falls on a Thursday. As such, administration is seeking Council approval to close the office on Friday 26 April 2024 and give all staff a four (4) day break with normal office hours resuming on Monday 29 April 2024.

In 2023 ANZAC Day fell on a Tuesday and Council approved the closure of the office on Monday 24<sup>th</sup> April with staff either taking an RDO or Annual Leave. With ANZAC Day falling on a Thursday this year administration is seeking approval to close the office on the Friday. History has shown that when a public holiday falls on a Tuesday or a Thursday the day before or after experiences very little, if any, contact with the public. In addition many staff will either request the Friday off regardless. All staff will need to apply either annual leave or rostered day off.

Sufficient advertising will be put in place to give the public adequate notice of the closure.

Legal Implications

Nil

Policy Implications

Nil

Consultation

Internal            Mr Alan George – Chief Executive Officer  
                         All administration staff

Financial Implications

Nil as the day off will be covered by either annual leave or rostered day off.

Strategic Implications

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

<b>Leadership Objective - Strong governance and leadership, demonstrating fair and equitable community values</b>		
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

Absolute majority required.

**RECOMMENDATION / RESOLUTION**

**RESOLUTION**            **13833**

**Moved:**                    **Cr Lloyd**  
**Seconded:**                **Cr Chappell**

That Council approves the closure of the Administration office on 26 April 2024 (day after ANZAC Day) resuming on Monday 29 April 2024.

**CARRIED**                    **6/0**

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



**14.5 FINANCE**

**14.5.1 ACCOUNTS FOR PAYMENT – FEBRUARY 2024**

<b>Applicant</b>	Internal Report
<b>File No</b>	0277
<b>Attachments</b>	List of Accounts Payable
<b>Author</b>	Tegan Hall - Manager Corporate Services
<b>Disclosure of Interest</b>	Nil
<b>Date of Report</b>	11 March 2024
<b>Senior Officer</b>	Mr Alan George – Chief Executive Officer

Summary

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

Background

List of payments for the month of February 2024 through the Municipal and Trust accounts is 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 February 2024 from the Municipal Account  
Total \$1,049,162.21

Strategic Implications

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

<b>Leadership Objective - Strong governance and leadership, demonstrating fair and equitable community values</b>		
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 13834**

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

That Council ratify the list of payments totalling \$1,049,162.21 as presented for the month of February 2024 incorporating:

<b>Payment Method</b>	<b>Cheque/EFT/DD Number</b>	<b>Amount</b>
Electronic Funds Transfers	EFT26115 – EFT26219	\$959,186.72
Municipal Account Cheques	37114 - 37115	\$31,215.83
Direct Debits	DD10832.1 – DD10874.10	\$52,502.10
Credit Cards	DD10864.1	\$2,593.41
Fuel Cards	EFT 26164 & EFT26192	\$3,664.15
	<b>TOTAL</b>	<b>\$1,049,162.21</b>

**CARRIED 6/0**

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

# Shire of Lake Grace



## CERTIFICATE OF EXPENDITURE February 2024

This Schedule of Accounts to be passed for payment, covering

<b>Payment Method</b>	<b>Cheque/EFT/DD Number</b>	<b>Amount</b>
Electronic Funds Transfers	EFT26115 – EFT26219	\$959,186.72
Municipal Account Cheques	37114 - 37115	\$31,215.83
Direct Debits	DD10832.1 – DD10874.10	\$52,502.10
Credit Cards	DD10864.1	\$2,593.41
Fuel Cards	EFT 26164 & EFT26192	\$3,664.15
	<b>TOTAL</b>	<b>\$1,049,162.21</b>

to the Municipal Account, totalling \$1,049,162.21 which were submitted to each member of the Council on 27 March 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 – 29 FEBRUARY 2024

<b>Applicant</b>	Internal Report
<b>File No.</b>	0275
<b>Attachments</b>	<ul style="list-style-type: none"> <li>• Monthly Financial Reports</li> <li>• Bank Reconciliations – February 2024</li> </ul>
<b>Author</b>	Mrs Victoria Fasano - Senior Finance Officer Investments & Reporting
<b>Disclosure of Interest</b>	Nil
<b>Date of Report</b>	29 February 2024
<b>Senior Officer</b>	Mr Alan George - Chief Executive Officer

### Summary

Consideration of the Monthly Financial Reports for the period ending 29 February 2024 and Bank Reconciliations for the month ending 29 February 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 29 February 2024, operating revenue is over the target by \$160,080 (2.41%), mainly due to additional FAGS received, but not budgeted for. Interest revenue is higher due to higher interest rates. Profit on Asset disposal is lower due to increased cost of subdivision of industrial land sold.

Operating expenditure is over YTD budget by \$1,858,679 (22.53%), mainly due to Depreciation being over the budgeted threshold due to an increase in Roads assets valuation, performed at 22/23 financial year end, but not budgeted for. Employee costs are slightly over the budget threshold. Materials and contracts are down due to delays in operating jobs. Utility charges below the budget due to decrease in water and power supply.

Capital revenue is below the target by \$1,067,257 (33.43%). Some of "Local Roads & Community" and "Drought & Community" projects are not yet initiated/finalised, funds will be recognised later in financial year. Some of the projects moved to 24/25 FY to be finalised. Proceeds from disposal of assets on the other hand are higher than anticipated.

Capital expenses are below the target by \$1,853,394 (62.78%) due to a large portion of Capital projects not being initiated as yet (48%) or in an early stage of completion.

Cash at bank is slightly higher than the corresponding period last year, an investment agreement for 3 term deposits with Commonwealth Bank is in place (\$10,581,370), as well as Overnight Cash Deposit with WA Treasury Corporation for \$2,678,806.

Outstanding rates are tracking well and have recovered 96.3% to date.

General debtor is \$34,412 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 29 February 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 (\$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

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

<b>Leadership Objective - Strong governance and leadership, demonstrating fair and equitable community values</b>		
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 13835**

**Moved: Cr Chappell**

**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 29 February 2024 and
2. Municipal, Trust and Reserve Funds bank reconciliations for the period ended 29 February 2024.

**CARRIED 6/0**

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

**Against: Nil**

### 14.5.3 BUDGET REVIEW 2023/24

<b>Applicant</b>	Internal Report
<b>File No.</b>	0625
<b>Attachments</b>	Budget Review Document 2023/24 Document
<b>Author</b>	Victoria Fasano – Senior Finance Officer
<b>Disclosure of Interest</b>	Nil
<b>Date of Report</b>	29 February 2024
<b>Senior Officer</b>	Alan George – Chief Executive Officer

#### Summary

To consider and adopt the Budget Review as presented in the document *Budget Review 2023/24* for the period 1 July 2023 to 29 February 2024

#### Background

The 2023/24 Budget Review incorporating year-to-date budget variations and the projected forecasts to 30 June 2024 for the period ending 29 February 2024 is presented for Council consideration. The Local Government (Financial Management) Regulations 1996, Regulation 33A as amended, requires that local governments conduct a budget review between 1 January and the last day of February in each financial year. A copy of the review and determination is to be provided to the Department of Local Government within 14 days of the adoption of the review.

#### Comment

The budget review has been prepared to include information required by the Local Government Act 1995, Local Government (Financial Management Regulations 1996 and Australian Accounting Standards. Council adopted a 10% and \$5,000 minimum material variances to be used in the statements of financial activity and budget review.

The budget review document, including Statement of Budget Review, Summary Graphs, Net Current Funding Position, Predicted Variances / Future Budget Amendments, and Budget Amendments since Budget Adoption.

The intent of the Budget Review is to predict where we are going to finish at 30 June 2024. It is not intended to be a process for wholesale changes to individual accounts, although many local governments do take this opportunity to do so.

The net impact of the budget amendments and variation to opening Surplus made throughout the year is a projected budget surplus of \$0.

Major movements are detailed below:

- The opening balance surplus was adjusted by \$458,428 following the 2022/23 audit due to final adjusting movements following audit discussions.
- Net Increase in Financial Assistance Grant \$168,262 for 2023/24 FY
- Contribution towards the Lake Grace All Abilities Playground of \$28,000
- Increase of \$241,362 for Interest earned due to higher than anticipated interest rates
- Decrease of \$52,600 for Profit on Sale of Industrial land - Acquisition at the end of 22/23 FY affected written down value, thus reducing of Profit on sale of land

- Increase of \$19,000 for Profit On Sale Of Vehicles sold at higher than predicted price
- Increase for Employee costs of \$115,227
- Movement of \$27,000 from Consultancy Charges to Integrated Planning & Valuations Asset Valuer Pro by APV Valuers and 22/23 Revaluation, performed by AssetVal
- Expense increase of \$30,000 for updating awards in Altus Payroll
- Non-cash increase of \$4,607,000 for Depreciation expense due to Asset revaluation in 22/23 FY finalised after the budget approval, this is a non cash item but budget should be adjusted to better reflect financial statements
- Increase of \$28,500 for New doctors contract - Receptionist Support Payment
- Reduction of Capital Grants as a consequence of movement of completion dates for several projects to 24/25 Financial Year: \$665,145 for Local Roads & Community Program and \$400,000 for Drought & Community Program
- Increase of \$127,591 for the sale of 6, 5, 8 & 10 Quondong Ct not budgeted for
- Increase of \$60,700 for vehicles sold at higher than estimated price
- Expense increase of \$ 32,550 for LG Residential Land - Purchase of 84 Bennett St
- Reallocation of Savings of \$55,000 on Lk Tractor Musuem Shed to UAT Lake Grace All Abilities Playground
- Increase of \$159,200 for Proceeds from Sale Of Residential Land and vehicles
- Expense increase of \$79,000 for Newdegate Hockey Shed Replacement
- Expense increase of \$43,821 for Visitor Centre Improvements
- Expense increase of \$42,500 for Admin Office Building install generator and changeover switch
- Expense increase of \$42,500 for Lake Grace Medical Centre install generator and changeover switch
- Savings of \$140,000 on Lake Grace Public Hall
- Expense increase of \$30,321 for Relocate Toy Library to Daycare Centre
- Reallocation of Roads savings of \$126,425 on R2R - Burngup Rd, Hatters Hill Rd and Magenta Rd to Biddy Camm Rd (\$118,425) with overall savings of \$8,000
- Expense increase of \$154,000 for Construction Lg Community All Abilities Playground - money is from projects that come in under budget that has to be spent in same phase
- Savings of \$124,000 on Jam Patch New Bbq & Picnic Shelters
- Savings of \$28,821 on Lg Depot - New Fuel Storage and Newdegate Street Bin Upgrade
- Savings of \$100,000 - remove job Lake Grace Rv Park - Funds allocated to office, Lakes Village and medical centre generator projects
- Savings of \$30,000 on Drainage Upgrades Dykes Road due to change in scope of works project will be included in 24/25 annual budget
- Savings of \$100,000 on LG Lookout Upgrade - remove budget, to be completed 24/25
- Savings of \$150,000 on Lake Grace Sporting Complex Entry - remove budget, to be completed 24/25

The budget has been reviewed to continue to deliver on strategies and projects adopted by Council and to maintain the levels of service across all programs.

### Legal Implications

Regulation 33A of the Local Government (Financial Management) Regulations 1996 requires:

(1) Between 1 January and 31 March in each financial year, a local government is to carry out a review of its annual budget for that year.

The review of an annual budget for a financial year must:

- (a) consider the local government’s financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year;
- (b) consider the local government’s financial position as at the date of the review; and
- (c) review the outcomes for the end of that financial year that are forecasted in the budget.

(2) Within 30 days after a review of the annual budget of a local government is carried out, it is to be submitted to the Council.

(3) A Council is to consider a review submitted to it and is to determine\* whether or not to adopt the review, any parts of the review or any recommendations made in the review.

*\*Absolute majority required.*

(4) Within 14 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.

Policy Implications

Nil

Consultation

Internal – Senior Management Team

Financial Implications

The review has incorporated budget amendments authorised by Council to 29 February 2024. With these amendments and projected variances, it is anticipated that there will be a budgeted surplus of \$0

Strategic Implications

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

<b>Leadership Objective - Strong governance and leadership, demonstrating fair and equitable community values</b>		
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
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

Absolute majority required

**RECOMMENDATION / RESOLUTION**

**RESOLUTION**            **13836**

**Moved:**                    **Cr Chappell**

**Seconded:**                **Cr Hyde**

That Council: consider and adopt the Budget Review as presented in the document *Budget Review 2023/24* for the period 1 July 2023 to 29 February 2024.

**CARRIED BY ABSOLUTE MAJORITY      6/0**

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

**Against:**                   **Nil**

**14.6    COMMUNITY SERVICES**

Nil

**15.0    QUESTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN**

Nil

**16.0    INFORMATION BULLETIN – MARCH 2024**

<b>Applicant</b>	Internal Report
<b>File No.</b>	Nil
<b>Attachments</b>	Information Bulletin Cover Page Only
<b>Author</b>	Alex Adams Executive Assistant
<b>Disclosure of Interest</b>	Nil
<b>Date of Report</b>	22 March 2024
<b>Senior Officer</b>	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 March 2024 Information Bulletin attachments include:

Reports:

- Infrastructure Services Report

External Organisations

- Roe Tourism Meeting Minutes 19 February 2024
- Varley Progress Meeting Minutes 7 March 2024

Circulars, Media Releases, Newsletters, Letters

- Emails forwarded to Councillors as they bear.

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

<b>Leadership Objective - Strong governance and leadership, demonstrating fair and equitable community values</b>		
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**            **13837**

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

That Council accepts the Information Bulletin Report for March 2024.

**CARRIED**                    **6/0**

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

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

**RECOMMENDATION / RESOLUTION**

**RESOLUTION**            **13838**

**Moved:**                **Cr Kuchling**  
**Seconded:**           **Cr Chappell**

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 – Industrial Land – General Industry

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

**CARRIED**                **6/0**

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

**RECOMMENDATION / RESOLUTION**

**RESOLUTION**            **13839**

**Moved:**                **Cr Chappell**  
**Seconded:**           **Cr Hyde**

That Council accepts the recommendation contained within Item 17.1 – Industrial Land – General Industry

**CARRIED**                **6/0**

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

**RECOMMENDATION / RESOLUTION**

**RESOLUTION**            **13840**

**Moved:**                **Cr Chappell**  
**Seconded:**           **Cr Hyde**

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

**CARRIED**                **6/0**

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

**18.0 DATE OF NEXT MEETING – 24 APRIL 2024**

The next Ordinary Council Meeting is scheduled to take place on Wednesday 24 April 2024 commencing at 3:30pm at the Council Chambers, 1 Bishop Street, Lake Grace.

**19.0 CLOSURE**

There being no further business, the Deputy President closed the meeting at 5.05pm.

**20.0 CERTIFICATION**

*STEPHEN GORDON HUNT*  
I, ~~Leonard William Armstrong~~, certify that the minutes of the Meeting held on Wednesday 27 March 2024 as shown were confirmed as a true record of the meeting.

  
\_\_\_\_\_  
Signature

*24/4/2024*  
\_\_\_\_\_  
Date