



# A G E N D A

ORDINARY COUNCIL MEETING  
**17 May 2022**

## Notice of Meeting

The next Ordinary Council Meeting for the Shire of Corrigin will be held on Tuesday 17 May 2022 in the Council Chambers, 9 Lynch Street, Corrigin commencing at 3.00pm.

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## Order of Business

10.00am – 12.30pm	Budget workshop 1
12.30am – 1.00pm	Lunch
1.00pm – 2.30pm	Discussion Forum
2.30pm – 3.00pm	Afternoon Tea
3.00pm	Council Meeting

I have reviewed this agenda and am aware of all recommendations made to Council and support each as presented.



**Natalie Manton**  
Chief Executive Officer  
5 May 2022

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**1. DECLARATION OF OPENING**

**2. ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE**

**3. PUBLIC QUESTION TIME**

A period of 15 minutes is allocated for questions with a further period of 15 minutes provided for statements from members of the public. The procedure for asking questions and responding is to be determined by the presiding member. The time allocated for questions is to be decided by the members of the Council and members of the public are to be given an equal and fair opportunity to ask a question and receive a response.

Questions and statements are to be –

- a) Presented in writing on the relevant form to the Chief Executive Officer prior to commencement of the meeting; and
- b) Clear and concise

**4. MEMORIALS**

The Shire has been advised that Mary Parsons and Ron Pridham have passed away since the last meeting.

**5. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS**

NIL

**6. DECLARATIONS OF INTEREST**

Councillors and Officers are reminded of the requirements of s5.65 of the *Local Government Act 1995*, to disclose any interest during the meeting before the matter is discussed and of the requirement to disclose an interest affecting impartiality under the Shire of Corrigin Code of Conduct.

**7. CONFIRMATION OF MINUTES**

**7.1. PREVIOUS COUNCIL MEETING AND BUSINESS ARISING FROM MINUTES**

**7.1.1. ORDINARY COUNCIL MEETING**

Minutes of the Shire of Corrigin Ordinary Council meeting held on Tuesday 19 April 2022 (Attachment 7.1.1).

**OFFICER'S RECOMMENDATION**

*That the Minutes of the Shire of Corrigin Ordinary Council meeting held on Tuesday 19 April 2022 (Attachment 7.1.1) be confirmed as a true and correct record.*

## **7.2. COMMITTEE MEETINGS AND BUSINESS ARISING FROM MINUTES**

### **7.2.1. EDNA STEVENSON TRUST COMMITTEE MEETING**

Minutes of the Edna Stevenson Trust Committee Meeting held on Monday 9 May 2022 (Attachment 7.2.1).

#### **OFFICER'S RECOMMENDATION**

*That the Minutes of the Edna Stevenson Trust Committee Meeting held on Monday 9 May 2022 (Attachment 7.2.1) be confirmed as a true and correct record.*

### **7.2.2. LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING**

Minutes of the Local Emergency Management Committee Meeting on Monday 9 May 2022 are not available as there was no quorum.

## 8. MATTERS REQUIRING A COUNCIL DECISION

### 8.1. CORPORATE AND COMMUNITY SERVICES REPORTS

#### 8.1.1. ACCOUNTS FOR PAYMENT

Applicant:	Shire of Corrigin
Date:	11/04/2022
Reporting Officer:	Tanya Ludlow, Finance / Human Resources Officer
Disclosure of Interest:	NIL
File Ref:	FM.0036
Attachment Ref:	Attachment 8.1.1 – Accounts for Payment – March 2022

#### SUMMARY

This report provides Council with a list of all financial dealings relating to all accounts for the previous month.

#### BACKGROUND

This information is provided to Council monthly in accordance with provisions of the *Local Government Act 1995* and *Local Government (Financial Management) Regulations 1996*. A Local Government is to develop procedures for the authorisation of, and payment of, accounts to ensure that there is effective security for which money or other benefits may be obtained.

#### COMMENT

The cheque, EFT and Direct Debit payments that have been raised during the month of April 2022 are provided as Attachment 8.1.1 – Accounts for Payment – April 2022.

After payment of the following cheque, EFT and Direct Debit payments, the balance of creditors will be \$194.54.

Bank Account	Payment Type	Reference	Amount	Total
Municipal	EFT	17297 - 17310, 17312 - 17478	\$1,389,806.51	
	Cheque	020726 - 020736	\$51,130.49	
	Direct Debit	April 2022	\$34,569.21	
	Payroll	April 2022	\$119,308.50	<b>\$1,594,814.71</b>
Trust	EFT	17296	\$30,000.00	
	Cheque	No Payments	\$0.00	
	Direct Debit	No Payments	\$0.00	<b>\$30,000.00</b>
Licensing Trust	EFT	17311	\$967.65	
	Direct Debit	April 2022	\$59,156.30	<b>\$60,123.95</b>
Edna Stevenson	EFT	No Payments	\$0.00	
	Cheque	No Payments	\$0.00	
	Direct Debit	No Payments	\$0.00	<b>\$0.00</b>
<b>Total Payments for the Month of April 2022</b>				<b>\$1,684,938.66</b>

Previous Accounts for Payment report

To enable Council to check that no sequential payment numbers have been missed from the previous accounts for payment report and the report provided as Attachment 8.1.1 – Accounts for Payment – February 2022, the following information is provided on the last cheque or EFT number used.

Bank Account	Payment Type	Last Number	First Number in Report
Municipal, Trust, ES Trust and Licensing	EFT	EFT17295	EFT17296
Municipal	Cheque	020725	020726
Trust	Cheque	003392	No Payments
Edna Stevenson	Cheque	000065	No Payments

Please note that the above does not include payments made via Direct Debit (DD) as they are not in sequential number order.

**STATUTORY ENVIRONMENT**

*S6.4 Local Government Act 1995, Part 6 – Financial Management  
R34 Local Government (Financial Management) Regulations 1996*

**POLICY IMPLICATIONS**

Policy 2.7 – Purchasing Policy

**FINANCIAL IMPLICATIONS**

Expenditure in accordance with the 2021 / 2022 Annual Budget.

**COMMUNITY AND STRATEGIC OBJECTIVES**

Shire of Corrigin Strategic Community Plan 2021-2031 and Corporate Business Plan 2021-2025:

**Objective:** Governance and Leadership  
Strong Governance and leadership

Strategic Community Plan		Corporate Business Plan	
Outcome	Strategies	Action No.	Actions
4.4	Provide informed and transparent decision making that, meets our legal obligations, and the needs of our diverse community	4.4.3	Regular reviews of Council's Long Term Financial Plan to ensure the long term financial stability of the Shire
		4.4.4	Provide Council adequate and appropriate financial information on a timely basis

**VOTING REQUIREMENT**

Simple Majority

**OFFICER'S RECOMMENDATION**

*That Council reviews the list of accounts paid and acknowledges that payments totalling \$1,684,938.66 have been made during the month of April 2022.*

### 8.1.2. ACCOUNTS FOR PAYMENT – CREDIT CARDS

<b>Applicant:</b>	Shire of Corrigin
<b>Date:</b>	10/05/2022
<b>Reporting Officer:</b>	Kylie Caley, Deputy Chief Executive Officer
<b>Disclosure of Interest:</b>	NIL
<b>File Number:</b>	FM.0036
<b>Attachment Ref:</b>	Attachment 8.1.2 – Accounts for Payment – Credit Cards March

#### **SUMMARY**

This report provides Council with a list of all financial dealings relating to the use of credit card payments for the period 1 March 2022 to 28 March 2022

#### **BACKGROUND**

This information is provided to Council monthly in accordance with provisions of the *Local Government Act 1995* and *Local Government (Financial Management) Regulations 1996*. A Local Government is to develop procedures for the authorisation of, and payment of, accounts to ensure that there is effective security for, which money or other benefits may be obtained.

Council is presented with the monthly accounts for payment at each Council meeting, providing information of payments made for the reporting period. This report includes the monthly payment of the credit card debit to the National Australia Bank.

#### **COMMENT**

Accountability in local government can be multifaceted, as councils seek to achieve diverse social, political, and financial goals for the community benefit. The accountability principles of local government are based on strong financial probity, financial propriety, adherence to conflict of interest principles and expectations that local government is fully accountable for community resources.

This report provides Council with detailed information of purchases paid for using the Shire of Corrigin corporate credit cards.

A monthly review of credit card use is independently assessed by the Deputy Chief Executive Officer, to confirm that all expenditure that has been incurred, is for the Shire of Corrigin and has been made in accordance with Council policy, procedures, the *Local Government Act 1995* and associated regulations. The review by the Deputy Chief Executive Officer also ensures that misuse of any corporate credit card can be readily detected.

This review has been conducted and no issues are evident, and all areas of compliance have been met.

#### **STATUTORY ENVIRONMENT**

*S6.4 Local Government Act 1995, Part 6 – Financial Management*  
*R34 Local Government (Financial Management) Regulations 1996*

#### **POLICY IMPLICATIONS**

Policy 2.9 – Purchasing Policy  
Policy 2.16 - Corporate Credit Cards

#### **FINANCIAL IMPLICATIONS**

Expenditure in accordance with the 2021/2022 Annual Budget.



**COMMUNITY AND STRATEGIC OBJECTIVES**

Shire of Corrigin Strategic Community Plan 2021-2031 and Corporate Business Plan 2021-2025:

**Objective:** Governance and Leadership  
Strong Governance and Leadership

Strategic Community Plan		Corporate Business Plan	
Outcome	Strategies	Action No.	Actions
4.4	Provide informed and transparent decision making that, meets our legal obligations, and the needs of our diverse community	4.4.3	Regular reviews of Council’s Long Term Financial Plan (LTFP) to ensure the long term financial stability of the Shire
		4.4.4	Provide Council adequate and appropriate financial information on a timely basis

**VOTING REQUIREMENT**

Simple Majority

**OFFICER’S RECOMMENDATION**

*That Council:*

1. *in accordance with Attachment 8.1.2 endorse credit card payments for the period 1 March 2022 to 28 March 2022 for \$5,881.46.*

### 8.1.3. MONTHLY FINANCIAL REPORTS

<b>Applicant:</b>	Shire of Corrigin
<b>Date:</b>	10/05/2022
<b>Reporting Officer:</b>	Kylie Caley, Deputy Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>File Number:</b>	FM.0037
<b>Attachment Ref:</b>	Attachment 8.1.3 – Monthly Financial Statements for the period ending 30 April 2022

#### **SUMMARY**

This report provides Council with the monthly financial reports for the month ending 30 April 2022.

#### **BACKGROUND**

The *Local Government (Financial Management) Regulations 1996*, regulation 34 states that a local government must prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget.

Variances between budgeted and actual expenditure including the required material variances (10% with a minimum value of \$10,000) are included in the variance report.

#### **COMMENT**

April closed with \$2,997,820 still in short term investment. The reserves term deposit was rolled over at the end of March until 26 June where the remaining transfers will be completed. A separate term deposit was opened to house the advanced payment of the FAGS grant, this also matures in June to allow for any other unspent grants at year end to be consolidated into the account and rolled over for a short period of time.

The Federal Assistance Grant Scheme funding (FAGS) advanced payment received was for \$1,667,171 in total (\$1,042,465 General Purpose Funding and \$624,707 Road Funding).

The outstanding rates balance is \$168,032. Rates collection to date is at 94.2% compared to 93% in April 2021. The property on Goyder Street that forms part of this outstanding balance is set for auction on 26 May 2022. Further information on the overdue balance will be reported at the meeting.

Further information on the March financial position is in the variance report included in the monthly financial reports.

#### **STATUTORY ENVIRONMENT**

s. 6.4 *Local Government Act 1995, Part 6 – Financial Management*  
r. 34 *Local Government (Financial Management) Regulations 1996*

#### **POLICY IMPLICATIONS**

NIL

#### **FINANCIAL IMPLICATIONS**

Expenditure in accordance with the 2021/22 Annual Budget.

**COMMUNITY AND STRATEGIC OBJECTIVES**

Shire of Corrigin Strategic Community Plan 2021-2031 and Corporate Business Plan 2021-2025:

**Objective:** Governance and Leadership  
Strong Governance and Leadership

Strategic Community Plan		Corporate Business Plan	
Outcome	Strategies	Action No.	Actions
4.4	Provide informed and transparent decision making that, meets our legal obligations, and the needs of our diverse community	4.4.3	Regular reviews of Council’s Long Term Financial Plan to ensure the long term financial stability of the Shire
		4.4.4	Provide Council adequate and appropriate financial information on a timely basis

**VOTING REQUIREMENT**

Simple Majority

**OFFICER’S RECOMMENDATION**

*That Council accept the Statement of Financial Activity for the month ending 30 April 2022 as presented, along with notes of any material variances.*

#### **8.1.4. CORRIGIN BIKE PLAN 2022-2032**

<b>Applicant:</b>	Shire of Corrigin
<b>Date:</b>	09/05/2022
<b>Reporting Officer:</b>	Heather Talbot, Governance Projects Officer
<b>Disclosure of Interest:</b>	NIL
<b>File Number:</b>	GS.0066
<b>Attachment Ref:</b>	Attachment 8.1.4 Draft Bike Plan 2022-2032

##### **SUMMARY**

The purpose of this agenda item is to endorse the attached Corrigin Bike Plan 2022-2032.

##### **BACKGROUND**

Council received a grant of \$12,500 towards half of the cost to review and prepare a new Bike Plan for the Shire of Corrigin from the Department of Transport WA Bicycle Network (WABN) funding program. In February the Shire appointed Stantec as the preferred consultant to develop the new plan.

Council had an existing plan that was completed in 2009, a bike plan assists the Shire to prioritise bicycle and shared path projects throughout the Shire as well as activities that promote cycling within the Shire.

##### **COMMENT**

The process has involved an inception meeting with the Stantec consultants and representatives from the WABN grants program. A community survey with 75 responses received, saddle survey by representatives of Stantec, a Councillor briefing session held in April and community workshop held in early May.

Staff from the Community Resource Centre, the CEO and Councillor Jacobs were in attendance as well as some senior members of the community, the School Principal and a mother of young children.

Attached to the agenda is copy of the Bike Plan that has been reviewed by the Governance Projects Officer and Chief Executive Officer. Stantec has created a plan that aligns with the Department of Transport's 2014-2031 WA Bicycle Network Plan and its revisions. The plan will assist the Shire in obtaining further funds through the WABN funding program.

The plan highlights gaps in the Shire's existing shared path network as well as other opportunities to enhance the users experience of the network. The outcomes are achievable with support from the Department of Transport and through Council's own resources.

##### **STATUTORY ENVIRONMENT**

*Local Government Act 1995*

##### **POLICY IMPLICATIONS**

Nil

##### **FINANCIAL IMPLICATIONS**

Ongoing management of Council funds towards shared pathway projects.

**COMMUNITY AND STRATEGIC OBJECTIVES**

Shire of Corrigin Strategic Community Plan 2021-2031 and Corporate Business Plan 2021-2025:

**Objective:** Strong Governance and Leadership

Strategic Community Plan		Corporate Business Plan	
Outcome	Strategies	Action No.	Actions
4.3	Forward planning and implementation of plans to achieve strategic direction and service levels	4.3.1	Work with external organisations to collaboratively plan and achieve improved community, education, health and business outcomes

**VOTING REQUIREMENT**

Simple Majority

**OFFICER'S RECOMMENDATION**

*That Council endorse and adopt the Corrigin Bike Plan 2022-2032 as presented by Stantec.*

## 8.2. GOVERNANCE AND COMPLIANCE

### 8.2.1. ELECTION OF DEPUTY PRESIDENT

Applicant:	Shire of Corrigin
Date:	10/05/2022
Reporting Officer:	Natalie Manton, Chief Executive Officer
Disclosure of Interest:	NIL
File Ref:	GOV.0017
Attachment Ref:	NIL

#### SUMMARY

Council is to elect a member to the role of Deputy President of the Shire of Corrigin following the resignation of Cr Weguelin from the position.

#### BACKGROUND

Due to a change in his employment Cr Weguelin is no longer able to fulfil the role of Deputy President and has resigned from the position.

The *Local Government Act 1995* clause 7 of Division 2 of Schedule 2.3 requires Council to appoint a Deputy President at its first meeting following an election day or following a resignation. The President will call for Councillors to nominate as candidates at the meeting. All Councillors, except for the President, are eligible to nominate.

The roles and responsibilities of the Deputy President are outlined in the *Local Government Act 1995*:

#### 2.9 Role of the deputy mayor or deputy president

The deputy mayor or deputy president performs the functions of the mayor or president when authorised to do so under section 5.34.

Section 5.34 states:

#### 5.34. When deputy mayors and deputy presidents can act

If —

- (a) the office of mayor or president is vacant; or
- (b) the mayor or president is not available or is unable or unwilling to perform the functions of the mayor or president,

then the deputy mayor may perform the functions of mayor and the deputy president may perform the functions of president, as the case requires.

The Deputy President is also entitled to one quarter of the Shire Presidents allowance in addition to Council sitting fees.

The ballot for the position of Deputy President will be conducted according to the provisions of *clause 6-9 of Schedule 2.3 of the Local Government Act 1995* as outlined below:

#### 8. How deputy mayor or deputy president is elected

- (1) The council is to elect a councillor (other than the mayor or president) to fill the office.
- (2) The election is to be conducted in accordance with the procedure prescribed by the mayor or president, or if he or she is not present, by the CEO.
- (3) Nominations for the office are to be given to the person conducting the election in writing before the meeting or during the meeting before the close of nominations.

(3a) Nominations close at the meeting at a time announced by the person conducting the election, which is to be a sufficient time after the announcement by that person that nominations are about to close to allow for any nominations made to be dealt with.

(4) If a councillor is nominated by another councillor the person conducting the election is not to accept the nomination unless the nominee has advised the person conducting the election, orally or in writing, that he or she is willing to be nominated for the office.

(5) The council members are to vote on the matter by secret ballot as if they were electors voting at an election.

(6) Subject to clause 9(1) the votes cast under subclause (5) are to be counted, and the successful candidate determined, in accordance with Schedule 4.1 as if those votes were votes cast at an election.

(7) As soon as is practicable after the result of the election is known, the person conducting the election is to declare and give notice of the result in accordance with regulations, if any.

The ballot for Deputy President will be undertaken using the preferential voting system.

The winner will be declared elected to the position of Deputy President for a term expiring at the election in October 2023 and will be required to read and sign a form titled Declaration for the Office of Deputy President (Electoral Form 7) in accordance with Regulation 13(1) (c) of the *Local Government (Constitution) Regulations 1998*.

#### **COMMENT**

The term of office of the Deputy President begins when they are elected and ends when they resign or are next elected at or after the next ordinary election – usually every two years.

#### **STATUTORY ENVIRONMENT**

*Oaths, Affidavits and Statutory Declarations Act 2005*

*Local Government Act 1995:*

*Local Government (Elections) Regulations 1997*

*Local Government (Constitution) Regulations 1998 reg 13(1) and Form 7*

#### **DECLARATION OF RESULT**

Cr \_\_\_\_\_ was elected to the role of Deputy President for a term expiring in October 2023.

## 8.2.2. APPOINTMENT OF COUNCILLORS TO EXTERNAL ORGANISATIONS OR COMMITTEES

Applicant:	Shire of Corrigin
Date:	10/05/2022
Reporting Officer:	Natalie Manton, Chief Executive Officer
Disclosure of Interest:	NIL
File Ref:	GOV.0021
Attachment Ref:	Attachment 8.2.3.1 - Roe Regional Health Scheme MOU 2018 Final signed
	Attachment 8.2.3.2 - RoeROC MOU signed 2018

### SUMMARY

Council is requested to appoint a delegate to the Roe Regional Organisation of Councils and WALGA Central Country Zone.

### BACKGROUND

Following the Local Government elections in October 2021 Council appointed members to the following external organisations and committees:

- *WALGA Central Country Zone*
- *Roe Regional Organisation of Councils including Roe Health (2 positions)*
- *Wheatbelt South Regional Road Group (2 positions)*
- *Roe Tourism Association (1 position)*
- *Edna Stevenson Trust (1 position)*
- *Wheatbelt South Aged Housing Alliance (1 position)*
- *Central Aicare Financial and Family Counselling (1 Position)*
- *Corrigin Senior Citizen's Committee*

Due to a change in his employment situation Cr Weguelin is no longer able to attend meetings and fulfil the role of delegate to the Roe ROC and WALGA Central Country Zone.

### COMMENT

Council will need to elect a delegate to replace Cr Weguelin to ensure that the Shire of Corrigin is well represented in the region as there are no proxy delegates.

Cr Weguelin has represented the Shire of Corrigin as a delegate at Roe ROC and WALGA Central Country Zone meetings for many years and has made a valuable contribution.

The CEO and staff are able to represent the Shire of Corrigin on external committees and councillors may still attend external committee meetings on request.

### STATUTORY ENVIRONMENT

NIL

### POLICY IMPLICATIONS

NIL

### FINANCIAL IMPLICATIONS

Budgeted expenditure for cost associated with providing representatives to external organisations and committees.



**COMMUNITY AND STRATEGIC OBJECTIVES**

Shire of Corrigin Strategic Community Plan 2021-2031 and Corporate Business Plan 2021-2025:

**Objective:** Governance and Leadership  
Strong Governance and Leadership

Strategic Community Plan		Corporate Business Plan	
Outcome	Strategies	Action No.	Actions
4.5	Implement systems and processes that meet legislative and audit obligations	4.5.1	Continual improvement in governance and operational policies, processes and implementation

**VOTING REQUIREMENT**

Simple Majority

**COUNCIL RESOLUTION**

*That Council appoint a delegate to fill the vacancy on the following external organisations and committees.*

ORGANISATION	REQUIRED	MEETINGS	APPROXIMATE DURATION
WALGA Central Country Zone	Cr Hickey Cr _____	Quarterly	½ to full day (depending on location of meeting)
Roe Regional Organisation of Councils including Roe Health	Cr Hickey Cr _____	Quarterly	2-4 hours (depending on location of meeting)

### 8.2.3. MINING EXPLORATION LICENCE 70/5095

Applicant:	Shire of Corrigin
Date:	10/05/2022
Reporting Officer:	Natalie Manton, Chief Executive Officer
Disclosure of Interest:	NIL
File Ref:	ED.0002/ RV.0003
Attachment Ref:	NIL

#### **SUMMARY**

Council is requested to consider any objections or comments regarding an application for an exploration licence over various lots in the Shire of Corrigin.

#### **BACKGROUND**

The Department of Planning, Lands and Heritage, Land Use Management (LUM) has received a request from the Department of Mines, Industry Regulations and Safety (DMIRS) for consent to mine various portions of Crown land within the Shire of Corrigin.

The Shire of Corrigin has received notice of an exploration licence application for land in the Kurrenkutten and Bending localities. Sections 23 to 26 of the *Mining Act 1978*, stipulates that mining may be carried out on certain classes of land with the written consent of the Minister for Mines and Petroleum. The *Mining Act 1978* and its associated regulations set out the process for a variety of licences and lease types including requirements for mineral exploration.

Applications for licences after 2006 are for a five year term plus a possible extension of five years and further periods of two years thereafter, with 40 per cent of ground to be surrendered at the end of year six.

The holder of an exploration licence may, in accordance with the licence conditions, extract or disturb up to 1,000 tonnes of material from the ground which includes overburden. The Minister may approve extraction of larger tonnages.

#### **COMMENT**

There are no apparent reasons as to why Council would wish to object to the application.

#### **STATUTORY ENVIRONMENT**

*Mining Act 1978*

#### **POLICY IMPLICATIONS**

NIL

#### **FINANCIAL IMPLICATIONS**

Potential mining rates income.

**COMMUNITY AND STRATEGIC OBJECTIVES**

Shire of Corrigin Strategic Community Plan 2021-2031 and Corporate Business Plan 2021-2025:

**Objective:** Environment

An attractive natural and built environment for the benefit of current and future generations

Strategic Community Plan		Corporate Business Plan	
Outcome	Strategies	Action No.	Actions
3.5	Conservation of our natural environment	3.5.2	Support the local agricultural sector and local agricultural groups by lobbying stake holders to address local concerns and issues facing the industry now and into the future
		3.5.3	Work in collaboration with groups and organisations to deliver projects and programs that promote and protect the district's natural resources as well as agricultural industry

**VOTING REQUIREMENT**

Simple Majority

**OFFICER’S RECOMMENDATION**

*That Council advise the Department of Planning, Lands and Heritage that it has no objection to the Application for Exploration Licence – No. 70/5095 by Galahad Resources Pty Ltd.*

### 8.2.4.DEVELOPMENT APPLICATION – PROPOSED OVERSIZE OUTBUILDING

Applicant:	Kurk and Sandra Brandstater
Landowner:	As above
Location:	Lot 12 (No.19) Seimons Avenue, Corrigin
Date:	11/05/2022
Reporting Officer:	Mr Joe Douglas, Consultant Town Planner (Exurban Rural & Regional Planning)
Disclosure of Interest:	NIL
File Ref:	PA04-2022
Attachment Ref:	Attachment 8.2.4 Proposed Oversize Outbuilding

#### SUMMARY

This report recommends that Council grant conditional approval to a development application submitted by Kurk and Sandra Brandstater (Landowners) to construct a new oversize outbuilding (i.e. shed) on Lot 12 (No.19) Seimons Avenue, Corrigin for domestic storage purposes.

#### BACKGROUND

The applicants have submitted a development application requesting Council's approval to construct a new 72m<sup>2</sup> steel framed and Colorbond clad outbuilding (i.e. shed) on Lot 12 (No.19) Seimons Avenue, Corrigin for domestic storage purposes.

The proposed outbuilding will have a wall height of 4.2 metres, a roof ridge height of 4.905 metres and be sited at the rear of the property with a setback of 2 metres to the rear boundary, 4 metres to the western side boundary and approximately 8.12 metres to the eastern side boundary. Custom-made rainwater tanks to match the external appearance of the proposed outbuilding will be installed immediately adjacent to the structure for stormwater drainage management purposes. Some minor earthworks will also be undertaken to accommodate the proposed development, including a new low-level retaining wall if required to account for all final finished ground levels.

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

Lot 12 is located centrally in the eastern portion of the Corrigin townsite in a well-established, low density residential precinct, comprises a total area of approximately 1,012m<sup>2</sup> and has direct frontage and access to Seimons Avenue along its front boundary to the south which is a sealed and drained local road under the care, control and management of the Shire of Corrigin.

The land is rectangular in shape, gently sloping from north to south and has historically been developed and used for low density residential purposes (i.e. a single detached dwelling, carport, garden shed and associated vehicle access, parking and landscaping).

It is significant to note the property has not been designated as being bushfire prone, flood prone or subject to inundation during extreme storm events and contains no buildings or places of European or Aboriginal cultural heritage significance.

Existing adjoining and other nearby land uses are predominantly residential in nature comprising single houses and associated improvements on similar sized lots. A public recreation reserve (i.e. Crown Reserve 31328) comprising a large rocky outcrop and adventure playground is located immediately south on the opposite side of Seimons Avenue.



Location and Lot Configuration Plan (Source: Landgate 2022)

## COMMENT

Lot 12 is classified Residential zone under the Shire of Corrigin Local Planning Scheme No.2 (LPS2) with a density code of R20.

Under the terms of LPS2 and the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* the development and use of an outbuilding in association with a single house is listed as being a permitted (i.e. 'P') use on any land classified 'Residential' zone provided it satisfies the deemed-to-comply requirements of the Residential Design Codes of Western Australia (i.e. the 'R-Codes') and clause 31(14) of LPS2.

An assessment of the proposal for Lot 12 has confirmed it satisfies the majority of the deemed-to-comply requirements of the R-Codes and clause 31(14) of LPS2 except for the following:

- i) Maximum permitted floor area for non-masonry constructed outbuildings (55m<sup>2</sup> required by clause 31(14) of LPS2 / 72m<sup>2</sup> proposed);
- ii) Maximum permitted wall height for outbuildings (i.e. 3 metres required by clause 31(14) of LPS2 / 4.2 metres proposed); and
- iii) Maximum permitted roof ridge height for gable roof outbuildings (i.e. 4 metres required by clause 31(14) of LPS2 / 4.905 metres proposed).

In considering whether or not to approve these proposed variations to the deemed-to-comply requirements of LPS2 Council must decide whether such variations are likely to have a detrimental impact upon the amenity, character, functionality and safety of the immediate locality or any immediately adjoining or other nearby properties.

It is concluded, following a detailed assessment of the application, that the proposed variations to the deemed-to-comply requirements of LPS2 as they apply to maximum permitted floor area, wall heights and roof ridge heights for residential outbuildings are unlikely to have any adverse impacts and may therefore be supported and approved by Council for the following reasons:

- i) The proposed outbuilding is not considered to be excessively large in its local context and will be finished using visual appealing materials and colours;
- ii) The outbuilding will be located at the rear of the land with significant setbacks from all existing development on all immediately adjoining and other nearby properties. As such, it is expected to have minimal impact on the visual amenity of the local streetscape or any neighbouring properties and will not give rise to any overshadowing or access to natural sunlight for any dwellings on immediately adjoining or other nearby properties;
- iii) Council has previously approved oversize outbuildings located in similar locations on other Residential zoned properties in the immediate locality; and
- iv) All immediately adjoining landowners have reviewed the plans and confirmed in writing they have no issues, concerns or objections to the proposal.

In light of the above findings and conclusions it is recommended Council exercise its discretion and approve the application subject to a number of standard conditions to ensure the development proceeds in a proper and orderly manner.

#### **STATUTORY ENVIRONMENT**

*Planning and Development Act 2005 (as amended)*

*Planning and Development (Local Planning Schemes) Regulations 2015*

*Shire of Corrigin Local Planning Scheme No.2*

#### **POLICY IMPLICATIONS**

State Planning Policy 7.3 – *Residential Design Codes (Volume 1) 2021*

#### **PUBLIC CONSULTATION**

Not required or deemed necessary given the written advice received from all immediately adjoining landowners confirming they have no issues, concerns or objections to the proposed development.

#### **FINANCIAL IMPLICATIONS**

Nil immediate financial implications for the Shire 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 applicants. All costs associated with the proposed development will be met by the applicants / landowners.

It is significant to note should the applicants/landowners 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.

## **COMMUNITY AND STRATEGIC OBJECTIVES**

The proposed development is broadly consistent with and will not compromise any key elements or objectives of the *Shire of Corrigin Strategic Community Plan 2021-2031* and *Corporate Business Plan 2021-2025*.

## **VOTING REQUIREMENT**

Simple Majority

## **OFFICER'S RECOMMENDATION**

*That Council resolve to approve the development application submitted by Kurk & Sandra Brandstater (Landowners) to construct a new 72m<sup>2</sup> steel framed and Colorbond clad oversize outbuilding (i.e. shed) on Lot 12 (No.19) Seimons Avenue, Corrigin for domestic storage purposes subject to the following conditions and advice notes:*

### Conditions

- 1. The proposed outbuilding (i.e. shed) shall be constructed 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 Council.*
- 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 Council.*
- 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 have no further effect. Where an approval has so lapsed, the proposed development shall not be carried out without the further approval of Council having first being sought and obtained.*
- 4. All external surfaces of the proposed outbuilding shall be clad with new materials only.*
- 5. All stormwater drainage from the proposed outbuilding shall be retained and managed on-site.*
- 6. The proposed outbuilding shall only be used for domestic storage, vehicle parking, maintenance and hobby purposes unless otherwise approved by Council.*

### 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 or restrictive covenant. It is the responsibility of the applicant/landowners and not the Shire 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 Shire's attention.*
- 2. This is a development approval of the Shire of Corrigin under its Local Planning Scheme No.2. 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/landowners 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 demolition and building permit applications must be submitted to and approved by the Shire's Building Surveyor prior to the commencement of any demolition, construction or earthworks on the land.*
- 4. The proposed new outbuilding 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. No construction works shall commence on the land prior to 7am without the Shire's written approval. No construction works are permitted on Sundays or Public Holidays.*
- 6. 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 Corrigin Local Planning Scheme No.2 and may result in legal action being initiated by the local government.*
- 7. If the applicants/landowners are 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 the determination.*



### **8.2.5.DEVELOPMENT APPLICATION - PROPOSED UPGRADES AND ADDITIONS TO COOPERATIVE BULK HANDLING LIMITED’S EXISTING GRAIN HANDLING AND STORAGE FACILITY IN CORRIGIN**

Applicant:	Cooperative Bulk Handling Limited
Landowner:	As above
Location:	Lot 20 on DP41206 and Lot 21 (No.70) Corrigin South Road, Corrigin
Date:	11/05/2022
Reporting Officer:	Mr Joe Douglas, Consultant Town Planner (Exurban Rural & Regional Planning)
Disclosure of Interest:	NIL
File Ref:	PA0X-2021
Attachment Ref:	Attachments 1 to 6

#### **SUMMARY**

This report recommends that Council grant conditional approval to a development application submitted by Cooperative Bulk Handling Limited (Landowner) for a number of proposed upgrades and additions to its existing grain handling and storage facility on Lot 20 on Deposited Plan 41206 and Lot 21 (No.70) Corrigin South Road, Corrigin.

#### **BACKGROUND**

Cooperative Bulk Handling Limited (CBH) have submitted a development application seeking Council’s approval for a number of proposed upgrades and additions to its existing grain handling and storage facility on Lot 20 on Deposited Plan 41206 and Lot 21 (No.70) Corrigin South Road, Corrigin including:

- i) Construction of a new compacted, concrete stabilised and sealed hardstand area in the northern portion of Lot 21, including all associated vegetation clearing works and bulk earthworks;
- ii) Installation of two (2) new 1.8 metre high, 350 metre long and 35 metre wide steel framed grain storage bulkheads on the new hardstand area referred to above, each comprising a total storage capacity of 45,850 tonnes (i.e. an additional 91,700 tonnes of on-site grain storage capacity is proposed to accommodate future anticipated demand);
- iii) Installation of a new auger pit, shade structure, air compressor sea container, conveyor loading system and electricity supply transformer and switchboard immediately adjacent to the new grain storage bulkheads referred to above;
- iv) Construction of new sealed internal access roads immediately adjacent to the new grain storage bulkheads to provide a direct connection to the existing grain storage infrastructure and access roads on Lot 20;
- v) Various upgrades to existing internal access roads on Lot 20 to improve the efficiency of all heavy vehicle movements, including a new truck marshalling area to accommodate up to 18 x RAV 7 rated vehicles;
- vi) Installation of new stormwater drainage culverts, road markings and furniture associated with all proposed new and upgraded internal roads;
- vii) Relocation of an existing 36 metre long weighbridge and installation of a new 39 metre long weighbridge immediately adjacent and parallel to each other on the boundary between Lots 20 and 21, including a new steel framed and Colorbond clad weighbridge hut;
- viii) Installation of a new sample platform and hut, staff office and crib room, ablutions building with water tanks, water supply pipes and on-site effluent disposal system, and construction of a new sealed parking area for nine (9) light vehicles in the western extremities of Lot 20;

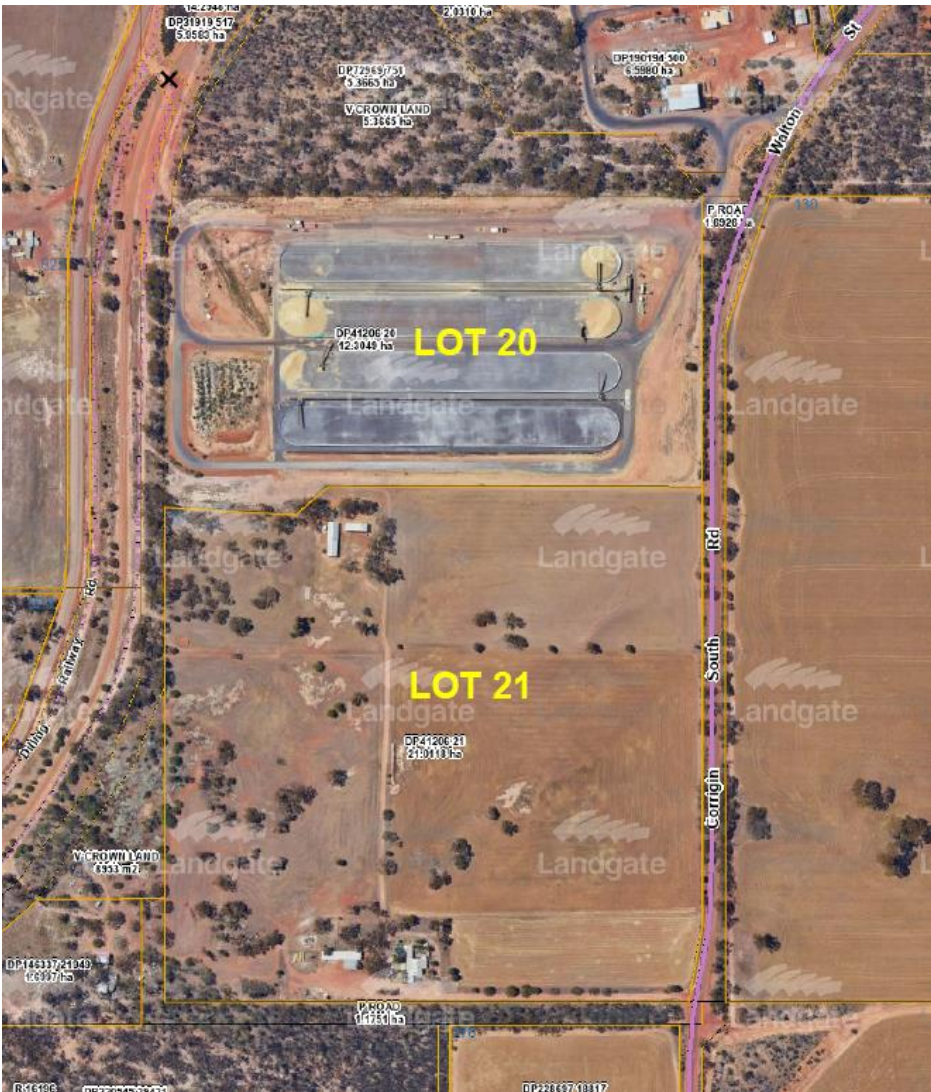
- ix) Undergrounding of an existing high voltage overhead power lines traversing the common boundary between Lots 20 and 21 to provide for the safe and convenient movement of heavy vehicles;
- x) Construction of a new sealed site egress / exit for heavy vehicles along the subject land's Corrigin South Road frontage including a new asphalt seal on the road carriageway covering the full extent of the proposed new intersection;
- xi) Replacement of an existing piped culvert under Corrigin South Road south of the new site exit referred to above;
- xii) Regrading of the open drains along Corrigin South Road from the new site exit south to the proposed new piped culvert and north to the existing site entry;
- xiii) Cleaning and removal of scrub from an existing roadside drain on the eastern side of Corrigin South Road opposite the existing site entry to help improve vehicle sight lines from the proposed new site exit;
- xiv) Construction of all required stormwater drainage infrastructure in accordance with a comprehensive stormwater drainage management plan submitted in support of the application, including three (3) new stormwater drainage basins, one of which will be located south-east of the new grain storage bulkheads and connected to the piped culvert under Corrigin South Road referred to previously above;
- xv) Installation of new landscaping in the south eastern portion of Lot 21 to compensate for the removal of some existing native vegetation required to accommodate the proposed development; and
- xvi) Implementation of the recommendations contained in a Bushfire Management Plan submitted in support of the application to help guard against any future potential bushfire risk.

A full copy of the development application, including various supporting information and plans, is provided in Attachments 1 to 6 to assist Council's consideration and determination of the proposal.

Council should note a significant proportion of the works proposed on Lot 21 and the southern portion of Lot 20 as part of this application have already been completed pursuant to temporary approvals granted by Council in July and December 2021 for the construction and use of emergency grain storage infrastructure on the land to accommodate the high volumes of grain produced by local growers' last season. This latest application for the subject land is seeking to formalise works already completed and allow for further permanent improvements to increase grain storage capacity and improve the operational efficiency of the facility in its entirety for the benefit of local grain producers.

Lots 20 and 21 are located immediately adjacent to the southern boundary of the Corrigin townsite, including CBH's existing long established grain handling and storage facility immediately north. The subject land comprises a total combined area of approximately 33.32 hectares, is gently sloping throughout, and has been extensively cleared throughout with the exception of some existing remnant native vegetation in the south-western portion of Lot 20 and the western half of Lot 21, including some large, mature isolated trees in the eastern half of Lot 21.

Lot 20 has been extensively developed and is currently used by CBH for grain handling and storage purposes. Key improvements include a large sealed and drained hardstand area containing four (4) existing open storage bulkheads, grain sample platform, 36 metre long weighbridge, sealed vehicle accessways and marshalling areas, grain conveyor and stormwater drainage infrastructure.



Location and Lot Configuration Plan (Source: Landgate 2022)

The north-eastern portion of Lot 21 has also been extensively developed and is currently used for grain handling and storage purposes pursuant to two (2) temporary approvals granted by Council in 2021 as mentioned previously above. The balance portion of Lot 21 contains open paddocks historically used for broadacre agricultural purposes, including farm sheds. A single house and a number of associated domestic outbuildings which are occupied and used by a CBH employee are also located along the land's southern boundary which are accessed via an existing driveway to Corrigin South Road immediately east.

Both lots have direct frontage to Corrigin South Road along their eastern boundary which is a sealed and drained local road under the care, control and management of the Shire of Corrigin. It is significant to note Corrigin South Road forms part of Main Roads WA designated Restricted Access Vehicles (RAV) road network which allows for the passage of prime mover and trailer combinations up to a maximum length of 36.5 metres and gross vehicle mass of 87.5 tonnes.

A recent geotechnical investigation has confirmed the typical soil profile across the site comprises clayey soils which are likely to have extremely low permeability and must therefore be considered carefully when planning for all future effluent disposal and stormwater drainage infrastructure, including ongoing maintenance and management.

It is significant to note both lots have not been designated as being flood prone or subject to inundation during extreme storm events and contain no buildings or places of European or Aboriginal cultural heritage significance. Approximately half of the land's total area has however been designated by the Fire and Emergency Services Commissioner of WA as being bushfire prone due to the existing vegetation on the land and immediately adjoining properties immediately north, west and south.

Existing adjoining and other nearby land uses are predominantly rural in nature on lots ranging in size from 133 to 168 hectares which have been extensively cleared and developed for broadacre agricultural purposes (i.e. cropping and grazing). Other uses of note include:

- i) CBH's existing grain handling and storage facility immediately north and the Corrigin townsite's wastewater treatment plant beyond;
- ii) a railway corridor to the west with Dilling Railway Road, the Corrigin Meatworks and a range of light industrial / service type industries beyond; and
- iii) Crown Reserve 16196 to the south-west which is a conservation reserve under the care, control and management of the Conservation Commission of WA.

#### **COMMENT**

Lots 20 and 21 are classified 'Rural' zone under the Shire of Corrigin Local Planning Scheme No.2 (LPS2) and are located in the southern extremities of 'Special Control Area 1: Wastewater Treatment Plant Buffer'.

Council's stated objectives for the development and/or use of any land classified 'Rural' zone that are of relevance to the proposal are as follows:

- i) *To ensure that a right of vehicular access unfettered as to time, place and circumstance exists to any land which is the subject of any application for development approval;*
- ii) *To ensure the preservation of the rural character and rural appearance of land within the zone;*
- iii) *To preserve and protect the natural undeveloped land areas throughout the zone and to provide for the planting of trees and other suitable vegetation via the imposition of conditions on any development approval issued, in order to assist in balancing the greenhouse effect, provide shade, prevent erosion, reduce salinity and provide habitats for native fauna; and*
- iv) *To ensure that natural drainage patterns/catchments throughout the Scheme Area are paid regard to via the appropriate location of man-made drainage / contour bank networks which will require the development approval of the local government prior to construction.*

The use class 'warehouse/storage', which the Department of Planning, Lands and Heritage has agreed is the closest and most accurate classification that should be applied to the proposed development, is not expressly listed in the Zoning Table of LPS2 and must therefore be considered and determined in accordance with clause 18(4) of the Scheme. As such, Council must firstly determine whether the proposed use of Lots 20 and 21 for this purpose is:

- a) consistent with the objectives of the 'Rural' zone and is therefore a use that may be permitted in this zone subject to conditions imposed by the local government; or
- b) may be consistent with the objectives of the 'Rural' zone and advertise the application for public comment for a minimum required period of fourteen (14) days; or
- c) not consistent with the objectives of the 'Rural' zone and is therefore not permitted in this zone.

Having regard for:

- i) the current unfettered rights of vehicular access to/from the subject land and future proposed access arrangements;
- ii) the general rural character and appearance of the proposed development which is consistent with other similar approved developments on rural land in the Shire and across the Wheatbelt Region more broadly;
- iii) the need for CBH to ensure compliance with other State and Commonwealth legislation as it applies to the proposed clearing of up to 1.6 hectares of native vegetation to accommodate the proposed development, including any environmental offsets that may be required pursuant to any clearing permit approval/s that may ultimately be granted by the relevant authorities;
- iv) CBH's stated intention to install new landscaping in the south-eastern portion of Lot 21 to compensate for the removal of some existing native vegetation required to accommodate the proposed development which will also enhance the land's rural character and appearance; and
- v) the comprehensive stormwater drainage management plan submitted in support of the application in which due regard was given to the natural drainage patterns / catchments in the immediate locality to ensure all stormwater generated by the proposed development is suitably managed and controlled,

it is contended the proposal is consistent with the objectives of the land's current 'Rural' zoning classification and is therefore a use that may be permitted within the zone subject to any conditions Council considers appropriate.

The application has been assessed with due regard for the specific objectives and standards of the Shire's local planning framework including LPS2 and the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* as well as advice received from Main Roads WA, the Department of Water and Environmental Regulation and the Department of Biodiversity, Conservation and Attractions. This assessment has confirmed the proposal is compliant, or capable of compliance, with the following relevant requirements:

- The general aims and objectives of LPS2 including those specific to all land classified 'Rural' zone;
- Land capability and suitability;
- Land use compatibility including buffer separation distances to sensitive land uses;
- Lot boundary setbacks;
- Amenity of the locality including potential environmental, visual and social impacts;
- Protection of the natural environment, water resources and cultural heritage significance;
- On-site vehicle access and parking;
- Key essential services including electricity, water supply and on-site effluent disposal; and
- Flood, stormwater drainage and bushfire risk management.

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

1. Environmental Impact

Clause 67(2)(o) of the Deemed Provisions requires decision-makers to have due regard for the likely effect of a development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water

resource.

Consideration must also be given to the objectives and policy measures of State Planning Policy 2 entitled 'Environment and Natural Resources Policy' as it applies specifically to the protection, conservation and enhancement of the natural environment and other natural resources.

A comprehensive Flora and Fauna Survey Report and follow up Technical Memorandum prepared by a suitably qualified environmental consultant were submitted in support of the application and confirmed as follows:

- i) *A desktop assessment reviewed relevant government databases within 5 kilometres of the survey area to evaluate the potential for presence of conservation significant flora and fauna species and ecological communities listed under the Environment Protection and Biodiversity Conservation Act 1999, the Biodiversity Conservation Act 2016 and by the Department of Biodiversity, Conservation and Attractions*
- ii) *A reconnaissance flora and vegetation survey was undertaken in October 2020 in accordance with the Environmental Protection Authority Technical Guidance: Flora and Vegetation Surveys for Environmental Impact Assessment (2016);*
- iii) *A total of 67 flora species, representing 31 families and 60 genera, were recorded;*
- iv) *No Threatened or Priority flora species listed under the Environment Protection and Biodiversity Conservation Act 1999, Biodiversity Conservation Act 2016, or listed by the Department of Biodiversity, Conservation and Attractions were recorded within the survey area. Following the field survey it was assessed that all conservation significant flora species identified in the desktop assessment are unlikely to occur in the survey area;*
- v) *0.76 hectares of vegetation delineated within the survey area is characterised as representing the Eucalyptus Woodlands of the Western Australian Wheatbelt threatened ecological community;*
- vi) *A basic fauna survey and targeted black cockatoo habitat assessment was undertaken within the survey area in accordance with the EPA Technical Guidance: Terrestrial Fauna Surveys (2016) and the Environment Protection and Biodiversity Conservation Act 1999 Referral Guidelines for Three Threatened Black Cockatoo Species. A total of 23 vertebrate fauna species were recorded within the survey area, comprising 19 birds, three mammals and one reptile;*
- vii) *One Threatened fauna species listed under the Environment Protection and Biodiversity Conservation Act 1999 and the Biodiversity Conservation Act 2016, Carnaby's Cockatoo (Calyptorhynchus latirostris), was recorded in the survey area from indirect evidence;*
- viii) *No Priority fauna species listed by the Department of Biodiversity, Conservation and Attractions were recorded within the survey area. One conservation significant species, Red-tailed Phascogale (Phascogale calura) was assessed, following the field survey, as having the potential to occur in the survey area;*
- ix) *Two fauna habitats (i.e. Eucalyptus salmonophloia, E. wandoo and E. loxophleba woodland and Acacia acuminata tall shrubland) were recorded within the survey area, covering a total of approximately 14.0% (3.4 ha) of the survey area;*
- x) *The black cockatoo breeding habitat assessment identified 20 potentially suitable breeding trees within the survey area, none of which contained suitable hollows. Black cockatoo foraging habitat within the survey area was classed as 'Poor' quality (3.3 ha; 13.4%), or 'Nil' quality (20.8 ha; 86.6%) where no suitable habitat was found. Only old evidence of black cockatoo foraging was observed within the survey area (shearing of branches);*
- xi) *One potential breeding tree recorded during the 2020 survey (outside the 'Survey Area')*

*had a hollow potentially suitable for nesting (i.e. with a diameter opening of >100 mm); however, this tree is located outside the Disturbance Footprint and will be retained. The survey report states that the hollow is less than 3 metres from the ground, however this hollow has still been classed as potentially suitable for nesting. CBH has committed to providing a Construction Environmental Management Plan (CEMP), which will include management measures to reduce indirect impacts to Carnaby's Cockatoo habitat in areas surrounding the Disturbance Footprint, including the location of this potential breeding tree and hollow. CBH has also committed to providing offsets, mainly applicable to the Wheatbelt Woodlands TEC, which is expected to also provide offsets for Carnaby's Cockatoo given the former can provide breeding, roosting and foraging habitat for the latter. All of the above will be implemented under the Commonwealth EPBC Act;*

- xii) CBH has committed to providing a CEMP, as discussed in the EPBC Act Referral submission, and expect a CEMP will be required as a condition of approval under the Commonwealth EPBC Act. The CEMP will include a management measure for a licensed fauna handler to inspect hollows prior to clearing to ensure no Red-tailed Phascogale are present. In the event that Red-tailed Phascogale (or any other conservation significant fauna) are found to be present within a hollow, the hollow will be demarcated and not be cleared until the fauna have moved on or are no longer using the hollow;*
- xiii) No other conservation significant flora, fauna or ecological communities listed under the EPBC Act, BC Act or listed as Priority by DBCA are known, or considered likely, to occur within the Proposal area;*
- xiv) A review of the criteria for relevant clearing permit exemptions under Regulation 5 of the Environmental Protection (Clearing of Native Vegetation) Regulations 2004 has been undertaken for the proposed removal of up to 1.6 hectares of remnant native vegetation identified within the survey area. Based on this review, CBH anticipates the proposal will qualify for an exemption under Regulation 5, Item 1 (Clearing to construct a building) of the Regulations, subject to an approved DA and relevant conditions, given:*
  - Clearing will be for the lawful construction of a building or other structure on the property;*
  - Clearing will not, together with all other limited clearing on the property in the financial year in which the clearing takes place, exceed five (5) hectares;*
  - The clearing is planned to be only to the extent necessary; and*
  - The vegetation to be cleared is not riparian vegetation.*

It is significant to also note the following key points:

- a) The Department of Water and Environmental Regulation has advised the Shire it does not object to the proposal however, based on the available information, it is not clear if an exemption to the requirement for a clearing permit under the Environmental Protection (Clearing of Native Vegetation) Regulations 2004 would apply to the total extent of clearing works proposed; and
- b) The Department of Biodiversity, Conservation and Attractions has confirmed the proposed development is unlikely to cause significant impact to important biodiversity values contained within the development area.

Council should note it is CBH's responsibility to determine whether an exemption to the need for a clearing permit approval is applicable for the proposed clearing of up to 1.6 hectares of remnant native vegetation to accommodate the proposed development. If a clearing permit is not required as suggested in the key findings documented above, it is reasonable to conclude the proposed clearing works are acceptable from a regulatory perspective and will not therefore have a detrimental impact on the natural environment.

Should a clearing permit approval be required, it is reasonable to expect the proposed clearing works would only be approved by the Department of Water and Environmental Regulation and/or the Commonwealth Department of Agriculture, Water and the Environment if they were considered acceptable from an environmental perspective, including any proposed offset measures.

In light of the above findings, it is concluded the proposed development will satisfy the objectives and requirements of State Planning Policy 2 entitled 'Environment and Natural Resources Policy' as it applies specifically to the protection, conservation and enhancement of the natural environment and other natural resources due to the need to comply with other regulatory requirements under State and Commonwealth legislation.

## 2. Land Use Compatibility and Potential Amenity Impacts

Clause 67(2)(m) of the Deemed Provisions requires decision-makers to have due regard for the compatibility of any proposed development with its setting, including:

- i) the compatibility of the development with the desired future character of its setting; and
- ii) the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development.

Clause 67(2)(n) of the Deemed Provisions also requires decision-makers to have due regard for the amenity of the locality including the following:

- i) environmental impacts of the development;
- ii) the character of the locality;
- iii) social impacts of the development.

All State Planning Policies of relevance to the proposal reinforce and support the abovementioned Deemed Provisions as well as clauses 31(17)(4), 31(18) and 34 of LPS2 by requiring consideration of the potential for environmental and off-site impacts, land use conflict, separation distances to sensitive land uses, and potential mitigation measures including statutory buffers.

The reporting officer has considered the proposal in the context of the relevant requirements and formed the view it is generally compatible and suitable in its local setting and will not have a detrimental impact upon the amenity of the locality for the following reasons:

- i) It represents a logical extension to an existing approved, strategically important and widely accepted grain handling and storage facility in a well-established rural setting that is well removed from existing sensitive land uses and capable of accommodating the proposed development;
- ii) It will not compromise the continued use of any immediately adjoining or other nearby properties for extensive agricultural purposes, the continued operation of the nearby wastewater treatment plant, or the ability to establish additional sensitive land uses with separation distances that comply with all relevant State and environmental policies if the demand arose;
- iii) The potential environmental impacts have been investigated with a specialist report confirming they are acceptable and manageable within the current regulatory framework;
- iv) The Department of Water and Environmental Regulation and Department of Biodiversity, Conservation and Attractions has confirmed it has no objections to the proposal from an environmental perspective;
- v) The visual impacts of the proposed development along the land's Corrigin South Road



frontage will be softened due to the existing remnant native vegetation in the roadside verges which will be retained, aside from some minor trimming works for traffic safety purposes, and CBH's intention to plant additional on-site landscaping which could be located to provide additional visual screening along the land's road frontage;

- vi) Potential issues surrounding noise and dust, particularly during the initial construction phase of the project, are also manageable within the current regulatory framework; and
- vii) It is expected the development will be well supported by the local community for its many perceived and actual benefits, and will not have any detrimental social impacts.

### 3. Stormwater Drainage Management

Clause 67(2)(o) of the Deemed Provisions requires decision-makers to have due regard for the suitability of the land for the development, including the possible risk of flooding, subsidence, landslip and soil erosion.

The application is supported by a comprehensive Drainage Design Report prepared by a suitably qualified consultant that provides a hydrologic and hydraulic analysis of the subject land's drainage conditions in the pre-development and post-developed scenarios to measure, anticipate and mitigate adverse drainage impacts resulting from the proposed development.

Whilst the Drainage Design Report appears to be acceptable and will help resolve current issues with an existing drainage culvert under the Corrigin South Road, given the very low permeability of soils on the land, their susceptibility to flooding and erosion, and the fact the proposed drainage design is based upon modelling and a number of associated assumptions that have not been tested, it is recommended Council adopt a precautionary approach to all proposed stormwater drainage management arrangements.

This can be achieved by imposing a condition on any development approval that may ultimately be granted requiring a further report to be prepared by a suitably qualified consultant for submission to the Shire by 31 October 2023, unless otherwise agreed, confirming all measures proposed in Drainage Design Report have been implemented, including ongoing maintenance requirements, as well as details of any additional works that may be required to minimise the risk of flooding and erosion during extreme storm events.

### 4. Off-Site Vehicle Access & Traffic

Clauses 67(2)(s) and (t) of the Deemed Provisions require decision-makers to have due regard for:

- a) the adequacy of the proposed means of access to and egress from the site and arrangements for the loading, unloading, manoeuvring and parking of vehicles; and
- b) the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety.

A Traffic Impact Statement prepared by a suitably qualified consultant was submitted in support of the application and confirmed as follows:

- i) *The existing grain receival facility averages 70 truckloads per day with an average 43-tonne payload over a 62 day campaign period during each harvest season, of which 93.4% deliveries to the site (i.e. 65 truckloads) are from the north of the main site access and 6.6% (i.e. 5 truckloads) are from the south;*
- ii) *Based on the 43-tonne average truck payload and additional 58,460-tonnes of effective grain storage capacity, an average of 96 truckloads per day during each harvest season*

*is expected which represents an additional 26 truckloads per day compared to the existing situation;*

- iii) For all out-loading traffic, which occurs throughout the year depending on demand, 10 truckloads per day has been assumed as per CBH's TS10A – Design Specification for the existing facility and proposed expanded facility;*
- iv) The additional estimated traffic generation can be accommodated within the predicted capacity of road network at mid-block and intersection locations;*
- v) The additional estimated traffic generation can be accommodated within the predicted capacity of road network at mid-block and intersection locations;*
- vi) For the proposed access and egress locations, existing sealed width of Corrigin South Road complies with the minimum widths required as per the MRWA RAV assessment guidelines;*
- vii) The Road Safety Audit undertaken on 3 September 2020 highlighted the safety risks associated with the narrow seal along Corrigin South Road which varies between 4.8 and 6.0 metres. Although the seal widths are sufficient in terms of RAV network suitability, they are below MRWA's design standards and the Shire should consider widening the seal south of the existing main access to the facility and providing a marked centreline and guideposts to delineate the road;*
- viii) The existing main access to the facility satisfies minimum Safe Intersection Sight Distance (SISD) requirements from the north;*
- ix) The proposed new egress to Corrigin South Road south of the main access to the facility satisfies minimum SISD requirements from the south and Entering Sight Distance (ESD) towards the south;*
- x) SISD and ESD towards the south from the main access to the facility and towards the north from the new egress to Corrigin South Road currently relies on gaps between trees to meet minimum requirements. Based on the Road Safety Audit, the sight distance north of the new egress and south from the main access is compromised by the curve in the road carriageway and existing trees in the verge. It is recommended to remove the trees or reduce the speed limit on Corrigin South Road to that commensurate with the required sight distance. Notwithstanding this issue, it is understood that the Shire (as road owner) and CBH (as the intersection user) have physically inspected the site and consider the sight lines to be acceptable to and from the existing and proposed intersection locations. It should be noted the sight lines will also improve once the low shrubs are cleared from the verges. It is recommended that the situation be monitored and advice based on driver experiences be obtained to consider whether any other remedial action is required;*
- xi) The Road Safety Audit highlighted the safety risks associated with the existing trees located within the road verge (i.e. those along the road generally, and not associated with the proposed access), and it is suggested the Shire investigate removing all the trees or consider installing suitable crash barriers;*
- xii) Based on the predicted traffic volume, the existing access geometry for the main access to the facility is deemed acceptable and no widening is recommended;*
- xiii) Acceleration lanes towards both sides of the new egress to Corrigin South Road are not considered warranted.*

As can be seen from the above conclusions and referral advice received from Main Roads WA, in which no objections were raised by that agency, the proposed development is considered acceptable in terms of the additional volume of traffic likely to be generated and is unlikely to increase the likelihood of crashes to unacceptable levels.

Notwithstanding these findings, there are a number of pre-existing deficiencies with the local road network that need to be considered and addressed both now and in the future to improve the safety of the road infrastructure for all road users, particularly in light of the additional heavy vehicle traffic volumes likely to be generated by the proposed development during harvest periods.

Council should note the additional traffic volumes likely to be generated will be slightly higher than the figures provided in the Traffic Impact Statement due to the additional grain storage capacity now proposed (i.e. an additional 91,700 tonnes of on-site grain storage capacity is proposed to accommodate future anticipated demand compared to the 58,460 tonnes that was used a basis for the Traffic Impact Statement). This reinforces the need to consider and address the pre-existing deficiencies with the local road network.

It is understood from the outcomes of an on-site meeting held between CBH and Shire representatives that the sight distance issues identified in the Traffic Impact Statement and Road Safety Audit can be resolved by trimming trees and removing low level scrub within the Corrigin Road South road reserve area. The removal of trees in their entirety is not considered necessary and is a time consuming and expensive process the Shire would need to manage and fund given its responsibility for the care, control and management of Corrigin South Road.

Whilst it is acknowledged the sight distance issues are based on pre-existing conditions, it is considered reasonable to require CBH to contribute towards the cost of these works given its proposed development is generating the need to accommodate additional heavy vehicle traffic volumes in a safe and convenient manner. The cost to the Shire is not expected to be significant and could be funded using money allocated for general road maintenance purposes. As such, it is recommended a condition be imposed on any development approval granted requiring CBH to make a 50% contribution towards the cost of these works.

In relation to the traffic safety risks associated with the narrow road carriageway seal along Corrigin South Road south of the existing main access to the facility identified in the Road Safety Audit undertaken on 3 September 2020, Council should note this pre-existing deficiency has prevailed for many years with no reports of any traffic safety concerns or vehicle crashes along this road. It is significant to also note 93.4% deliveries to CBH's facility are from the north of the main site access and 6.6% are from the south with no major changes expected to these traffic volumes as a direct consequence of the proposed development.

In light of these facts and the Shire's intention to re-seal Corrigin South Road in 2026 as identified in its 10 year road programme, it is recommended Council not require CBH to contribute towards the cost of any seal widening works as these can be budgeted for in coming years and offset by road funding assistance available from State and Federal government sources.

In order to address any potential traffic safety concerns with the narrow road carriageway seal along Corrigin South Road, particularly in light of the fact it is a designated school bus route, it is recommended that CBH be required, as a condition of any development approval granted, to install at its own cost Variable Message Sign Boards containing the following messages in suitable locations either side of the main entry and new egress / egress to the facility along Corrigin South Road during all harvest periods until the seal widening works along this road have been completed:

Screen 1:

**TRUCKS  
ENTERING**

Screen 2:

**PROCEED  
WITH  
CAUTION**

Lastly, it is noted there was no mention made in the Traffic Impact Statement regarding the suitability of the existing road pavement along Corrigin South Road to accommodate the passage of heavy vehicles from the proposed new egress / exit to this road. It is reasonable to expect heavy vehicles using this new egress / exit will have a detrimental impact upon the existing road pavement over time due to their size and required turning movements. As such, it is recommended Council impose a condition on any development approval granted requiring CBH to re-sheet, at its own cost, that portion of Corrigin South Road immediately adjacent to the proposed new egress / exit for a distance of 50 metres in both directions (i.e. north-south) using asphalt to ensure the road carriageway surface is of a suitable standard and fit for purpose.

#### 5. Essential Services

Clause 67(2)(u) of the Deemed Provisions requires decision-makers to have due regard for the availability and adequacy for the development of the following:

- i) public transport services;
- ii) public utility services;
- iii) storage, management and collection of waste;
- iv) access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities); and
- v) access by older people and people with disability.

Items i), iv) and v) listed above are not considered relevant to the proposal.

With respect to item ii), it is noted the subject land is not served by reticulated sewerage disposal infrastructure due to it being remote from the Corrigin townsite's existing sewerage scheme and the inability to provide a service connection at reasonable cost. Given the development will involve the employment of people on the land for extended periods of time and the proposed installation and use of buildings that require a water supply service (i.e. crib room and ablutions building), it is considered reasonable to impose a condition on any development approval that may ultimately be granted requiring CBH to ensure suitable potable water supply and on-site effluent disposal facilities / infrastructure are designed, installed and maintained for the life of the development in accordance with the local government's requirements in consultation with the Department of Health as may be required.

### Conclusion

In light of all the above findings it is concluded the development proposal for Lots 20 and 21 is acceptable and unlikely to have any negative impact on the general amenity, character, functionality and safety of the immediate locality subject to compliance with a number of conditions. As such, it is recommended Council exercise its discretion and grant conditional approval to the application to ensure the development proceeds in a proper and orderly manner.

An alternative to the recommendation for conditional development approval provided below is not considered necessary for the following reasons:

- i) The proposal is well founded, permissible and has scope to be approved immediately;
- ii) The issues identified are capable of being suitably addressed through the imposition of conditions on any development approval that may ultimately be granted; and
- iii) CBH is obliged to address/satisfy any other statutory and regulatory requirements applicable to the proposal as it applies to all development on the subject land.

### **STATUTORY ENVIRONMENT**

- *Planning and Development Act 2005 (as amended)*
- *Planning and Development (Local Planning Schemes) Regulations 2015*
- *Shire of Corrigin Local Planning Scheme No.2*

### **POLICY IMPLICATIONS**

- *State Planning Policy 2 – Environment and Natural Resources Policy*
- *State Planning Policy 2.5 – Rural Planning*
- *State Planning Policy 2.9 – Water Resources*
- *State Planning Policy 3.7 – Planning in Bushfire Prone Areas*
- *State Planning Policy 4.1 – State Industrial Buffer*

### **PUBLIC CONSULTATION**

Not required or deemed necessary. The application was however referred to the Department of Water and Environmental Regulation, the Department of Biodiversity, Conservation and Attractions and Main Roads WA for review and comment with all these agencies confirming they have no objections to the proposed development subject to compliance with other regulatory requirements that may be applicable. The Department of Planning, Lands and Heritage also confirmed the use class 'warehouse/storage' is the closest and most accurate classification that should be applied to the proposed development given it is not expressly listed in the Zoning Table of LPS2.

The proposal was also the subject of a site meeting and ongoing discussions between Shire staff and CBH representatives to work through various issues of concern identified during the planning assessment process where general agreement was reached regarding a number of matters.

### **FINANCIAL IMPLICATIONS**

All administrative costs associated with processing the application are provided for in Council's annual budget and have been offset in full by the \$18,666.15 development application fee paid by the applicant.

The majority of costs associated with the proposed development will be met by the applicant/landowner. The Shire will however need to fund the following works immediately and in the short-to-medium term future:

- i) A 50% contribution towards the cost of trimming trees and removing low level scrub within the Corrigin Road South road reserve area to help resolve the sight distance issues identified in the Traffic Impact Statement which is not expected to be significant and could be funded using money allocated for general road maintenance purposes; and
- ii) Road seal widening works south of the existing main access entry to the facility which could be budgeted for in coming years as part of the Shire’s 10 year road programme and offset by road funding assistance from State and Federal government sources.

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

**COMMUNITY AND STRATEGIC OBJECTIVES**

The proposed development is consistent with the following elements of the *Shire of Corrigin Strategic Community Plan 2021-2031* and *Corporate Business Plan 2021-2025*:

**Objective: Economic**

**A strong, diverse economy supporting agriculture, local business and attracting new industry.**

Strategic Community Plan		Corporate Business Plan	
Outcome	Strategies	Action No.	Actions
2.1	Support the diverse industry across the Shire	2.1.4	Advocate for improved communications infrastructure within the district by lobbying stakeholders to meet the needs of the district, both residential and commercial, now and into the future.

**Objective: Environment**

**An attractive natural and built environment for the benefit of current and future generations.**

Strategic Community Plan		Corporate Business Plan	
Outcome	Strategies	Action No.	Actions
3.5	Conservation of our natural environment	N/A	No actions listed.

**VOTING REQUIREMENT**

Simple Majority

## OFFICER'S RECOMMENDATION

*That Council:*

- Determine** that the proposed development of Lot 20 on Deposited Plan 41206 and Lot 21 (No.70) Corrigin South Road, Corrigin for 'Warehouse / Storage' purposes is consistent with the objectives of the land's current 'Rural' zoning classification in the Shire of Corrigin Local Planning Scheme No.2 and may therefore be permitted in the zone; and
- APPROVE** the development application submitted by Cooperative Bulk Handling Limited (Landowner) for a number of proposed upgrades and additions to its existing grain handling and storage facility on Lot 20 on Deposited Plan 41206 and Lot 21 (No.70) Corrigin South Road, Corrigin subject to the following conditions and advice notes:

### Conditions

- The proposed development shall be undertaken strictly in accordance with the documentation 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. The documentation of relevance to this condition includes:
  - General Arrangement Plan - Drawing No.511-ENG-CI-DGA-0002 (Rev.E);
  - Mechanical General Arrangement Plan – Drawing No. 511-ENG-ME-DGA-0001- (Rev.0);
  - Drawing No.2020-7414-01\_A - KOSTERS OUTDOOR - SUN SHELTERS 01;
  - Drawing No.2020-7414-03\_A - KOSTERS OUTDOOR - SUN SHELTERS 03;
  - Drawing No. E12096-GAD-001\_ REV B\_ Containerised Type 30 Units;
  - Drawing No. C-RT4500-001 (4,500LTR POLY WATER STORAGE TANK);
  - General Arrangement Plan – Drawing No.A-100 (Rev.A) – Lunch Room 6 x 3m;
  - General Arrangement Plan – Drawing No.A-100 (Rev.A) – Male/Female Toilet 3.3 x 2.6m;
  - Drawing No.S000-ENG-AR-STD-0070 (Rev.A) – SITE OFFICE FLOOR PLAN
  - Drawing No. S000-ENG-AR-STD-0073 (Rev.A) – SITE OFFICE EXTERNAL ELEVATIONS;
  - General Arrangement / Overall Layout Plan – Drawing No. S119-ENG-ST-DGA-0003 (Sheets 1 to 9 - Rev.0) – 1.8m Open Bulk Head;
  - General Arrangement Plans – Drawing No.S132-ENG-MD-DGA-0001 - (Sheets 1 to 4 - Rev.1) – Mettler Toledo Weighbridge Type 1
  - General Arrangement Plan – Drawing No.STD-101-0000 (Rev.13) – Hydraulic Sample Platform / Type 11 Sample Hut;
  - Memorandum by Eco Logical Australia dated 16 March 2022 entitled 'DBCA Advice - Development Application for CBH Corrigin';
  - Drainage Design Report by BG&E Resources dated 16 June 2021 – Document No. RP20118.001 (Rev.A); and
  - Bushfire Management Plan by Green Start Consulting dated 2 November 2021 (Version 1).
- 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.
- Prior to occupation of the development, all stormwater drainage works must be completed in accordance with the Drainage Design Report referenced in Condition 1 above and maintained thereafter for the life of the development in accordance with the local

government's requirements.

4. *The proponent shall, at its own cost, arrange for the preparation of further report by a suitably qualified consultant for submission to the local government by 31 October 2023, unless otherwise agreed, confirming all measures proposed in the Drainage Design Report have been implemented, including ongoing maintenance requirements, as well as details of any additional works that may be required to minimise the risk of flooding and erosion during extreme storm events.*
5. *The proponent shall implement the measures prescribed in the Bushfire Management Plan referenced in Condition 1 above to the satisfaction of the local government at all times for the life of the development.*
6. *A Revegetation / Landscaping Plan for all proposed new on-site landscaping shall be prepared and submitted to the local government for consideration and determination by the local government's Chief Executive Officer.*
7. *All new on-site landscaping shall comprise drought resistant trees and shrubs of a type that require minimal maintenance and must include two (2) native or locally acceptable trees capable of growing to a height of at least five (5) metres for every fifty (50) square metres of landscape area. All landscaping works shall be completed by 31 August 2023, unless otherwise approved by the local government's Chief Executive Officer, and maintained thereafter until mature and self-sufficient.*
8. *The proponent shall make a 50% contribution towards the cost of trimming trees and removing low level scrub within the Corrigin Road South road reserve area as determined by the local government to help resolve the sight distance issues identified in the Traffic Impact Statement submitted in support of the application.*
9. *The proponent shall, at its own cost, re-sheet that portion of Corrigin South Road immediately adjacent to the proposed new egress / exit for a distance of 50 metres in both directions (i.e. north-south) using asphalt to ensure the road carriageway surface is of a suitable standard and fit for purpose. These works shall be completed prior to occupation and use of the proposed development unless otherwise agreed by the local government.*
10. *The proponent shall, at its own cost, install Variable Message Sign Boards containing the following messages 500 metres either side of the main entry and new egress / egress to the facility along Corrigin South Road during all harvest periods until the seal widening works along this road have been completed by the local government*

Screen 1:

**TRUCKS  
ENTERING**

Screen 2:

**PROCEED  
WITH  
CAUTION**

11. *All on-site vehicle accessways and parking bays shall be constructed in accordance with the details shown on the site development plan (i.e. General Arrangement Plan - Drawing No.511-ENG-CI-DGA-0002 (Rev.E), including draining and line marking as required to the satisfaction of the local government's Chief Executive Officer, prior to occupation and use of the proposed development.*
12. *Suitable directional signage shall be installed on the land prior to occupation and use of the proposed development to provide for the safe and convenient movement of all vehicles attending the site.*



13. *The proponent shall ensure suitable potable water supply and effluent disposal facilities / infrastructure are designed, installed and maintained for the life of the development in accordance with the local government's requirements in consultation with the Department of Health as may be required.*

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 or restrictive covenant. It is the responsibility of the applicant/landowners 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 Corrigin under its Local Planning Scheme No.2. 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/landowners 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. *An 'Application to Construct or Install an Apparatus for the Treatment of Sewage' prepared pursuant to the specific requirements of the Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974 must be prepared and submitted to the Shire of Corrigin or the Executive Director of Public Health for consideration and determination prior to preparation and lodgement of a building permit application for structures reliant upon this infrastructure.*
4. *In accordance with the Building Act 2011 and Building Regulations 2012, a demolition and/or building permit application/s must be submitted to and approved by the local government's Building Surveyor prior to the commencement of any demolition, construction or earthworks on the land.*
5. *All proposed buildings to be constructed and/or placed on the land, including sea containers, are required to comply in all respects with the National Construction Code of Australia. Plans and specifications which reflect these requirements are required to be submitted with the building permit application/s.*
6. *No construction works shall commence on the land prior to 7am without the local government's written approval. No construction works are permitted on Sundays or Public Holidays.*
7. *The applicant/landowner is reminded of their obligation to ensure compliance with the specific standards and requirements of the Shire of Corrigin Annual Fire Break Notice as it applies to all land within the municipal district's designated townsites.*
8. *The proponent is responsible for ensuring the correct siting of all structures on the land the subject of this approval. An identification survey demonstrating correct siting and setbacks of structures may be requested of the proponent by the local government to ensure compliance with this determination notice and all applicable provisions.*
9. *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 Corrigin Local Planning Scheme No.2 and may result in legal action being initiated by the local government.*
10. *If the proponent 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 the determination.*

**9. CHIEF EXECUTIVE OFFICER REPORT**

**10. PRESIDENT'S REPORT**

**11. COUNCILLORS' QUESTIONS REPORTS, AND INFORMATION ITEM**

**12. URGENT BUSINESS APPROVED BY THE PRESIDENT OR BY A DECIDED OF  
THE COUNCIL**

**13. INFORMATION BULLETIN**

**14. WALGA AND CENTRAL ZONE MOTIONS**

**15. NEXT MEETING**

Ordinary Council Meeting on Tuesday 21 June 2022.

**16. MEETING CLOSURE**