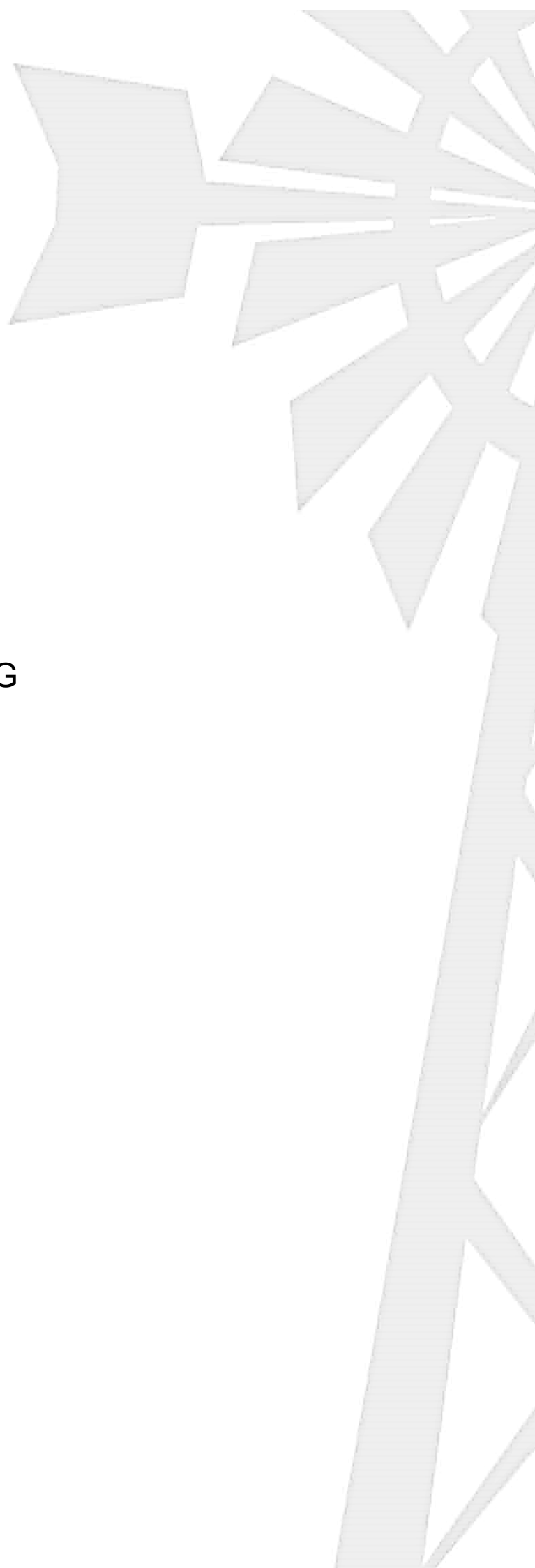




# MINUTES

ORDINARY COUNCIL MEETING  
20 September 2022



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**1. DECLARATION OF OPENING**

The Chairperson, Shire President Cr. D Hickey opened the meeting at 3.02pm and acknowledged the Njaki Njaki Nyoongar people as the traditional owners of the lands and waters where Corrigin is situated, and paid respect to Elders past and present.

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

Shire President	Cr. D L Hickey
Deputy Shire President	Cr. S C Coppen
	Cr. S L Jacobs
	Cr. M B Dickinson
	Cr. C E Steele
	Cr. M A Weguelin
	Cr. B Fare
Chief Executive Officer	N A Manton
Deputy Chief Executive Officer	K A Caley
Executive Support Officer	K L Biglin

**3. PUBLIC QUESTION TIME**

NIL

**4. MEMORIALS**

The Shire has been advised that Clement Overheu and Mavis Norma Larke have passed away since the last meeting.

The Shire of Corrigin acknowledges the passing of Her Majesty, Queen Elizabeth II.

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

NIL

**6. DECLARATIONS OF INTEREST**

Cr Hickey declared a Financial Interest in item 8.2.2 as he is a shareholder in CBH.

CEO N Manton declared a Financial Interest in item 8.2.2 as she is a shareholder in CBH.

Cr Jacobs declared a Financial Interest in item 8.2.2 as she is a shareholder in CBH.

Cr Coppen declared a Proximity Interest in item 8.2.4 as he owns the business across the road from the subject of the development application.

Cr Steele declared an Indirect Financial Interest in item 8.3.2 as Bozanich Earthmoving Pty Ltd are clients of AC Electrics WA (personal business).

Cr Hickey declared a Financial Interest in item 8.3.2 as he has engaged a tender applicant as a Contractor for personal business.

Cr Jacobs declared an Impartiality interest in item 8.2.8 as her husband W.J.S Jacobs is a Fire Control Officer for the Shire of Corrigin.

Cr Jacobs declared an Impartiality interest in item 8.2.10 as her husband W.J.S Jacobs is Secretary of the Bilbarin Hall Committee.

## **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 16 August 2022 (Attachment 7.1.1).

##### **COUNCIL RESOLUTION**

**(92/2022) Moved: Cr Jacobs      Seconded: Cr Coppen**

*That the Minutes of the Shire of Corrigin Ordinary Council meeting held on Tuesday 16 August 2022 (Attachment 7.1.1) be confirmed as a true and correct record.*

**Carried 7/0**

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

#### **7.2.1. BUSHFIRE ADVISORY COMMITTEE MEETING**

Minutes of the Shire of Corrigin Bushfire Advisory Committee Meeting held on Tuesday 6 September 2022 (Attachment 7.2.1).

##### **COUNCIL RESOLUTION**

**(93/2022) Moved: Cr Fare      Seconded: Cr Steele**

*That the Minutes of the Shire of Corrigin Bushfire Advisory Committee Meeting held on Tuesday 6 September 2022 (Attachment 7.2.1) be confirmed as a true and correct record.*

**Carried 7/0**

## 8. MATTERS REQUIRING A COUNCIL DECISION

### 8.1. CORPORATE AND COMMUNITY SERVICES REPORTS

#### 8.1.1. ACCOUNTS FOR PAYMENT

<b>Applicant:</b>	Shire of Corrigin
<b>Date:</b>	12/09/2022
<b>Reporting Officer:</b>	Tanya Ludlow, Finance / Human Resources Officer
<b>Disclosure of Interest:</b>	NIL
<b>File Number:</b>	FM.0036
<b>Attachment Ref:</b>	Attachment 8.1.1 – Accounts for Payment – August 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 August 2022 are provided as Attachment 8.1.1 – Accounts for Payment – August 2022.

After payment of the following cheque, EFT and Direct Debit payments, the balance of creditors will be \$37,450.40.

Bank Account	Payment Type	Reference	Amount	Total
Municipal	EFT	17756 - 17802, 17807 - 17871	\$586,047.97	
	Cheque	020769 - 020776	\$38,002.14	
	Direct Debit	August 2022	\$30,990.26	
	Payroll	August 2022	\$125,536.57	\$780,576.94
Trust	EFT	17804 - 17806	\$170.99	
	Cheque	No Payments	\$0.00	
	Direct Debit	No Payments	\$0.00	\$170.99
Licensing Trust	EFT	No Payments	\$0.00	
	Direct Debit	August 2022	\$45,174.70	\$45,174.70
Edna Stevenson	EFT	17803	\$3,907.89	
	Cheque	No Payments	\$0.00	
	Direct Debit	No Payments	\$0.00	\$3,907.89
Total Payments for the Month of August 2022				\$829,830.52

**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	EFT17755	EFT17756
Municipal	Cheque	020768	020769
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 2022 / 2023 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

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

**VOTING REQUIREMENT**

Simple Majority

**COUNCIL RESOLUTION**

**(94/2022) Moved: Cr Dickinson**

**Seconded: Cr Jacobs**

*That Council reviews the list of accounts paid and acknowledges that payments totalling \$829,830.52 have been made during the month of August 2022.*

**Carried 7/0**

### 8.1.2.ACCOUNTS FOR PAYMENT – CREDIT CARDS

<b>Applicant:</b>	Shire of Corrigin
<b>Date:</b>	07/09/2022
<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

#### **SUMMARY**

This report provides Council with a list of all financial dealings relating to the use of credit card payments for the period 29 June 2022 to 28 July 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 2022/2023 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

**COUNCIL RESOLUTION**

**(95/2022) Moved: Cr Weguelin                      Seconded: Cr Steele**

*That Council endorse credit card payments for the period 29 June 2022 to 28 July 2022 for \$1,842.55 in accordance with Attachment 8.1.2*

**Carried 7/0**

### 8.1.3.MONTHLY FINANCIAL REPORTS

<b>Applicant:</b>	Shire of Corrigin
<b>Date:</b>	14/09/2022
<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 Report for the period ending 31 August 2022

#### **SUMMARY**

This report provides Council with the monthly financial reports for the month ending 31 August 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**

August closed with \$2,113,844 in the Municipal bank account and \$932,055 in short term investment.

Rate payments are coming in steadily with \$1,824,154 being collected as at 31 August 2022. This equates to 60.7% of outstanding rates compared to 44.2% at the same time last year.

During August the Shire received the first quarterly payment of the Federal Assistance Grant for Roads (\$42,050) and General Purpose (\$94,185)

#### **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 and 2022/23 Annual Budgets.

**COMMUNITY AND STRATEGIC OBJECTIVES**

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

**Objective:** 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

**COUNCIL RESOLUTION**

**(96/2022) Moved: Cr Coppen**

**Seconded: Cr Fare**

*That Council:*

*Accept the Statement of Financial Activity for the month ending 31 August 2022 as presented, along with notes of any material variances.*

**Carried 7/0**

#### 8.1.4.WRITE OFF BAD DEBT (RATES)

<b>Applicant:</b>	Shire of Corrigin
<b>Date:</b>	13/09/2022
<b>Reporting Officer:</b>	Karen Wilkinson, Senior Finance Officer
<b>Disclosure of Interest:</b>	NIL
<b>File Ref:</b>	A721
<b>Attachment Ref:</b>	Nil

#### SUMMARY

This report seeks Council's consideration to write off uncoverable rates, charges and associated interest that remain outstanding on assessment A721.

#### BACKGROUND

Following storm damage in 2013 to the premises at Lot 13, No. 10 Goyder Street, Corrigin, an inspection was carried out by the Shire's (then) Environmental Health Officer (EHO) together with the Shire's Consultant Building Surveyor.

At the time of inspection, the premises were found to be in an unsatisfactory condition. A notice was served on 9 January 2013, under s135 of the *Health Act 1911* declaring the dwelling unfit for human habitation and further, that no person was permitted to reside in the dwelling.

A further notice was served on 25 February 2016 and as the landowner did not respond to either notice, at the 20 September 2016 Council meeting Council resolved:

1. *Authorise the Chief Executive Officer to issue a Notice pursuant to S.137 of the Health Act 1911 to amend or take down and remove the dwelling situated at Lot 13, No. 10 Goyder Street, Corrigin within 60 Days of receipt of the Notice, and ensure that the land is cleared to satisfaction of the Local Government.*
2. *That the Notice referred to in 1. above be carried out service of a notice under the Act is set out in s354 of the Health Act 1911.*
3. *Should the works required in 1. above not be completed within the specified time frame, the Chief Executive Officer be requested to first seek legal advice and report back to Council with respect to initiating proceedings against the owner of Lot 13, No. 10 Goyder Street, Corrigin, pursuant to S.140 of the Health Act 1911 for failure to comply with a Notice served within a specified time period and to demolish the dwelling.*

The necessary process was followed by the Shire however was unsuccessful with having the landowner respond to the due process. Council proceeded under s140 of the *Health Act 1911* to demolish the house in 2017. The cost to Council to demolish the premises was \$21,424.39.

As per Council Policy 2.1, all outstanding rates including the cost to demolish the premises have been attempted to be recovered as per the following:

1. Caveat on the Certificate of Title was lodged on 31 January 2017 to register an interest in the land.
2. Notice of Intent was issued to the landowner on 16 November 2018.
3. General Procedure Claim served to the landowner at the last known address on 6 March 2019.
4. Property Seize and Sale Order served to the landowner at the last known address on 5 September 2019.

The Shire were advised that the landowner had passed away in April 2020.

After seeking legal advice about continuing with the collection process, Council resolved at the 18 August 2020 Ordinary Meeting of Council:

*That Council, pursuant to Section 6.64 (1)(b) of the Local Government Act 1995, proceed to take possession of the land and sell the property for Assessment 721 which have rates in arrears for 3 or more years, and recover from the proceeds of sale the outstanding balance which currently totals \$22,109.92.*

The Shire instructed AMPAC to proceed with the sale of land on behalf of the shire. Actions were taken in accordance with the relevant legislation and regulations:

1. Notice of Taking Possession, Form 2 was served to the daughter of the deceased as the contact for the estate on 29 October 2021.
2. Notice of Taking Possession, Form 3 was attached to the land on 1 November 2021 by Shire staff.
3. Notice requiring payment of outstanding rates and charges, Form 4 was served on 2 December 2021 to anyone with an interest in the property, giving 3 months to pay to avoid the land being sold. Form 4 was also displayed by public notice.
4. The auction was set for 11am on 26 May 2022 at 10 Goyder Street.
5. The Shire issued State-wide public notice of Form 5 in The West Australian newspaper on 20 April 2022 plus public notice advertising the auction date.
6. Certified Form 5 was lodged at Landgate as a memorial of the advertisement of the sale on 3 May 2022.

The public auction was conducted by Raine & Horne Rural trading as West Coast Wool & Livestock on 26 May 2022. One bid was received however it was passed in by the auctioneer as it did not meet the reserve price set by the Shire.

The real estate agent was instructed to negotiate with the bidder following the auction and an offer of \$25,000 GST inclusive was accepted. The property was settled on 29 July 2022.

### **COMMENT**

From the resolution in August 2020 stating the outstanding amount of \$22,109.92 a further \$19,848.30 of costs have accumulated on the assessment, these costs are made up of rates levies, emergency services levies, legal fees, penalties, and the cost of selling the land.

The sale proceeds of \$22,727.27 GST exclusive have been allocated to the assessment however the proceeds were less than the outstanding debt. Collection of the remaining debt is now not permitted and requires to be written off as a bad debt.

The remaining debt on the assessment to be written off is \$19,230.92.

### **STATUTORY ENVIRONMENT**

*Local Government Act 1995 Division 6 – Rates and service charges*

*Local Government Act 1995 section 6.12*

- (1) *Subject to subsection (2) and any other written law, a local government may —*
- a. when adopting the annual budget, grant\* a discount or other incentive for the early payment of any amount of money; or*
  - b. waive or grant concessions in relation to any amount of money; or*
  - c. write off any amount of money,*  
*which is owed to the local government.*

*\* Absolute majority required.*

- (2) *Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.*
- (3) *The grant of a concession under subsection (1)(b) may be subject to any conditions determined by the local government.*
- (4) *Regulations may prescribe circumstances in which a local government is not to exercise a power under subsection (1) or regulate the exercise of that power.*

*Local Government Act 1995 section 6.64*

- (1) *If any rates or services charges which are due to a local government in respect of any rateable land have been unpaid for at least three years the local government may, in accordance with the appropriate provisions of this subdivision take possession of the land and hold the land as against a person having an estate or interest in the land and-*
  - a. From time to time lease the land;*
  - b. Sell the land;*
  - c. Cause the land to be transferred to the Crown; or*
  - d. Cause the land to be transferred to itself.*
- (2) *On taking possession of any land under this section, the local government is to give to the owner of the land such notification as is prescribed and then to affix on a conspicuous part of the land a notice, in the form or substantially in the form prescribed.*
- (3) *Where payment of rates or services charges imposed in respect of any land is in arrears the local government has an interest in the land in respect of which it may lodge a caveat to preclude dealings in respect of the land, and may withdraw caveats so lodged by it.*

**POLICY IMPLICATIONS**

Policy 2.1 – Rates – Procedures for Unpaid Rates

**FINANCIAL IMPLICATIONS**

Income in accordance with the 2022/2023 Annual Budget will be reduced by \$19,230.92 and a bad debt expense recognised totalling \$19,230.92.

**COMMUNITY AND STRATEGIC OBJECTIVES**

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

**Objective:** 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**

Absolute Majority

**COUNCIL RESOLUTION**

**(97/2022) Moved: Cr Coppen**

**Seconded: Cr Weguelin**

*That Council authorise the Chief Executive Officer to write off \$19,230.92 as a bad debt from outstanding rates, charges, and associated interest on Assessment 721 - 10 Goyder Street.*

***Carried by Absolute Majority 7/0***

## 8.2. GOVERNANCE AND COMPLIANCE

### 8.2.1. CORRIGIN SPEEDWAY LEASE

<b>Applicant:</b>	Shire of Corrigin
<b>Date:</b>	8/08/2022
<b>Reporting Officer:</b>	Heather Talbot, Governance Project Officer
<b>Disclosure of Interest:</b>	NIL
<b>File Ref:</b>	CP.0088
<b>Attachment Ref:</b>	Attachment 8.2.1 – Draft Lease Corrigin Speedway

#### SUMMARY

This item seeks Council endorsement to enter in to a ten-year (with a further five-year option) lease agreement with the Australian Speedway Drivers and Riders Association Incorporated for use of the Speedway on Dry Well Road.

#### BACKGROUND

In October 2012 the Shire and the Australian Speedway Drivers and Riders Association Incorporated (ASDRA) entered into a ten year lease agreement for a portion of Crown Reserve 15804 Dry Well Road for speedway activities in Corrigin. The term of the current lease is due to expire at the end of September 2022.

At the August 2022 Council meeting ASDRA applied for, and were granted, planning approval for proposed upgrades and additions to the existing speedway facility on Lot 134 on Deposited Plan 77618 being Crown Reserve 15804 Dry Well Road, Corrigin. A condition of the approval was that ASDRA enter into a new lease agreement with the Shire of Corrigin before any upgrades are undertaken.

#### COMMENT

A new lease agreement has been drafted (see Attachment 8.2.1) by McLeods Barristers and Solicitors. The terms of the lease are similar to the previous lease agreement with consideration for the terms of the planning approval given by the Shire in September 2022.

The term of the draft lease is for ten years as per the previous lease however the addition on a further five year option has also been included. Council may grant a longer lease term, up to 21 years. The land is part of Crown Reserve with the power to lease for any term not exceeding 21 years with the approval of the Minister for Lands. A ten year lease with a five year option, with respect to Council's interests is considered reasonable.

As ASDRA is a non for profit incorporated association of a recreational nature it is considered to be an exempt disposition of property under section 3.58 of the *Local Government Act 1995*.

#### STATUTORY ENVIRONMENT

*Local Government Act 1995 - Section 3.58. Disposing of property*

*Local Government (Functions and General) Regulations 1996*

*30. Dispositions of property excluded from Act s. 3.58*

*(1) A disposition that is described in this regulation as an exempt disposition is excluded from the application of section 3.58 of the Act.*

*(2) A disposition of land is an exempt disposition if —*

*(a) the land is disposed of to an owner of adjoining land (in this paragraph called the transferee) and —*

*(i) its market value is less than \$5 000; and*

*(ii) the local government does not consider that ownership of the land would be of significant*



*benefit to anyone other than the transferee;*

*or*

*(b) the land is disposed of to a body, whether incorporated or not —*

*(i) the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature; and*

*(ii) the members of which are not entitled or permitted to receive any pecuniary profit from the body's transactions;*

*Land Administration Act 1997 (WA)*

*A management body (e.g. the Shire of Corrigin) has power to lease land in a management order or, has power to lease land under its own written law, may also lease reserve land provided the lease accords with the purpose of the reserve and subject to the approval of the Minister for Lands under section 18 of the Land Administration Act.*

## **POLICY IMPLICATIONS**

NIL

## **FINANCIAL IMPLICATIONS**

The cost of the preparation of the lease document of \$1,500 excluding GST is included in legal expenses in the 2022-23 annual budget.

## **COMMUNITY AND STRATEGIC OBJECTIVES**

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

### **Objective: Social**

An effectively serviced, inclusive and resilient community.

Strategic Community Plan		Corporate Business Plan	
Outcome	Strategies	Action No.	Actions
1.3	Support and help facilitate community events and inclusive initiatives.	1.3.1	Collaborate with the CRC and local groups to deliver community events and initiatives that are diverse and inclusive to local needs.

### **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
2.2	Coordinated planning and promotion of the visitor and tourist experience.	2.2.4	Promote and support local events with emphases on events that deliver increased visitation.

### **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
3.2	Parks, gardens, recreational and social spaces are safe and encourage active, engaged and healthy lifestyles.	3.2.3	Work with local sport and recreation clubs to plan sport and recreation facility upgrades in a cohesive and coordinated manner.

**VOTING REQUIREMENT**

Simple Majority

**COUNCIL RESOLUTION**

**(98/2022) Moved: Cr Jacobs**

**Seconded: Cr Steele**

*That Council:*

1. *Authorises the Chief Executive Officer to enter a lease agreement (as per Attachment 8.2.1) with the Australian Speedway Drivers and Riders Association Incorporated, subject to minor variations, for a portion of Reserve 15804, Lot 134 Dry Well Road Corrigin for a term of ten years, with the option of a further five years. The proposed lease agreement will be subject to obtaining approval from the Minister for Lands.*
2. *Authorise the Shire President and the Chief Executive Officer to execute the lease agreement and affix the common seal of the Shire of Corrigin.*

**Carried 7/0**

N Manton declared a Financial Interest in Item 8.2.2.

Cr Hickey and Cr Jacobs declared a Financial Interest in Item 8.2.2 and left the room at 3.17pm.

*Cr Coppen assumed the Chair.*

**8.2.2.DEVELOPMENT APPLICATION – FOUR (4) PROPOSED TEMPORARY GRAIN STORAGE BULKHEADS AND ASSOCIATED INFRASTRUCTURE AT COOPERATIVE BULK HANDLING LIMITED’S EXISTING GRAIN HANDLING & STORAGE FACILITY IN CORRIGIN**

<b>Applicant:</b>	Cooperative Bulk Handling Limited
<b>Landowner:</b>	As Above
<b>Location:</b>	Lot 20 on DP41206 & Lot 21 (No.70) Corrigin South Road, Corrigin
<b>Reporting Officer:</b>	Mr Joe Douglas, Consultant Town Planner (Exurban Rural & Regional Planning)
<b>Date:</b>	11/09/2022
<b>Disclosure of Interest:</b>	NIL
<b>File Ref:</b>	PA08-2022
<b>Attachment Ref:</b>	Attachment 8.2.2 – Development Application Attachments - CBH

**SUMMARY**

This report recommends that Council grant conditional approval to a development application submitted by Cooperative Bulk Handling Limited (Landowner) for the construction and use of four (4) proposed temporary grain storage bulkheads and associated infrastructure at its existing grain handling and storage facility on Lot 20 on Deposited Plan 41206 and Lot 21 (No.70) Corrigin South Road, Corrigin for a period of two (2) years.

**BACKGROUND**

In July 2021 Council supported and approved a request from Cooperative Bulk Handling Limited (CBH) to waive the requirement for development approval for the temporary construction and use of emergency grain storage infrastructure on Lot 20 on Deposited 41206 and Lot 21 (No.70) Corrigin South Road, Corrigin for a 12 month period. That approval allowed for the construction and use of all proposed infrastructure to provide for the temporary storage of up to 40,610 tonnes of grain (i.e. TBH 06 and TBH 07 as shown on the site development plan provided in Attachment 8.2.2 of this report).

In December 2021 Council supported and approved a further request from Cooperative Bulk Handling Limited (CBH) to waive the requirement for development approval for the temporary construction and use of additional emergency grain storage infrastructure on Lot 21 (No.70) Corrigin South Road, Corrigin immediately south of TBH 06 and TBH 07 comprising a total capacity of 25,000 tonnes until 20 July 2022.

In May 2022 Council granted conditional approval to a development application received from CBH for a number of proposed upgrades and additions to its existing grain handling and storage facility on the subject land in the same general location as the temporary approvals granted in July and December 2021. This subsequent approval allowed for the construction and use of infrastructure to provide for the permanent storage of up to 91,700 tonnes of grain.

CBH has advised it has been unable to act on the development approval granted by Council in May 2022 due to the delays it has experienced obtaining approval to a clearing permit application it has lodged with the Commonwealth Department of Climate Change, Energy, Environment and Water (DCCEEW).

Given the current forecast of another significant harvest for the 2022/23 harvest season and the

large amount of carryover grain that remains at many of its receival sites, including its facility in Corrigin, CBH has submitted a development application requesting Council's approval to:

- i) formalise the two (2) grain storage bulkheads and associated infrastructure approved in July 2021 which have now been constructed and comprise a total combined storage capacity of 40,610 tonnes (i.e. TBH 06 & TBH 07 referred to previously above); and
- ii) construct two (2) new additional grain storage bulkheads and associated infrastructure immediately south of TBH 06 and TBH 07 comprising a total combined storage capacity of 44,540 tonnes (i.e. TBH 08 & TBH 09 as shown on the site development plan provided in Attachment 8.2.2 of this report).

Council should note CBH is only seeking temporary approval for the abovementioned grain storage bulkheads and associated infrastructure for a period of up to two (2) years to accommodate the anticipated on-site storage capacity shortfall whilst it awaits final determination of the clearing permit application by the DCCEEW for the permanent storage bulkheads approved by Council in May 2022.

A full copy of the latest development application received, including various supporting information and plans, is provided in Attachment 8.2.2 to assist Council's consideration and determination of the proposal.

#### **COMMENT**

The latest development application submitted by CBH is essentially a scaled-down version of what has previously been considered and approved by Council. It has been formulated with due regard for all previous approvals granted by Council and will be located on portions of the subject land that the DCCEEW has confirmed has no natural features of national environmental significance.

Assessment of the application in the context of 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*, previous advice received from Main Roads WA, the Department of Water and Environmental Regulation and the Department of Biodiversity, Conservation and Attractions has also 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; and
- Flood, stormwater drainage and bushfire risk management.

In light of the above and the previous approvals granted by Council over the past 14 months in which all relevant issues have been duly considered and addressed, it is concluded the latest 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.

**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.

**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 \$2,419.60 development application fee paid by the applicant.

All costs associated with the proposed temporary development will be met by the applicant/landowner.

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

**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

**COUNCIL RESOLUTION**

**(99/2022) Moved: Cr Dickinson                      Seconded: Cr Weguelin**

*That Council **APPROVE** the development application submitted by Cooperative Bulk Handling Limited (Landowner) for the construction and use of four (4) proposed temporary grain storage bulkheads and associated infrastructure at its existing grain handling and storage facility on Lot 20 on Deposited Plan 41206 and Lot 21 (No.70) Corrigin South Road, Corrigin for a period of two (2) years subject to the following conditions and advice notes:*

Conditions

1. *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:*
  - *CBH Group Planning Report dated 11 August 2022;*
  - *Completed and signed 'Form 1 - Application for Development Approval' dated 9 August 2022 (i.e. Description of proposed works and/or land use);*
  - *Conceptual Layout No.3 - Drawing No.511-ENG-CI-DCO-0016 (Rev.C);*
  - *General Arrangement Plan – Open Bulkhead Frame - Drawing No. S119-ENG-ST-ASY-0003 (Sheets 1 & 2 - Rev.1);*
  - *General Arrangement Plan – Overall Layout – 1.8m Open Bulkhead - Drawing No. S119-ENG-ST-DGA-0003 (Sheets 1 to 9 - Rev.0);*
  - *General Arrangement Plan – Dog Stacker Bulkhead - Drawing No.S040-ENG-ME-DGA-0010 (Sheets 1 & 2 - Rev.0);*
  - *Traffic Impact Statement by Shawmac Consulting Civil and Traffic Engineers dated 3 August 2022 – Document Reference No.2207001-TIS-001; and*
  - *Memorandum by BG&E Resources Pty Ltd dated 17 August 2022 entitled 'Corrigin OBH Drainage Design Memo'.*
  
2. *Any additional development which is not in accordance with the application the subject of this approval or any condition of approval will require the further approval of the local government.*
  
3. *This approval is valid for a period of two (2) years from the date of determination unless otherwise approved by the local government.*

4. *Prior to occupation of the development all proposed new stormwater drainage works shall be completed in accordance with Conceptual Layout No.3 - Drawing No.511-ENG-CI-DCO-0016 (Rev.C) and the Memorandum by BG&E Resources Pty Ltd dated 17 August 2022 entitled 'Corrigin OBH Drainage Design Memo' referenced in Condition 1 above and maintained thereafter for the life of the development in accordance with the local government's requirements.*
5. *The proponent shall, at its own cost, install Variable Message Sign Boards containing the following messages 500 metres either side of the main entry ingress / egress to the facility along Corrigin South Road during all harvest periods for the life of the development until seal widening works along this road have been completed by the local government:*

Screen 1:

**TRUCKS**  
**ENTERING**

Screen 2:

**PROCEED**  
**WITH**  
**CAUTION**

6. *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.*

#### 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. *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.*
4. *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.*

5. *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.*
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 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 local government's determination.*

**Carried 5/0**

Cr Hickey and Cr Jacobs re-entered the room at 3.21pm.

*Cr Hickey resumed the chair.*



### 8.2.3.DEVELOPMENT APPLICATION – PROPOSED CHANGE OF USE FROM ‘NURSERY’ TO ‘WAREHOUSE / STORAGE’ INCLUDING PLACEMENT & USE OF A SEA CONTAINER

<b>Applicant:</b>	RN Cornish and GM Walton
<b>Landowner:</b>	As above
<b>Location:</b>	Lot 506 (No.6) Goyder Street, Corrigin
<b>Date:</b>	13/09/2022
<b>Reporting Officer:</b>	Mr Joe Douglas, Consultant Town Planner (Exurban Rural & Regional Planning)
<b>Disclosure of Interest:</b>	NIL
<b>File Ref:</b>	PA09-2022
<b>Attachment Ref:</b>	Attachment 8.2.3 - Development Application - Cornish

#### SUMMARY

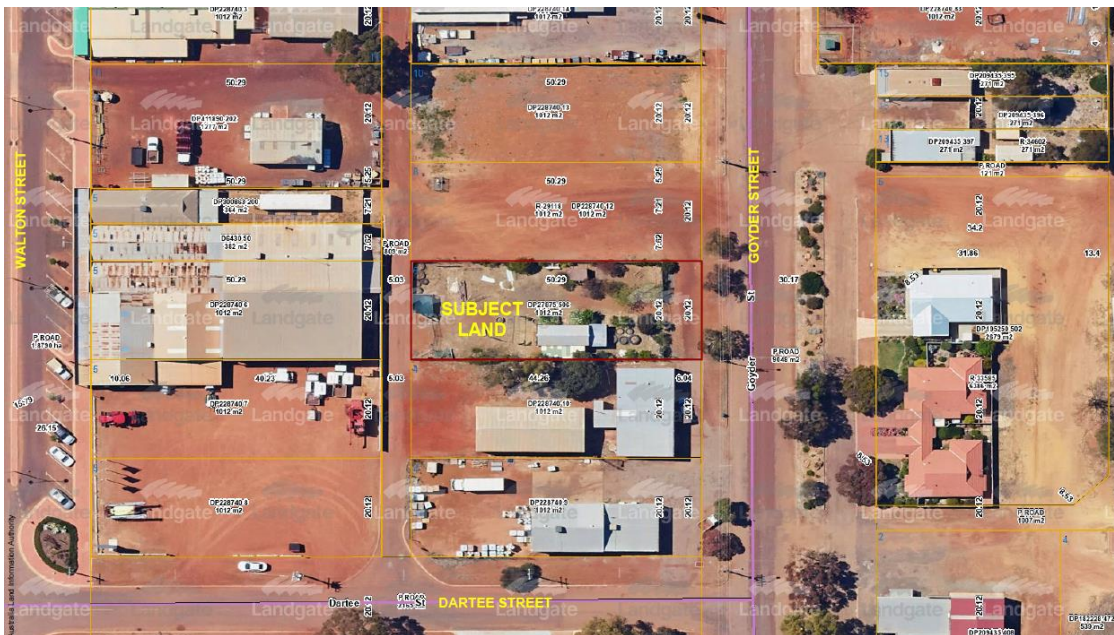
This report recommends that Council grant conditional approval to a development application submitted by RN Cornish and GM Walton (Landowners) to change the current approved use of Lot 506 (No.6) Goyder Street, Corrigin from ‘Nursery’ to ‘Warehouse / Storage’ including the placement and use of a sea container on the land to support the proposed new use.

#### BACKGROUND

RN Cornish and GM Walton (Landowners) have submitted a development application requesting Council’s approval to change the current approved use of Lot 506 (No.6) Goyder Street, Corrigin from ‘Nursery’ to ‘Warehouse / Storage’ including the placement and use of a 20 foot long sea container at the rear of the land to store household furniture, tools and other personal items.

A full copy of the development application received, including supporting documentation and plans, is provided in Attachment 8.2.3.

Lot 506 is located centrally in the Corrigin townsite in a designated commercial precinct and comprises a total area of approximately 1,012m<sup>2</sup>.



Location & Lot Configuration Plan (Source: Landgate)

The subject land has direct frontage and access to Goyder Street along its eastern side which is

a sealed and drained local road under the care, control and management of the Shire. It also has direct frontage and access to an unsealed public right-of-way along its rear boundary to the west.

The property is relatively flat throughout its entire area and contains an existing 36m<sup>2</sup> steel framed, Colorbond clad shed and landscaping in its front half with ring-lock style fencing and access gates along its side and rear boundaries and within the front setback area. An unsealed driveway has also been constructed centrally through the land which provides access to/from Goyder Street and the public right-of-way at the rear. A compacted gravel parking area for up to six (6) light vehicles has also been constructed in the land's front setback area to Goyder Street.

It was noted during initial discussions with the landowners and assessment of the application that there are a number of additional built form improvements which have been constructed along the frontage and southern side of the existing shed on the land which have not previously been approved by Council. These unauthorised building additions do not form part of the application and will be the subject of a further compliance investigation by the Shire in due course.

The subject land has not been designated by the Fire and Emergency Services Commissioner as being bushfire prone and does not contain any building or places of cultural heritage significance. Notwithstanding these facts, the land has been designated by the Department of Water and Environmental Regulation as being flood prone with a known flood level of 293.68 metres AHD during the major flood event in January 1982 (i.e. 0.36 metres AHD above the land's natural ground level of 293.32 metres AHD). Despite these findings, it is noted the Shire has undertaken significant works in and around the Corrigin townsite over many years to mitigate the potential flood risk with no major flooding experienced since January 1982. It is also noted the Shire approved the existing storage shed on the land in 2011 without requiring the floor level to be constructed a minimum of 0.15 metres AHD above the known flood level to mitigate the potential flood risk.

Immediately adjoining and other nearby land uses are predominantly commercial / service commercial in nature with the exception of the following:

- i) Crown Reserve 29118 immediately north which has been developed and used by the Shire for community recycling purposes (i.e. a container deposit facility); and
- ii) Crown Reserve 33585 immediately east on the opposite side of Goyder Street which has been developed and used by the Shire for aged persons accommodation and civic purposes.

#### **COMMENT**

Lot 506 is classified 'Commercial' zone under the Shire of Corrigin Local Planning Scheme No.2 (LPS2).

Council's stated objectives for the development of any land classified 'Commercial' zone are as follows:

- i) To encourage development of a high visual, functional and environmental standard, serving both town and rural residents and the development of new buildings and or the modification/ restoration of existing buildings in a manner which is compatible with the existing or planned streetscape in terms of scale, height, design, building materials, location and visual facade appearance;
- ii) To promote convenient and safe shopping facilities and relate these to the wide variety of civic, service, business, entertainment and social functions of the town centre;
- iii) To encourage the wide range of compatible uses within a compact/accessible town centre which are necessary to promote this as a vibrant functional sector in the everyday life of the community it services; and
- iv) To provide for safe pedestrian movement and the safe and efficient flow of traffic and the

adequate provision of car parking facilities.

The use class 'warehouse/storage' is not expressly listed in the Zoning Table of LPS2 and must therefore be considered and determined in accordance with clause 18(4) of LPS. As such, Council must firstly determine whether the proposed use of Lot 506 for this purpose is:

- a) consistent with the objectives of the 'Commercial' 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 'Commercial' 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 'Commercial' zone and is therefore not permitted in this zone.

Having regard for:

- i) the existing building and other associated improvements on the subject land, the majority of which were previously approved by Council and deemed compatible with the existing or planned streetscape in terms of scale, height, design, building materials, location and visual facade appearance;
- ii) the relatively small size, near-new condition and location of the proposed sea container structure, including its 40 to 50 metre setback distance from local street frontages;
- iii) the sea container's general compatibility with existing built form improvements in the immediate locality in terms of scale, height, design and building materials, and the ability to adequately screen it from public view from the land's primary street frontage (i.e. Goyder Street);
- iv) the low key nature and intensity of the proposed use of the land for warehouse/storage purposes and its ability to fit in with and complement other existing established uses in the town centre area without giving rise to any land use conflicts; and
- v) the ability to accommodate vehicle and pedestrian movements in safe and convenient manner, including on-site parking,

it is contended the proposal is consistent with the objectives of the land's current 'Commercial' zoning classification and therefore 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*. 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 'Commercial' zone;
- Land capability and suitability;
- Land use compatibility;
- 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; 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:

### Potential Visual Impacts and Screening

The proposed sea container will be sited at the rear of the subject land and will be mostly screened from its primary street frontage (i.e. Goyder Street) due to the existing shed and landscaping in its front half, the use of shade cloth on a portion of the internal front fence and northern side boundary fence, and a proposed new metal screen to be erected on the eastern side of the container structure. These measures are considered suitable in terms of mitigating any potential negative visual impacts provided they are maintained in perpetuity for the life of the proposed development.

Should Council still have concerns regarding the potential visual impacts, it may impose additional conditions on any development approval that may ultimately be granted requiring additional screening measures to be undertaken including the planting of additional landscaping in select locations and/or the provision of visually impermeable boundary fencing.

When considering this issue Council should however note there are a number of other existing properties in the immediate area being used for commercial purposes that have been permitted to store large bulky items in open areas that are highly visible from the local road network. In light of this fact and the various measures proposed above, it is not considered necessary to impose any additional requirements to screen the proposed sea container from public view.

### Flood Risk

It is considered appropriate, having regard for climate change impacts and the future potential flood risk, that an advice note be included in any development approval that may ultimately be granted, advising the applicants/landowners that the land is in a designated flood prone area and the Shire, in granting development approval, will not accept liability or responsibility for any losses or damage that may result in the event of a major flood event.

### Safety

It is considered appropriate, having regard for the structural design of the proposed sea container which can only currently be opened from the outside, that Council impose a condition on any development approval that may ultimately be granted requiring the applicants/landowners to modify the structure so any person using it can open it from the inside to avoid the risk of entrapment. Specific details of any proposed arrangements in this regard can be dealt with as part of the required building permit application.

## **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 3.4 – *Natural Hazards and Disasters*

## **PUBLIC CONSULTATION**

Not required or deemed necessary. The application was however the subject of discussion with the applicants/landowners, the Shire's Chief Executive Office and the Shire's Building Surveyor.

## **FINANCIAL IMPLICATIONS**

All administrative costs associated with processing the application are provided for in Council's annual budget and have been offset in part by the development application fee paid by the applicants/landowners.

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 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 generally consistent with and will not compromise any elements of the *Shire of Corrigin Strategic Community Plan 2021-2031* and *Corporate Business Plan 2021-2025*.

### **VOTING REQUIREMENT**

Simple Majority

### **COUNCIL RESOLUTION**

**(100/2022) Moved: Cr Jacobs                      Seconded: Cr Weguelin**

*That Council **APPROVE** the development application submitted by RN Cornish & GM Walton (Landowners) to change the current approved use of Lot 506 (No.6) Goyder Street, Corrigin from 'Nursery' to 'Warehouse / Storage', including the placement and use of a sea container on the land to support the proposed new use, subject to the following conditions and advice notes:*

#### Conditions

- 1. The proposed development shall be undertaken strictly in accordance with the information and plans submitted in support of the application subject to any modifications required as a consequence of any condition/s of this approval or otherwise approved by the local government.*
- 2. Any additional development which is not in accordance with the application the subject of this approval or any condition of approval will require the further approval of the local government.*
- 3. The proposed development shall be substantially commenced within a period of two (2) years from the date of this approval. If the development is not substantially commenced within this period this approval shall lapse and be of no further effect. Where an approval has so lapsed, the use shall not be carried out without the further approval of the local government having first being sought and obtained.*
- 4. The proposed sea container shall be screened from public view from the land's Goyder Street frontage at all times to the specifications and satisfaction of the local government's Chief Executive Officer. All visual screening measures proposed to be used shall be maintained in perpetuity for the life of the development.*
- 5. The sea container structure shall be modified prior to its occupation and use to ensure it can be opened from the inside to avoid the risk of entrapment. Details of the measures proposed to satisfy the requirements of this condition shall be submitted to the local government's Chief Executive Officer for review and endorsement in consultation with the local government's Building Surveyor.*
- 6. All storm water shall be directed away from the sea container structure and disposed of on-site to the satisfaction of the local government's Chief Executive Officer.*

Advice Notes

1. *This approval is not an authority to ignore any constraint to development on the land which may exist through contract or on title, such as an easement 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. *In accordance with the Building Act 2011 and Building Regulations 2012, a building permit application will need to be submitted to and approved by the local government's Building Surveyor prior to the commencement of any building construction or earthworks on the land. To confirm the local government's requirements in this regard please contact Mr Peter Hulme on 0402 232 264 or [peter.hulme@kalamunda.wa.gov.au](mailto:peter.hulme@kalamunda.wa.gov.au).*
4. *The proposed structure the subject of this approval is required to comply in all respects with the National Construction Code of Australia. Plans and specifications which reflect these requirements must be submitted to the local government with the required building permit application.*
5. *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.*
6. *The applicants/landowners are 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.*
7. *The applicants/landowners are responsible for ensuring the correct siting of the structure on the land the subject of this approval. An identification survey demonstrating correct siting and setbacks of structures may be requested of the applicants/landowners by the local government to ensure compliance with this determination notice and all applicable provisions.*

8. *The applicants/landowners are advised the land the subject of this approval is in a designated flood prone area and the local government, in granting this development approval, will not accept liability or responsibility for any losses or damage that may result in the event of a major flood event.*
9. *It was noted during assessment of the development application that there are a number of additional built form improvements which have been constructed along the frontage and southern side of the existing shed on the land which have not previously been approved by the local government. The applicants/landowners are advised these unauthorised building additions do not form part of this approval and will be the subject of a further compliance investigation by the local government in due course unless the applicants/landowners take the necessary action to resolve this non-compliance matter.*
10. *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.*
11. *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 local government's determination.*

**Carried 7/0**

Cr Coppen declared a Proximity Interest in item 8.2.4 and left the room at 3.24pm

**8.2.4.DEVELOPMENT APPLICATION – PROPOSED CHANGE OF USE FROM  
'OFFICE' TO 'FAST FOOD OUTLET / LUNCH BAR' INCLUDING ADVERTISING  
SIGNAGE**

<b>Applicant:</b>	Ms Anna Squiers – Awaken Fast Nutrition
<b>Landowner:</b>	As above
<b>Location:</b>	Lot 1 (No.15) Walton Street, Corrigin
<b>Date:</b>	13/09/2022
<b>Reporting Officer:</b>	Mr Joe Douglas, Consultant Town Planner (Exurban Rural & Regional Planning)
<b>Disclosure of Interest:</b>	NIL
<b>File Ref:</b>	PA10-2022
<b>Attachment Ref:</b>	Attachment 8.2.4 - Development Application Attachments - Awaken Fast Nutrition

**SUMMARY**

This report recommends that Council grant conditional approval to a development application submitted by Ms Anna Squiers under the authority of Mr Larry Jones (Landowner) to change the current approved use of a 48.75m<sup>2</sup> portion of an existing commercial building on Lot 1 (No.15) Walton Street, Corrigin from 'Office' to 'Fast Food Outlet / Lunch Bar' and the installation of one (1) new wall mounted advertising sign.

**BACKGROUND**

Ms Anna Squiers, acting under the authority of Mr Larry Jones (Landowner), has submitted a development application requesting Council's approval to:

- i) change the current approved use of a 48.75m<sup>2</sup> portion of an existing commercial building on Lot 1 (No.15) Walton Street, Corrigin from 'Office' to 'Fast Food Outlet / Lunch Bar' to accommodate a proposed new business venture (i.e. a Nutrition Studio / Smoothie Bar); and
- ii) the installation of one 1.31m<sup>2</sup> advertising sign on the external wall of the relevant tenancy.

A full copy of the development application received, including supporting documentation and plans, is provided in Attachment 8.2.4.

Lot 1 is located centrally in the Corrigin townsite in a designated commercial precinct and comprises a total area of approximately 1,012m<sup>2</sup>.

The subject land has direct frontage and access to Walton Street along its western boundary and Campbell Street along its northern boundary, both of which are sealed and drained local roads under the care, control and management of the Shire.

The property is flat throughout its entire area and contains an existing single storey commercial building in good condition with a gross floor area of approximately 811m<sup>2</sup>.

A 201m<sup>2</sup> unsealed parking and loading area has also been constructed in the south-eastern corner of the property, access to which is provided via an unsealed public right-of-way along the land's eastern (rear) boundary.

The verge areas abutting the property have been extensively paved and landscaped to a high standard commensurate with the property's location in the Corrigin town centre area and provide opportunities for light vehicle parking, pedestrian access and alfresco-style dining.





Location & Lot Configuration Plan (Source: Landgate)

The subject land has not been designated by the Fire and Emergency Services Commissioner as being bushfire prone. It has however been designated by the Department of Water and Environmental Regulation as being flood prone with a known flood level of 294.04 metres AHD during the major flood event in January 1982 (i.e. 0.06 metres AHD above the land's natural ground level of 293.98 metres AHD). Despite these findings, it is noted the Shire has undertaken significant works in and around the Corrigin townsite over many years to mitigate the potential flood risk with no major flooding experienced since January 1982. Furthermore, having regard for the nature of the proposed development (i.e. change of use with no buildings works required or proposed), it is considerable impractical and unnecessary to require the applicant to change the floor level of the relevant portion of the building to mitigate any future possible flood risk which is only minor in nature.

The property forms part of the Corrigin Town Centre Precinct which has been classified as a 'Grade B' place of cultural heritage significance in the Shire's latest updated Heritage Inventory (i.e. a place of considerable cultural heritage significance that is worthy of recognition and protection through provisions of the Shire's Local Planning Scheme). The existing building on the land, which is the oldest shop in the Corrigin townsite formerly known as Coades Store, has also been assigned a 'Grade B' classification in the Shire's Heritage Inventory.

Notwithstanding these current heritage classifications, the property and building thereon have not been included in the Shire's Heritage List or the State Register of Heritage Places which means there are no statutory controls in place to provide for the conservation or preservation of their cultural heritage significance under the Shire's local planning framework or the *Heritage Act 2018*.

Immediately adjoining and other nearby land uses are predominantly commercial in nature with the exception of the public recreation reserve and parking area immediately west on the opposite side of Walton Street.

## COMMENT

Lot 1 is classified 'Commercial' zone under the Shire of Corrigin Local Planning Scheme No.2 (LPS2).

Council's stated objectives for the development of any land classified 'Commercial' zone are as follows:

- v) To encourage development of a high visual, functional and environmental standard, serving both town and rural residents and the development of new buildings and or the modification/restoration of existing buildings in a manner which is compatible with the existing or planned streetscape in terms of scale, height, design, building materials, location and visual facade appearance;
- vi) To promote convenient and safe shopping facilities and relate these to the wide variety of civic, service, business, entertainment and social functions of the town centre;
- vii) To encourage the wide range of compatible uses within a compact/accessible town centre which are necessary to promote this as a vibrant functional sector in the everyday life of the community it services; and
- viii) To provide for safe pedestrian movement and the safe and efficient flow of traffic and the adequate provision of car parking facilities.

The use class 'fast food outlet / lunch bar' is not expressly listed in the Zoning Table of LPS2 and must therefore be considered and determined in accordance with clause 18(4) of LPS. As such, Council must firstly determine whether the proposed use of Lot 1 for this purpose is:

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

Having regard for:

- vi) the existing building on the subject land which has been designed and constructed to accommodate a wide variety of commercial activities and the fact no modifications are required or proposed to the building to accommodate the proposed use aside from a small advertising sign next to the entrance of the relevant tenancy;
- vii) the proposed use's compatibility with existing shopping facilities, civic, service, business, entertainment and social activities in the town centre area and its ability to add vibrancy to the precinct as a whole; and
- viii) the fact the proposed use will not compromise vehicle or pedestrian access in any way with vehicle parking and pedestrian accessways readily available in close proximity and on-site, it is contended the proposal is consistent with the objectives of the land's current 'Commercial' 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, the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the 'Corrigin Main Street Retail Precinct Development Guidelines 2018'. 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 'Commercial' zone;
- Land use compatibility;
- Amenity of the locality including potential visual and social impacts;
- Protection of heritage character and cultural heritage significance, including advertising signage;
- Vehicle and pedestrian access and parking; and

- Flood, stormwater drainage and bushfire risk management.

In light of the above findings it is concluded the proposal for Lot 1 is acceptable and unlikely to have any negative impact on the general amenity, character, functionality and safety of the immediate locality. As such, it is recommended Council exercise its discretion and grant conditional approval to the application to ensure the development proceeds in accordance with the information and plans submitted in support of the proposal.

### **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 3.4 – *Natural Hazards and Disasters*

Corrigin Main Street Retail Precinct Development Guidelines (2018)

### **PUBLIC CONSULTATION**

Not required or deemed necessary.

### **FINANCIAL IMPLICATIONS**

All administrative costs associated with processing the application are provided for in Council's annual budget and have been offset in part by the development application fee paid by the applicant.

All costs associated with the proposed development will be met by the applicant.

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	2.1.5	Support local business development initiatives where possible.

**VOTING REQUIREMENT**

Simple Majority

**COUNCIL RESOLUTION**

**(101/2022) Moved: Cr Dickinson      Seconded: Cr Weguelin**

*That Council **APPROVE** the development application submitted by Ms Anna Squiers under the authority of Mr Larry Jones (Landowner) to change the current approved use of a 48.75m<sup>2</sup> portion of an existing commercial building on Lot 1 (No.15) Walton Street, Corrigin from ‘Office’ to ‘Fast Food Outlet / Lunch Bar’ and the installation of one (1) new 1.31m<sup>2</sup> wall mounted advertising sign subject to the following conditions and advice notes:*

Conditions

1. *The proposed development shall be undertaken strictly in accordance with the information and plans submitted in support of the application subject to any modifications required as a consequence of any condition/s of this approval or otherwise approved by the local government.*
2. *Any additional development which is not in accordance with the application the subject of this approval or any condition of approval will require the further approval of the local government.*
3. *The proposed development shall be substantially commenced within a period of two (2) years from the date of this approval. If the development is not substantially commenced within this period this approval shall lapse and be of no further effect. Where an approval has so lapsed, the use shall not be carried out without the further approval of the local government having first being sought and obtained.*
4. *The proposed new advertising sign shall be maintained in good order for the life of the proposed use and must be removed within 14 days of cessation of the use unless otherwise approved by the local government.*
5. *No additional advertising signage is permitted without the local government’s development approval.*
6. *All waste generated by the proposed use shall be disposed on a regular basis to the specifications and satisfaction of the local government’s Chief Executive Officer in consultation with the local government’s Environmental Health Officer.*

Advice Notes

1. *This approval is not an authority to ignore any constraint to development on the land which may exist through contract or on title, such as an easement 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. *The applicant/landowner is reminded of their obligation to ensure compliance with the following requirements:*
  - i) *Health (Public Buildings) Regulations 1992;*
  - ii) *Food Act 2008 and the Australia New Zealand Food Standards Code Chapter 3.2.3 – Food Premises and Equipment; and*
  - iii) *Shire of Corrigin Health Local Law 2016.*
4. *The proposed use must comply with the requirements of the Australia New Zealand Food Standards Code at all times. Plans for the food preparation area/s are to be submitted to the Shire's Environmental Health Officer for assessment to ensure the food premises complies with Food Safety Standard 3.2.3.*
5. *Failure to comply with any of the conditions of this development approval constitutes an offence under the provisions of the Planning and Development Act 2005 and the Shire of Corrigin Local Planning Scheme No.2 and may result in legal action being initiated by the local government.*
6. *If the applicant/landowner 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 local government's determination.*

**Carried 6/0**

Cr Coppen re-entered the room at 3.26pm.

### 8.2.5.WALGA AGM VOTING DELEGATES

<b>Applicant:</b>	Shire of Corrigin
<b>Date:</b>	13/09/2022
<b>Reporting Officer:</b>	Natalie Manton, Chief Executive Officer
<b>Disclosure of Interest:</b>	NIL
<b>File Ref:</b>	GR.0022
<b>Attachment Ref:</b>	NIL

#### **SUMMARY**

Council is requested to confirm delegates for the WA Local Government Association (WALGA) Annual General Meeting to be held on Monday 3 October 2022 at Crown Perth.

#### **BACKGROUND**

The WALGA Annual General Meeting (AGM) will be held as part of the WA Local Government Convention at Crown Perth on Monday 3 October 2022 at 9:00am.

All member local governments are entitled to be represented by two voting delegates. Only registered delegates are permitted to exercise voting entitlements on behalf of Council.

The meeting will address issues of interest to all local governments including policy issues, constitutional amendments, and key focus areas for the Association.

#### **COMMENT**

WALGA permits local governments to nominate two voting delegates and two proxies.

In previous years the voting delegates for the Shire of Corrigin have been the President and Deputy President.

#### **STATUTORY ENVIRONMENT**

*Local Government Act 1995 s.9.58.*

#### **POLICY IMPLICATIONS**

Policy 8.9 elected members' business, conferences, and training expenses

#### **FINANCIAL IMPLICATIONS**

The cost of elected members attending the WA Local Government Convention is included in the 2022/23 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
4.3	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
		4.3.2	Continue representation on relevant Boards, Committees and Working groups to influence positive local and regional outcomes

**VOTING REQUIREMENT**

Simple Majority

**COUNCIL RESOLUTION**

**(102/2022) Moved: Cr Coppen**

**Seconded: Cr Fare**

*That Council appoints Cr Hickey and Cr Jacobs as the Shire of Corrigin voting delegates for the 2022 WALGA Annual General Meeting.*

**Carried 7/0**

### 8.2.6.WALGA PROPOSED MOTIONS

<b>Applicant:</b>	Shire of Corrigin
<b>Date:</b>	13/09/2022
<b>Reporting Officer:</b>	Natalie Manton, Chief Executive Officer
<b>Disclosure of Interest:</b>	NIL
<b>File Ref:</b>	GR.0022
<b>Attachment Ref:</b>	Attachment 8.2.6 – Agenda WALGA AGM 2022

#### SUMMARY

Council is asked to consider the proposed motions for the WALGA Annual General Meeting (AGM) and provide direction to the Shire of Corrigin voting delegates.

#### BACKGROUND

The following motions are proposed in the agenda for the WALGA AGM to be held on Monday 3 October 2022:

##### 3.1. Road Traffic Issues

Shire of Dardanup proposed motion that WALGA advocate on behalf of the local government sector to the State Government and in particular, Main Roads, to increase importance and weight given to local knowledge and input regarding road traffic issues including requests for speed reduction, intersection treatments and overall preventative and traffic safety measures.

##### 3.2. Car Parking and Traffic Congestion Around Schools

Shire of Wanneroo motion that WALGA engages with the State Government on behalf of Local Government to review issues associated with car parking and traffic congestion around school sites including but not limited to:

1. Reviewing car parking standards for schools;
2. Ensuring sufficient land is set aside for the provision of parking on school sites;
3. Reviewing the co-location of schools to avoid issues being exacerbated;
4. Restricting school access from major roads;
5. Developing plans to enable schools to manage school traffic;
6. Develop programs to educate drivers; and
7. Develop options and implement initiatives to encourage alternative modes of transport to school.

##### 3.3. Proposal for Regional Road Maintenance Contracts with Main Roads WA

Shire of Dundas motion that WALGA assist Local Governments and work with the Hon Minister Rita Saffioti to introduce a similar program that is currently in play in Queensland and introduce a sole invitee Program for Local Governments to engage in a Road Maintenance Performance Contract with Main Roads WA.

##### 3.4. Northern Australia Beef Roads Program

Shire of Dundas motion that WALGA work with the Hon Madeleine King MP, Minister for Resources and Minister for Northern Australia, to make Beef Road Funding available to all Australian Local Governments north and south or establish a Southern Australia Beef Road Funding Program to allow for equitable support across Australia's beef and agriculture industries.



### **3.5. 3D House Printing Building Compliance**

Shire of Dundas motion that WALGA requests:

1. Assistance from Minister for Industry and Science The Hon Ed Husic MP, Minister for Housing and Homelessness, Small Business The Hon Julie Collins MP, Minister for Infrastructure, Transport, Regional Development and Local Government The Hon Catherine King MP to work with Ministers from all State and Territory Governments who have Building and Construction in their portfolios, to collaborate and to consider removing impediments within the National Construction Code Series and associated Australian Standards, that dissuade industry from adopting 3D printing as a building method.
2. That the Government provide instruments to incentivise private industry to develop 3D printing and include this as an acceptable building practice.

### **3.6. South West Native Title Settlement**

Shire of Gingin motion that WALGA advocate to the State Government that Local Governments be provided with the full list of potential land to be requested for transfer as part of the South West Native Title Settlement and that a minimum of three months be provided for Council to provide feedback.

### **3.7. Land Offset Compensation to Local Governments**

Shire of Gingin motion that WALGA advocate to the State Government that the Developer requiring land offsets within another Local Government be required to pay a fee to the Local Government for the loss of rates and ongoing maintenance of infrastructure to the Land.

### **3.8. Review of the Rating Methodology used by the Valuer-General**

Shire of Serpentine Jarrahdale motion that WALGA advocate for a full review of the rating methodology used by the Valuer-General to value all land in the State of Western Australia.

### **3.9. WA Local Government Rating Model**

Shire of Gingin motion that WALGA advocate to the State Government and the Valuer Generals' Office that a different rating model be trialled across several Councils whereby the Unimproved Value rate is abolished, and all properties are rated for Gross Rental Value or Capital Value.

### **3.10. Reform of the Cat Act 2011**

Shire of Capel motion that the WA Local Government sector requests the WA State Government prioritise reforms to the Cat Act 2011, in accordance with the Statutory Review undertaken and tabled in the State Parliament on 27 November 2019.

### **3.11. WALGA Best Practice Governance Review – Principles**

Executive member to move that:

1. The update on the Best Practice Governance Review project be noted, and
2. The principles to inform WALGA's future governance model, as follows and as per the attached Principles document, be endorsed:
  - a. Representative – WALGA unites and represents the entire Local Government sector in WA and understands the diverse nature and needs of members, regional communities and economies.
  - b. Responsive – WALGA is an agile association which acts quickly to respond to the needs of members and stakeholders.
  - c. Results Oriented – WALGA dedicates resources and efforts to secure the best outcomes for Local Government and supports the delivery of high-quality projects, programs and services.

## **COMMENT**

Councillors are asked to provide direction to delegates on whether the motions are supported or opposed.

A summary of the issues raised in the proposed motions is included below and additional comments are include in the WALGA AGM Agenda.

### **3.1 Road Traffic Issues**

Request for WALGA to advocate for greater local input into road and intersection treatments.

### **3.2 Car parking and traffic congestion around schools**

The following issues have been identified:

- Car parking and traffic congestion around school sites has been and continues to be problematic.
- Causes arise from lack of parking, lack of adequate drop-off and pick-up areas and driver behaviour.
- Issues include illegal parking and traffic movements leading to conflict and potentially dangerous situations.
- Issues are not exclusive to City of Wanneroo.
- Requires a wide-ranging review of standards and school location.
- Requires better management of traffic by schools and development of driver education programs.
- Requires development of options and programs to alternative modes of travel to and from school.

### **3.3. Proposal for Regional Road Maintenance Contracts with Main Roads WA**

A total of \$29.7 billion investment through QTRIP 2022-23 to 2025-26 and 25,200 jobs are supported over the life of program in Queensland local governments.

Main Roads WA Projects can be viewed at [www.mainroads.wa.gov.au/projects-initiatives/](http://www.mainroads.wa.gov.au/projects-initiatives/)

### **3.4. Northern Australia Beef Roads Program**

The Australian Government extended the Northern Australia Roads Program in the 2022-23 Budget by committing a further \$380 million to road projects in Northern Australia over four years from 2022-23 to 2025-26. This extension builds on the Australian Government's initial \$600 million investment, which is nearing completion. Roads identified in Infrastructure Australia's Northern Australia Audit, along with other roads identified as priorities by the states and territories, such as those connecting communities, or regional towns to ports, were considered for funding.

Projects to be funded from this new \$380 million commitment will be determined following engagement with stakeholders and project delivery partners.

### **3.5. 3D House Printing Building Compliance**

The proposed motion would require changes to the:

- National Construction Code, Building Code of Australia 2019 Volume 1 Amendment 1.
- Australian Standards Adopted by Reference
- The Building Act 2011
- Building Regulations 2012

### **3.6. South West Native Title Settlement**

The proposed motion asks WALGA to advocate for a review into how local governments are requested to consider land to potentially be transferred as part of the South West Native Title Settlement.

The Shire of Corrigin has previously received two requests to consider land in the shire be transferred as part of the South West Native Title Settlement.

### **3.7. Land Offset Compensation to Local Governments**

State Government to legislate that developers requiring Land Offsets within another local government pay for the loss of that rateable land to the local government whose land is being used as the offset.

### **3.8. Review of the Rating Methodology used by the Valuer-General**

Landgate conducts valuations of property based on the GRV and UV of a property. In Victoria valuations are conducted using the capital improved value of a property. The Shire of Serpentine Jarrahdale believes that this method should be explored.

WALGA currently does not have an advocacy position on which is the most appropriate valuation methodology.

### **3.9. WA Local Government Rating Model**

Request for WALGA to advocate for a full rating process review with potential of removing all UV rates and only rating GRV. WALGA does not currently have an advocacy position on the most appropriate valuation methodology.

### **3.10. Reform of the Cat Act 2011**

A statutory review into the Cat Act 2011 was undertaken in 2019 and no reforms or amendments resulted from the review. WALGA's current advocacy position supports a review of the Cat Act that will introduce broader powers of cat control.

### **3.11. WALGA Best Practice Governance Review – Principles**

The State Council commissioned a Best Practice Governance Review to consider and engage with members on alternative governance models. The Steering Committee, appointed by State Council to oversee the project, put forward principles to the 2022 Annual General Meeting for member consideration.

The principles have been endorsed by State Council at the special meeting held on 22 August 2022. Following consideration of the principles, a thorough consultation and engagement process will be undertaken with members on potential future models.

## **STATUTORY ENVIRONMENT**

*NIL*

## **POLICY IMPLICATIONS**

Policy 8.7 Training and Professional Development – Elected Members

Policy 8.9 Elected members' Business, Conferences and Training expenses

## **FINANCIAL IMPLICATIONS**

*NIL*

**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
4.3	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
		4.3.2	Continue representation on relevant Boards, Committees and Working groups to influence positive local and regional outcomes

**VOTING REQUIREMENT**

Simple Majority

**COUNCIL RESOLUTION**

**(103/2022) Moved: Cr Coppen**

**Seconded: Cr Weguelin**

*That Council*

1. *endorse delegates to support the Shire of Dardanup proposed motion 3.1 Road Traffic Issues that WALGA: advocate on behalf of the local government sector to the State Government and in particular, Main Roads, to increase importance and weight given to local knowledge and input regarding road traffic issues including requests for speed reduction, intersection treatments and overall preventative and traffic safety measures.*
  
2. *endorse delegates to support the Shire of Wanneroo proposed motion 3.2 that WALGA engages with the State Government on behalf of Local Government to review issues associated with car parking and traffic congestion around school sites including but not limited to:*
  1. *Reviewing car parking standards for schools;*
  2. *Ensuring sufficient land is set aside for the provision of parking on school sites;*
  3. *Reviewing the co-location of schools to avoid issues being exacerbated;*
  4. *Restricting school access from major roads;*
  5. *Developing plans to enable schools to manage school traffic;*
  6. *Develop programs to educate drivers; and*
  7. *Develop options and implement initiatives to encourage alternative modes of transport to school.*
  
3. *endorse delegates to support the Shire of Dundas proposed motion 3.3 that WALGA assist Local Governments and work with the Hon Minister Rita Saffioti to introduce a similar program that is currently in play in Queensland and introduce a sole invitee Program for Local Governments to engage in a Road Maintenance Performance Contract with Main Roads WA.*

4. *endorse delegates to support the Shire of Dundas proposed motion 3.4 that WALGA work with the Hon Madeleine King MP, Minister for Resources and Minister for Northern Australia, to make Beef Road Funding available to all Australian Local Governments north and south or establish a Southern Australia Beef Road Funding Program to allow for equitable support across Australia's beef and agriculture industries.*
5. *endorse delegates to support the Shire of Dundas proposed motion 3.5 that WALGA requests:*
  1. *Assistance from Minister for Industry and Science The Hon Ed Husic MP, Minister for Housing and Homelessness, Small Business The Hon Julie Collins MP, Minister for Infrastructure, Transport, Regional Development and Local Government The Hon Catherine King MP to work with Ministers from all State and Territory Governments who have Building and Construction in their portfolios, to collaborate and to consider removing impediments within the National Construction Code Series and associated Australian Standards, that dissuade industry from adopting 3D printing as a building method.*
  2. *That the Government provide instruments to incentivise private industry to develop 3D printing and include this as an acceptable building practice.*
6. *endorse delegates to support the Shire of Gingin proposed motion 3.6 that WALGA advocate to the State Government that Local Governments be provided with the full list of potential land to be requested for transfer as part of the South West Native Title Settlement and that a minimum of three months be provided for Council to provide feedback.*
7. *endorse delegates to support the Shire of Gingin proposed motion 3.7 that WALGA advocate to the State Government that the Developer requiring land offsets within another Local Government be required to pay a fee to the Local Government for the loss of rates and ongoing maintenance of infrastructure to the Land.*
8. *endorse delegates to make a decision based on the information provided by the Shire of Serpentine Jarrahdale on the proposed motion 3.8 that WALGA advocate for a full review of the rating methodology used by the Valuer-General to value all land in the State of Western Australia.*
9. *endorse delegates to make a decision based on the information provided by the Shire of Gingin on the proposed motion 3.9 from that WALGA advocate to the State Government and the Valuer Generals' Office that a different rating model be trialled across several Councils whereby the Unimproved Value rate is abolished, and all properties are rated for Gross Rental Value or Capital Value.*
10. *endorse delegates to support the Shire of Capel proposed motion 3.10 that the WA Local Government sector requests the WA State Government prioritise reforms to the Cat Act 2011, in accordance with the Statutory Review undertaken and tabled in the State Parliament on 27 November 2019.*

- 11.** *endorse delegates to support the proposed Executive Member motion 3.11 that:*
- 1. The update on the Best Practice Governance Review project be noted, and*
  - 2. The principles to inform WALGA's future governance model, as follows and as per the attached Principles document, be endorsed:*
    - a. Representative – WALGA unites and represents the entire Local Government sector in WA and understands the diverse nature and needs of members, regional communities and economies.*
    - b. Responsive – WALGA is an agile association which acts quickly to respond to the needs of members and stakeholders.*
    - c. Results Oriented – WALGA dedicates resources and efforts to secure the best outcomes for Local Government and supports the delivery of high-quality projects, programs and services.*

**Carried 7/0**

### 8.2.7.DUAL FIRE CONTROL OFFICERS 2022/2023

<b>Applicant:</b>	Shires of Pingelly and Wickepin
<b>Date:</b>	05/09/2022
<b>Reporting Officer:</b>	Kirsten Biglin, Executive Support Officer
<b>Disclosure of Interest:</b>	NIL
<b>File Number:</b>	ES.0001
<b>Attachment Ref:</b>	Attachment 8.2.7 - Appointment of Dual Fire Control Officers 2022/23 Letters

#### **SUMMARY**

The Shires of Pingelly and Wickepin have requested that the Shire of Corrigin appoint Dual Fire Control Officers for the 2022/2023 bush fire season.

#### **BACKGROUND**

The Shire of Corrigin have received correspondence from the Shires of Pingelly and Wickepin requesting the following people be appointed as Dual Fire Control Officers in the Shire of Corrigin for the 2022/2023 bush fire season:

Shire of Pingelly:

- Mr Rodney Leonard Shaddick
- Mr Sam MacNamara
- Mr Brodie Cunningham
- Mr Jeffrey Bernard Edwards
- Mr Robert John Lee

Shire of Wickepin:

- Mr David Stacey
- Mr Jim Hamilton

#### **COMMENT**

Fire Control Officers who adjoin neighbouring shires require the adjoining shires approval to act as a Dual Fire Control Officers.

#### **STATUTORY ENVIRONMENT**

*Bush Fires Act 1954*

#### **POLICY IMPLICATIONS**

NIL

#### **FINANCIAL IMPLICATIONS**

NIL

**COMMUNITY AND STRATEGIC OBJECTIVES**

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

**Objective:** Leadership  
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
		4.3.2	Continue representation on relevant Boards, Committees and Working groups to influence positive local and regional outcomes

**VOTING REQUIREMENT**

Simple Majority

**COUNCIL RESOLUTION**

**(104/2022) Moved: Cr Coppen                      Seconded: Cr Weguelin**

*That Council appoint the following Dual Fire Control Officers in the Shire of Corrigin for the 2022/2023 bush fire season, subject to the officers obtaining the appropriate accreditation, further noting that Dual Fire Control Officers are not permitted to issue burning permits within the Shire of Corrigin:*

*Shire of Pingelly:*

- *Mr Rodney Leonard Shaddick*
- *Mr Sam MacNamara*
- *Mr Brodie Cunningham*
- *Mr Jeffrey Bernard Edwards*
- *Mr Robert John Lee*

*Shire of Wickepin:*

- *Mr David Stacey*
- *Mr Jim Hamilton*

**Carried 7/0**



Cr Jacobs declared an Impartiality Interest in Item 8.2.8.

### 8.2.8.BUSH FIRE ADVISORY COMMITTEE MEETING RECOMMENDATIONS – RESTRICTED AND PROHIBITED BURNING PERIOD

<b>Applicant:</b>	Bush Fire Advisory Committee
<b>Date:</b>	13/09/2022
<b>Reporting Officer:</b>	Kirsten Biglin, Executive Support Officer
<b>Disclosure of Interest:</b>	Nil
<b>File Number:</b>	ES.0028
<b>Attachment Ref:</b>	NIL

#### SUMMARY

This item seeks Council endorsement to advise the Minister for Emergency Services that the Shire of Corrigin wishes to set the preferred end date of the prohibited period as 15 February.

#### BACKGROUND

DFES has identified an inconsistency in the gazetted and advertised restricted burning period dates for the Shire.

Under *Section 17* of the *Bush Fires Act 1954* the Minister is responsible for gazetting the prohibited period.

Section 18 of the Act requires the Fire and Emergency Services Commissioner to set the dates for restricted burning period by publishing notice in the Gazette.

The current gazetted dates are included in Govt Gazette 2012\_3\_2\_No16 for the Prohibited Burn dates and Govt Gazette 2020\_6\_24\_No125 for the Restricted Burning dates as shown below:

	Restricted Start	Prohibited Start	<b>Prohibited End</b>	Restricted End
Gazetted	19 September	1 November	<b>1 March</b>	15 April
Advertised	19 September	1 November	<b>15 February</b>	15 April

The Shire of Corrigin has been advertising the restricted and prohibited dates and gazetting then annually as part of the fire break notice. Although the Fire Break Notice contains the Prohibited dates they have not been gazetted by the Minister in accordance with *Section 17* of the *Bush Fires Act 1954*.

#### COMMENT

The recommendations of the Corrigin Bush Fire Advisory Committee enable the Shire of Corrigin to comply with its statutory requirements in relation to the *Bush Fires Act 1954*.

#### STATUTORY ENVIRONMENT

*Bushfire Act 1954*

#### POLICY IMPLICATIONS

Policy 9.2 Bush Fire Control Eligibility

Policy 9.3 Bush Fire Control

#### FINANCIAL IMPLICATIONS

NIL

**COMMUNITY AND STRATEGIC OBJECTIVES**

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

**Objective:** Social

An effectively serviced, inclusive and resilient community

Strategic Community Plan		Corporate Business Plan	
Outcome	Strategies	Action No.	Actions
1.5	Support emergency services planning, risk mitigation, response and recovery	1.5.1	Joint planning with stakeholders at a local and sub regional level for disaster preparedness and emergency response
		1.5.2	Scenario planning and training

**VOTING REQUIREMENT**

Simple Majority

**COUNCIL RESOLUTION**

**(105/2022) Moved: Cr Dickinson      Seconded: Cr Coppen**

*That Council advise the Minister for Emergency Services that the Shire of Corrigin wishes to set the preferred end date of the prohibited period as 15 February.*

**Carried 6/1**

### 8.2.9.BUSH FIRE ADVISORY COMMITTEE MEETING RECOMMENDATIONS – AMENDED FIREBREAK ORDER 2022/2023

<b>Applicant:</b>	Bush Fire Advisory Committee
<b>Date:</b>	13/09/2022
<b>Reporting Officer:</b>	Kirsten Biglin, Executive Support Officer
<b>Disclosure of Interest:</b>	Nil
<b>File Number:</b>	ES.0028
<b>Attachment Ref:</b>	Attachment 8.2.9 - Firebreak Order 2022-23

#### SUMMARY

The draft 2022/2023 Firebreak Notice is presented for Council’s consideration and adoption, to comply with the changes to the Australian Fire Danger Rating System (AFDRS).

#### BACKGROUND

The firebreak notice was endorsed by at the March meeting and adopted by Council in April 2022.

The notice was sent to all property owners with the rates in July 2022.

On 1 September 2022, the AFDRS was introduced across Australia. This will mean that wherever people are in Australia, they will see and access consistent fire danger advice.

The AFDRS will:

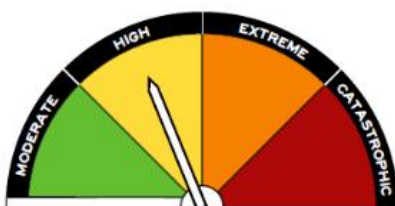
- Incorporate new science based on 50 years of bushfire knowledge.
- Accurately reflect more fuel types across Australia’s landscape.
- Better predict fire danger conditions.
- Simplify and improve public information about fire danger.
- Support strategic planning, operations, and long-term risk mitigation.
- Allow for continuous improvement based on new and changing scientific knowledge, climate, and fuel.

The new system has been reduced to four ratings. There is also the ability to provide No Rating on days when no proactive action is required. This isn’t to say that fires can’t or won’t start, but that the community doesn’t need to actively anticipate a fire spreading in a fast or threatening way.

The table below shows the revised ratings, colours and corresponding Fire Behaviour Index (FBI) of the AFDRS.

The new ratings are:

<b>MODERATE:</b> Plan and prepare	<b>HIGH:</b> Be ready to act
<b>EXTREME:</b> Take action now to protect life and property	<b>CATASTROPHIC:</b> For your survival, leave bushfire risk areas



1. Moderate (Green) = FBI 12-23
2. High (Yellow) = FBI 24-49
3. Extreme (Orange) = FBI 50-99
4. Catastrophic (Red) = FBI 100+

An amendment to the Fire Break Notice is required following the changes to the Australian Fire Danger Rating.

To accompany the new design, jurisdictions have also agreed to a set of high-level key messages:

- **Moderate:** Plan and prepare.
- **High:** Be ready to act.
- **Extreme:** Take action now to protect life and property.
- **Catastrophic:** For your survival, leave bushfire risk areas.

Each jurisdiction will have its own supporting messages, including localised information, to clearly explain what communities need to do at each level.

#### **COMMENT**

The recommendations of the Corrigin Bush Fire Advisory Committee enable the Shire of Corrigin to comply with how Fire Danger Ratings (FDRs) are referenced within the *Bush Fires Act 1954* and *Bush Fires Regulations 1954*.

#### **STATUTORY ENVIRONMENT**

*Bushfire Act 1954*

*Bush Fires Regulations 1954*

#### **POLICY IMPLICATIONS**

Policy 9.2 Bush Fire Control Eligibility

Policy 9.3 Bush Fire Control

#### **FINANCIAL IMPLICATIONS**

NIL

**COMMUNITY AND STRATEGIC OBJECTIVES**

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

**Objective:** Social

An effectively serviced, inclusive and resilient community

Strategic Community Plan		Corporate Business Plan	
Outcome	Strategies	Action No.	Actions
1.5	Support emergency services planning, risk mitigation, response and recovery	1.5.1	Joint planning with stakeholders at a local and sub regional level for disaster preparedness and emergency response
		1.5.2	Scenario planning and training

**VOTING REQUIREMENT**

Simple Majority

**COUNCIL RESOLUTION**

**(106/2022) Moved: Cr Jacobs**

**Seconded: Cr Coppen**

*That Council adopt the amended 2022/2023 Firebreak Order as provided in Attachment 8.2.9 including updated details of the new Australian Fire Danger Rating System.*

**Carried 7/0**

Cr Jacobs declared an Impartiality Interest in Item 8.2.10.

### 8.2.10.BILBARIN HALL

<b>Applicant:</b>	Shire of Corrigin
<b>Date:</b>	14/09/2022
<b>Reporting Officer:</b>	Natalie Manton, Chief Executive Officer
<b>Disclosure of Interest:</b>	NIL
<b>File Ref:</b>	ES.0035
<b>Attachment Ref:</b>	Attachment 8.2.10 - Bilbarin Hall Survey Summary

#### SUMMARY

This item advises Council of the results of the Bilbarin Hall community consultation and seeks endorsement of the proposal to engage a consultant to assist the shire with developing options for the future of the hall site.

#### BACKGROUND

The Bilbarin Hall has been a focal point for community events and gatherings over the years and has played an important part in the history of the Bilbarin community. The Hall has an unfortunate history with the current hall being the third hall to be destroyed at Bilbarin. The first hall was built in 1921 and was destroyed by a cockeyed bob in 1928. The hall was rebuilt in 1930 and was destroyed by a storm in 1934 (or 1936). The third hall was opened in 1956 with funds raised by a community cropping program, donations and volunteers carting the materials. This hall was significantly damaged by fire in February 2022.



The damaged wall sections identified in the structural engineering report were removed and the building made safe as shown in the following images.





The asbestos in the building was removed by licensed contractors in accordance with the Occupational Hygienist Report.

An architect was engaged to formulate a scope of works to consider the cost of reinstate the building on a like-for-like basis and a Quantity Surveyor provided an estimate of the reinstatement cost. The estimated reinstatement cost was almost double the valuation provided by APV Valuers and Asset Management as of 30 June 2021 due to increased construction costs.

The cost to repair and rebuild the hall to current building standards was estimated to be over \$1 million.

The Shire of Corrigin conducted a short community survey during August 2022 to gain an understanding of the community sentiment and guide the future plans for the hall.

A total of 50 responses were received with 80% of the respondents being ratepayers within the shire. The level of importance of the hall varied with slightly 56% of the respondents ranking the level of importance as less than 5 on a scale of 1-10.

When asked whether the respondents would like the Bilbarin Hall repaired or rebuilt a clear majority (72% percent) indicated that they would not like the hall rebuilt if the cost was likely to be over \$1million.

A variety of responses were received when asked about the potential options if the hall was not rebuilt with 42% indicating a preference for a picnic area or gazebo. Specific comments are included in Attachment 8.2.10

## **COMMENT**

The Bilbarin community has been severely impacted by the fires and residents in the area have suffered a great loss. The future of the hall is a highly emotive topic for some current local and former residents. It is important that a careful and considered plan is developed for the site if it is not reinstated as a hall.

While the hall was used extensively in the past it has had very limited use in recent years with the annual pre harvest BBQ being the only use.

The hall is classified in the Shire of Corrigin Municipal Heritage Inventory as Grade C - some significance. Conservation of the place is desirable and the original fabric should be retained wherever feasible. Where it is not possible to repair or reinstate the building a plan is encouraged to interpret the site for future reference.

It is recommended that a heritage consultant be engaged to assist the shire to develop options and a concept plan to guide the future of the Bilbarin Hall precinct which may incorporate the partial ruins of the building and historical information for visitors to the site.

As a result of the fire and damage to the hall the Bilbarin Bush Fire Brigade has lost access to meeting room and toilets facilities. Preliminary discussions have been held with the Community Emergency Services Manager regarding funding for an addition to the fire shed to accommodate brigade activities, training, and meetings.

The costs incurred for the removal of debris, clean-up, and demolition along with the architect and quantity surveyor are covered under the shire insurance policy.

## **STATUTORY ENVIRONMENT**

*Local Government Act 1995*

## **POLICY IMPLICATIONS**

Shire of Corrigin Heritage Inventory

## **FINANCIAL IMPLICATIONS**

Annual maintenance costs, including insurance and depreciation are approximately \$20,000.

The cost of reinstating the Bilbarin Hall is estimated to be \$1million.

Engaging a heritage consultant to develop an Interpretation Plan is estimated to cost up to \$20,000.



**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

**COUNCIL RESOLUTION**

**(107/2022) Moved: Cr Coppen**

**Seconded: Cr Jacobs**

*That Council:*

1. *Resolve not to rebuild the Bilbarin Hall due to the significant cost and limited use.*
2. *Accept the insurance settlement for the hall.*
3. *Engage a heritage consultant to assist the shire to develop options and prepare a concept plan to guide the future of the Bilbarin Hall precinct.*
4. *Submit an application to DFES for funding an extension to the Bilbarin Fire Shed to include a meeting room and toilet facilities.*

**Carried 7/0**

### 8.3. WORKS AND SERVICES

#### 8.3.1. ACCEPTANCE OF QUOTE - SOIL STABILISATION IN SHIRE OF CORRIGIN 2022-2025

<b>Applicant:</b>	Shire of Corrigin
<b>Date:</b>	13/09/2022
<b>Reporting Officer:</b>	Natalie Manton, Chief Executive Officer
<b>Disclosure of Interest:</b>	NIL
<b>File Number:</b>	FM. 0329
<b>Attachment Ref:</b>	NIL

#### SUMMARY

This item informs Council of the submissions received in relation to the Request for Quote (RFQ) 18-2022 Soil Stabilisation in the Shire of Corrigin 2022-2025 and recommends the best value for money quote for the purpose of awarding a contract.

#### BACKGROUND

The decision to seek quotes for soil stabilisation on various roads in the shire was made by Council on 19 July 2022 with the endorsement of the Annual Budget (Council Res 78/2022).

The budgeted value of the work required to be completed by external contractors is expected to be over the \$250,000 expenditure threshold for tenders and therefore it was necessary to call for tenders. The Shire of Corrigin Purchasing Policy provides an exemption to publicly invite tenders where the purchase is obtained from a pre-qualified supplier under the WALGA Preferred Supply Program.

The WALGA Vendor Panel platform was used to obtain quotes as it provided the most efficient and effective method of mitigating risk, determining value for money and ensuring openness, fairness, transparency and equity among suppliers for stabilisation services. Engaging a contractor for a three year period was decided as a strategy to ensure timely access to contractors in a challenging market.

The soil stabilisation Request for Quote (RFQ 18-2022) was advertised on the Vendor Panel platform on 12 August 2022 and closed on 29 August 2022. Detailed specifications included the supply of materials, equipment, operators and location of work were provided to suppliers.

The RFQ 18-2022 was sent to 14 suppliers on the WA Local Government (WALGA) Preferred Supplier Panel and three responses were received.

The quotes were evaluated by a panel comprising the Natalie Manton, Chief Executive Officer; Kylie Caley, Deputy CEO and Terry Barron, Leading Hand Construction against pre-determined selection criteria.

Criteria	Weighting
Tendered Price	50%
Relevant Company and Operator Skills and Experience	15%
Company Resources	15%
Local Knowledge and Understanding	10%
Regional Price Preference	10%

The submissions received were professional, detailed and addressed the criteria.

**COMMENT**

The Shire of Corrigin has worked with two of the contractors in the past and the referees provided positive feedback on previous work.

The following table details the combined assessment of each tender against the evaluation criteria.

Evaluation for Stabilisation			Combined Scores												
			Tendered Price		Relevant Company and Operator Experience		Tenderer's Resources		Local Knowledge		Regional Price Preference				
Average Lump Sum Price \$397,540			50%		15%		15%		10%		10%				
Comparison (using average) - avg price = 2.5 score			The tendered price(s) will be considered along with related factors affecting the total cost to the Principal. Early settlement discounts. Lifetime costs. Principal's contract management costs		Organisations to demonstrate recent experience with providing services of a similar size and scope. Quality and standard of work. Timeliness of work (productivity) Maximise net benefit of the services to the Shire of Corrigin		Plant equipment and materials. Contingency measures. Safety record. Current commitments		understanding shire boundary, local geography, soil conditions and gravel quality		Regional Price Preference of 10% for tenderer's in Shire of Corrigin				
gst exc															
Applicant	General Notes Provide comment when score >3<	\$	Score	Weighted Score	Score	Weighted Score	Score	Weighted Score	Score	Weighted Score	Score	Weighted Score	TOTAL weighted score	RANKING	
1	SPA	Detailed proposal. Extensive experience. Several machines for backup	\$408,565.00	11	110.0	13	39.0	12	36.0	12	24.0	4	8.0	217.0	2
2	Western Stabilisers Pty Ltd	Operational staff not mentioned. Limited details of machinery	\$422,115.00	7	70.0	11	33.0	7	21.0	13	26.0	15	30.0	180.0	3
3	MACA	Experienced. New stabilising machine and spreader	\$361,939.00	15	150.0	12	36.0	12	36.0	10	20.0	3	6.0	248.0	1
			0												

Based on the combined evaluation scores the submission from MACA was deemed to represent the best value for money at a total cost of \$361,939.00 gst exclusive

**STATUTORY ENVIRONMENT**

*Local Government Act 1995 section 3.57 – Tenders for providing goods or services*  
*Local Government (Functions and General) Regulations 1996 section 3.57 Part 4 – Provisions of Goods and Services, Division 2 – Tenders for Providing Goods and Services.*

**POLICY IMPLICATIONS**

Policy 2.9 Purchasing Policy

Purchasing that exceeds \$250,000 in total value (excluding GST) must be put to public tender when it is determined that a regulatory tender exemption, as stated under 4.5 of this policy is not deemed to be suitable.

**4.5 Tendering Exemptions**

An exemption to publicly invite tenders may apply in the following instances:

- the purchase is obtained from a pre-qualified supplier under the WALGA Preferred Supply Program or State Government Common Use Arrangement.

**FINANCIAL IMPLICATIONS**

The value of the soil stabilisation quote for 2022/23 exceeds the value that the CEO can accept under delegated authority from Council of \$200,000.

The 2022/23 Budget contains an indicative provision of \$492,000 for the planned contract soil stabilisation works. The quoted prices from the preferred supplier is \$361,939 which represents an estimated saving of \$130,000.

**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	4.4.4	Provide Council adequate and appropriate financial information on a timely basis

**COUNCIL RESOLUTION**

**(108/2022) Moved: Cr Steele                      Seconded: Cr Fare**

That Council in accordance with Clause 21.4 of the Standing Orders suspend Standing Orders.

**Carried 7/0**

**COUNCIL RESOLUTION**

**(109/2022) Moved: Cr Steele                      Seconded: Cr Fare**

That Council in accordance with Clause 21.4 of the Standing Orders reinstate the Standing Orders.

**Carried 7/0**

**VOTING REQUIREMENT**

Simple Majority

**COUNCIL RESOLUTION**

**(110/2022) Moved: Cr Steele                      Seconded: Cr Weguelin**

*That Council:*

1. *Accepts the quote submitted by MACA as the most advantageous quote to form a Contract.*
2. *Delegates the formation of the Contract to the Chief Executive Officer, subject to any variations (of a minor nature) prior to entry into the Contract.*

**Carried 7/0**

Cr Hickey and Cr Steele declared a Financial Interest in Item 8.3.2 and left the room at 4.30.

*Cr Coppen assumed the chair.*

### 8.3.2.TENDER GRAVEL PUSHING

<b>Applicant:</b>	Shire of Corrigin
<b>Date:</b>	13/09/2022
<b>Reporting Officer:</b>	Natalie Manton, Chief Executive Officer
<b>Disclosure of Interest:</b>	NIL
<b>File Number:</b>	FM.0330
<b>Attachment Ref:</b>	NIL

#### SUMMARY

This item informs Council of the submissions received in relation to the Request for Tender (RFT) 03-2022 Push Gravel in the Shire of Corrigin 2022-2025 and recommends the best value for money quote for the purpose of awarding a contract.

#### BACKGROUND

The 2022/23 road construction and maintenance programs require approximately 90,000m<sup>3</sup> of gravel to be pushed up across various sites within the shire.

The budgeted value of the work required to be completed by external earthmoving contractors over a three year period is expected to be over the \$250,000 expenditure threshold for tenders and therefore it was necessary to call for tenders.

A public tender was used to obtain quotes as it provided the most efficient and effective method of mitigating risk, determining value for money and ensuring openness, fairness, transparency and equity among suppliers for earthmoving services. Engaging a contractor for a three year period was decided as a strategy to ensure timely access to contractors in a challenging market.

The tender called for a schedule of rates for earthmoving work on a cubic metre and hourly basis within the Shire of Corrigin for the 2022/23 to 2024-25 financial years. Detailed specifications included: gravel pushing, pit rehabilitation work, clearing of road verges, rubbish tip maintenance and general earthworks.

The Request for Tender (RFT 03-2022) was advertised in the West Australian on 27 August 2022 and locally with a closing date of 14 September 2022.

Tenders closed on 14 September 2022 and were evaluated against pre-determined selection criteria by CEO, Natalie Manton; Deputy CEO Kylie Caley, Phil Burgess, Manager Works and Services and Terry Barron, Leading Hand Construction.

Criteria	Weighting
Tendered Price	40%
Relevant Company and Operator Skills and Experience	25%
Company Resources	15%
Local Knowledge and Understanding	10%
Regional Price Preference	10%

**COMMENT**

A total of five tenders were received and were assessed against a predetermined compliance and weighted assessment criteria.

The following table summarises the combined tender scores:

Evaluation for Gravel Pushing													
		Tendered Price		Relevant Company Experience		Tenderer's Resources and Availability		Local Knowledge		Regional Price Preference			
		40%		25%		15%		10%		10%			
		The tendered price(s) will be considered along with related factors affecting the total cost to the Principal. Early settlement discounts, lifetime costs. Principal's contract management costs		Organisations to demonstrate recent experience with providing services of a similar size and scope. Quality and standard of work. Competency and proven track record		Plant equipment and materials. Contingency measures. Safety record. Current commitments		Understanding of the shire boundary, local geography and gravel quality. Understanding the scope of work		Regional Price Preference of 5% for tenderer's in Shire of Corrigin			
Excluding GST													
Applicant	See Price Schedule Tab		Weighted Score		Weighted Score		Weighted Score		Weighted Score		Weighted Score	TOTAL weighted score	RANKING
1	Bozanich Earthmoving	36	288.0	34	170.0	32	96.0	39	78.0	40	80.0	712.0	1
2	NGC Group	24	192.0	34	170.0	34	102.0	19	38.0	0	0.0	502.0	3
3	Quairading Earthmoving	30	240.0	34	170.0	33	99.0	38	76.0	8	16.0	601.0	2
4	Ringa Civil	13	104.0	28	140.0	30	90.0	19	38.0	3	6.0	378.0	5
5	RJD Contracting	19	152.0	24	120.0	24	72.0	21	42.0	3	6.0	392.0	4
		0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0.0	

Based on the combined evaluation scores the submission from S & J Bozanich Pty Ltd was deemed to represent the best value for money.

**STATUTORY ENVIRONMENT**

*Local Government Act 1995 section 3.57 – Tenders for providing goods or services*  
*Local Government (Functions and General) Regulations 1996 section 3.57 Part 4 – Provisions of Goods and Services, Division 2 – Tenders for Providing Goods and Services.*

**POLICY IMPLICATIONS**

Policy 2.9 Purchasing Policy

Purchasing that exceeds \$250,000 in total value (excluding GST) must be put to public tender when it is determined that a regulatory tender exemption, as stated under 4.5 of this policy is not deemed to be suitable.

**FINANCIAL IMPLICATIONS**

The 2022/23 budget includes provision for gravel pushing for re-sheeting roads and Disaster Recovery Funding WA for flood damage repairs of \$157,500.

**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	4.4.4	Provide Council adequate and appropriate financial information on a timely basis

**VOTING REQUIREMENT**

Simple Majority

**COUNCIL RESOLUTION**

**(111/2022) Moved: Cr Dickinson      Seconded: Cr Weguelin**

*That Council:*

1. *Accepts the quote submitted by S & J Bozanich Earthmoving Pty Ltd as the most advantageous quote to form a Contract.*
2. *Delegates the formation of the Contract to the Chief Executive Officer, subject to any variations (of a minor nature) prior to entry into the Contract.*

**Carried 5/0**

Cr Hickey and Cr Steele re-entered the room at 4.35pm.

Cr Hickey resumed the chair.

**9. CHIEF EXECUTIVE OFFICER REPORT**

**10. PRESIDENT’S REPORT**

The President has attended a Central Country Zone Meeting, a Secondary Freight Network Meeting and a Regional Road Group Meeting since last Council.

On 23 August it was great for a few of the Councillors and the CEO to travel around to the surrounding town’s for tours of their gym facilities and explore some options for Corrigin.

The President would like to Congratulate Steven Bolt on being awarded a finalist for the Murray Lang Bush Fire Service Award at the 2022 Western Australia Fire and Emergency Services (WAFES) Awards.

Another great start and community attendance to Men’s Health Week and the Pre-Harvest Breakfasts. Well done to the CRC for hosting.

**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 18 October 2022.

**16. MEETING CLOSURE**

The President, Cr Des Hickey closed the meeting at 4.43pm.

President: \_\_\_\_\_ Date: \_\_\_\_\_