



AGENDA

ORDINARY COUNCIL MEETING
16 March 2021

Notice of Meeting

The next Ordinary Council Meeting for the Shire of Corrigin will be held on Tuesday 16 March 2021 in the Council Chambers, 9 Lynch Street, Corrigin commencing at 3.00pm.

Order of Business

- 9.00am CEO Performance Review
- 12.30pm Lunch
- 1.00 pm Discussion Forum
- 2.30pm Afternoon tea
- 3.00 pm Council Meeting
- 4.00pm Tour of Aged Housing Units and Caravan Park Ablution Block

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



Kylie Caley
A/Chief Executive Officer
11 March 2021

Disclaimer:

The Shire of Corrigin gives notice to members of the public that any decisions made at the meeting today, can be revoked, pursuant to the Local Government Act 1995. Therefore members of the public should not rely on any decisions until formal notification in writing by Council has been received. Any plans or documents in agendas and minutes may be subject to copyright. The express permission of the copyright owner must be obtained before copying any copyright material.

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*Strengthening our community now to grow and prosper into the
future*

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1 DECLARATION OF OPENING

2 ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

APOLOGIES

NIL

LEAVE OF ABSENCE

3 PUBLIC QUESTION TIME

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

Questions and statements are to be –

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

4 MEMORIALS

NIL

5 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

NIL

6 DECLARATIONS OF INTEREST

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

7 CONFIRMATION AND RECEIPT OF MINUTES

7.1 PREVIOUS COUNCIL MEETINGS AND BUSINESS ARISING FROM MINUTES

7.1.1 ORDINARY COUNCIL MEETING

Minutes of the Shire of Corrigin Ordinary Council meeting held on Tuesday 16 February 2021 (Attachment 7.1.1).

OFFICER'S RECOMMENDATION

That the Minutes of the Shire of Corrigin Ordinary Council meeting held on Tuesday 16 February 2021 (Attachment 7.1.1) be confirmed as a true and correct record.

7.2 COMMITTEE MEETINGS AND BUSINESS ARISING FROM MINUTES

7.2.1 AUDIT AND RISK MANAGEMENT COMMITTEE MEETING

Minutes of the Audit and Risk Management Committee meeting held on Tuesday 9 March 2021 (Attachment 7.2.1).

OFFICER'S RECOMMENDATION

That the minutes of the Audit and Risk Management Committee meeting held on Tuesday 9 March 2021 be received.

7.2.2 CEO PERFORMANCE REVIEW OCCASIONAL COMMITTEE MEETING

Minutes of the CEO Performance Review Occasional Committee meeting held on Tuesday 16 March 2021 (Attachment 7.2.2).

OFFICER'S RECOMMENDATION

That the minutes of the CEO Performance Review Occasional Committee meeting held on Tuesday 16 March 2021 be received.

8 MATTERS REQUIRING A COUNCIL DECISION

8.1 CORPORATE AND COMMUNITY SERVICES REPORTS

8.1.1 CORRIGIN COMMUNITY RESOURCE CENTRE

Applicant:	Shire of Corrigin
Date:	2/03/2021
Reporting Officer:	Tayla Smith, Customer Service Officer, Community Services
Disclosure of Interest:	NIL
File Ref:	CS.0008
Attachment Ref:	NIL

CORRIGIN CRC MONTHLY USAGE – FEBRUARY 2021

CUSTOMER ACCESSING FEE FOR SERVICE AND SALES					
SERVICES / FEES	MTHLY	FROM JULY 2020	SALES	MTHLY	FROM JULY 2020
Internet Use / Computer Use	7	69	Movie Club Fees	11	47
Photocopying / Printing / Faxing	16	167	Phonebook Sales	2	63
Laminating / Binding / Folding	4	23	'Moments in Time' Books	0	0
Sec. Services / Scans / Email / CD Burning	2	47	Book Sales	1	3
Room Hire	2	16	Wrapping Paper / Postcard Sales	0	3
Equipment Hire	0	2	Polo Shirt / Eco Bag Sales	0	0
Training / Course Fees		15	Phone Calls	0	0
Resource Centre Membership Fees	0	9	"A Fortunate Life" Ticket Sales	49	150
Exam Supervision	0	0			
Total:	31	348	Total:	63	266
<i>Monthly People through:</i>	94				
CUSTOMER ACCESSING CORRIGIN CRC SERVICES					
SERVICES	MTHLY	FROM JULY 2020	SERVICE	MTHLY	FROM JULY 2020
Phonebook Enquiries	3	16	Corrigin Toy Library	3	49
Tourism	10	221	Broadband for Seniors / Webinars	7	66
Government Access Point	11	57	General Enquires (Face/Email/Website)	121	985
Community Information	13	130	Corrigin Public Library	42	309
Conf. / Vid Conf. / Training	69	557	Corrigin Library eResources	55	400
University Exams	0	0			
Total:	106	981	Total:	228	1809
<i>Monthly People through:</i>	334				

TOTAL FOR THE MONTH OF FEBRUARY: 428

COMMUNITY ECONOMIC / BUSINESS AND SOCIAL DEVELOPMENT BOOKINGS – FEBRUARY 2021			
DESCRIPTION	NO'S	ROOM	GOVT. HOT OFFICE BOOKING (HO), COMMERCIAL BOOKING
Annual Electors Meeting	11	Conference Room	HO
Bushfire Training	17	Conference Room	N/A
Movie Club	14	Conference Room	N/A
Giggle Pots Excursion	11	Library	N/A
Rural Traffic Services	8	Video Conf Room	Commercial
Forrest Personnel	6	Professional Office	Commercial
Video Conf Training	2	Video Conf Room	HO

CORRIGIN CRC Annual Summary Report													
	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	YEAR TOTAL
2007-08	535	613	537	714	511	520	561	510	625	733	576	469	6904
2008-09	479	444	581	532	501	411	417	501	575	525	543	651	6160
2009-10	629	682	626	757	590	727	421	623	715	529	491	539	7329
2010-11	708	610	871	759	465	530	426	444	611	413	607	691	7135
2011-12	568	536	572	535	542	381	426	520	527	499	564	491	6161
2012-13	545	694	691	716	756	497	552	636	413	590	370	479	6939
2013-14	651	494	516	706	597	479	405	529	641	640	616	553	6827
2014-15	769	757	750	878	651	443	455	569	403	603	486	499	7263
2015-16	543	695	668	813	681	466	591	534	530	585	626	553	7285
2016-17	620	588	675	618	455	366	513	388	595	336	540	450	6144
2017-18	461	372	516	663	563	422	376	596	563	646	532	444	6154
2018-19	578	521	425	708	547	397	386	562	546	635	617	563	6485
2019-20	583	472	526	664	467	311	647	529	*480	*296	*341	424	5740
2020-21	391	409	449	561	369	325	476	428					

*COVID-19 pandemic restrictions in place

STATUTORY ENVIRONMENT

NIL

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

COMMUNITY AND STRATEGIC OBJECTIVES

Shire of Corrigin Strategic Community Plan 2017-2027 and Corporate Business Plan 2018-2022:

Objective: Social

An effectively serviced, inclusive and resilient community

Outcome 3.1 - An inclusive, welcoming and active community

Strategic Community Plan		Corporate Business Plan	
Outcome	Strategies	Action No.	Actions
3.1.1	Work in partnership with community and sporting groups	3.1.1.2	Assist sport and recreation clubs in accessing grant funding opportunities.
3.1.3	Facilitate, encourage and support community events	3.1.3.1	Promote and support local events with emphases on events that promote visitation of the Shire.
		3.1.3.2	Engage and facilitate the community to encourage the establishment and continuation of local events.

VOTING REQUIREMENT

Simple Majority

OFFICER’S RECOMMENDATION

That Council receives the Corrigin Community Resource Centre Report.

8.1.2 ACCOUNTS FOR PAYMENT

Applicant:	Shire of Corrigin
Date:	8/03/2021
Reporting Officer:	Tanya Ludlow, Finance / Human Resources Officer
Disclosure of Interest:	NIL
File Ref:	FM.0036
Attachment Ref:	Attachment 8.1.2 – Accounts for Payment – February 2021

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 on a monthly basis 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 February 2021 are provided as Attachment 8.1.2 – Accounts for Payment - February 2021.

After payment of the following cheque, EFT and Direct Debit payments, the balance of creditors will be \$0.00.

Bank Account	Payment Type	Reference	Amount	Total
Municipal	EFT	15864 - 15894,		
		15896 - 15972	\$417,007.70	
	Cheque	020582 - 020591	\$51,330.23	
	Direct Debit	February 2021	\$30,974.57	
	Payroll	February 2021	\$138,926.96	\$638,239.46
Trust	EFT	15862 - 15863,		
		15895	\$681.81	
	Cheque	No Payments	\$0.00	
	Direct Debit	No Payments	\$0.00	\$681.81
Licensing Trust	EFT	No Payments	\$0.00	
	Direct Debit	February 2021	\$87,959.00	\$87,959.00
Edna Stevenson	EFT	15860 - 15861	\$3,140.43	
	Cheque	No Payments	\$0.00	\$3,140.43
Total Payments for the Month of February 2021				\$730,020.70

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 8.1.2 – Accounts for Payment – February 2021, 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 & Licensing	EFT	EFT15859	EFT15860
Municipal	Cheque	020581	020582
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

Local Government (Financial Management) Regulations 1996

POLICY IMPLICATIONS

Policy 2.9 – Purchasing Policy

FINANCIAL IMPLICATIONS

Expenditure in accordance with the 2020 / 2021 Annual Budget.

COMMUNITY AND STRATEGIC OBJECTIVES

Shire of Corrigin Strategic Community Plan 2017-2027 and Corporate Business Plan 2018-2022:

Objective: Leadership

Strong Governance and leadership

Outcome 4.1 - A strategically focussed dynamic Council serving the community

Strategic Community Plan		Corporate Business Plan	
Outcome	Strategies	Action No.	Actions
4.1.3	Maintain accountability and financial responsibility to ensure the stability of the Shire	4.1.3.1	Council maintain financial stability
		4.1.3.3	Provide Council adequate and appropriate financial information on a timely basis

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council reviews the list of accounts paid and acknowledges that payments totalling \$730,020.70 have been made during the month of February 2021.

8.1.3 ACCOUNTS FOR PAYMENT – CREDIT CARDS

Applicant:	Shire of Corrigin
Date:	08/02/2021
Reporting Officer:	Kylie Caley, Deputy Chief Executive Officer
Disclosure of Interest:	NIL
File Ref:	FM.0036
Attachment Ref:	Attachment 8.1.3 – Accounts for Payment – Credit Cards January 2021

SUMMARY

This report provides Council with a list of all financial dealings relating to the use of credit card payments for the periods 30 December 2020 to 28 January 2021.

BACKGROUND

This information is provided to Council on a monthly basis 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 has been incurred, is for the Shire of Corrigin and has been made in accordance with Council policy, procedures and 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 2020/2021 Annual Budget.

COMMUNITY AND STRATEGIC OBJECTIVES

Shire of Corrigin Strategic Community Plan 2017-2027 and Corporate Business Plan 2018-2022:

Objective: Leadership
Strong Governance and leadership

Outcome 4.1 - A strategically focussed dynamic Council serving the community

Strategic Community Plan		Corporate Business Plan	
Outcome	Strategies	Action No.	Actions
4.1.3	Maintain accountability and financial responsibility to ensure the stability of the Shire	4.1.3.1	Council maintain financial stability
		4.1.3.3	Provide Council adequate and appropriate financial information on a timely basis

VOTING REQUIREMENT

Simple Majority

OFFICER’S RECOMMENDATION

That Council in accordance with Attachment 8.1.3 endorse credit card payments for the period 30 December 2020 to 28 January 2021 for \$1,117.86.

8.1.4 MONTHLY FINANCIAL REPORTS

Applicant:	Shire of Corrigin
Date:	10/03/2021
Reporting Officer:	Kylie Caley, Deputy Chief Executive Officer
Disclosure of Interest:	NIL
File Ref:	FM.0036
Attachment Ref:	Attachment 8.1.4 – Monthly Financial Report for month ending 28 February 2021

SUMMARY

This report provides Council with the monthly financial reports for the month ending 28 February 2021.

BACKGROUND

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

Council maintained a solid cash position with \$3.3million in short term investment. There is still approximately \$980,000 of non-operating grant funding to be claimed as capital projects are completed not including the changes to grant funding in the budget review.

Capital projects are still progressing and the cash impact will be seen over the next few months as projects begin to be completed. The Aged Housing units and Caravan Park Ablution block are nearing completion, the niche wall project is complete and request for quotes have gone out to changeover the ROEEHO and CEO vehicles.

Approximately 90% of the outstanding rates have been collected to date this is a slight increase from 88.64% at the same time last year.

Budget review has been completed and awaits adoption from Council at the March Ordinary Council meeting. Preparations for the 21/22 annual budget are now starting. The interim audit, that is usually scheduled for mid-March, hasn't been carried out as yet as the Shire are still awaiting to be advised who the appointed auditors will be by the OAG.

Request for quotes have been sent out to asset valuation companies to carry out the revaluation of the land and building assets prior to the end of the financial year. The submissions for these close Friday 12th March 2021.

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

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

Expenditure in accordance with the 2020/2021 Annual Budget.

COMMUNITY AND STRATEGIC OBJECTIVES

Shire of Corrigin Strategic Community Plan 2017-2027 and Corporate Business Plan 2018-2022:

Objective: Leadership

Strong Governance and leadership

Outcome 4.1 - A strategically focussed dynamic Council serving the community

Strategic Community Plan		Corporate Business Plan	
Outcome	Strategies	Action No.	Actions
4.1.3	Maintain accountability and financial responsibility to ensure the stability of the Shire	4.1.3.1	Council maintain financial stability
		4.1.3.3	Provide Council adequate and appropriate financial information on a timely basis

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council accept the Statement of Financial Activity for the month ending 28 February 2021 as presented, along with notes of any material variances.

8.2 GOVERNANCE AND COMPLIANCE

8.2.1 COMPLIANCE AUDIT RETURN

Applicant:	Shire of Corrigin
Date:	5/03/2021
Reporting Officer:	Natalie Manton, Chief Executive Officer
Disclosure of Interest:	NIL
File Ref:	CM.0001
Attachment Ref:	Attachment 8.2.1 - Compliance Audit Return

SUMMARY

The purpose of this report is to provide the Audit and Risk Management Committee with the 2020 Compliance Audit Return for the period 1 January 2020 to 31 December 2020. The Audit Committee is requested to review the 2020 Compliance Audit Return and to recommend its endorsement to Council.

BACKGROUND

Western Australian local governments are required to complete an annual Compliance Audit Return (CAR) in accordance with the provisions of the *Local Government (Audit) Regulations 1996* (Regulations). The CAR must be submitted to the Department of Local Government, Sport and Cultural Industries (Department) by 31 March 2021. The period examined by this audit is 1 January 2020 to 31 December 2020.

The completed return is required to be:

- Reviewed by the Audit Risk Management Committee.
- Considered and adopted by Council.
- Certified by the President and CEO following Council adoption.
- Submitted together with a copy of the Council Minutes to the Department by 31 March 2021.

The report assists the Shire of Corrigin to monitor legislative compliance by examining a range of prescribed requirements under Regulation 13 of the *Local Government (Audit) Regulations 1996* in detail. The audit findings must be recorded in the supplied pro-forma which has been completed and is provided in Attachment 8.2.1.

COMMENT

The Compliance Audit Return has been carried out by the Chief Executive Officer in conjunction with the administration staff against the following criteria:

- Commercial Enterprises by Local Governments
- Delegation of Power / Duty
- Disclosure of Interest
- Disposal of Property
- Elections
- Finance
- Integrated Planning and Reporting
- Local Government Employees
- Official Conduct
- Tenders for Providing Goods and Service

The report identified one matter of non-compliance with had been previously investigated, reported and resolved.

STATUTORY ENVIRONMENT

Local Government Act 1995, s 7.13(1)(i) of the Local Government Act 1995 requires local governments to carry out an audit of compliance with statutory requirements prescribed in the Local Government (Audit) Regulations 1996, in the prescribed manner and in the form approved by the Minister.

Regulation 13 of the Local Government (Audit) Regulations 1996 sets out the statutory requirements which may be included in the compliance audit.

Regulation 14 Compliance Audits by Local Governments

- 1) A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.*
- 2) After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.*
- 3A) The local government's audit committee is to review the compliance audit return and is to report to the council the results of that review.*
- 3) After the audit committee has reported to the council under sub-regulation (3A), the compliance audit return is to be —*
 - (a) presented to the council at a meeting of the council; and*
 - (b) adopted by the council; and*
 - (c) recorded in the minutes of the meeting at which it is adopted.*

Regulation 15 Compliance Audit Return, certified copy of etc. to be given to Executive Director

- 1) After the compliance audit return has been presented to the council in accordance with regulation 14(3) a certified copy of the return together with —*
 - (a) a copy of the relevant section of the minutes referred to in regulation 14(3)(c); and*
 - (b) any additional information explaining or qualifying the compliance audit, is to be submitted to the Executive Director by 31 March next following the period to which the return relates.*
- 2) In this regulation —*
 - certified in relation to a compliance audit return means signed by —*
 - (a) the mayor or president; and*
 - (b) the CEO.*

POLICY IMPLICATIONS

8.11 Audit and Risk Management Committee

FINANCIAL IMPLICATIONS

NIL

COMMUNITY AND STRATEGIC OBJECTIVES

Shire of Corrigin Strategic Community Plan 2017-2027 and Corporate Business Plan 2018-2022:

Objective: Leadership
Strong Governance and leadership

Outcome 4.1 - A strategically focussed dynamic Council serving the community

Strategic Community Plan		Corporate Business Plan	
Outcome	Strategies	Action No.	Actions
4.1.3	Maintain accountability and financial responsibility to ensure the stability of the Shire	4.1.3.1	Council maintain financial stability
		4.1.3.3	Provide Council adequate and appropriate financial information on a timely basis

VOTING REQUIREMENT

Simple Majority

OFFICER AND COMMITTEE 'S RECOMMENDATION

That Council accepts the completed Compliance Audit Return for the period 1 January 2020 to 31 December 2020 and recommend to Council that the return be adopted.

8.2.2 BUDGET REVIEW

Applicant:	Shire of Corrigin
Date:	11/03/2021
Reporting Officer:	Kylie Caley, Deputy Chief Executive Officer
Disclosure of Interest:	NIL
File Ref:	FM.0022
Attachment Ref:	Attachment 8.2.2 – Review of Budget Report

SUMMARY

Council is being requested to adopt the Annual Budget Review for the year ending 30 June 2021.

BACKGROUND

The *Local Government (Financial Management) Regulations 1996* require Council to undertake a review of its Budget in each financial year between 1 January and 31 March. A Statement of Financial Activity incorporating year to date budget variations and forecasts for the period ending 31 January 2021 is presented for Council to consider. A copy of the review and determination is to be provided to the Department of Local Government within 30 days of the adoption of the review.

COMMENT

A review of the actual expenses to date compared to the 2020/21 adopted budget has been conducted and the expected variances are shown in the attached report.

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

The budget has been reviewed to continue to deliver on other strategies adopted by council and maintain a high level of services across all programs. The budget has also been reviewed on sound financial management and accountability principles and is considered to deliver a sustainable economic outcome for council and the community.

STATUTORY ENVIRONMENT

Local Government Act 1995, Section 6.68

Local Government (Financial Management) Regulations 1996 33a

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

Budget variations outlined in budget review document.

COMMUNITY AND STRATEGIC OBJECTIVES

Shire of Corrigin Strategic Community Plan 2017-2027 and Corporate Business Plan 2018-2022:

Objective: Leadership

Strong Governance and leadership

Outcome 4.1 - A strategically focussed dynamic Council serving the community

Strategic Community Plan		Corporate Business Plan	
Outcome	Strategies	Action No.	Actions
4.1.3	Maintain accountability and financial responsibility to ensure the stability of the Shire	4.1.3.1	Council maintain financial stability
		4.1.3.3	Provide Council adequate and appropriate financial information on a timely basis

VOTING REQUIREMENT

Absolute Majority

COMMITTEE AND OFFICER’S RECOMMENDATION

That Council:

1. *adopt the Review of Budget Report for the year ending 30 June 2021 in accordance with Regulation 33a of the Local Government (Financial Management) Regulations 1996 (Attachment 8.2.2).*
2. *forward the adopted Budget Review to the Department of Local Government in accordance with the Local Government (Financial Management) Regulations 1996.*

8.2.3 MODEL STANDARDS FOR CEO RECRUITMENT, PERFORMANCE AND TERMINATION

Applicant:	Shire of Corrigin
Date:	19/02/2021
Reporting Officer:	Natalie Manton, Chief Executive Officer
Disclosure of Interest:	NIL
File Ref:	MANT-N
Attachment Ref:	Attachment 8.2.3.1 – CEO Recruitment, Performance and Termination Standards Attachment 8.2.3.2 – CEO Model Standards Explanatory Notes Attachment 8.2.3.3 – CEO Standards and Guidelines

SUMMARY

Council is asked to endorse the mandatory minimum standards for the recruitment, selection, performance review and early termination of local government Chief Executive Officers (CEO) as required by the recently enacted legislation.

BACKGROUND

The *Local Government (Administration) Amendment Regulations 2021 (CEO Standards Regulations)* bring into effect section 22 of the *Local Government Legislation Amendment Act 2019* regarding the model standards for CEO recruitment, performance and termination.

The Model CEO Standards provide a framework for local governments to select a CEO, review performance and terminate a contract of employment early, in accordance with the principles of merit, probity, fairness, equity and transparency.

The following regulations took effect on 3 February 2021:

- *Local Government (Administration) Amendment Regulations 2021;*
- *Local Government Regulations Amendment (Employee Code of Conduct) Regulations 2021; and*
- *Local Government (Model Code of Conduct) Regulations 2021.*

The regulations include the requirements to:

- establish a selection panel comprised of council members and at least one independent person to conduct the recruitment and selection process for the position of CEO;
- establish a performance review process by agreement between the local government and the CEO; and
- conduct a recruitment and selection process where an incumbent CEO has held the position for a period of ten or more consecutive years on expiry of the CEO's contract.

In addition, the requirements for advertising vacant CEO positions have been updated to align with amendments to state-wide public notice provisions.

Local governments are required to prepare and adopt the Model Standards within three months of these regulations coming into effect being 3 May 2021. Until such time as a local government adopts the Model Standards (with or without minor permitted variations), the regulations apply.

COMMENT

The Department of Local Government, Sport and Cultural Industries (DLGSC) has produced Guidelines on the Standards, which is Attachment 8.2.3.3 to this item.

If the local government doesn't adopt the model standards, they are taken to be the Shire's Standards.

With the exception of the requirement to advertise the CEO position after 10 years the Shire of Corrigin currently selection and review process aligns with the model standards.

The current CEO contract expires on 6 March 2026 and on this new legislative change, is only renewable for a 2 year term subject to agreement by both parties before the Council is legally bound to advertise the position in accordance with the adopted standards.

STATUTORY ENVIRONMENT

Local Government (Administration) Amendment Regulations 2021

Local Government (Administration) Regulations 1996

Local Government Act 1995

s. 5.39B Adoption of model standards

(1) In this section —

model standards means the model standards prescribed under section 5.39A(1).

(2) Within 3 months after the day on which regulations prescribing the model standards come into operation, a local government must prepare and adopt standards to be observed by the local government that incorporate the model standards.*

** Absolute majority required.*

(3) Within 3 months after the day on which regulations amending the model standards come into operation, the local government must amend the adopted standards to incorporate the amendments made to the model standards.*

** Absolute majority required.*

(4) A local government may include in the adopted standards provisions that are in addition to the model standards, but any additional provisions are of no effect to the extent that they are inconsistent with the model standards.

(5) The model standards are taken to be a local government's adopted standards until the local government adopts standards under this section.

(6) The CEO must publish an up-to-date version of the adopted standards on the local government's official website.

(7) Regulations may provide for —

(a) the monitoring of compliance with adopted standards; and

(b) the way in which contraventions of adopted standards are to be dealt with.

POLICY IMPLICATIONS

Policy 5.21 Chief Executive Officer Performance Review.

FINANCIAL IMPLICATIONS

The adoption of the model standard is likely to add to the cost of recruitment of a CEO in the situation where the incumbent CEO and Council would otherwise have agreed to an extension of an existing contract past the 10 year anniversary.

COMMUNITY AND STRATEGIC OBJECTIVES

Shire of Corrigin Strategic Community Plan 2017-2027 and Corporate Business Plan 2018-2022:

Objective: Leadership
Strong Governance and leadership

Outcome 4.1 - A strategically focussed dynamic Council serving the community

Strategic Community Plan		Corporate Business Plan	
Outcome	Strategies	Action No.	Actions
4.1.3	Maintain accountability and financial responsibility to ensure the stability of the Shire	4.1.3.1	Council maintain financial stability
		4.1.3.3	Provide Council adequate and appropriate financial information on a timely basis

VOTING REQUIREMENT

Absolute Majority

OFFICER’S RECOMMENDATION

That Council;

1. *Adopt the new Model Standards for Chief Executive Officer Recruitment, Performance and Termination as detailed in Attachment 8.2.3.1 in accordance with section 5.39B (2) of the Local Government Act 1995, and*
2. *Request the Chief Executive Officer to ensure that the adopted Standards are published on the Shire’s official website, as soon as practical, in accordance with section 5.39B (6) of the Local Government Act 1995.*

8.2.4 CEO PERFORMANCE REVIEW OCCASIONAL COMMITTEE RECOMMENDATIONS

Applicant:	CEO Performance Review Occasional Committee
Date:	3/03/2021
Reporting Officer:	Natalie Manton, Chief Executive Officer
Disclosure of Interest:	CEO declared financial interest as item relates to CEO salary
File Ref:	PERSONNEL - MANTON
Attachment Ref:	Attachment 8.2.4 – Confidential CEO Performance Review

REASON FOR CONFIDENTIALITY

The Chief Executive Officer's (CEO) Report is confidential in accordance with section 5.23(2)(a) of the *Local Government Act 1995* because it deals with matters affecting an employee of Council.

OFFICER'S RECOMMENDATION

That Council in accordance with Clause 15.10 of the Standing Orders the meeting be closed to the public.

SUMMARY

The CEO Performance Review Occasional Committee is recommending that Council endorse the resolutions from the meeting held on 16 March 2021 regarding the CEO's performance.

BACKGROUND

Council appointed Mrs Natalie Manton as the Shire of Corrigin CEO for a three year period commencing 6 March 2018 and expiring on 5 March 2021. At the Ordinary Council meeting held on 20 October 2020 Council voted to renew the CEO contract for a further period of five years commencing on 6 March 2021.

The CEO's performance review was undertaken on 16 March 2021, prior to the Council Meeting, in accordance with the terms of the Contract of Employment and the *Local Government Act 1995*.

To assist Council in the process of review, the CEO prepared a confidential report outlining evidence of achievements measured against the performance criteria. Independent consultants Price Consulting Pty Ltd were engaged to assist with the review.

COMMENT

A confidential report was presented to Council as part of the performance review process.

STATUTORY ENVIRONMENT

Local Government Act 1995

s.5.38 Annual review of employees' performance

s.5.39 Contracts for CEO and senior employees

3.39A Model standards for CEO recruitment, performance and termination

Local Government Administration Regulations

r. 18FA Model standards for CEO recruitment, performance and termination

POLICY IMPLICATIONS

5.21 CEO Performance Review

FINANCIAL IMPLICATIONS

CEO salary is contained in the annual budget.

COMMUNITY AND STRATEGIC OBJECTIVES

Shire of Corrigin Strategic Community Plan 2017-2027 and Corporate Business Plan 2018-2022:

Objective: Leadership

Strong Governance and leadership

Outcome 4.1 - A strategically focussed dynamic Council serving the community

Strategic Community Plan		Corporate Business Plan	
Outcome	Strategies	Action No.	Actions
4.1.2	Undertake strategic planning and ensure legislative compliance	4.1.2.2	Review Council policies and Corporate Business Plan
4.2.2	Continue to improve operational efficiencies and provide effective services	4.2.2.1	Review delivery of services for operational and cost effective efficiencies
4.1.3	Maintain accountability and financial responsibility to ensure the stability of the shire	4.1.3.5	Provide Council with adequate and appropriate information on a timely basis.

VOTING REQUIREMENT

Simple Majority

COMMITTEE'S RECOMMENDATION

Resolution to be added by Council.

8.2.5 OVAL LIGHTING CSRFF FUNDING

Applicant:	Shire of Corrigin
Date:	5/03/2021
Reporting Officer:	Heather Talbot, Governance Projects Officer
Disclosure of Interest:	NIL
File Ref:	GS.0018
Attachment Ref:	Attachment 8.2.5 - Letter to Shire from Corrigin Hockey Club

SUMMARY

The Shire recently received funding of \$75,000 from the Department of Local Government, Sport and Cultural Industries (DLGSC) towards the upgrading of the floodlighting to the hockey pitch at the Corrigin recreation precinct.

BACKGROUND

In September 2020, the Shire applied to the DLGSC for funding towards the oval lighting upgrade project under the Community Sporting and Recreation Facilities Fund (CSRFF).

The application was for the entire lighting upgrade:

Full lighting on both the main oval and hockey oval at a total cost of:
\$396,838.06 plus contingency of 3% = \$408,743

The breakdown of funding was as follows:

CSRFF funding applied for	\$136,248
Council funds	\$220,000
Hockey Club	<u>\$52,495</u>
	\$408,743

This was the scope of project and funding arrangement as decided by Council at the August 2020 Ordinary Meeting of Council.

COMMENT

The Shire was notified in January 2021 that the funding application was successful, however that the Department had only funded the portion relating to installation of new floodlighting to the hockey oval. Funding of \$75,000 has been committed from DLGSC.

The main oval lighting project is estimated as \$177,000 (without 3% contingency) and Council currently has funds of \$220,000 set aside for oval lighting in reserve, which leaves \$43,000 that can be used towards the hockey oval lights in the 2021/22 financial year.

The hockey oval lighting project is estimated at \$219,586 + 3% = \$226,173.58 however based on the grant received CSRFF rounded the project down to \$225,000 with a third funding of \$75,000.

This reduced level of funding has resulted in the following shortfall of funds for the hockey oval lighting project:

CSRFF Funding	\$75,000
Council funds - 2020/21 budget	\$43,000
Hockey Club	<u>\$52,495</u>
	\$54,505

As Council had committed to both parts of the project the Shire has signed the grant agreement and met with the Hockey Club to discuss the shortfall of funds.

The Hockey Club has since requested funding assistance from the Corrigin Agricultural Society and the Corrigin Community Development Fund who have agreed to the following contributions:

Corrigin Agricultural Society	\$5,000*
Corrigin Community Development Fund	\$20,000

*The Corrigin Agricultural Society has offered \$5,000 with a possibility of further funds to gain 3 phase power to two poles for use at the Corrigin Agricultural Show.

The Hockey Club are now asking Council to consider funding the remaining balance of \$29,505. A copy of the letter of request is attached.

The grant is for the 2021-22 financial year and therefore it is planned that the project will be undertaken in two stages, the first being the upgrade of the existing four lighting poles with LED lighting which can be completed in the 2020-21 financial year. The second stage will be completed after the Hockey season in October 2021. This therefore allows Council to budget for the shortfall in funding in the 2021-22 budget.

STATUTORY ENVIRONMENT

NIL

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

\$29,505 in funding requested in the 2021-22 budget

COMMUNITY AND STRATEGIC OBJECTIVES

Shire of Corrigin Strategic Community Plan 2017-2027 and Corporate Business Plan 2018-2022:

Objective: Leadership

Strong Governance and leadership

Outcome 3.1 – An inclusive, welcoming and active community

Strategic Community Plan		Corporate Business Plan	
Outcome	Strategies	Action No.	Actions
3.1.1	Work in partnership with community and sporting groups.	3.1.1.2	Assist sport and recreation clubs in accessing grant funding opportunities.
3.1.2	Continue to provide infrastructure to support social wellbeing of the community	3.1.2.1	Provide well serviced and maintained infrastructure that can be utilised by the community for the provision of social and wellbeing activities in accordance with asset management plan.

VOTING REQUIREMENT

Simple Majority

OFFICER’S RECOMMENDATION

That Council agree to proceed with the Hockey Oval Lighting project and set aside a further \$29,505 in the 2021-22 budget.

8.2.6 PROHIBITED DOG AREA

Applicant:	Shire of Corrigin
Date:	4/03/2021
Reporting Officer:	Heather Talbot, Governance Projects Officer
Disclosure of Interest:	NIL
File Ref:	LE.0001
Attachment Ref:	Nil

SUMMARY

The Shire is in the process of setting a prohibited dog area under section 31(2)(b) of the *Dog Act 1976*.

BACKGROUND

At the February Ordinary meeting of Council there was an officers recommendation to proceed with making the following areas as prohibited areas under the *Dog Act 1976*.

- The main sports oval, which is the main playing field for cricket and football.
- The oval known as the hockey oval.

Council also set the following two areas as dog exercise areas under section 31(3A)

- The grassed area immediately east of the main sports oval at the recreation grounds (east of the lighting towers).
- The grassed area immediately east of the Shire Administration officer known as Apex Park.

Council considered the officer's recommendation and set the Dog Exercise Area as recommended but requested that public consultation be undertaken before creating the prohibited areas. Although the dog exercise area had been agreed to by Council this was also included in the public consultation process to ensure the public were fully informed of the Shire's intentions.

COMMENT

To complete this process, Council needs to make a decision by absolute majority and give 28 days local public notice. There is no requirement to receive feedback, just that notice must be given. Once a decision is made this will then become a Council Policy and can only be changed by an Absolute Majority decision of Council.

The following public consultation was undertaken:

- Notice included in the Windmill Newsletter – 22 February edition
- Notice on Shire of Corrigin website
- Shire Newsletter March edition
- Notice on both the Shire Administration Office and Resource Centre notice boards
- Shire of Corrigin Facebook page

The closing date for public submissions was the 8 March 2021.

Respondent	Response summary
1	<p>Outlined a number of times they had felt unsafe with dogs off their leads on the main oval and at CREC. They also outlined their concerns with the amount of dog excreta on the playing surface. They suggested the eastern part of the oval was more appropriate and that a purpose built shelter with a bench seat would go some way to addressing the issue.</p>
2	<p>The respondent was happy the Shire was addressing this issue but wanted Council to consider no longer allowing dogs in Miss B's Park. They have quite often found dog excreta at the park.</p>
3	<p>Suggested that dogs should be banned 100% from the town oval and any areas where sports or children play. They had witnessed dog excreta all over the oval and suggested dogs should be on leashes when exercised around town anywhere, for the safety of people and other animals.</p>
4	<p>Agreed there was a problem with dog excreta on the playing surfaces but suggested cameras or visits by Council employees be used to monitor and fines and verbal warnings be used instead of punishing all users. Also suggested a solution would be to run a waterline to the far end of oval with a water tap and build a simple shade and seated area. Also a gate further down Larke Crescent to allow easier access.</p>
5	<p>The respondent agreed with the proposal and thought it was well overdue. They also outlined their concerns with the amount of dog excreta on the playing surface. Their main concern was the increase in dogs being brought to hockey/football games which was causing a safety issue for spectators and participants (including young children) as dogs not properly restrained and run out on field during games.</p>
6	<p>This respondent was not in favour of having a prohibited area as felt the oval was the only safe place to walk their dog to avoid snakes etc. They do the right thing and pick up the dog excreta but noted that it is annoying that there is always dog excreta left at the oval. They felt that the majority were being punished for those doing the wrong thing. Allowing to be on the eastern portion was pointless as how was that to be policed and the issue will simply be transferred to Apex Park which in their opinion needed</p>

	fencing to be a viable suggestion. The respondent suggested with the number of dogs in Corrigin a fenced exercise area was needed. Their suggestion was to use cameras around the oval and start fining people and to close the gate on Kunjin Road to stop people accessing the oval easily.
--	---

As the feedback (even though limited) was mostly supportive of the making of the playing surfaces as prohibited areas it is suggested that Council proceed with the officers' recommendation to make the following areas as prohibited areas under the *Dog Act 1976*.

- The main sports oval, which is the main playing field for cricket and football.
- The oval known as the hockey oval.

As part of the process Shire staff will include information on the new requirements on Council's website and via social media as well as complete the required notice period of 28 days.

STATUTORY ENVIRONMENT

Section 31 of the *Dog Act 1976*

POLICY IMPLICATIONS

New policy to manage dog exercise areas and prohibited dog areas.

FINANCIAL IMPLICATIONS

NIL

COMMUNITY AND STRATEGIC OBJECTIVES

Shire of Corrigin Strategic Community Plan 2017-2027 and Corporate Business Plan 2018-2022:

Objective: Leadership

Strong Governance and leadership

Outcome 4.1 - A strategically focussed dynamic Council serving the community

Strategic Community Plan		Corporate Business Plan	
Outcome	Strategies	Action No.	Actions
4.1.1	Provide leadership, communication and active engagement with the community	4.1.1.1	Elected members provide strategic leadership for the benefit of the community

VOTING REQUIREMENT

Absolute Majority

OFFICER'S RECOMMENDATION

That Council declares by absolute majority the following areas as a prohibited areas under section 31(2)(b) of the Dog Act 1976:

- *The main sports oval, which is the main playing field for cricket and football.*
- *The oval known as the hockey oval.*

8.2.7 DEVELOPMENT APPLICATION – PROPOSED NEW OUTBUILDING (DOMESTIC STORAGE SHED) ON LOT 1 ON DIAGRAM 17701 KUNJIN STREET, CORRIGIN

Applicant:	Wheatbelt Steel
Landowner:	CL & WM Gardner
Location:	Lot 1 on Diagram 17701 Kunjin Street, Corrigin
Date:	10/03/2021
Reporting Officer:	Mr Joe Douglas – Consultant Town Planner (Exurban Rural & Regional Planning)
Disclosure of Interest:	Nil
File Number:	PA 01-2021
Attachment Reference:	Attachment 8.2.7 – Full Copy of Development Application Submitted

SUMMARY

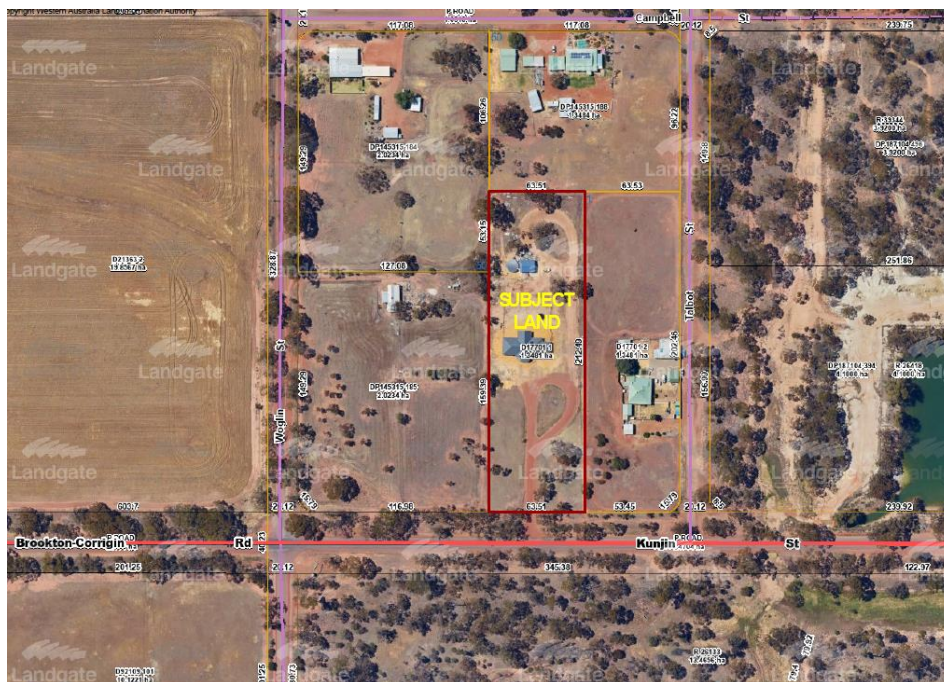
This report recommends that a development application submitted by Wheatbelt Steel on behalf of the current landowners Chadd and Wendy Gardner to construct a new 288m² steel framed, Colorbond clad outbuilding on Lot 1 Kunjin Street, Corrigin for domestic purposes only be approved subject to conditions.

BACKGROUND

The applicant is seeking Council's development approval to construct a new 288m² steel framed, Colorbond clad outbuilding at the rear of Lot 1 Kunjin Street, Corrigin for domestic storage and personal hobby purposes.

Full details of the application, including plans, are provided in Attachment 8.2.7.

Lot 1 is located at the western entry to the Corrigin townsite between Woglin and Talbot Streets with direct frontage and access to Kunjin Street along its southern boundary. The land is rectangular in shape, comprises a total area of approximately 1.3481 hectares and is relatively flat throughout with the average natural ground level being approximately 295 metres AHD.



Location & Lot Configuration Plan (Source: Landgate)

Lot 1 has been extensively cleared of all native vegetation aside from a number of large standalone trees of varying height in various locations. The land has historically been developed and used for rural residential purposes and contains a relatively new single detached dwelling sited centrally on a raised sand pad for flood mitigation purposes as well as a 76m² steel framed, Colorbond clad domestic storage shed and large capacity rainwater tank approximately 38 metres behind the dwelling. Other improvements include a gravel crossover to Kunjin Street and internal driveways for vehicle access purposes, cleared private open space over the vast majority of the property, boundary firebreaks and low level, rural-type fencing.

A significant proportion of Lot 1 has been designated by the Fire and Emergency Services Commissioner of Western Australia as being bushfire prone. Notwithstanding this fact, the proposed shed will be sited in the north-western portion of the land in an area not designated as being bushfire prone.

It is significant to note all of the land comprising Lot 1 has been designated as being flood prone with the highest recorded flood level being approximately 294.72 metres AHD where the new shed is proposed to be sited.

Existing adjoining land use are predominantly rural residential in nature comprising lots ranging in size from 1 to 2 hectares. All immediately adjoining lots have been developed and contain single detached dwellings and multiple outbuildings of varying size. The nearest dwelling to the proposed new shed is located approximately 70 metres to the south-west on Lot 185 Woglin Street.

COMMENT

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

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

- i) To provide for 'rural' smallholdings and a low density residential living environment in close proximity to the Corrigin urban area;*
- ii) To enable persons to work on the land on which they reside, provided the location of any development proposed pays regard to the overall amenity of the zone and the land use proposed is not of an industrial nature;*
- iii) To ensure that all lots with an area of less than two (2) hectares shall be connected to a reticulated scheme water supply and that where no reticulated scheme water supply is available, lots with a minimum area of two (2) hectares will be recommended provided they have a potable water supply agreed to by the local government;*
- iv) To ensure that no development will be granted development approval on any lot within the zone unless a single dwelling exists on the lot, or is to be constructed as the first stage of the development proposal, in a location no closer than 10 metres to any lot frontage, 10 metres to any rear boundary or 5 metres to any side boundary;*
- v) To ensure that all buildings to be constructed on any lot will be of a material approved by the local government and all roof and where approved, wall cladding will be finished in non-reflective material (e.g. Colorbond);*
- vi) To ensure that all fencing proposed on any lot is to be of material and located in a position approved by the local government;*

- vii) *To ensure that no person shall erect or cause to be erected any building excluding a single residence nearer than 20 metres to the front street boundary, 10 metres to the rear boundary and 5 metres to any side boundary of a lot;*
- viii) *To ensure that in the case where a lot has more than one street frontage, local government discretion is used to consider the construction of buildings nearer to the street frontage nominated by the local government, but not nearer than 10 metres to that street or streets;*
- ix) *To ensure that, where the local government deems it necessary, all development and/or building on a specified lot, is located within a building envelope, which has an area no greater than 1,000 square metres and which is located on the lot in a position approved by the local government. Where a building envelope is described on a lot, the criteria detailed in clause 31(10) will apply;*
- x) *To ensure that, no person shall use or permit to be used the land within either 20 metres from lot frontage and 10 metres as may be approved in (vii) above, except for one or more of the following purposes—*
 - i) The construction of a single residence and associated outbuildings;*
 - ii) A means of access and or egress;*
 - iii) Landscaping;*
 - iv) If permission is granted by the local government in writing, advertising and trade display;*
- xi) *To ensure that all parking or loading and unloading of vehicles associated with any onsite activity other than those of a single residential nature, is to take place in the lot area contained behind the 20 metre building line from the lot frontage;*
- xii) *To ensure that no unsightly material or equipment, which could detract from the amenity of the area in general or adjoining properties in a particular, is to be stored onsite unless it is screened in a manner acceptable to the local government;*
- xiii) *To ensure via a condition of development approval that the planting of a minimum of (20) twenty drought resistant native trees capable of growing to a height of at least 5 metres, is undertaken on each lot in a position agreed to by the local government; and*
- xiv) *To ensure that any advertising sign proposed on a lot is only approved if it complies with the sign specifications as they relate to a Home Occupation activity as laid down in Part 6 of the Scheme.*

Under the terms of Schedule A in LPS2 the erection or extension of an outbuilding (i.e. shed) on the same lot as a single house where the Residential Design Codes do not apply does not require Council's development approval where the objectives and development standards set out in LPS2 for that particular zone (including boundary setbacks) are satisfied and the land is not:

- a) entered in the Register of Heritage Places under the *Heritage of Western Australia Act 1990*; or
- b) the subject of an order under Part 6 of the *Heritage of Western Australia Act 1990*; or
- c) included on a heritage list prepared in accordance with this Scheme; or
- d) within an area designated under the Scheme as a heritage area; or
- e) the subject of a heritage agreement entered into under the *Heritage of Western Australia Act 1990* section 29; or
- f) abutting an unconstructed road or a lot or location which does not have frontage to a constructed road.

Assessment of the application for Lot 1 in the context of the relevant objectives and

development standards contained in LPS2 and Council's local planning policy entitled 'Outbuilding Size' has confirmed it does not satisfy the following requirements which triggers the requirement for Council's development approval prior to commencement of the building permit application process:

i) Maximum permitted floor area of a single outbuilding on any one lot

Under the terms of Council's 'Outbuildings Size' policy the maximum permitted floor area of any proposed new outbuilding on land classified 'Rural Residential' zone is 144m². Under the terms of the application received the total proposed floor area of the proposed new outbuilding on Lot 1 will be 288m²;

ii) Maximum permitted floor area of all outbuildings on any one lot

Under the terms of Council's 'Outbuildings Size' policy the maximum permitted floor area of all existing and any proposed new outbuilding on land classified 'Rural Residential' zone is 200m². Under the terms of the application received the total proposed floor area of all outbuildings on Lot 1 will be 364m²;

iii) Maximum permitted wall height

Under the terms of Council's 'Outbuildings Size' policy the maximum permitted wall height for any proposed new outbuilding on land classified 'Rural Residential' zone is 4 metres. Under the terms of the application received the proposed outbuilding will have a wall height of 4.695 metres;

iv) Maximum permitted roof ridge height

Under the terms of Council's 'Outbuildings Size' policy the maximum permitted roof ridge height for any proposed new outbuilding on land classified 'Rural Residential' zone is 5 metres. Under the terms of the application received the proposed outbuilding will have a roof ridge height of 6.121 metres; and

v) Minimum Side & Rear Boundary Setbacks

Under the terms of Table 3 in LPS2 all buildings on land classified 'Rural Residential' zone are required to have a minimum setback of 5 metres to any side boundary and 10 metres to any rear boundary. Clause 16(2)(e)(x) of LPS2 does however allow for the construction of a single house and associated outbuilding within these specified setback areas (i.e. closer than the minimum required setbacks prescribed in Table 3 of LPS2) at Council's discretion. Under the terms of the application received the proposed outbuilding will have a setback of 2 metres from the land's side and rear boundaries.

In considering whether or not to approve these proposed variations to the abovementioned policy standards, Council must decide whether they are likely to have a detrimental impact on the amenity and character of the immediate locality or any immediately adjoining or other nearby properties.

It is concluded, following detailed consideration and assessment of the application by the reporting officer, that the proposed variations outlined above may be supported and approved by Council for the following reasons:

- i) Council has previously granted approvals for the construction of outbuildings appurtenant to single houses in the Corrigin townsite with individual and combined floor areas greater than that permitted by LPS2;
- ii) Lot 1 is particularly long with a total depth of approximately 212.5 metres from its Kunjin Street frontage. The proposed outbuilding will be sited at the rear of the property behind the existing dwelling, 76m² outbuilding and rainwater tank and will be constructed using new, non-reflective external cladding to complement the existing buildings on the land. It will also have a substantial separation distance to the existing dwellings on all immediately

adjoining properties which are orientated towards their own street frontages with limited direct views to the proposed new outbuilding on Lot 1. As such, the proposed outbuilding will be significantly screened from public view, will not be highly prominent in its local setting from a visual perspective and is therefore considered unlikely to have any adverse visual impacts on the local streetscape or any immediately adjoining property in terms of its bulk, scale or external finish;

- iii) The proposed outbuilding will not compromise opportunities for access to direct sunlight and ventilation to the existing dwelling and open spaces on Lot 1 or any immediately adjoining property;
- iv) The proposed outbuilding will not give rise to any overlooking and resultant loss of privacy on any immediately adjoining property;
- v) All stormwater drainage will be managed and disposed of on-site through the use of stormwater piping and a rainwater tank; and
- vi) The proposed outbuilding will allow for the efficient and effective use of the rear portion of the land to provide for domestic storage and personal hobby purposes.

Notwithstanding the above conclusions, it is noted the Shire's Firebreak Order requires all lots in the Corrigin townsite comprising an area greater than 2,000m² to be provided with mineral earth firebreaks not less than 2.44 metres (i.e. 8 feet) wide immediately inside all external boundaries. In light of this requirement and the need to minimise any potential bushfire risk given the land's location in a designated bushfire prone area, it is recommended that a suitable condition be imposed on any development approval issued requiring the proposed new outbuilding on Lot 1 to have a minimum setback of 2.5 metres to the land's side and rear boundaries to ensure the requirements of the Shire's Firebreak Order can be satisfied and allow for the passage of vehicles for access and maintenance purposes.

In light of the above findings it is concluded the proposal for Lot 1 is generally consistent with the objectives of the land's current 'Rural Residential' zoning classification and applicable development standards and is therefore 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 relevant standards and requirements of the Shire's local planning framework including all approved variations thereto.

Should Council disagree with the above findings and conclusions, it has the option of either refusing the application in its entirety (not recommended) or deferring final determination pending further discussions and negotiations with the applicant and landowner with a view to amending the plans to achieve a development outcome that is more acceptable to Council.

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

Shire of Corrigin Local Planning Policy – 'Outbuilding Size'

FINANCIAL IMPLICATIONS

Nil immediate financial implications for the Shire aside from the administrative costs associated with processing the application which are provided for in Council's annual budget. All costs associated with the proposed development will be met by the landowner.

It is significant to note that 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 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 & STRATEGIC IMPLICATIONS

The proposal for Lot 1 is considered to be consistent with the following stated objective, outcome and strategy in the Shire of Corrigin Strategic Community Plan 2017-2027:

- i) Environment Objective - An attractive natural and built environment for the benefit of current and future generations;*
- ii) Environment Outcome 2.2 – A well-managed built environment; and*
- iii) Environment Strategy 2.2.3 – Enhance and maintain our townscape.*

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

*That Council resolve to **approve** the development application submitted by Wheatbelt Steel on behalf of the current landowners Chadd and Wendy Gardner to construct a new 288m² steel framed, Colorbond clad outbuilding on Lot 1 Kunjin Street, Corrigin subject to the following conditions and advice notes:*

Conditions

- 1. The proposed development shall be undertaken in a manner consistent with all the information and plans submitted in support of the application subject to any modifications required as a consequence of any condition/s of this approval or otherwise approved by Council.*
- 2. Any additional development which is not in accordance with the application the subject of this approval or any condition of approval will require the further approval of Council.*
- 3. The proposed development shall be substantially commenced within a period of two (2) years from the date of this approval. If the development is not substantially commenced within this period this approval shall lapse and be of no further effect. Where an approval has so lapsed, the use shall not be carried out without the further approval of Council having first being sought and obtained.*
- 4. The proposed outbuilding shall be constructed on a suitable sand or gravel pad, the edges of which shall be graded and/or retained as required to accommodate safe and convenient access and allow for the installation and maintenance of fire breaks along the land's side and rear boundaries.*
- 5. The proposed outbuilding must have a minimum finished floor level of 150mm above the highest recorded flood level on the property (i.e. approximately 294.72 metres AHD) to help mitigate any future potential flood risk.*
- 6. The proposed outbuilding shall have a minimum setback of 2.5 metres to the land's side and rear boundaries and not 2 metres as shown on the site development plan submitted in support of the application.*
- 7. The proposed outbuilding shall be constructed using new materials only.*
- 8. All stormwater collected from the roof of the proposed outbuilding shall be contained and disposed of on-site. No stormwater is permitted to be directed or disposed of on any immediately adjoining property.*

9. *A minimum of (20) twenty drought resistant native trees capable of growing to a height of at least 5 metres shall be planted on the land by no later than the end of winter 2022 and maintained thereafter until mature. Should any of the trees planted pursuant to this condition die or become diseased, they shall be replaced as soon as practicable and maintained thereafter until mature.*
10. *The proposed outbuilding shall be used for domestic purposes only (i.e. the parking of light vehicles, personal hobbies and general household storage) unless otherwise approved by Council.*

Advice Notes

1. *This approval is not an authority to ignore any constraint to development on the land which may exist through contract or on title, such as an easement or restrictive covenant. It is the responsibility of the applicant/landowners and not the Shire to investigate any such constraints before commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether or not it has been drawn to the Shire's attention.*
2. *This is a development approval of the Shire of Corrigin under its Local Planning Scheme No.2. It is not a building permit or an approval to commence or carry out development under any other law. It is the responsibility of the applicant/landowners to obtain any other necessary approvals, consents, permits and licenses required under any other law, and to commence and carry out development in accordance with all relevant laws.*
3. *In accordance with the Building Act 2011 and Building Regulations 2012, a building permit application must be submitted to and approved by the Shire's Building Surveyor prior to the commencement of any construction or earthworks on the land.*
4. *The proposed outbuilding is required to comply in all respects with the National Construction Code of Australia. Plans and specifications which reflect these requirements are required to be submitted with the building permit application.*
5. *No construction works shall commence on the land prior to 7am without the Shire's written approval. No construction works are permitted on Sundays or Public Holidays.*
6. *The noise generated by any activities on-site including machinery motors or vehicles shall not exceed the levels as set out under the Environmental (Noise) Regulations 1997.*
7. *The applicant/landowner is reminded of their obligation to ensure compliance with the specific standards and requirements of the Shire of Corrigin Annual Fire Break Notice as it applies to all land within the municipal district's designated townsites.*
8. *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.*
9. *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 determination.*

9 CHIEF EXECUTIVE OFFICER REPORT

10 PRESIDENT'S REPORT

11 COUNCILLORS' QUESTIONS, REPORTS AND INFORMATION ITEMS

12 URGENT BUSINESS APPROVED BY THE PRESIDENT OR BY A DECISION OF THE COUNCIL

13 INFORMATION BULLETIN

14 WALGA AND CENTRAL ZONE MOTIONS

15 NEXT MEETING

Ordinary Council meeting on Tuesday 20 April 2021 at 3.00pm.

16 MEETING CLOSURE