



MINUTES

ORDINARY COUNCIL MEETING
20 July 2021

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Strengthening our community now to grow and prosper into the future

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1 DECLARATION OF OPENING

The Chairperson, Shire President Cr. D Hickey opened the meeting at 3.01pm 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
Deputy Shire President

Cr. D L Hickey
Cr. M A Weguelin
Cr. M B Dickinson
Cr. S L Jacobs
Cr. J A Mason
Cr. S C Coppen
Cr. F R Gilmore
N A Manton
P Burgess
K A Caley
K L Biglin

Chief Executive Officer
Manager of Works and Services
Deputy Chief Executive Officer
Executive Support Officer

Member of the Public
Shire of Pingelly, Councillor

Cr B Hotham

APOLOGIES

NIL

LEAVE OF ABSENCE

3 PUBLIC QUESTION TIME

NIL

4 MEMORIALS

The Shire has been advised that Alexander Gifford Rae, Colin Larke, Stephen Simpson, Cedric Alexander Crombie, Tom Jessett and Freeman of the Shire Hon HW (Mick) Gayfer have passed away since the last meeting.

5 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

NIL

6 DECLARATIONS OF INTEREST

N Manton declared a Proximity Interest in Item 8.2.1 as she lives on the Bullaring Pingelly Road and owns property along the road reserve.

Cr Dickinson declared an Impartiality Interest in Item 8.2.5 as he is on the Tennis Committee.

Cr Coppen declared a Proximity Interest Item 8.2.6 as he owns property across from the subject of the Item.

Cr Gilmore declared a Proximity Interest in Item 8.2.6 as he owns property adjacent and across road subject to item.

Cr Jacobs declared a Financial Interest in Item 8.2.10 and 8.2.11 as a holder of shares in Cooperative Bulk Handling (CBH) Limited Cooperative.

Cr Hickey declared a Financial Interest in Item 8.2.10 and 8.2.11 as a holder of shares in Cooperative Bulk Handling (CBH) Limited Cooperative.

N Manton declared a Financial Interest in Item 8.2.10 and 8.2.11 as a share in Cooperative Bulk Handling (CBH) Limited Cooperative.

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 15 June 2021 (Attachment 7.1.1).

COUNCIL RESOLUTION

(97/2021) Moved: Cr Weguelin Seconded: Cr Jacobs

That the Minutes of the Shire of Corrigin Ordinary Council meeting held on Tuesday 15 June 2021 (Attachment 7.1.1) be confirmed as a true and correct record.

Carried 7/0

7.2 COMMITTEE MEETINGS AND BUSINESS ARISING FROM MINUTES

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:	6/07/2021
Reporting Officer:	Tayla Bryant, Customer Service Officer, Community Services
Disclosure of Interest:	NIL
File Ref:	CS.0008
Attachment Ref:	NIL

CORRIGIN CRC MONTHLY USAGE – JUNE 2021

CUSTOMER ACCESSING FEE FOR SERVICE AND SALES					
SERVICES / FEES	MTHLY	FROM JULY 2020	SALES	MTHLY	FROM JULY 2020
Internet Use / Computer Use	7	104	Movie Club Fees	14	87
Photocopying / Printing / Faxing	20	236	Phonebook Sales	1	66
Laminating / Binding / Folding	1	30	'Moments in Time' Books	0	1
Sec. Services / Scans / Email / CD Burning	5	68	Book Sales	0	4
Room Hire	4	24	Wrapping Paper / Postcard Sales	0	4
Equipment Hire	0	2	Polo Shirt / Eco Bag Sales	0	0
Training / Course Fees	0	51	Phone Calls	0	0
Resource Centre Membership Fees	0	10	"A Fortunate Life" Ticket Sales	0	150
Exam Supervision	0	0			
Total:	37	525	Total:	15	308
Monthly People through:		52			
CUSTOMER ACCESSING CORRIGIN CRC SERVICES					
SERVICES	MTHLY	FROM JULY 2020	SERVICE	MTHLY	FROM JULY 2020
Phonebook Enquiries	6	44	Corrigin Toy Library	6	68
Tourism	18	285	Broadband for Seniors / Webinars	9	96
Government Access Point	0	69	General Enquires (Face/Email/Website)	129	1454
Community Information	6	156	Corrigin Public Library	50	504
Conf. / Vid Conf. / Training	85	803	Corrigin Library eResources	165	906
University Exams	0	0			
Total:	115	1357	Total:	359	3028
Monthly People through:		474			

TOTAL FOR THE MONTH OF JUNE: 526

COMMUNITY ECONOMIC / BUSINESS AND SOCIAL DEVELOPMENT BOOKINGS – JUNE 2021

DESCRIPTION	NO'S	ROOM	GOVT. HOT OFFICE BOOKING (HO), COMMERCIAL BOOKING
WBN Workshop – Social Media	13	Conf Room	Commercial
Active Seniors	4	Conference Room	N/A
Graeme Shipway – Optometrist	4	Professionals Office	Commercial
Roe Tourism	3	Video Conf Room	N/A
Active Seniors	7	Conference Room	N/A
Movie Club	14	Conference Room	N/A
123 Parenting Course	4	Conference Room	N/A
AgWest Room Booking	11	Conference Room	Commercial
Forrest Personnel	7	Professionals Office	Commercial
Active Seniors	5	Conference Room	N/A
Active Seniors	9	Conference Room	N/A
123 Parenting Course	3	Conference Room	N/A
Rural Traffic Services	7	Conference Room	Commercial
Active Seniors	5	Conference Room	N/A
123 Parenting Course	3	Conference Room	N/A

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	339	464	529	526	5266

*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 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
1.1	Joint planning with local and external key stakeholders to help improve the sense of place and access to opportunities for young people	1.1.1	Develop a Youth Action Plan
1.3	Support and help facilitate community events and inclusive initiatives	1.3.2	Together with local stakeholders identify and brand Corrigin's arts and culture identity

VOTING REQUIREMENT

Simple Majority

COUNCIL RESOLUTION

(98/2021) Moved: Cr Mason Seconded: Cr Coppen

That Council receives the Corrigin Community Resource Centre Report.

Carried 7/0

8.1.2 ACCOUNTS FOR PAYMENT

Applicant:	Shire of Corrigin
Date:	13/07/2021
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 – June 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 June 2021 are provided as Attachment 8.1.2 – Accounts for Payment - June 2021.

After payment of the following cheque, EFT and Direct Debit payments, the balance of creditors will be \$137,643.37.

Bank Account	Payment Type	Reference	Amount	Total
Municipal	EFT	16232 - 16233, 16236 - 16270, 16274 - 16375	\$959,569.07	
	Cheque	020623 - 020634	\$19,869.59	
	Direct Debit	June 2021	\$118,861.13	
	Payroll	June 2021	\$116,506.27	\$1,214,806.06
Trust	EFT	16234 - 16235, 16271 - 16273	\$25,266.01	
	Cheque	No Payments	\$0.00	
	Direct Debit	June 2021	\$8,415.28	\$33,681.29
Licensing Trust	EFT	No Payments	\$0.00	
	Direct Debit	June 2021	\$34,685.45	\$34,685.45
Edna Stevenson	EFT	No Payments	\$0.00	
	Cheque	No Payments	\$0.00	\$0.00
Total Payments for the Month of June 2021				\$1,283,172.80

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 – June 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, and Edna Stevenson Trust and Licensing	EFT	EFT16231	EFT16232
Municipal	Cheque	020622	020623
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 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 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

(99/2021) Moved: Cr Coppen

Seconded: Cr Gilmore

That Council reviews the list of accounts paid and acknowledges that payments totalling \$1,283,172.80 have been made during the month of June 2021.

Carried 7/0

8.1.3 ACCOUNTS FOR PAYMENT – CREDIT CARDS

Applicant:	Shire of Corrigin
Date:	8/07/2021
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 May 2021

SUMMARY

This report provides Council with a list of all financial dealings relating to the use of credit card payments for the periods 29 April 2021 to 28 May 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 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 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

(100/2021) Moved: Cr Weguelin Seconded: Cr Jacobs

That Council in accordance with Attachment 8.1.3 endorse credit card payments for the period 29 April 2021 to 28 May 2021 for \$3,242.25.

Carried 7/0

8.1.4 MONTHLY FINANCIAL REPORTS

Applicant:	Shire of Corrigin
Date:	9/07/2021
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 30 June 2021

SUMMARY

This report provides Council with the monthly financial reports for the month ending 30 June 2021.

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

Council finished the financial year off with a cash balance of \$1.2 million. This includes some carry over projects and purchases from the capital program.

A total of 95% of the outstanding rates have been collected to date and slightly higher than the outstanding balance at 30 June last financial year.

Reserve transfers were completed during the month and the balance of the reserve bank is \$4.9 million. This includes \$1.87 million in unspent grants or grants paid in advance that will be brought back out of reserves when required.

Further information on the June 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 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 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

(101/2021) Moved: Cr Mason Seconded: Cr Coppen

That Council accept the Statement of Financial Activity for the month ending 30 June 2021 as presented, along with notes of any material variances.

Carried 7/0

8.2 GOVERNANCE AND COMPLIANCE

8.2.1 BUDGET ADOPTION 2021/22

Applicant:	Shire of Corrigin
Date:	15/07/2021
Reporting Officer:	Kylie Caley, Deputy Chief Executive Officer
Disclosure of Interest:	NIL
File Ref:	FM.0275
Attachment Ref:	Attachment 8.2.1.1 - 2021/2022 Budget Attachment 8.2.1.2 - 2021/2022 Fees and Charges Attachment 8.2.1.3 – 2021/22 Road Program Attachment 8.2.1.4 - 10 Year Plant Replacement Program Attachment 8.2.1.5 - Capital and Project Expenditure 2021/2022

SUMMARY

The purpose of this report is to consider and adopt the Shire of Corrigin Budget for the 2021/22 financial year together with supporting schedules, including imposition of rates and minimum payments, adoption of fees and charges, establishment of new reserve funds, setting of elected member's fees for the year and other consequential matters arising from the budget papers.

BACKGROUND

Council is required to formally adopt an annual budget to guide the functions and operations of the local government and enable it to raise revenue and deliver services to the community.

COMMENT

The draft 2021/22 budget continues to deliver on other strategies adopted by the council and maintains a high level of service across all programs while ensuring an increased focus on road and associated infrastructure as well as on renewing all assets at sustainable levels.

Rates Modelling

Based on the following:

- Unimproved Values of 178,695,333
- Gross Rental Values of 4,524,173
- Non rateable Values of 965,893
- Average increase in rates of 4%
- Minimum payments for UV and GRV properties of \$450

Allowances

The allowances paid to elected members are in line with the annual payments for Band 4 as per the Salaries and Allowances Tribunal.

Borrowings

There are no new borrowings planned for the 2021/22 financial year.

Reserve Accounts

The 2021/2022 budget includes transfers to reserves of \$164,900 and transfers from reserves of \$2,099,103.

Brought Forward Value

The opening balance for the 2021/22 is based on a brought forward surplus of \$597,236 as at 30 June 2021. This unaudited figure may change due to adjustments to the opening balance required as part of the auditing process. Council received advance payments for the Federal Assistance Grant, Local Community Infrastructure and Road Program Phase 2 and Drought Communities Program which were locked away in reserves prior to the end of the financial year. There are several carry forward projects and purchases that make up part of the brought forward balance.

Capital Works

A large Capital Works budget of \$7,229,755 is proposed in the 2021/22 financial year.

The capital program includes \$777,821 of new construction and upgrades to Council buildings, \$1,325,000 of plant replacement including the purchase of a new prime mover, Patching Truck and Bushfire truck, \$1,970,175. Other infrastructure upgrades include: upgrades to the oval lights, upgrade to Rotary Park and construction of a new waste oil facility. These projects have funding provided from the following sources:

2020/2021 Budget	Carry over surplus	\$1,079,747
2020/2021 Budget	Transfer from Reserves	\$1,036,926
Department of Infrastructure, Transport, Regional Development and Communications (DITRDC)	Drought Communities Program	\$944,184
Department of Sport and Recreation	Community Sport and Recreation Facilities Fund (DSRFF)	\$154,240
Government of WA	Department Fire and Emergency Services (DFES)	\$450,000

The Capital Road Program budget includes \$3,080,550 in road projects with \$1,204,848 grant funding provided from the following sources:

Main Roads	Regional Road Group	\$368,023
	Direct Grant	\$178,056
	Road Safety Program	\$72,994
Australian Govt	Federal Assistance Grant – Roads	\$150,500
DITRDC	Roads to Recovery Program	\$435,275
	Wheatbelt Secondary Freight Network	\$1,436,632

STATUTORY ENVIRONMENT

Section 6.2 of the *Local Government Act 1995* requires that not later than 31 August in each financial year, or such extended time as the Minister allows, each local government is to prepare and adopt, in the form and manner prescribed, a budget for its Municipal Fund for the financial year ending on the next 30 June.

Division 5 and 6 of part 6 of the *Local Government Act 1995* refers to the setting of budgets and the raising of rates and charges. The *Local Government Act (Financial Management) Regulations 1996* details the form and content of the budget.

POLICY IMPLICATIONS

The budget is based on the principles outlined in the Shire of Corrigin Strategic Plan, Corporate Business Plan and other related documents.

FINANCIAL IMPLICATIONS

Financial implications are detailed within the report and in the attached budget documentation.

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 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

Absolute Majority is required for some recommendations in the report while Simple Majority is required in other parts.

PART A – MUNICIPAL FUND BUDGET FOR 2021/22

COUNCIL RESOLUTION

(102/2021) Moved: Cr Mason Seconded: Cr Weguelin

Pursuant to the provisions of section 6.2 of the *Local Government Act 1995* and Part 3 of the *Local Government (Financial Management) Regulations 1996*, the council adopt the Municipal Fund Budget as contained in the Attachments of this agenda for the 2021/22 financial year which includes the following:

- Statement of Comprehensive Income by Nature and Type
- Statement of Comprehensive Income by Program
- Statement of Cash Flows
- Rate Setting Statement on page
- Transfers to / from Reserve Accounts as detailed in the budget notes
- Notes to and forming part of the Budget (excluding Road Program)

Carried by Absolute Majority 7/0

**PART B – GENERAL AND MINIMUM RATES, INSTALMENT PAYMENT
ARRANGEMENTS**

COUNCIL RESOLUTION

(103/2021) Moved: Cr Dickinson Seconded: Cr Jacobs

For the purpose of yielding the deficiency disclosed by the Municipal Fund Budget adopted at Part A above, council pursuant to sections 6.32, 6.33, 6.34 and 6.35 of the *Local Government Act 1995* impose the following general rates and minimum payments on Gross Rental and Unimproved Values.

General Rates

- | | |
|---------------------|-----------------------------|
| • Residential (GRV) | 0.09395 cents in the dollar |
| • Rural (UV) | 0.01278 cents in the dollar |

Minimum Payments

- | | |
|---------------------|-------|
| • Residential (GRV) | \$450 |
| • Rural (UV) | \$450 |

Pursuant to section 6.50 of the *Local Government Act 1995* and regulation 64(2) of the *Local Government (Financial Management) Regulations 1996*, council nominates the following due dates for the payment in full by instalments:

- | | |
|--|------------------|
| • Full payment and 1 st instalment due date | 3 September 2021 |
| • 2 nd quarterly instalment due date | 3 November 2021 |
| • 3 rd quarterly instalment due date | 3 January 2022 |
| • 4 th quarterly instalment due date | 3 March 2022 |

Pursuant to section 6.45(3) of the *Local Government Act 1995* and regulation 67 of the *Local Government (Financial Management) Regulations 1996*, an additional charge of \$10 and interest rate of 5.5% applicable to rate and service charge instalment arrangements.

In accordance with the provisions of section 6.51(1) of the *Local Government Act 1995* and regulation 70 of the *Local Government (Financial Management) Regulations 1996* interest at a rate of 7% per annum will be charged on overdue and unpaid rates, ESL and service charges.

Carried by Absolute Majority 7/0

PART C – OTHER STATUTORY FEES FOR 2021/22

COUNCIL RESOLUTION

(104/2021) Moved: Cr Gilmore Seconded: Cr Coppen

Council adopt the following charges for the removal and deposit of domestic and commercial waste in accordance with the provisions of the *Waste Avoidance and Resources Recovery Act 2007*:

Residential Premises (including recycling)	
• per bin weekly collection	\$435pa
• per bin weekly collection – eligible pensioner	\$328.75pa
• includes 120 ltr bin and 240ltr recycling bin	
Commercial Premises	
• per bin weekly collection	\$495pa
• Includes 240ltr bin and 240ltr recycling bin	
Domestic/Commercial Rubbish Service – 2nd Service	
• 2nd 120ltr bin	\$385pa
• 2nd 240ltr bin	\$445pa
• extra recycle service – 240L recycling bin	\$315pa

Carried 7/0

PART D – ELECTED MEMBERS' FEES AND ALLOWANCES FOR 2021/22

COUNCIL RESOLUTION

(105/2021) Moved: Cr Mason Seconded: Cr Coppen

Pursuant to section 5.99 of the *Local Government Act 1995* and regulation 34 of the *Local Government (Administration) Regulations 1996*, council adopts the following annual fees for payment of elected members in lieu of individual meeting attendance fees:

President	\$7,100
Elected Member	\$3,700

Pursuant to section 5.99A of the *Local Government Act 1995* and regulations 34A and 34AA of the *Local Government (Administration) Regulations 1996*, council adopts the following annual allowances for elected members:

Information, Communication and Technology Allowance	\$1,000
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Pursuant to section 5.98(5) of the *Local Government Act 1995* and regulation 33 of the *Local Government (Administration) Regulations 1996*, council adopts the following annual local government allowance to be paid in addition to the annual meeting allowance:

President	\$7,500
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Pursuant to section 5.98A of the *Local Government Act 1995* and regulations 33A of the *Local Government (Administration) Regulations 1996*, council adopts the following annual local government allowance to be paid in addition of the annual meeting allowance:

Deputy President	\$1,875
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Carried by Absolute Majority 7/0

PART E – MATERIAL VARIANCE REPORTING FOR 2021/22

COUNCIL RESOLUTION

(106/2021) Moved: Cr Mason Seconded: Cr Coppen

In accordance with regulation 34(5) of the *Local Government (Financial Management) Regulations 1996*, and *AASB 1031 Materiality*, the level to be used in statements of financial activity in 2021/22 for reporting material variances shall be 10% or \$10,000, whichever is the greater.

Carried 7/0

N Manton declared a Proximity Interest in Part F as property owned by her company is adjacent to the Bullaring Pingelly that is included in the road program.

PART F – ROAD WORKS PROGRAM FOR 2021/22

COUNCIL RESOLUTION

(107/2021) Moved: Cr Jacobs Seconded: Cr Weguelin

Pursuant to the provisions of section 6.2 of the *Local Government Act 1995* and Part 3 of the *Local Government (Financial Management) Regulations 1996*, council adopt the 2021/22 Roadworks Program as per Attachment 8.2.1.3.

Carried 7/0

PART G – FEES AND CHARGES 2021/22

COUNCIL RESOLUTION

(108/2021) Moved: Cr Mason Seconded: Cr Coppen

Pursuant to section 6.16 of the *Local Government Act 1995*, council adopt the Fees and Charges 2021/2022 as presented as per Attachment 8.2.1.2

Carried by Absolute Majority 7/0

8.2.2 CHANGE OF ORDINARY COUNCIL MEETING DATE 2021

Applicant:	Shire of Corrigin
Date:	14/06/2021
Reporting Officer:	Natalie Manton, Chief Executive Officer
Disclosure of Interest:	NIL
File Ref:	GOV.0024
Attachment Ref:	NIL

SUMMARY

Council is requested to consider changing the date of the September 2021 Ordinary Council meeting to enable elected members to attend the 2021 WA Local Government Convention.

BACKGROUND

At the Ordinary Council meeting held on 15 December 2020 Council endorsed the schedule of meeting dates for 2021 and the dates were advertised to the public.

Council meetings are generally held on the third Tuesday of the month at 3pm.

The advertised date of the September Council meeting is Tuesday 21 September which clashes with the date of the WA Local Government Convention.

COMMENT

Council meeting are open to the public and the change of meeting date will need to be advertised well in advance.

The Local Government Convention was previously held in August prior to 2020 when the format of the event was changed due to COVID-19.

The conference sessions aims to support and inform Mayors, Shire Presidents, Elected Members and Chief Executive Officers.

The format of the annual WA Local Government Convention has been reviewed and some significant changes have been implemented. The event in 2021 will move to Crown Perth and has been confirmed for Monday, 20 and Tuesday, 21 September, with the Opening Welcome Reception taking place on the evening of Sunday, 19 September 2021

The Annual General Meeting will be held on the morning of Monday, 20 September and will be incorporated into the Convention program.

STATUTORY ENVIRONMENT

Local Government Act 1995

Local Government (Administration) Regulations 1996

Regulation 12 - Meetings, public notice of (Act s.5.25(1)(g))

(1) At least once each year a local government is to give local public notice of the dates on which and the time and place at which—

(a) the ordinary council meetings; and

(b) the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public,

are to be held in the next 12 months.

(2) A local government is to give local public notice of any change to the date, time or place of a meeting referred to in subregulation (1).

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: Governance and Leadership

Strong Governance and leadership

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

VOTING REQUIREMENT

Simple Majority

COUNCIL RESOLUTION

(109/2021) Moved: Cr Weguelin Seconded: Cr Dickinson

That Council:

1. change the date of the September Ordinary Council meeting to 16 September 2021 at 3:00pm
2. Request the Chief Executive Officer to give local public notice of the change to Council meeting dates.

Carried 7/0

8.2.3 WALGA AGM VOTING DELEGATES

Applicant:	Shire of Corrigin
Date:	14/06/2021
Reporting Officer:	Natalie Manton, Chief Executive Officer
Disclosure of Interest:	NIL
File Ref:	GR.0022
Attachment Ref:	Attachment 8.2.3 - Notice of WALGA Annual General Meeting 2021 and Procedural Information for Submission of Motions

SUMMARY

Council is requested to confirm delegates for the WA Local Government Association (WALGA) Annual General Meeting to be held on Monday 20 September 2021.

BACKGROUND

The WALGA Annual General Meeting (AGM) will be held as part of the WA Local Government Convention at Crown Perth on Monday 20 September 2021 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 also has provision for Council 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.

Council may consider nominating the CEO as proxy if sufficient number of elected members are not available.

Council is invited to submit motions for inclusion on the WALGA AGM agenda in writing by Friday 16 July 2021.

STATUTORY ENVIRONMENT

Local Government Act 1995 s.9.58.

POLICY IMPLICATIONS

Policy 8.9 elected members' business, conferences and training expenses

FINANCIAL IMPLICATIONS

A budget currently exists for elected members to attend training, including the WA Local Government Convention.

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

VOTING REQUIREMENT

Simple Majority

COUNCIL RESOLUTION

(110/2021) Moved: Cr Weguelin Seconded: Cr Jacobs

That Council appoints Cr Hickey and Cr Mason as the Shire of Corrigin voting delegates and Cr Weguelin and Cr Jacobs as proxy voting delegates for the 2021 WALGA Annual General Meeting.

Carried 7/0

8.2.4 PROPOSED LOCAL LAWS – CORRIGIN WAR MEMORIAL SWIMMING POOL REPEAL

Applicant:	Shire of Corrigin
Date:	6/07/2021
Reporting Officer:	Heather Talbot, Governance Projects Officer
Disclosure of Interest:	NIL
File Ref:	LE.0002
Attachment Ref:	Attachment 8.2.4 - <i>Shire of Corrigin War Memorial Swimming Pool Repeal Local Law 2021</i>

SUMMARY

In April 2021 Council resolved to proceed with the proposed *Shire of Corrigin War Memorial Swimming Pool Repeal Local Law 2021*. Council is requested to make the attached *Shire of Corrigin Swimming Pool Repeal Local Law 2021* under section 3.12(4) of the *Local Government Act 1995*.

BACKGROUND

The Shire of Corrigin currently has a very outdated By-law relating to the care and control of the Corrigin War Memorial Swimming Pool. The original purpose of the by-law was to give the Pool Manager certain powers, enforce rules within the pool enclosure and the dress code whilst within the pool and to set admission fees. As these areas are all covered by other legislation the local law is no longer required. As such under the local law review that was conducted in September 2017 Council resolved to proceed with the repeal of this local law.

During the April 2021 Council meeting, staff were directed to proceed with the adoption of the *Shire of Corrigin War Memorial Swimming Pool Repeal Local Law 2021* and complete the requirements for public consultation. The results of the public consultation were then to be presented to Council for consideration following the closure of submissions.

COMMENT

Community stakeholder engagement was undertaken in accordance with section 3.12(3) of the *Local Government Act 1995*. Local public notice was given in accordance with section 1.7 of the *Local Government Act 1995* and regulation 3A of the *Local Government (Administration) Regulations 1996* as follows:

- A notice was published on the Shire of Corrigin website on 22 April 2021;
- A notice was published on 3 May 2021 in the Corrigin Windmill community newsletter;
- A notice was published in the May (published on social media 30 April 2021) edition of the Shire of Corrigin newsletter.
- The public notice was displayed on the Shire Administration and Corrigin Community Resource Centre (Library) noticeboard between 22 April 2021 and 23 June 2021.
- Notice of the consultation was posted on the Shire's Facebook page on 22 April 2021.

No public submissions were received, however one telephone call was received from the Corrigin Amateur Swimming Club asking for clarification on the local law and if it would affect the operation of the swimming pool in relation to the swimming club.

As required by section 3.12(3)(b) of the *Local Government Act 1995*, a copy of the proposed local law was provided to the Minister for Local Government via the Department of Local Government, Sport and Cultural Industries on 4 May 2021. No response was received.

A final version of the *Shire of Corrigin War Memorial Swimming Pool Repeal Local Law 2021* is provided as an attachment to this item.

STATUTORY ENVIRONMENT

The process for making a local law is set out in section 3.12 of the *Local Government Act 1995*.

3.12. Procedure for making local laws

- (1) *In making a local law a local government is to follow the procedure described in this section, in the sequence in which it is described.*
- (2A) *Despite subsection (1), a failure to follow the procedure described in this section does not invalidate a local law if there has been substantial compliance with the procedure.*
- (2) *At a council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.*
- (3) *The local government is to —*
 - (a) *give local public notice stating that —*
 - (i) *the local government proposes to make a local law the purpose and effect of which is summarized in the notice; and*
 - (ii) *a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and*
 - (iii) *submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given;*
 - and*
 - (b) *as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister; and*
 - (c) *provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.*

[(3a) *deleted*]

- (4) *After the last day for submissions, the local government is to consider any submissions made and may make the local law* as proposed or make a local law* that is not significantly different from what was proposed.*

** Absolute majority required.*

- (5) *After making the local law, the local government is to publish it in the Gazette and give a copy of it to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister.*
- (6) *After the local law has been published in the Gazette the local government is to give local public notice —*
 - (a) *stating the title of the local law; and*

- (b) summarizing the purpose and effect of the local law (specifying the day on which it comes into operation); and
 - (c) advising that the local law is published on the local government's official website and that copies of the local law may be inspected at or obtained from the local government's office.
- (7) The Minister may give directions to local governments requiring them to provide to the Parliament copies of local laws they have made and any explanatory or other material relating to them.
- (8) In this section —
making in relation to a local law, includes making a local law to amend the text of, or repeal, a local law.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

There are costs associated with the drafting, advertising and gazettal of the local law, estimated costs are under \$1,000.

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
4.2	Communication to the workforce and community is consistent	4.2.1	Shire communication is aligned to policy and best practice engagement standards

VOTING REQUIREMENT

Absolute Majority

COUNCIL RESOLUTION

(111/2021) Moved: Cr Mason

Seconded: Cr Coppen

That the Council:

1. Resolves to make the Shire of Corrigin War Memorial Swimming Pool Local Law 2021 and authorises the affixing of the Common Seal of the Shire to that local law.
2. Authorises the Chief Executive Officer to continue the process specified in section 3.12 of the Local Government Act 1995 to give effect to resolution one.

Carried by Absolute Majority 7/0

N Manton left the room at 3.18pm.

N Manton and H Talbot entered the room at 3.19pm.

8.2.5 LEASE AGREEMENTS WITH LOCAL SPORTING/CULTURAL GROUPS

Applicant:	Shire of Corrigin
Date:	13/04/2021
Reporting Officer:	Heather Talbot, Governance Projects Officer
Disclosure of Interest:	NIL
File Ref:	CP.0095, CS.0117, RCS.0005
Attachment Ref:	Attachment 8.2.5.1 - Signed Lease Agreement – The Corrigin Historical Society Incorporated Attachment 8.2.5.2 - Draft Lease – Corrigin Tennis Club

SUMMARY

This item seeks Council clarification and endorsement for the lease agreements with the Corrigin Historical Society Incorporated and Corrigin Tennis Club.

BACKGROUND

To improve the overall governance of the Shire, over the past eighteen months the administration have been working towards entering into lease agreements with all community organisations that currently have the use of buildings on Shire managed Crown Reserves.

The need to enter into lease agreements arose after discussions with Council auditors and insurers over the past few years as a number of community buildings within the Shire were located on crown reserves under management orders with the Shire of Corrigin. This basically meant that the auditors were requiring Council to recognise these assets on the asset register and questions then were raised as to who could insure the building and would that insurance be honoured if the legal owner was not the insurer.

The situation exposed the Shire and Minister for Lands to a number of risks and it was unclear who would be responsible for insurance, replacement or maintenance of these assets into the future. The provision of lease agreements between all organisations who have an interest over Shire managed reserve land offers the required protection of the interests of both parties and the Minister for Land as well as making it clear the responsibilities of each party into the future.

In March 2020 Council authorised the Shire administration to proceed with entering into lease agreements with a number of community organisations on reserves with the power to lease, this included the following organisations:

- Corrigin Golf Club
- Corrigin Bowling Club
- Corrigin Creative Arts Club
- Corrigin Rifle Club
- The Corrigin Practical Pistol Club; and
- The Australian Red Cross Society.

These leases have now been completed with the exception of the Australian Red Cross Society.

At the March 2020 Council meeting, Council also authorised the Chief Executive Officer to apply to the Minister for Lands for the inclusion of leasing powers up to 21 years for Reserve 22105 which is where the Tennis Club is located and Reserve 36400 on which the Historical Museum is located with the intention of then entering into lease agreements with these two organisations.

COMMENT

The Minister has since given approval for the power to lease over Reserve 22105 and Reserve 36400 and leases have been prepared similar to the other community organisation leases. The Corrigin Historical Society has already agreed to the terms and subsequently signed a lease agreement. The administration realised that authority however from Council had not been fully sought for this to proceed as the power of lease had been formally agreed to but not the entering of lease agreement, even though it was implied from the agenda item that this would occur once the power to lease had been approved.

The Tennis Club has also agreed to the terms of a lease agreement and the lease is currently with the Minister's office waiting on approval. Once approval has been received the staff will arrange for the signing of this lease agreement with the committee, Shire President and Chief Executive Officer.

This item seeks Council's endorsement before entering into the lease agreement with the Corrigin Tennis Club and to give retrospective authority to enter into the lease with the Corrigin Historical Society as per the attached lease agreements.

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 required leases is included in legal expenses in the 2021-22 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
1.4	Support local volunteer organisations through initiatives that reduce volunteer fatigue and strengthen their resilience	1.4.2	Continue to lobby the key stakeholders to ensure the necessary support is provided for volunteer services who support Corrigin

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

Absolute Majority

COUNCIL RESOLUTION

(112/2021) Moved: Cr Gilmore Seconded: Cr Mason

That Council:

- Authorises the Chief Executive Officer to enter into the following lease agreements (as attached):*
 - Portion of Reserve 22105 with the Corrigin Tennis Club*
 - Reserve 36400 and portion of Reserve 22105 with the Corrigin Historical Society Incorporated*
- Authorise the Shire President and the Chief Executive Officer to execute the relevant lease agreements and affix the common seal of the Shire of Corrigin on the relevant documents as specified above.*

Carried by Absolute Majority 7/0

Cr Gilmore and Cr Coppen declared a Proximity Interest in Item 8.2.6 as they own property across the road from the Red Cross building and left the room at 3.25pm.

8.2.6 LEASE AGREEMENTS WITH THE AUSTRALIAN RED CROSS SOCIETY

Applicant:	Shire of Corrigin
Date:	13/04/2021
Reporting Officer:	Heather Talbot, Governance Projects Officer
Disclosure of Interest:	NIL
File Ref:	CP.0095
Attachment Ref:	Attachment 8.2.6.1 - Draft Lease - Australian Red Cross Society Attachment 8.2.6.2 - Structural Engineers Report Attachment 8.2.6.3 - Exert from Minutes of the June 2016 Ordinary Council Meeting

SUMMARY

This item seeks Council clarification and endorsement for the lease agreements with the Australian Red Cross Society.

BACKGROUND

To improve the overall governance of the Shire the administration have been working towards entering into lease agreements with all community organisations that currently have the use of buildings on Shire managed Crown Reserves.

The need to enter into lease agreements arose after discussions with Council auditors and insurers over the past few years as a number of community buildings within the Shire were located on crown reserves under management orders with the Shire of Corrigin. This basically meant that the auditors were requiring Council to recognise these assets on the asset register and questions then were raised as to who could insure the building and would that insurance be honoured if the legal owner was not the insurer.

The situation exposed the Shire and Minister for Lands to a number of risks and it was unclear who would be responsible for insurance, replacement or maintenance of these assets into the future. The provision of lease agreements between all organisations who have an interest over Shire managed reserve land offers the required protection of the interests of both parties and the Minister for Land as well as making it clear the responsibilities of each party into the future.

In March 2020 Council authorised the Shire administration to proceed with entering into a new lease agreement The Australian Red Cross Society.

COMMENT

The Shire administration have been attempting to negotiate a suitable lease agreement with the Australian Red Cross Society over the past 18 months.

It has recently come to the attention of the administration that whilst Council had previously given approval for a new lease agreement to be entered into with the Australian Red Cross Society that there had been an earlier decision of Council in 2016 which was in conflict with the current lease agreement that has been prepared between the Shire and the Australian Red Cross Society.

In June 2016, the then CEO, Mr Rob Paull took the attached item to Council and the following motion was passed by Council:

That Council:

1. *Subject to CEO confirming no existing agreement is in place with regard to Department of Agriculture over Lot 523 Walton St.*
2. *In accordance with Local Government (Functions and General) Regulations 1996 regulation 30(2)(b) grant in favour of the Australian Red Cross a lease over Reserve 47959, being Lot 523 Walton Street, Corrigin structured around:*
 - a) *A twelve month lease period with a further one (1) option of twelve months at the Chief Executive Officer's discretion;*
 - b) *An annual lease payment of \$300 (excluding GST);*
 - c) *A CPI rent review clause; and*
 - d) *Provisions for maintenance, payment of all utility charges, repair of the premises.*
3. *Authorise the Shire President and the Chief Executive Officer to execute the relevant lease agreement and affix the common seal of the Shire of Corrigin on the relevant documentation as specified in point 1 above.*
4. *Request the Australian Red Cross to:*
 - a) *use all endeavours to rebuild the existing Australian Red Cross building at Lot 33 Corner of Jose and Walton Streets, Corrigin for the use by local Corrigin Australian Red Cross volunteers;*
 - b) *keep Council informed of repairs to be carried out;*
 - c) *note that the use of Reserve 47959, being Lot 523 Walton Street, Corrigin by local Corrigin Australian Red Cross volunteers is a temporary arrangement only and the Council does not guarantee the availability of the building beyond the timeframe outlined in the Lease.*

A copy of the structural engineers report is also provided which shows the extent of the repairs needed to the Australian Red Cross Society building located on the corner of Jose and Walton Streets.

At the time Council was obviously of the opinion that the lease of the Old Railway Building was very much a temporary solution to the issue and the preferred course of action was for the Australian Red Cross Society to repair the building on the corner of Walton and Jose Street for use into the future.

The previous lease agreement was not a legally correct document as the Australian Red Cross Society is essentially running a shop and therefore there is a requirement for the Shire to comply with the *Commercial Tenancy (Retail Shops) Agreement Act 1985*.

The application of the *Commercial Tenancy (Retail Shops) Agreement Act 1985* will have, amongst other things, the following implications for the Shire:

- (a) The Lease must incorporate the tenant guide. (This is already included within the draft Lease);
- (b) The Shire must provide the Lessee with a disclosure form, at least 14 days prior to signing of the Lease.
- (c) The Lease must give the Lessee the ability to assign the Lease.
- (d) The Lessee must be granted a term of 5 years.

The Australian Red Cross Society do not have to accept the five year term but it will need to be offered to them. They have indicated that they would prefer one year with a one year option. However, the Shire could offer five years as one year, plus one, plus one etc. This will enable the Society to easily terminate the lease after a year if that is what they would like to do.

The attached draft lease has been prepared on the basis of offering a one year term with four, one year options which enables the lease to be reviewed on an annual basis.

A representative of the local committee was contacted to ascertain their views on the running of the centre. Whilst they would ideally want to be operating from the old centre as the Railway Building is only a quarter of the size, they do not believe that the Australian Red Cross Society will spend the required funds to repair the building. They still believe there is a need in the community as there are very few opportunity shops in the area and no clothing shops in Corrigin.

The committee members reported that people from within Corrigin and out of town visit the shop and there are busy periods such as now when the weather has turned cold. One hundred percent of their takings go to head office so there is no allowance for maintenance costs.

The committee like all volunteer committees in Corrigin is getting older and is struggling to attract new members. A number of people also use the centre as a social meeting place and they believe this is a valuable service to the community. The current members are happy to continue on the committee operating from the current building on a year by year basis as long as they can.

It is suggested that Council proceed with entering into a lease agreement with the Australian Red Cross Society as per the attached draft lease agreement in support of the local Red Cross committee members but that the CEO advise the Australian Red Cross Society that it needs to use all endeavours to rebuild the existing Australian Red Cross building at Lot 33 on the corner of Jose and Walton Streets, Corrigin for use by the local Corrigin Australian Red Cross volunteers. Further that no new lease agreements will be entered into after this agreement expires.

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 required leases is included in legal expenses in the 2021-22 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
1.4	Support local volunteer organisations through initiatives that reduce volunteer fatigue and strengthen their resilience	1.4.2	Continue to lobby the key stakeholders to ensure the necessary support is provided for volunteer services who support Corrigin

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

Absolute Majority

COUNCIL RESOLUTION

(113/2021) Moved: Cr Mason

Seconded: Cr Dickinson

That Council:

- 1. Authorises the Chief Executive Officer to enter into a lease agreement (as per the attached agreement) with the Australian Red Cross Society for a term of one year, with four one year options.*
- 2. Authorise the Shire President and the Chief Executive Officer to execute the relevant lease agreements and affix the common seal of the Shire of Corrigin on the relevant documents as specified in point one above.*
- 3. That the Chief Executive Officer advise the Australian Red Cross Society that it needs to use all endeavours to rebuild the existing Australian Red Cross building at Lot 33 on the corner of Jose and Walton Streets, Corrigin for use by the local Corrigin Australian Red Cross volunteers. Further that no new lease agreements will be entered into after this agreement expires.*

Carried by Absolute Majority 5/0

Cr Gilmore and Cr Coppen re-entered the room at 3.30pm.

8.2.7 LOTTERYWEST BUILDING GRANT AGREEMENT – CREC

Applicant:	Shire of Corrigin
Date:	8/07/2021
Reporting Officer:	Heather Talbot, Governance Projects Officer
Disclosure of Interest:	NIL
File Ref:	GS.0011
Attachment Ref:	Attachment 8.2.7.1 - Deed of Termination Lotterywest Building Grant Agreement Attachment 8.2.7.2 - Lotterywest Building Grant Agreement Corrigin Recreation and Events Centre

SUMMARY

This item seeks Council's approval to formally execute the Deed of Termination between the Shire of Corrigin and Lotterywest Building Grant Agreement for the Corrigin Recreation and Events Centre (CREC).

BACKGROUND

In 2013 Council was successful in receiving funding of \$363,636 towards the construction of the Corrigin Recreation and Events Centre from Lotterywest. As part of the funding process at the time the Shire was required to enter into a Building Grant agreement with Lotterywest for a period of ten years. A copy of the agreement is attached.

COMMENT

Lotterywest have recently reviewed its policy towards retaining a beneficial interest in buildings purchased or renovated using grant funds. As an outcome of that review, Lotterywest has decided to relinquish its beneficial interest over the Corrigin Recreation and Events Centre.

Lotterywest has prepared a Deed of Termination for co-signing to progress the matter to finalisation.

STATUTORY ENVIRONMENT

Local Government Act 1995

9.49A. *Execution of documents*

- (1) *A document is duly executed by a local government if —*
 - (a) *the common seal of the local government is affixed to it in accordance with subsections (2) and (3); or*
 - (b) *it is signed on behalf of the local government by a person or persons authorised under subsection (4) to do so.*
- (2) *The common seal of a local government is not to be affixed to any document except as authorised by the local government.*
- (3) *The common seal of the local government is to be affixed to a document in the presence of —*
 - (a) *the mayor or president; and*
 - (b) *the CEO,**each of whom is to sign the document to attest that the common seal was so affixed.*
- (4) *A local government may, by resolution, authorise the CEO, another employee or an agent of the local government to sign documents on behalf of the local government, either generally or subject to conditions or restrictions specified in the authorisation.*
- (5) *A document executed by a person under an authority under subsection (4) is not to be regarded as a deed unless the person executes it as a deed and is permitted to do so by the authorisation.*

- (6) *A document purporting to be executed in accordance with this section is to be presumed to be duly executed unless the contrary is shown.*
- (7) *When a document is produced bearing a seal purporting to be the common seal of the local government, it is to be presumed that the seal is the common seal of the local government unless the contrary is shown.*

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

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

VOTING REQUIREMENT

Simple Majority

COUNCIL RESOLUTION

(114/2021) Moved: Cr Gilmore Seconded: Cr Jacobs

That Council authorises the execution of the Deed of Termination for the Building Grant Agreement between the Shire of Corrigin and Lotterywest for the construction of the Corrigin Recreation and Events Centre. Further that the Shire President and Chief Executive Officer are authorised to formally execute the document including the affixing of the Shire of Corrigin Common Seal.

Carried 7/0

H Talbot left the room at 3.32pm and did not return.

8.2.8 PROPOSED POLICY 2.19 PORTABLE AND ATTRACTIVE ASSETS

Applicant:	Shire of Corrigin
Date:	13/07/2021
Reporting Officer:	Kylie Caley, Deputy Chief Executive Officer
Disclosure of Interest:	NIL
File Ref:	CM.0059
Attachment Ref:	Attachment 8.2.8 – Policy 2.19 Portable and Attractive Assets

SUMMARY

This report recommends that Council review and endorse the proposed policy relating to the management of portable and attractive assets.

BACKGROUND

In 2012 the *Local Government (Financial Management) Regulations 1996* were amended to include regulation 17A which states that all non-financial assets below \$5,000 were to be excluded from the asset register.

Previously, all assets were captured in the asset register and fell under Council's policies relating to asset capitalisation and significant accounting policies and there was no requirement to have a separate policy. Now that these portable and attractive assets are no longer classed as capital and are absorbed into the operations of the Shire it is necessary to have in place guidelines to manage the risk of the items being lost, stolen or misused.

COMMENT

One of the findings from the 2020/21 interim audit was that the Shire did not currently have in place a portable and attractive assets policy or procedures to reduce the risk of misappropriation of the assets not registered on the asset register.

Currently a minor asset register is kept in order to keep track of those attractive assets below the capitalisation threshold of \$5,000. However, there are currently no specific guidelines outlining the terms and conditions relating to custody, security, use, monitoring and disposal of these minor assets. The introduction of a policy was a recommendation from the auditors to manage the risk involved with these attractive items.

STATUTORY ENVIRONMENT

Local Government (Financial Management) Regulations 1996

Regulation 17A(5) – assets to be excluded from asset register if fair value at date of acquisition is under \$5,000

Regulation 17B – CEO to take steps to protect excluded portable and attractive assets

Local Government (Audit) Regulations 1996

Regulation 17(1)(b) – CEO to review internal controls

Regulation 17(2) – review is to be undertaken at once every 3 financial years

POLICY IMPLICATIONS

Policy 2.14 Asset Accounting Capitalisation Thresholds

Policy 2.15 Significant Accounting Policies

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
4.4	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 LTTP 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

(115/2021) Moved: Cr Dickinson Seconded: Cr Gilmore

That Council adopt the policy 2.19 Portable and Attractive Assets as presented in Attachment 8.2.8.

Carried by Absolute Majority 7/0

8.2.9 FINAL ADOPTION - PROPOSED SHIRE OF CORRIGIN HERITAGE LIST

Applicant:	Shire of Corrigin
Landowner:	State of Western Australia
Location:	Corrigin Townsite
Date:	9 July 2021
Reporting Officer:	Mr Joe Douglas – Consultant Town Planner (Exurban Rural & Regional Planning)
Disclosure of Interest:	No interest to disclose
File Number:	LUP.0006
Attachment Reference:	Attachment 8.2.9 – Proposed Shire of Corrigin Heritage List

SUMMARY

This report recommends that Council finally adopt the proposed Shire of Corrigin Heritage List without modification and advise the Heritage Council of Western Australia and the affected landowner and any occupier/s accordingly.

BACKGROUND AND COMMENT

In March 2020 Council authorised the Shire Administration to proceed with preparation of a new independent, standalone Heritage List to provide for the long term protection of those buildings, places and objects in the Shire's municipal district identified in the Shire of Corrigin Local Heritage Survey 2019 as having the highest levels of cultural heritage significance (i.e. 'Grade A' places).

The proposed draft Shire of Corrigin Heritage List, prepared pursuant to Council's previous resolution in this matter, comprises a total of three (3) places all owned by the State of Western Australia that were assigned a 'Grade A' management classification in the Shire's Local Heritage Survey 2019 based on their exceptional heritage significance, integrity and conservation value (see Attachment 8.2.9).

Should Council resolve to finally adopt the proposed Heritage List, the heritage controls afforded to Council under the Shire's local planning framework will only apply to the three (3) properties included in the Heritage List and not all 197 places listed in the Shire's Local Heritage Survey 2019.

In accordance with the procedural requirements of Part 3 of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the proposed draft Heritage List was advertised for public comment in May and June 2021 for the minimum required period of 21 days. The advertising process included:

- i) Correspondence to the Lands Division of the Department of Planning, Lands and Heritage which acts on behalf of the State of Western Australia as the owner of those places proposed to be included in the Heritage List inviting feedback and comment including a description of the places and the reasons for their proposed entry;
- ii) Publication of public notices in local newsletters and the Shire's website inviting comment from the broader community; and
- iii) Display of the proposed Heritage List at the Shire Administration Centre and on the Shire's website for public view and comment.

At the completion of public advertising a total of one (1) submission had been received by the Shire. The submission, which was received from the Heritage Services division of the Department of Planning, Lands and Heritage on behalf of the State of Western Australia, advised that as all three (3) places listed in the Shire's proposed Heritage List are State Registered Places, the Department is supportive of their inclusion in the proposed Heritage List and has no further comment on the matter.

Council must now consider the submission received during public advertising and decide whether to modify or remove any place entry included in the proposed Heritage List before finally adopting it. Following Council's final resolution in this matter the Shire must then advise the Heritage Council of Western Australia and the owner and any occupier of the places included in the final adopted Heritage List.

Having regard for the outcomes from public advertising and Council's statutory obligation to identify and provide for the long term protection of those properties assigned a 'Grade A' management classification in the Shire's Local Heritage Survey 2019 for the benefit of future generations, it is recommended Council finally adopt the draft Shire of Corrigin Heritage List without modification and advise the Heritage Council of Western Australia and the owner and any occupier of the relevant properties accordingly.

STATUTORY ENVIRONMENT

Planning and Development Act 2005 (as amended)

Planning and Development (Local Planning Schemes) Regulations 2015 (as amended)

Heritage Act 2018

Shire of Corrigin Local Planning Scheme No.2

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

No immediate financial implications for the Shire aside from the administrative costs associated with preparing, advertising and adopting the proposed Heritage List which are provided for in Council's annual budget.

COMMUNITY AND STRATEGIC IMPLICATIONS

The preparation and adoption of a proposed Heritage List is considered to be consistent with the following stated objectives and outcomes in the Shire of Corrigin Strategic Community Plan 2021-2031:

- 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 by maintaining the integrity of heritage buildings within available resources and enhancing and maintaining the Shire's townscapes.*
- iii) Leadership Objective - Strong governance and leadership;*
- iv) Leadership Outcome 4.1 - A strategically focussed, dynamic Council serving the community to provide leadership, communication and active engagement with the community and undertake strategic planning and ensure legislative compliance.*

VOTING REQUIREMENT

Simple Majority

COUNCIL RESOLUTION

(116/2021) Moved: Cr Mason

Seconded: Cr Jacobs

That Council:

- i) Finally adopt the draft Shire of Corrigin Heritage List without modification having regard for the outcomes from the recent community consultation process and advise the Heritage Council of Western Australia and the owner and any occupier/s of the relevant properties accordingly; and*
- ii) Authorise the Shire Administration to publish a copy of the finally adopted version of the Shire of Corrigin Heritage List on the Shire's website pursuant to the specific requirements of clause 87 of the of the Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015.*

Carried 7/0

8.2.10 DEVELOPMENT APPLICATION – PROPOSED NEW INDUSTRIAL WORKSHOP BUILDING

Applicant:	Phoenix Building Systems
Landowner:	Co-Operative Bulk Handling Limited
Location:	Lot 500 on Deposited Plan 190194 Walton Street, Corrigin
Date:	13 July 2021
Reporting Officer:	Mr Joe Douglas – Consultant Town Planner (Exurban Rural & Regional Planning)
Disclosure of Interest:	No interest to disclose
File Number:	PA-05-2021
Attachment Reference:	Attachment 8.2.10 – Copy of Development Application

SUMMARY

This report recommends that a development application submitted by Phoenix Building Systems on behalf of Co-Operative Bulk Handling Limited (CBH) (Landowner) to construct a new 270m² workshop building at CBH's existing grain handling and storage facility on Lot 500 Walton Street, Corrigin be approved subject to conditions.

BACKGROUND

The applicant is seeking Council's development approval to construct a new 270m² steel framed and zincalume clad workshop building at CBH's existing grain handling and storage facility on Lot 500 Walton Street, Corrigin for mobile equipment maintenance purposes.

A complete copy of the development application is provided in Attachment 8.2.10.

Lot 500 is an irregular shaped lot located in the south-western part of the Corrigin townsite immediately west of the town's designated industrial area. The subject land comprises a total area of approximately 6.599 hectares and has direct frontage and access to Walton Street along a portion of its eastern boundary which is a sealed and drained local road under the care, control and management of the Shire.

The property has been extensively developed and used by CBH for industrial purposes and contains a number of improvements associated with the company's existing grain handling and storage facilities including grain storage bins, sheds, office, weighbridge, vehicle accessways etc.

Whilst Lot 500 is not subject to inundation or flooding, it has been designated by the Fire and Emergency Services Commissioner as being bushfire prone, including that portion of the land where the new workshop building is proposed to be constructed.

Under the terms of the information and plans submitted in support of the application the following is proposed:

- i) Removal of one (1) existing medium sized tree and construction of a level gravel pad in the southern portion of Lot 500 in close proximity to the main entry to the facility and immediately east of an existing workshop building and site office to accommodate the proposed new workshop building;
- ii) Construction of a new 18 metre long, 15 metre wide and 6.32 metre high steel framed and zincalume clad workshop building on the gravel pad referred to in point i) above;
- iii) Construction of a 90m² covered area on the south side of the proposed new workshop building adjacent to its main entry doors which will be integrated with the workshop building using the same construction materials;
- iv) Installation of a suitable capacity rainwater tank adjacent to the new workshop building for

- stormwater drainage management purposes;
- v) Vehicle access to/from the new workshop building via the existing sealed and drained driveway entry immediately south and compacted gravel accessway; and
- vi) Use of the new workshop building by CBH staff from 7am to 3:30pm Monday to Friday; and
- vii) Ongoing maintenance of existing boundary fire breaks and a proposed 14 metre wide asset protection zone from all elevations of the proposed workshop building and covered area in accordance with the recommendations contained in a Bushfire Management Statement submitted in support of the application.

COMMENT

Lot 500 is classified 'Industrial' zone under the Shire of Corrigin Local Planning Scheme No.2 (LPS2).

The current approved use of the land for grain handling and storage purposes is most appropriately defined in Part 6 of LPS2 as 'Industry'. Under the terms of the Zoning Table in LPS2 the development and use of any land classified 'Industrial' zone for the purposes of 'Industry' is classified as being permitted (i.e. a 'P' use).

The subject land is also located within the designated boundaries of the Special Control Area associated with the Corrigin townsite's wastewater treatment plant buffer, the purpose of which is to ensure any future development and use of land located within the buffer is compatible with any existing or future possible development and use of the wastewater treatment plant.

Assessment of the application in the context of the specific requirements of the Shire of Corrigin Local Planning Scheme No.2 and the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* has confirmed the proposed development is compliant with all relevant objectives and standards and is unlikely to have a negative impact on the amenity, character functionality and safety of the immediate locality provided it is implemented in accordance with the information and plans submitted in support of the application.

The Water Corporation has also confirmed, given the nature of the existing development and use of Lot 500, the proposed development is acceptable but will require approval from the Water Corporation's Building Services section which is a standard requirement.

In light of the above findings it is recommended Council exercise its discretion and grant conditional approval to the 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

Nil

PUBLIC CONSULTATION

Not required or deemed necessary.

FINANCIAL IMPLICATIONS

No 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 CBH.

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, which is considered highly unlikely in this particular instance, the Shire would need to respond. The cost to respond to an appeal cannot be determined at this preliminary stage but could be expected, based on the recent experience of other local government authorities in Western Australia, to range anywhere from \$5,000 to \$60,000 excluding GST depending upon how far the matter proceeds through the review process.

STRATEGIC IMPLICATIONS

The proposal for Lot 500 is considered to be consistent with the following stated objectives and outcomes in the Shire of Corrigin Strategic Community Plan 2021-2031:

- v) Economic Objective - A strong, diverse economy supporting agriculture, local business and attracting new industry;*
- vi) Economic Outcome 1.3 - Well supported diverse industry and business;*
- vii) Environment Objective - An attractive natural and built environment for the benefit of current and future generations;*
- viii) Environment Outcome 2.2 – A well-managed built environment.*

VOTING REQUIREMENTS

Simple majority

COUNCIL RESOLUTION

(117/2021) Moved: Cr Coppen Seconded: Cr Weguelin

That Council **APPROVE** the development application submitted by Phoenix Building Systems on behalf of Co-Operative Bulk Handling Limited (CBH) (Landowner) to construct a new 270m² workshop building at CBH's existing grain handling and storage facility on Lot 500 Walton 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. A fourteen (14) metre wide asset protection zone from all elevations of the proposed workshop building and covered area shall be established prior to occupation and use of the building in accordance with the recommendations and guidelines contained in the Bushfire Management Statement submitted in support of the application and maintained thereafter in perpetuity until the building is removed from the land in its entirety.*
- 5. The proposed new rainwater tank adjacent to the new workshop building for stormwater drainage management purposes shall be installed prior to occupation and use of the building and have a suitable capacity to contain all stormwater flows during extreme storm events.*

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. To confirm the Shire's requirements in this regard please contact the Shire's Building Surveyor Mr Peter Hulme on 0402 232 264 or peter.hulme@kalamunda.wa.gov.au.*
4. *The proposed workshop building 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 required building permit application.*
5. *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.*
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 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.*

Carried 0/0

COUNCIL RESOLUTION

(118/2021) Moved: Cr Mason

Seconded: Cr Weguelin

That Council allow a late item.

Carried 7/0

Cr Hickey, Cr Jacobs and N Manton declared a Financial Interest in items 8.2.10 and 8.2.11 after item 8.2.10 as soon as they realised that they held shares in the Cooperative.

Cr Hickey and Cr Jacobs left the room at 3.42pm. N Manton is not involved in the decision and therefore remained in the room.

Cr Weguelin assumed the role of the Chairperson.

**8.2.11 REQUEST FOR EXEMPTION TO REQUIREMENT FOR DEVELOPMENT
APPROVAL – PROPOSED EMERGENCY GRAIN STORAGE INFRASTRUCTURE**

Applicant:	Co-Operative Bulk Handling Limited
Landowner:	Co-Operative Bulk Handling Limited
Location:	Lot 20 on DP 41206 & Lot 21 (No.70) Corrigin South Road, Corrigin
Date:	16 July 2021
Reporting Officer:	Mr Joe Douglas – Consultant Town Planner (Exurban Rural & Regional Planning)
Disclosure of Interest:	No interest to disclose
File Number:	PA 04-2021
Attachment Reference:	Attachment 8.2.11 – Copy of Submission

SUMMARY

This report recommends that Council resolve to support a written request from Co-Operative Bulk Handling Limited (CBH) (Landowner) to waive the requirement for development approval for the temporary construction and use of emergency grain storage infrastructure on Lot 20 on DP 41206 and Lot 21 (No.70) Corrigin South Road, Corrigin.

BACKGROUND AND COMMENT

CBH have submitted a written request to the Shire seeking approval to an exemption to the need for Council's development approval for the temporary construction and use of emergency grain storage infrastructure on Lot 20 on DP 41206 and Lot 21 (No.70) Corrigin South Road, Corrigin for a period of twelve (12) months.



Location & Lot Configuration Plan (Source: Landgate 2021)

With the highly favourable growing conditions in the Wheatbelt region this season, CBH are expecting a record breaking harvest at the end of the year and require additional storage infrastructure across many of its grain handling and receival facilities to accommodate the high volumes of grain, including its facility in Corrigin.

Due to changes made to the Shire's Local Planning Scheme No.2 in 2017 to align it with the requirements of the *Planning and Development (Local Planning Schemes) Regulations 2015*, there are some legal complexities and uncertainty surrounding land use permissibility and Council's ability to issue development approval for the proposed emergency grain storage infrastructure on Lots 20 and 21 in a timely manner. As such, there is concern Council will not be able to issue development approval until September and possibly October 2021 which leaves little time for CBH to finalise detailed engineering design drawings and procure contractors to undertake and complete the required construction works in readiness for this year's harvest which usually commences at the beginning of November each year.

It is important to note CBH are currently planning a large scale expansion of its grain handling and storage facilities on Lots 20 and 21 to accommodate its long term needs. A significant amount of planning has already been completed with CBH committed to ensuring all necessary regulatory approvals are sought and obtained. This will however take a bit of time with the proposed works unlikely to be completed in time for this year's harvest. As such, CBH are proposing to undertake smaller scale temporary works on both lots to provide additional grain storage infrastructure to meet the anticipated demand and satisfy grower needs.

Clause 61 of the Planning and Development (Local Planning Schemes) Regulations 2015 provides an exemption to the need for development approval for temporary works and uses where they are in existence for less than 48 hours, or a longer period agreed by a local government, in any twelve (12) month period.

Having regard for:

- i) CBH's future long term intentions for Lots 20 and 21 and their demonstrated commitment

to ensuring all necessary regulatory approvals are sought and obtained to develop and use the land for grain handling and storage purposes;

- ii) The relatively small scale of the proposed temporary works and use of Lots 20 and 21 for emergency storage purposes to accommodate the anticipated demand arising from this year's grain harvest which will be of significant benefit to local growers;
- iii) The minimal impact the proposed temporary works and use of Lots 20 and 21 will have on the natural environment and rural amenity of the immediate locality given the land's location and physical characteristics; and
- iv) The findings from a recent Traffic Impact Statement prepared by suitably qualified engineers which confirms:
 - a) the estimated additional heavy vehicle traffic volumes to be generated by the proposed development can be accommodated within the capacity of the adjacent road network;
 - b) the additional heavy vehicle traffic generated by the proposed development is unlikely to increase the likelihood of vehicle crashes to unacceptable levels;
 - c) the sealed widths of the surrounding road are equal to or above the minimum road width for their relative restricted access vehicle (RAV) categories; and
 - d) safer intersection sight distances and heavy vehicle turning movements can be achieved at the existing main entry point to CBH's entire facility as part of the proposed development by removing some trees to the south of the main entry or modifying the speed zone on Corrigin South Road and undertaking minor widening works at the main entry point, all of which will need to be approved by the Department of Water and Environmental Regulation, Main Roads WA and the Shire through separate regulatory processes,

it is recommended that Council support CBH's request for an exemption to the need for development approval in this particular instance.

In relation to the legal complexities and uncertainty surrounding land use permissibility and Council's ability to issue development approval for the larger scale development of Lots 20 and 21 proposed by CBH following this year's harvest season to build and expand upon the temporary works the subject of this report, Council should note the reporting officer is currently liaising with CBH, its town planning consultant and the Department of Planning, Lands and Heritage to find a pathway forward that ensures any final determination by Council is legally robust and cannot be challenged.

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

Nil

PUBLIC CONSULTATION

Not required or deemed necessary.

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 CBH.

STRATEGIC IMPLICATIONS

The proposal for Lots 20 and 21 is considered to be consistent with the following stated objectives and outcomes in the Shire of Corrigin Strategic Community Plan 2017-2027:

- ix) Economic Objective - A strong, diverse economy supporting agriculture, local business and attracting new industry;*
- x) Economic Outcome 1.3 - Well supported diverse industry and business;*
- xi) Environment Objective - An attractive natural and built environment for the benefit of current and future generations;*
- xii) Environment Outcome 2.2 – A well-managed built environment.*
- xiii) Leadership Objective - Strong governance and leadership;*
- xiv) Leadership Outcome 4.1 - A strategically focussed, dynamic Council serving the community.*

VOTING REQUIREMENTS

Simple majority

COUNCIL RESOLUTION

(119/2021) Moved: CR Gilmore Seconded: Cr Mason

That Council support and approve Co-Operative Bulk Handling Limited's request to waive the requirement for development approval for the temporary construction and use of emergency grain storage infrastructure on Lot 20 on DP 41206 and Lot 21 (No.70) Corrigin South Road, Corrigin for a 12 month period from the date of Council's decision.

Carried 5/0

Cr Hickey and Cr Jacobs re-entered the room at 3.44pm.

Cr Hickey resumed the role of Chairperson.

9 CHIEF EXECUTIVE OFFICER REPORT

Thank you to the group of 45 volunteers who came together on Sunday 27 June 2021 at Gorge Rock to clean up the walk trail around the base of Gorge Rock. The group was split into smaller groups who each worked on different sections of the trail and the area is looking much more appealing for future visitors to the site.

After the trail was cleared the volunteers enjoyed a sausage sizzle and a hot drink.

The day was an excellent example of the wonderful community spirit and was a credit to Tayla Bryant and the team at the Corrigin Community Resource Centre for organising such a great day.

Following this work, the Shire will develop the trail by installing bollards along the walkway and information signage for visitors to the area. This is all possible through the State NRM (Natural Resources Management Program) Community Stewardship Grants Program.

10 PRESIDENT'S REPORT

The President thanked the Corrigin Resource Centre (CRC) staff for their efforts in cleaning up Gorge Rock and the activities held for the kids over school holidays. It is great to see so much positive community feedback about the event.

The President attended a webinar on the South West Native Title Settlement and provided an update to elected members.

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 17 August 2021 at 3.00pm.

16 MEETING CLOSURE

The President, Cr Des Hickey closed the meeting at 4.07pm and thanked Cr Bryan Hotham of the Shire of Pingelly for attending the meeting.

President: _____ Date: _____