



AGENDA

ORDINARY COUNCIL MEETING
16 August 2022

Notice of Meeting

The next Ordinary Council Meeting for the Shire of Corrigin will be held on Tuesday 16 August 2022 in the Council Chambers, 9 Lynch Street, Corrigin commencing at 3.00pm.

Order of Business

12.30am – 1.00pm	Lunch
1.00pm – 2.30pm	Discussion Forum Telstra Presentation from Boyd Brown 1pm NBN Presentation from Katina Bowie 2pm
2.30pm – 3.00pm	Afternoon Tea
3.00pm	Council Meeting

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



Natalie Manton
Chief Executive Officer
11 August 2022

Disclaimer:

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

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1. DECLARATION OF OPENING

2. ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

3. PUBLIC QUESTION TIME

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

Questions and statements are to be –

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

4. MEMORIALS

The Shire have been advised that Angelina (Anne) Boon has passed away since the last meeting.

5. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

NIL

6. DECLARATIONS OF INTEREST

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

7. CONFIRMATION OF MINUTES

7.1. PREVIOUS COUNCIL MEETING AND BUSINESS ARISING FROM MINUTES

7.1.1. ORDINARY COUNCIL MEETING

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

OFFICER'S RECOMMENDATION

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

7.2. COMMITTEE MEETINGS AND BUSINESS ARISING FROM MINUTES

7.2.1. LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING

Minutes of the Shire of Corrigin Local Emergency Management Committee Meeting held on Monday 8 August 2022 (Attachment 7.2.1).

OFFICER'S RECOMMENDATION

That the Minutes of the Shire of Corrigin Local Emergency Management Committee Meeting held on Monday 8 August 2022 (Attachment 7.2.1) be confirmed as a true and correct record.

8. MATTERS REQUIRING A COUNCIL DECISION

8.1. CORPORATE AND COMMUNITY SERVICES REPORTS

8.1.1. ACCOUNTS FOR PAYMENT

Applicant:	Shire of Corrigin
Date:	08/08/2022
Reporting Officer:	Tanya Ludlow, Finance / Human Resources Officer
Disclosure of Interest:	NIL
File Number:	FM.0036
Attachment Ref:	Attachment 8.1.1 – Accounts for Payment – July 2022

SUMMARY

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

BACKGROUND

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

COMMENT

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

After payment of the following cheque, EFT and Direct Debit payments, the balance of creditors will be \$334,550.97.

Bank Account	Payment Type	Reference	Amount	Total
Municipal	EFT	17687 - 17750,		
		17753 - 17755	\$363,753.60	
	Cheque	020761 - 020768	\$5,310.02	
	Direct Debit	July 2022	\$33,356.34	
	Payroll	July 2022	\$132,352.43	\$534,772.39
Trust	EFT	17751 - 17752	\$40.40	
	Cheque	No Payments	\$0.00	
	Direct Debit	No Payments	\$0.00	\$40.40
Licensing Trust	EFT	No Payments	\$0.00	
	Direct Debit	July 2022	\$36,328.30	\$36,328.30
Edna Stevenson	EFT	No Payments	\$0.00	
	Cheque	No Payments	\$0.00	
	Direct Debit	No Payments	\$0.00	\$0.00
Total Payments for the Month of July 2022				\$571,141.09

Previous Accounts for Payment report

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

Bank Account	Payment Type	Last Number	First Number in Report
Municipal, Trust, ES Trust and Licensing	EFT	EFT17686	EFT17687
Municipal	Cheque	020760	020761
Trust	Cheque	003392	No Payments
Edna Stevenson	Cheque	000065	No Payments

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

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

Policy 2.7 – Purchasing Policy

FINANCIAL IMPLICATIONS

Expenditure in accordance with the 2022 / 2023 Annual Budget.

COMMUNITY AND STRATEGIC OBJECTIVES

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

Objective: Governance and Leadership
 Strong Governance and leadership

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

VOTING REQUIREMENT

Simple Majority

OFFICER’S RECOMMENDATION

That Council reviews the list of accounts paid and acknowledges that payments totalling \$571,141.09 have been made during the month of July 2022.

8.1.2. ACCOUNTS FOR PAYMENT – CREDIT CARDS

Applicant:	Shire of Corrigin
Date:	05/08/2022
Reporting Officer:	Kylie Caley, Deputy Chief Executive Officer
Disclosure of Interest:	NIL
File Number:	FM.0036
Attachment Ref:	Attachment 8.1.2 – Accounts for Payment – Credit Cards

SUMMARY

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

BACKGROUND

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

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

COMMENT

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

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

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

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

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

Policy 2.9 – Purchasing Policy
Policy 2.16 - Corporate Credit Cards

FINANCIAL IMPLICATIONS

Expenditure in accordance with the 2021/2022 Annual Budget.

COMMUNITY AND STRATEGIC OBJECTIVES

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

Objective: Governance and Leadership
Strong Governance and Leadership

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

VOTING REQUIREMENT

Simple Majority

OFFICER’S RECOMMENDATION

That Council endorse credit card payments for the period 28 May 2022 to 28 June 2022 for \$2,842.38 in accordance with Attachment 8.1.2

8.1.3. MONTHLY FINANCIAL REPORTS

Applicant:	Shire of Corrigin
Date:	09/08/2022
Reporting Officer:	Kylie Caley, Deputy Chief Executive Officer
Disclosure of Interest:	Nil
File Number:	FM.0037
Attachment Ref:	Attachment 8.1.3.1 – Monthly Financial Statements for the period ending 30 June 2022 Attachment 8.3.1.2 – Monthly Financial Statements for the period 31 July 2022

SUMMARY

This report provides Council with the monthly financial reports for the month ending 30 June 2022 and for the month ending 31 July 2022.

BACKGROUND

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

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

COMMENT

Further information on the June and July financial positions is in the variance report included in the monthly financial reports.

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

Expenditure in accordance with the 2021/22 and 2022/23 Annual Budgets.

COMMUNITY AND STRATEGIC OBJECTIVES

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

Objective: Governance and Leadership

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

VOTING REQUIREMENT

Simple Majority

OFFICER’S RECOMMENDATION

That Council:

1. *Accept the Statement of Financial Activity for the month ending 30 June 2022 as presented, along with notes of any material variances.*
2. *Accept the Statement of Financial Activity for the month ending 31 July 2022 as presented, along with notes of any material variances.*

8.2. GOVERNANCE AND COMPLIANCE

8.2.1. DEVELOPMENT APPLICATION – VARIOUS PROPOSED UPGRADES AND ADDITIONS TO THE CORRIGIN SPEEDWAY

Applicant:	Australian Speedway Drivers and Riders Association Inc. Pty Ltd
Landowner:	State of Western Australia with Management Order issued to the Shire of Corrigin
Location:	Lot 134 on Deposited Plan 77618 being Crown Reserve 15804 Dry Well Road (cnr Woglin Street), Corrigin
Reporting Officer:	Mr Joe Douglas, Consultant Town Planner (Exurban Rural & Regional Planning)
Date:	10/08/2022
Disclosure of Interest:	The reporting officer acted on behalf of the applicant to secure Council's development approval for the same project back in 2012 when he was not engaged by the Shire on a contract basis. The reporting officer has not provided any further advice or assistance to the applicant since the original application was approved (i.e. all contractual obligations ceased in 2012 following the issuance of approval).
File Number:	A703
Attachment Ref:	Attachment 8.2.1 – Application for Development Approval

SUMMARY

This report recommends that Council grant conditional approval to a development application received from the Australian Speedway Drivers & Riders Association Inc. Pty Ltd for various proposed upgrades and additions to the existing speedway facility on Lot 134 on Deposited Plan 77618 being Crown Reserve 15804 Dry Well Road, Corrigin.

BACKGROUND

The Australian Speedway Drivers & Riders Association Inc. Pty Ltd has submitted a development application under the authority of the Shire of Corrigin in its capacity as the authorised Management Body on behalf of the State of Western Australia (Landowner) seeking Council's approval to undertake the following upgrades and additions to the existing speedway facility on Lot 134 on Deposited Plan 77618 being Crown Reserve 15804 Dry Well Road, Corrigin:

- i) Erection of new barrier fencing around the existing buildings (i.e. clubrooms / canteen and toilet block) for security purposes;
- ii) Erection of new safety barriers and associated gates around the boundaries of the existing speedway track;
- iii) Additions to the existing toilet facilities to accommodate disabled persons;
- iv) Installation of new lighting to provide opportunity for night meetings (i.e. 6.00pm to 11.00pm);
- v) Installation of two (2) refurbished, second-hand transportable buildings (i.e. dongas) in the pit area to provide an executive office for management / operational purposes, new toilet facilities for competitors and a new ambulance / first aid station; and
- vi) Construction of a new gravel car parking area in the south-western portion of the site to accommodate spectators.

A full copy of the development application received, including supporting documentation and plans, is provided in Attachment 8.2.1.

In April 2012 Council considered and granted conditional development approval to the Australian Speedway Drivers & Riders Association Inc. Pty Ltd for all the upgrades and additions proposed in this latest application (i.e. no changes are proposed to what was originally proposed and

approved in 2012). For various reasons the applicant was unable to substantially commence any of the proposed works within the twelve (12) month approval timeframe. In order to proceed with the proposed works a new development application and approval is now required.

Reserve 15804 is located on the north-western edge of the Corrigin townsite and comprises a total area of approximately 63.2444 hectares. The reserve is the subject of a Management Order issued in favour of the Shire with powers to lease for up to 21 years subject to approval by the Minister for Lands. It is understood the applicant is the beneficiary of an approved lease agreement with the Shire for a period of ten (10) years which is due to expire in September 2022 with discussion regarding renewal or extension currently in progress.



Location Plan (Source: Landgate 2022)

The subject land has direct frontage and access to Dry Well Road along its western and southern boundaries and unconstructed road reserves along its eastern and northern boundaries, all of which are local roads under the care, control and management of the Shire. It is significant to note Dry Well Road is a sealed and drained local road which provides the primary points of access to/from the property.

By virtue of its location in the Corrigin townsite, the subject land is served by or located in close proximity to overhead power, stormwater drainage and telecommunications infrastructure. The land is not however served by reticulated sewerage disposal or water supply infrastructure. As such, all existing and future development on the land needs to be served by on-site wastewater disposal infrastructure (i.e. septic tanks and leach drains or alternative treatment units) and suitable capacity water storage tanks.

Reserve 15804 is gently sloping throughout and has been extensively developed for public recreation purposes. Key improvements include an 18 hole golf course which covers the majority portion of the land and the Corrigin Speedway track and associated facilities in its south-western corner.

Whilst the land has been extensively cleared to accommodate all the existing uses and associated improvements, there are significant stands of native vegetation throughout which have been retained for conservation, land management and general amenity purposes.

Existing adjoining and other nearby land uses are varied and broadly described as follows:

- North – Extensive Agriculture (i.e. broadacre cropping and grazing);
- South – Public Recreation, Railway Purposes and Government Requirements reserves on the opposite side of Dry Well Road with rural living type development beyond;
- East – An unnamed, unconstructed road reserve and railway corridor with vacant Crown land and low density residential development beyond; and
- West – Extensive Agriculture (i.e. broadacre cropping and grazing).

That portion of the land where the development is proposed to be undertaken is not identified in the Shire's latest updated Local Heritage Inventory as being of cultural heritage significance and is not subject to inundation or flooding during extreme storm events. It has however been designated by the Fire and Emergency Services Commissioner as being bushfire prone.

COMMENT

Reserve 15804 is classified 'Public Open Space' reserve under the Shire of Corrigin Local Planning Scheme No.2 (LPS2).

Council's stated objectives for the development of any land classified 'Public Open Space' reserve are as follows:

- i) To provide for formal and structured recreational activities and sporting facilities that are deemed appropriate to service surrounding residents;
- ii) To provide for passive recreational uses, parklands, amenities and buffer areas that are deemed appropriate for use and enjoyment by surrounding residents; and
- iii) To provide for drainage purposes in a park setting.

The development proposal submitted by Australian Speedway Drivers & Riders Association Inc. Pty Ltd is consistent with objective i) above and builds upon previous approvals granted by Council for the development and use of the land for motorsport related purposes. As such, the proposed development has scope to be approved by Council subject to any conditions considered appropriate provided they have a town planning related purpose.

The application has been assessed with due regard for the specific objectives and standards of the Shire's local planning framework including LPS2 and the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This assessment has confirmed the proposal is generally compliant or capable of compliance with the following relevant requirements:

- Land capability and suitability;
- Land use compatibility including buffer separation distance requirements;
- Preservation of local amenity, natural environmental features, drainage patterns and catchments;
- Minimisation of possible risks to human health and/or safety;
- Vehicle access and parking; and
- Bushfire and stormwater drainage management.

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

1. EPA Guidance Statement No.3 – Separation Distances between Industrial and Sensitive Land Uses

The Environmental Protection Authority's Guidance Statement No.3 provides advice and recommendations regarding generic separation distances between specific industry types and sensitive land uses to avoid or minimise the potential for future land use conflicts.

Under the terms of Appendix 1 of Guidance Statement No.3 there is no recommended buffer distance between 'raceways for motor vehicles' (i.e. speedways and drag strips) and sensitive land uses (i.e. residential development). As such suitable buffer distances between these uses are required to be determined on a case-by-case basis having regard for the nature and scale of the proposed motor vehicle raceway and its potential external impacts which are identified in the guidelines as being predominantly noise and dust.

Having regard for the existing EPA endorsed buffer surrounding the Narrogin Speedway on the fringes of the Narrogin townsite, it is contended that a minimum separation distance of 500 metres between the Corrigin Speedway and any existing or proposed sensitive land uses should be achieved.

It is noted from a review of the current zoning classifications applicable to all land surrounding the Corrigin Speedway facility and the nature of all existing and future possible development within this area that a 500 metre buffer does in fact exist and can be maintained in the long term future. Notwithstanding this fact it is acknowledged that the 500 metre buffer does encroach slightly upon three (3) existing rural living lots located immediately south of the Corrigin Speedway being:

- i) Lot 182 (No.15) Woglin Street, Corrigin which is currently vacant Crown land not being used for any specific purpose/s;
- ii) Lot 190 (No.41) Talbot Street, Corrigin which contains an existing single detached dwelling and ancillary outbuildings; and
- iii) Lot 191 (No.51) Talbot Street, Corrigin which also contains an existing single detached dwelling and ancillary outbuildings.

Whilst the abovementioned properties are located within the 500 metre buffer it is significant to note they are situated on the outer fringe of the buffer area and are to some extent shielded by the large stands of native vegetation on Reserve 32017 which are unlikely to be cleared in the long term future due to the significant constraints and costs associated with the clearing permit approval process and the EPA's position statement which discourages the clearing of native remnant vegetation in rural areas of the State. Previous consultation with these landowners also confirmed they have no objections to the proposed development.

2. Potential Bushfire Risk and Mitigation Measures

As previously mentioned the subject land has been designated by the Fire and Emergency Services Commissioner as being bushfire prone. As such Council is required to consider the potential bushfire risk and determine if there's a need to apply the provisions of State Planning Policy 3.7 and associated guidelines to avoid or minimise the risk.

Given the Corrigin Speedway has been in existence for many years and the development proposal simply involves minor renovations, repairs and upgrades to the existing improvements as well as the placement and use of structures on the land that are not habitable and will not involve the occupation of employees on site for more than three (3) hours at a time for multiple periods during any given week, it is contended there's no need to strictly apply the provisions of State Planning Policy 3.7 and the associated guidelines when considering and determining the application. This conclusion is consistent with the guidance provided in the latest Guidelines for Planning in Bushfire Prone Areas and advice received from the Department of Fire and Emergency Services during the assessment process.

Notwithstanding this conclusion, Council should note the following key points:

- i) The subject land is located in close proximity to key emergency services and is easily accessible via the local road network in the event of a major bushfire event;
- ii) The subject land has been parkland cleared with a relatively small amount of native vegetation remaining within the areas comprising the speedway facility;
- iii) The Shire, in its capacity as the manager of the land on behalf of the State of Western Australia, has an ongoing obligation to maintain all existing firebreaks along the land's boundaries in accordance with the Shire's annual firebreak notice to help mitigate the potential bushfire risk; and
- iv) The applicant can and should be required as a condition of development approval to undertake the following prior to use of the facility for the intended purpose:
 - Remove all combustible, dead vegetation matter within ten (10) metres of all existing and proposed buildings and maintain this area on a regular basis to ensure the fine fuel load is less than 2 tonnes per hectare;
 - Remove all tree branches and shrubs within three (3) metres of all existing and proposed buildings and maintain this area on a regular basis to avoid any regrowth;
 - Provide an above-ground water tank and associated stand constructed of non-combustible material in an unobstructed location on the land that is easily accessible by emergency vehicles. The water tank shall comprise a minimum storage capacity of 10,000 litres and be fitted with a metal 50mm male camlock coupling with full flow valve; and
 - Prepare and submit an Events Management Plan for consideration and approval by the Shire including details of all proposed emergency evacuation measures and procedures.

It is the reporting officer's view the existing arrangements in terms of access to key essential services as well as the suite of requirements outlined above should be sufficient to minimise the future potential bushfire risk and ensure the bushfire hazard can be suitably managed to avoid and minimise any increase in the threat of bushfire to people, property and infrastructure. It will also save the applicant approximately \$10,000 to \$12,000 in terms of bushfire planning consultancy fees to prepare a bushfire attack level (BAL) assessment, bushfire management plan and bushfire emergency evacuation plan which is a significant and

unnecessary cost impost that may impede their ability and desire to proceed with the proposed development.

3. Potential Public Safety Risk and Mitigation Measures

Council should note the applicant is required, pursuant to the WA Speedway Safety Governance Framework, to do the following:

- i) Maintain affiliation with the WA Speedway Commission on a yearly basis;
- ii) Make application to the WA Speedway Commission on a yearly basis to license and operate the Corrigin Speedway facility which includes the requirement to undergo a safety and grading assessment, provide a Risk Management or Event Management Plan as well as evidence of a suitable public liability insurance policy;
- iii) Regularly check the condition of all safety barriers, undertake maintenance and ensure the entire venue is safe to operate as a speedway racing venue in accordance with all regulatory standards and requirements; and
- iv) Make application to the WA Speedway Commission for an Event Permit for all events to be held at the venue, including Club practice / demonstrations, Club meetings, State or National Title events and other major events or series, and provide details of all personnel involved in conducting events, public liability insurance arrangements and all relevant emergency provisions and contact details.

As the licensing and events approval process is both rigorous and thorough, it is reasonable to conclude the facility will be constructed, maintained and operated in safe and professional manner at all times with minimal risk to the health and well-being of competitors, spectators, officials, volunteers and emergency personnel.

In light of the above findings, it is concluded the development proposal for Reserve 15804 is acceptable and unlikely to have any negative impact on the general amenity, character, functionality and safety of the immediate locality. As such, it is recommended Council exercise its discretion and grant conditional approval to the application to ensure the proposed development proceeds in a proper and orderly manner.

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

State Planning Policy 3.7 – Planning in Bushfire Prone Areas
State Planning Policy 4.1 – Industrial Interface
Environmental Protection Authority Guidance Statement No.3 - Separation Distances between Industrial and Sensitive Land Uses

PUBLIC CONSULTATION

Public advertising of the application was not required or deemed necessary. The application was however referred to the Department of Fire and Emergency Services for review and comment with no objections or concerns raised by that agency.

FINANCIAL IMPLICATIONS

There are 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 the applicant.

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

COMMUNITY AND STRATEGIC OBJECTIVES

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

Objective: Social

An effectively serviced, inclusive and resilient community.

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

Objective: Economic

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

Strategic Community Plan		Corporate Business Plan	
Outcome	Strategies	Action No.	Actions
2.2	Coordinated planning and promotion of the visitor and tourist experience.	2.2.4	Promote and support local events with emphases on events that deliver increased visitation.

Objective: Environment

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

Strategic Community Plan		Corporate Business Plan	
Outcome	Strategies	Action No.	Actions
3.2	Parks, gardens, recreational and social spaces are safe and encourage active, engaged and healthy lifestyles.	3.2.3	Work with local sport and recreation clubs to plan sport and recreation facility upgrades in a cohesive and coordinated manner.

VOTING REQUIREMENT

Simple Majority

OFFICER’S RECOMMENDATION

That Council **APPROVE** the development application submitted by the Australian Speedway Drivers & Riders Association Inc. Pty Ltd for various proposed upgrades and additions to the existing speedway facility on Lot 134 on Deposited Plan 77618 being Crown Reserve 15804 Dry Well Road, 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 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. *No events shall be held on the land until the following has been completed:*
 - i) *All combustible, dead vegetation matter within ten (10) metres of all existing and proposed buildings associated with the speedway facility is removed;*
 - ii) *All tree branches and shrubs within three (3) metres of all existing and proposed buildings associated with the speedway facility are removed;*
 - iii) *An above-ground water tank and associated stand constructed of non-combustible material is provided in an unobstructed location on the land in close proximity to the speedway facility that is easily accessible by emergency vehicles. The water tank shall comprise a minimum storage capacity of 10,000 litres and be fitted with a metal 50mm male camlock coupling with full flow valve;*
 - iv) *The existing toilet block and associated effluent disposal facility have been upgraded as may be required to the specifications and satisfaction of the Shire's Environmental Health Officer or the Department of Health's Executive Director of Public Health;*
 - v) *An Events Management Plan has been prepared, submitted to and approved by the Shire's Chief Executive Officer including details of all proposed emergency evacuation measures and procedures; and*
 - vi) *A copy of a Track Licence issued by the WA Speedway Commission and a certificate of currency for public liability insurance from an accredited insurance provider is submitted to the Shire's Chief Executive Officer upon approval / inception and annually thereafter.*
5. *The applicant shall ensure all land within ten (10) metres of all existing and proposed buildings associated with the speedway facility is maintained on a regular basis to ensure the fine fuel load is less than 2 tonnes per hectare.*
6. *The applicant shall ensure all land within three (3) metres of all existing and proposed buildings associated with the speedway facility is maintained on a regular basis to avoid any regrowth of any tree branches, shrubs, grasses or weeds.*
7. *All external defects on any second-hand buildings / structures to be placed / constructed on the land shall be rectified to the specifications and satisfaction of the Shire's Chief Executive Officer in consultation with the Shire's Building Surveyor prior to occupancy and use.*
8. *The external surfaces of any second-hand buildings / structures to be placed / constructed on the land shall comprise colours that complement the natural landscape and other built form improvements on the land.*
9. *The sub-floor area of any transportable buildings / structures to be placed on the land shall be enclosed with brick, stone or vermin proof battens prior to occupancy unless otherwise approved by the Shire's Chief Executive Officer in consultation with the Shire's Building Surveyor and Environmental Health Officer.*
10. *The placement and use of one or more sea containers on the land is not permitted unless otherwise approved by the Shire's Chief Executive Officer in consultation with the Shire's Building Surveyor.*
11. *All on-site parking bays shall be designed and laid out generally in accordance with the minimum specifications set out in Schedule 2 of the Shire of Corrigin Local Planning Scheme No.2.*
12. *Any floodlights / security lights proposed to be installed are not to be positioned or operated in such manner as to cause the light source to be directly visible to the travelling public or adjoining properties or cause annoyance to the surrounding area.*
13. *All reasonable steps shall be taken to ensure any dust emanating from the site during*

construction is limited insofar as practical so as to not cause any nuisance.

14. All reasonable steps shall be taken to ensure any dust emanating from the site during use of the speedway track is limited insofar as practical so as to not cause any nuisance.
15. No cleaning of vehicles, machinery or equipment shall be undertaken unless a suitable washdown bay is provided on the land to the specifications and satisfaction of the Shire's Chief Executive Officer in consultation with the Shire's Environmental Health Officer.
16. No camping is permitted on the land at any time unless otherwise approved by the Shire's Chief Executive Officer in consultation with the Shire's Environmental Health Officer.
17. The land comprising the speedway facility, all associated facilities and their immediate surrounds shall be maintained in a neat and tidy condition at all times to the specifications and satisfaction of the Shire's Chief Executive Officer.
18. All litter generated shall be placed in suitable capacity rubbish receptacles and secured so that it does not blow onto neighbouring areas. The stockpiling of any waste or rubbish on the land is not permitted. All waste or rubbish shall be removed and disposed from the land on a regular basis at a suitably licensed waste disposal facility.
19. Any future proposed advertising signage shall comply with the specific requirements of Schedule 1 of the Shire of Corrigin Local Planning Scheme No.2 unless otherwise approved by Council.

Advice Notes

1. This approval is not an authority to ignore any constraint to development on the land which may exist through contract or on title, such as an easement or restrictive covenant. It is the responsibility of the applicant/landowners and not the Shire to investigate any such constraints before commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether or not it has been drawn to the Shire's attention.
2. This is a development approval of the Shire of Corrigin under its Local Planning Scheme No.2. It is not a building permit or an approval to commence or carry out development under any other law. It is the responsibility of the applicant to obtain any other necessary approvals, consents, permits and licenses required under any other law, and to commence and carry out development in accordance with all relevant laws.
3. The applicant is required to renew the current lease agreement or enter into a new lease agreement with the Shire for approval by the Minister for Lands to use the relevant portion of Reserve 15804 for speedway purposes before undertaking any works or using the facility for the intended purpose.
4. In accordance with the Building Act 2011 and Building Regulations 2012, a building permit application will need to be submitted to and approved by the Shire's Building Surveyor prior to the commencement of any building 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.
5. All buildings on the land are required to comply in all respects with the National Construction Code of Australia. Plans and specifications which reflect these requirements must be submitted to the Shire with any required building permit application.
6. The applicant is reminded of their obligation to ensure compliance with the following requirements:
 - i) Health (Public Buildings) Regulations 1992;
 - ii) Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974;
 - iii) Food Act 2008 and the Australia New Zealand Food Standards Code Chapter 3.2.3 – Food Premises and Equipment;
 - iv) Shire of Corrigin Health Local Law 2016;
 - v) Shire of Corrigin Animals, Environment and Nuisance Local Law 2016; and
 - vi) Western Australian Speedway Commission's Safety Governance Framework and Speedway Safety / Racetrack Guidelines (as amended).
7. The applicant is required to prepare and submit an Application to Construct, Extend or Alter a Public Building and then apply to have the buildings approved for use under the Health (Public Buildings) Regulations 1992.

8. *An application for onsite effluent disposal is required to be completed and submitted to the Shire for assessment. The proposed system must comply with the requirements of the Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974.*
9. *It is a requirement to provide a toilet on a building construction site under Part IV Division 4 Section 102 of the Health Act.*
10. *All asbestos containing materials need to be removed from the site and disposed of by a licensed person in accordance with the Health (Asbestos) Regulations 1992 and the Code of Practice For The Management And Control Of Asbestos In Workplaces [NOHSC: 2018 (2005)].*
11. *The kitchen/canteen must comply with the requirements of the Australia New Zealand Food Standards Code. Plans of the kitchen are to be submitted to the Shire's Environmental Health Officer for assessment to ensure the food premises complies with Food Safety Standard 3.2.3.*
12. *The noise generated by any activities on-site including machinery motors or vehicles shall not exceed the levels as set out under the Environmental (Noise) Regulations 1997.*
13. *All works in relation to the design and construction of any washdown bay on the land must comply with the Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974 and Australian Standard AS/NZS 3500.2:2003 Plumbing and Drainage. Any plumbing installed in connection with the washdown bay must include a copy of the Plumbers Licensing Board's Certificate of Compliance which must be submitted to the Shire on completion of the installation.*
14. *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.*
15. *If the applicant is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be submitted directly to the State Administrative Tribunal within 28 days of the determination.*

8.3. WORKS AND SERVICES

NIL

9. CHIEF EXECUTIVE OFFICER REPORT

10. PRESIDENT'S REPORT

11. COUNCILLORS' QUESTIONS REPORTS, AND INFORMATION ITEM

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

13. INFORMATION BULLETIN

14. WALGA AND CENTRAL ZONE MOTIONS

15. NEXT MEETING

Ordinary Council Meeting on Tuesday 20 September 2022.

16. MEETING CLOSURE