



A G E N D A

ORDINARY COUNCIL MEETING

15 October 2024

Notice of Meeting

The Ordinary Council Meeting for the Shire of Corrigin will be held on Tuesday 15 October 2024 in the Council Chambers, 9 Lynch Street, Corrigin commencing at 3.00pm.

Order of Business

12.00pm – 1.00pm	Lunch/ Corrigin Agricultural Society and Life Members Invited
1.00pm – 2.45pm	Discussion Forum
2.45pm – 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
10 October 2024

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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Strengthening our community now to grow and prosper into the future

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1 DECLARATION OF OPENING

Council acknowledges the Noongar people as the traditional custodians of the land and pay our respect to their elders past and present as well as the pioneering families who shaped the Corrigin area into the thriving community we enjoy today.

Councillors, staff, and members of the public are advised that the Council meeting is being recorded for future publication.

2 ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

3 PUBLIC QUESTION TIME

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

Questions and statements are to be –

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

4 MEMORIALS

The Shire has been advised that Richard Kenny has passed away since the last meeting.

5 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

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

7.1.1 ORDINARY COUNCIL MEETING

Minutes of the Shire of Corrigin Ordinary Council meeting held on Tuesday 17 September 2024 (Attachment 7.1.1).

OFFICERS RECOMMENDATION

That the Minutes of the Shire of Corrigin Ordinary Council meeting held on Tuesday 17 September 2024 (Attachment 7.1.1) be confirmed as a true and correct record.

7.2 COMMITTEE MEETINGS

7.2.1 BUSH FIRE ADVISORY COMMITTEE

Minutes of the Bush Fire Advisory Committee meeting held on Thursday 3 October 2024 (Attachment 7.2.1).

OFFICERS RECOMMENDATION

That Council receives and notes the Minutes of the Bush Fire Advisory Committee meeting held on Thursday 3 October 2024 (Attachment 7.2.1).

7.2.2 AUDIT AND RISK MANAGEMENT COMMITTEE

Minutes of the Audit and Risk Management Committee meeting held on Tuesday 17 September 2024 (Attachment 7.2.2).

OFFICERS RECOMMENDATION

That Council receives and notes the Minutes of the Audit and Risk Management Committee meeting held on Tuesday 17 September 2024 (Attachment 7.2.2).

8 MATTERS REQUIRING A COUNCIL DECISION

8.1 CORPORATE AND COMMUNITY SERVICES

8.1.1 ACCOUNTS FOR PAYMENT

Applicant:	Shire of Corrigin
Date:	9/10/2024
Reporting Officer:	Tanya Ludlow, Finance / Human Resources Officer
Disclosure of Interest:	NIL
File Ref:	FM.0036
Attachment Ref:	Attachment 8.1.1 – Accounts for Payment – September 2024

SUMMARY

Council is requested to note the payments from the Municipal and Trust funds as presented in the Schedule of Accounts Paid for the Month of September 2024.

BACKGROUND

This information is provided to Council monthly in accordance with provisions of the *Local Government Act 1995* Section 6.8 (2)(b) and *Local Government (Financial Management) Regulations 1996* Clause 13.

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.

All payments are 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 there has been no misuse of any corporate credit or fuel purchase cards.

COMMENT

Council has delegated authority to the Chief Executive Officer to make payments from the Shire's Municipal and Trust funds as required. A list of all payments is to be presented to Council each month and be recorded in the minutes of the meeting at which the list was presented.

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
Policy 2.16 - Corporate Credit Cards

FINANCIAL IMPLICATIONS

Expenditure in accordance with the 2024/2025 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 receives the list of accounts paid during the month of September 2024 as per the attached Schedule of Payment, and as summarised below:

Municipal Account (inclusive of credit card and fuel card purchases)

<i>Cheque Payments</i>	<i>020991</i>	<i>\$419.27</i>
<i>EFT Payments</i>	<i>EFT20439 – EFT20548</i>	<i>\$293,852.77</i>
<i>Direct Debit Payments</i>		<i>\$44,961.86</i>
<i>EFT Payroll Payments</i>		<i>\$139,283.15</i>

Total Municipal Account Payments ***\$478,517.05***

Trust Account

<i>EFT Payments</i>	<i>EFT20463 – EFT20464</i>	<i>\$86.90</i>
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Total Trust Account Payments ***\$86.90***

Licensing Trust Account

<i>Direct Debit Payments</i>		<i>\$68,518.10</i>
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Total Licensing Trust Account Payments ***\$68,518.10***

Total of all Accounts ***\$547,122.05***

8.1.2 MONTHLY FINANCIAL REPORT

Applicant:	Shire of Corrigin
Date:	10/10/2024
Reporting Officer:	Kylie Caley, Deputy Chief Executive Officer
Disclosure of Interest:	NIL
File Number:	FM.0037
Attachment Ref:	Attachment 8.1.2 – Monthly Financial Report for the period ending 30 September 2024

SUMMARY

This report provides Council with the monthly financial report for the month ending 30 September 2024.

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

Item	Reference
<p>Cash at Bank The total cash as at 30 September 2024 was \$10,737,768. This is comprised of \$360,053 municipal funds (Municipal Bank Account and various till floats), \$6,048,410 in short term investment and \$4,329,306 in reserve funds.</p>	<p>Page 9 – Cash and Financial Assets Page 10 – Reserve Accounts</p>
<p>Capital Acquisitions The capital budget expenditure is showing as approximately 0.03% complete as at the 30 September 2024. This is due to projects not yet commencing following the budget adoption.</p>	<p>Page 11 – Capital Acquisitions Page 12 – Capital Acquisitions Continued Page 13 – Disposal of Assets</p>
<p>Receivables Rates outstanding is \$581,862 with 81.8% of rates collected for the year compared to 83.3% in September 2023. Current receivables of \$88,531.</p>	<p>Page 14 – Receivables</p>

Further information on the September financial position is in the explanation of material variances included in the monthly financial report.

STATUTORY ENVIRONMENT

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

r. 35 Local Government (Financial Management) Regulations 1996

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

Expenditure in accordance with the 2024/2025 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 accepts the Statement of Financial Activity for the month ending 30 September 2024 as presented, along with notes of any material variances.

8.2 GOVERNANCE AND COMPLIANCE

8.2.1 BUSH FIRE ADVISORY COMMITTEE MEETING RECOMMENDATIONS

Applicant:	Bush Fire Advisory Committee
Date:	4/10/2024
Reporting Officer:	Natalie Manton, Chief Executive Officer
Disclosure of Interest:	NIL
File Number:	ES.0020
Attachment Ref:	Attachment 8.2.1 – Bushfire Policies and Procedures

SUMMARY

This item seeks Council endorsement of the recommendations from the Bush Fire Advisory Committee meeting.

BACKGROUND

The *Shire of Corrigin Bush Fire Brigades Local Law 2024* was adopted by Council in March 2024 and gazetted on 31 May 2024. The local law provides the legal means of governing the operations of bush fire brigades in the Shire of Corrigin.

Following the adoption of the *Shire of Corrigin Bush Fire Brigades Local Law 2024* the Bush Fire Advisory Committee recommended that Council adopt a new set of procedures for the effective management of Bush Fire Brigades.

COMMENT

The Shire of Corrigin has established and maintained a Bush Fire Advisory Committee in accordance with the *Bush Fires Act 1954* to provide adequate fire protection to the Shire.

STATUTORY ENVIRONMENT

Bushfire Act 1954

POLICY IMPLICATIONS

Policy 9.2 Bush Fire Control Officer Eligibility

Policy 9.3 Bush Fire Control

FINANCIAL IMPLICATIONS

NIL

COMMUNITY AND STRATEGIC OBJECTIVES

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

Objective: Social

An effectively serviced, inclusive and resilient community

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

VOTING REQUIREMENT

Simple Majority

COMMITTEE AND OFFICER’S RECOMMENDATION

That Council endorse the Shire of Corrigin Bushfire Brigades Policies and Procedures as presented in Attachment 8.2.1.

8.2.2 ROCKVIEW COMMUNITY CROPPING PROGRAM

Applicant:	Shire of Corrigin
Date:	8/10/2024
Reporting Officer:	Regan Chester, Administration Officer
Disclosure of Interest:	NIL
File Ref:	CP.0003
Attachment Ref:	Attachment 8.2.2.1 – Draft Lease Agreement Attachment 8.2.2.2 – Rockview Cropping Lease Applications (confidential) Attachment 8.2.2.3 – Evaluation Matrix

SUMMARY

Council is asked to determine a suitable community organisation to undertake cropping of the Rockview land commencing in January 2025 for a three year term ending on 31 December 2027.

BACKGROUND

The Shire recently advertised through the community newsletter, Windmill News and social media inviting submissions from community groups to apply to crop the Shire owned property known as Rockview to raise funds for their organisation. Applications closed on 27 September 2024.

The Shire received applications from the following two organisations (attachment 8.2.2.2):

- Corrigin Bowling Club
- Corrigin Hockey Club

Both groups provided detailed applications which met the operational requirements and included copies of their organisations minutes, and financial statements.

An application was also received from a community member with an offer to lease the land on a commercial basis if no applications were received from local community groups.

COMMENT

A draft lease agreement has been drawn up similar to the previous agreement (see attachment 8.2.2.1).

It is recommended that Council select the preferred applicant using the evaluation matrix in Attachment 8.2.2.3. The offer to crop the land on a commercial basis will not be necessary as two applications were received from local community groups withing to crop the land as fundraising for their organisation.

The recommended crop rotation will need to be inserted into the final lease agreement.

STATUTORY ENVIRONMENT

Local Government Act 1995 s.3.58 Disposing of property

Local Government (Functions and General) Regulations 1996

1 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;

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
1.4	Support local volunteer organisations through initiatives that reduce volunteer fatigue and strengthen their resilience.	1.4.1	Together with the CRC deliver targeted support and guidance to local volunteer organisations for their ongoing longevity, governance and valued contributions.

VOTING REQUIREMENT

Simple Majority

OFFICER’S RECOMMENDATION

That Council:

1. Offer the cropping rights of the Rockview Land commencing 1 January 2025 to _____ for a three year term.
2. Enter into a lease agreement for the Rockview Land between the Shire of Corrigin and _____ commencing on 1 January 2025 and concluding on 31 December 2027 based on the draft agreement provided in attachment 8.2.2.1.
3. Include the suggested crop rotation in the lease agreement of 2025: _____ 2026: _____ 2027: _____.
4. Authorise the Shire President and Chief Executive Officer to execute the document including the affixing of the Shire of Corrigin Common Seal.

8.2.3 REGISTER OF COUNCIL POLICIES REVIEW

Applicant:	Shire of Corrigin
Date:	9/10/2024
Reporting Officer:	Natalie Manton, Chief Executive Officer
Disclosure of Interest:	NIL
File Ref:	CM.0059
Attachment Ref:	Attachment 8.2.3 – Register of Council Policies

SUMMARY

Council is asked to review the existing policies in the Shire of Corrigin Register of Policies that were last reviewed and adopted by Council in October 2023 and endorse additional policies that have been included.

BACKGROUND

The register of policies is to be reviewed annually and provided to Council for consideration and adoption.

The objectives of the Register of Policies are:

- to provide Council with a formal written record of all policy decisions.
- to provide staff with guidelines in which to act in accordance with Council's wishes.
- to enable staff to act promptly in accordance with Council requirements but without continual reference to Council.
- to enable Councillors to adequately handle enquiries from electors without undue reference to the staff or Council.
- to enable Council to maintain a continual review of policy decisions and to ensure they are in keeping with community expectations, current trends and circumstances.
- to enable ratepayers to obtain immediate advice on matters of Council policy.

COMMENT

Attachment 8.2.3 shows track changes throughout the document to draw attention to any minor amendments that have been made to policies. The policies that have been highlighted in red have either had significant changes or are new policies.

Staff policies that are not required to be endorsed by Council have been removed from the Council Policy Manual and have been included in a Staff Policy Manual.

STATUTORY ENVIRONMENT

Local Government Act, Section 2.7(2) (b):

Local Government Act 1995 – Section 2.7 Role of council

- (1) *The council —*
 - (a) *governs the local government's affairs; and*
 - (b) *is responsible for the performance of the local government's functions.*
- (2) *Without limiting subsection (1), the council is to —*
 - (a) *oversee the allocation of the local government's finances and resources; and*
 - (b) *determine the local government's policies.*

POLICY IMPLICATIONS

Review of the Shire of Corrigin Register of 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
4.5	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

Absolute Majority

OFFICER’S RECOMMENDATION

That Council

1. *adopt the amendments to policies as provided in Attachment 8.2.3 – Register of Council Policies to become the new Shire of Corrigin Register of Policies in accordance with Section 2.7(2)(b) of the Local Government Act 1995.*

2. *add the following new policies to the Shire of Corrigin Register of Policies:*
Windfarm/Turbines
Transaction Card Policy
Financial Hardship Policy
Change Management Policy

8.2.4 DEVELOPMENT APPLICATION – PROPOSED METEOROLOGICAL MONITORING MAST

Applicant:	Land Insights on behalf of Nomad Energy
Landowner:	PA Baker
Location:	Lot 19758 on Deposited Plan 228734 Corrigin South Road, Bullaring
Date:	10/10/2024
Reporting Officer:	Mr Joe Douglas, Town Planner (Exurban Rural & Regional Planning)
Disclosure of Interest:	NIL
File Ref:	PA07-2024
Attachment Ref:	Attachment 8.2.4 – Development Application Documentation & Plans

SUMMARY

This report recommends that Council grant conditional approval to a development application submitted by Land Insights (Applicant) on behalf of Nomad Energy (Proponent) under the authority of PA Baker (Landowner) for the construction and use of a proposed new meteorological monitoring mast on Lot 19758 on Deposited Plan 228734 Corrigin South Road, Bullaring.

BACKGROUND

The applicant has submitted a development application requesting Council's approval for the construction and use of a proposed new meteorological monitoring mast on Lot 19758 on Deposited Plan 228734 Corrigin South Road, Bullaring for a period of ten (10) years.

The proposed mast will be sited centrally on the subject land in close proximity to its northern side boundary. The mast will have an overall height of 125 metres above natural ground level, be constructed using steel lattice on concrete footings and occupy an overall area of approximately four (4) hectares to accommodate all the associated guy wires and anchor blocks.

The proposed mast will be used to gather meteorological data to help plan for a future possible wind farm, part of which will be located in the Shire of Corrigin if the development proceeds once all necessary approvals have been secured.

A copy of the documentation and plans submitted in support of the application is provided in Attachment 8.2.4.

Lot 19758 is an irregular shaped lot located approximately 23 kilometres south of the Corrigin townsite in the locality of Bullaring and comprises a total area of approximately 836.5 hectares.

The property has direct frontage and access to Corrigin South Road along its western boundary and Doyle Road along its southern boundary, both of which are local roads under the care, control and management of the Shire that have been constructed to a basic rural standard (i.e. unsealed road carriageway).

The subject land is gently sloping throughout, predominantly cleared of all native vegetation with the exception of various stands in select locations for land management purposes, and has been extensively developed and used for extensive agricultural purposes (i.e. cropping and grazing) for many years.

Existing adjoining and other nearby land uses are also rural in nature comprising broadacre agricultural activities on cleared, partly vegetated lots ranging in size from approximately 64 to 1,342 hectares.

That portion of the land where the development is proposed to be undertaken has been cleared of all native vegetation, does not contain any sites 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. Notwithstanding this fact, given the proposed development is not habitable in nature and will not increase the potential bushfire threat there is no need to consider and address the requirements of State Planning Policy 3.7 entitled 'Planning in Bushfire Areas' and the associated guidelines.



Location & Lot Configuration Plan (Source: Landgate 2024)

COMMENT

Lot 19758 is classified 'Rural' zone in the Shire of Corrigin Local Planning Scheme No.2 (LPS2).

The stated objectives in LPS2 for the development and/or use of any land classified 'Rural' zone are as follows:

- i) *To ensure that a right of vehicular access unfettered as to time, place and circumstance exists to any land which is the subject of any application for development approval;*
- ii) *To ensure the preservation of the rural character and rural appearance of land within the zone;*
- iii) *To protect the economic viability of Rural zoned land via support only for subdivision or re-subdivision which enables the retention or promotion of lot or location sizes, which relate to the general farming activity in any particular locality of the Scheme Area;*
- iv) *To preserve and protect the natural undeveloped land areas throughout the zone and to provide*

for the planting of trees and other suitable vegetation via the imposition of conditions on any development approval issued, in order to assist in balancing the greenhouse effect, provide shade, prevent erosion, reduce salinity and provide habitats for native fauna;

- v) *To ensure that natural drainage patterns/catchments throughout the Scheme Area are paid regard to via the appropriate location of man-made drainage/contour bank networks which will require the development approval of the local government prior to construction; and*
- vi) *The construction of no more than one single dwelling house on any lot or location, unless the local government grants its development approval for additional farm manager or employee accommodation.*

A meteorological mast is a use not specifically referred to in the Zoning Table of LPS2 and must therefore be considered and determined in accordance with clause 18(4) of the Scheme. As such, Council must determine whether the proposed use of Lot 19758 for this purpose:

- a) is consistent with the objectives of the 'Rural' zone and is therefore a use that may be permitted in the zone subject to conditions imposed by the local government; or
- b) may be consistent with the objectives of the 'Rural' zone and advertise the application for public comment in accordance with the procedural requirements of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*; or
- c) is not consistent with the objectives of the 'Rural' zone and is therefore not permitted in the zone.

Having regard for:

- i) the current unfettered rights of vehicular access to/from the subject land and the proponent's intention to access the proposed development via Corrigin South Road which is a dedicated and constructed public road;
- ii) the character and appearance of the proposed development which is consistent with other similar developments previously approved on 'Rural' zoned land in the Shire and the Wheatbelt region more generally despite the associated visual impacts on the local rural landscape which were deemed acceptable given the expected long term benefits (i.e. telecommunication towers);
- iii) subdivision of the subject land is not proposed or required to accommodate the proposed development;
- iv) the proponent's intention to undertake the proposed development on a previously cleared portion of the subject land with no impact on any natural undeveloped parts of the property which are heavily vegetated;
- v) no man-made drainage/contour bank networks are proposed or required as part of the proposed development; and
- vi) no dwellings are proposed or required as part of the proposed development,

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

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

- The general aims and objectives of LPS2 including those specific to all land classified ‘Rural’ zone;
- Land capability and land use compatibility including the continuation of broadacre agricultural activity;
- Lot boundary setbacks;
- Amenity of the locality including potential environmental, visual and social impacts;
- Protection of the natural environment, water resources and cultural heritage significance;
- Vehicle access and parking;
- Aviation safety;
- Bushfire, flood risk and stormwater drainage management.

Council should also note the following key points when considering and determining the application:

- i) The proposed mast will not give rise to any noise and air emissions (gases, dust and odours) once construction has been completed. As such there is no need to consider the requirements of State Planning Policy 4.1 entitled ‘Industrial Interface’ or the Environmental Protection Authority’s Guidance Statement No.3 entitled ‘Separation Distances between Industrial and Sensitive Land Uses’.
- ii) All works associated with the proposed development will be undertaken by up to eight (8) people over a three (3) week period, all of whom will be accommodated off-site. Given the proposed works are temporary in nature the proponent must comply with the requirements of clause 2.6 of the *Shire of Corrigin Health Local Law 2016* when undertaking the development which expressly states “*a person who undertakes temporary work at any place shall ensure a temporary sanitary convenience is installed and maintained in accordance with the requirements of the Health (Temporary Sanitary Conveniences) Regulations 1997*”.
- iii) All access to/from the proposed development will be via an existing crossover to Corrigin South Road immediately adjacent to the property’s northern side boundary. The total amount of vehicular traffic likely to be generated during the initial construction phase of the development and ongoing maintenance purposes thereafter is low and consistent with existing agricultural related activities in the immediate locality. Furthermore the types of vehicles proposed to be used are considered appropriate and unlikely to give rise to any traffic safety issues or extraordinary wear and tear on the local road network. As such a traffic impact assessment or upgrades to the local road network are considered to be unnecessary in this particular instance.
- iv) No objections were received from any immediately adjoining landowners or other members of the local community during the mandatory 28 day public consultation process. As such it is reasonable to conclude the local community is generally supportive of the proposed development.
- v) The Civil Aviation Safety Authority (CASA) raised no objections to the proposed development and has recommended as follows:
 - a) *The mast structure is constructed with alternating markings for at least the top third of the mast (i.e. alternating contrasting bands of colour);*
 - b) *Marker balls or high visibility flags/sleeves being installed on the upper third of the outside guy wires to improve the mast’s visibility for the benefit of aircraft operators; and*
 - c) *Details of the mast’s coordinates and elevation be provided to Airservices Australia by the proponent for possible inclusion in an obstacle database maintained by that agency and publication on aeronautical charts.*

It is significant to note CASA confirmed the installation of low-intensity obstacle lighting at the top

of the mast is not required as a further precautionary measure in this particular instance. Council should also note the applicant and proponent have been advised of the abovementioned requirements and confirmed the proposed development will comply if it is ultimately approved.

- vi) Whilst the proposed development will, in the reporting officer's opinion, have a minor negative visual impact on the immediate locality due to the height of the proposed mast in its rural landscape setting and the various markings and visibility devices recommended by CASA, this impact must be balanced with the benefits the mast will provide in planning for a future possible wind farm in the district. In this case it is contended the benefits outweigh the minor negative visual impact expected to arise which it should be noted are not permanent given the proposed development only has a lifespan of up to ten (10) years.
- vii) The proposed mast is inconsistent with the maximum permitted building height prescribed in clause 31(16) of LPS2 (i.e. two (2) storeys or 10 metres). Notwithstanding this fact it will not affect the current levels of privacy enjoyed by neighbouring landowners and is well removed from and therefore sympathetic with the small number of existing homes in the immediate locality which are the key objectives of this clause.
- viii) The proposed development is consistent with the objectives of the State Planning Strategy and State Energy Transformation Strategy in terms of ensuring the delivery of secure, reliable, sustainable and affordable electricity that meets the State's growing demand. As such it is considered to be highly beneficial in facilitating the current transition to renewable energy sources and the long term development and growth of the State's economy.

In light of the above findings it is concluded the proposal for Lot 19758 is acceptable and unlikely to have any significant negative impacts on the general amenity, character, functionality and safety of the immediate locality subject to compliance with a number of conditions. As such, it is recommended Council exercise its discretion and grant conditional approval to the application to ensure the development proceeds in accordance with the information and plans submitted in support of the proposal and the specific requirements of the Shire's local planning framework.

STATUTORY ENVIRONMENT

Planning and Development Act 2005 (as amended)

Planning and Development (Local Planning Schemes) Regulations 2015

Shire of Corrigin Local Planning Scheme No.2

POLICY IMPLICATIONS

- State Planning Policy 2 – *Environment and Natural Resources Policy*
- State Planning Policy 2.5 – *Rural Planning*

PUBLIC CONSULTATION

Public consultation was undertaken for the minimum required period of 28 days in accordance with the procedural requirements of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*. At the conclusion of public advertising only one (1) submission had been received from the Civil Aviation Safety Authority (CASA) as documented previously above. The reporting officer also consulted with the Shire's Building Surveyor and Environmental Health Officer as part of the planning assessment process.

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 and

have been offset by the development application fee paid by the proponent. All costs associated with the proposed development will be met by the proponent.

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

COMMUNITY AND STRATEGIC OBJECTIVES

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

Objective: Economic

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

Strategic Community Plan		Corporate Business Plan	
Outcome	Strategies	Action No.	Actions
2.1	Support the diverse industry across the Shire	2.1.5	Support local business development initiatives where possible.

Objective: Environment

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

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

VOTING REQUIREMENT

Simple Majority

OFFICER’S RECOMMENDATION

That Council:

- Determine** that the proposed development of a meteorological monitoring mast on Lot 19758 on Deposited Plan 228734 Corrigin South Road, Bullaring is consistent with the objectives of the land’s current ‘Rural’ zoning classification in the Shire of Corrigin Local Planning Scheme No.2 and may therefore be permitted in the zone; and
- APPROVE** the development application submitted by Land Insights (Applicant) on behalf of Nomad Energy (Proponent) under the authority of PA Baker (Landowner) for the construction and use of a proposed new meteorological monitoring mast on Lot 19758 on Deposited Plan 228734 Corrigin South Road, Bullaring subject to the following conditions and advice notes:

Conditions

- The proposed development shall be undertaken strictly in accordance with the

documentation and plans submitted in support of the application subject to any modifications required as a consequence of any condition/s of this approval or otherwise approved by the local government.

- 2. Any additional development which is not in accordance with the application the subject of this approval or any condition of approval will require the further approval of the local government.*
- 3. The proposed development shall be substantially commenced within a period of two (2) years from the date of this approval. If the development is not substantially commenced within this period it shall not be carried out without the further approval of the local government having first being sought and obtained.*
- 4. This approval is valid for a period of ten (10) years unless otherwise approved by the local government.*
- 5. The proposed mast shall be constructed with alternating markings for at least the top third of the mast (i.e. alternating contrasting bands of colour) in accordance with Part 139 (Aerodromes) Manual of Standards 2019. Marker balls or high visibility flags/sleeves must also be installed on the upper third of the outside guy wires to improve the mast's visibility for the benefit of aircraft operators. These safety features must be provided prior to operating/using the mast.*
- 6. Details of the proposed mast's coordinates and elevation shall be provided to Airservices Australia by the proponent for possible inclusion in an obstacle database maintained by that agency and publication on aeronautical charts. Evidence of the notification required by this condition shall be provided to the local government within seven (7) days of the notification being provided to Airservices Australia.*
- 7. All waste generated through the construction process shall be disposed or recycled at an approved/licensed waste disposal and/or recycling facility. No waste is permitted to be stored and disposed on the land.*
- 8. The proposed mast and all associated improvements shall be removed from the land in their entirety with the area they occupied reinstated to its original condition insofar as practicable within 90 days of expiry of this approval unless otherwise approved by the local government.*

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 proponent and not the local government to investigate any such constraints before commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether or not it has been drawn to the local government's attention.*
- 2. This is a development approval of the Shire of Corrigin under its Local Planning Scheme No.2. It is not a building permit or an approval to commence or carry out development under any other law. It is the responsibility of the proponent 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 local government's Building Surveyor prior to the commencement of any construction or earthworks on the land. To confirm the relevant requirements in this regard please contact the local government's Building Surveyor Mr Peter Hulme on 9257 9941 or peter.hulme@kalamunda.wa.gov.au.*

4. *The proposed mast is required to comply in all respects with the National Construction Code of Australia. Plans and specifications which reflect these requirements are required to be submitted with the building permit application.*
5. *The proponent is reminded of their obligation to ensure compliance with the requirements of clause 2.6 of the Shire of Corrigin Health Local Law 2016 when undertaking the development which expressly states “a person who undertakes temporary work at any place shall ensure a temporary sanitary convenience is installed and maintained in accordance with the requirements of the Health (Temporary Sanitary Conveniences) Regulations 1997”. It is recommended the proponent contact the Shire’s Environmental Health Officer Mrs Lauren Pitman on 0427 137 431 or eho@corrigin.wa.gov.au.*
6. *Failure to comply with any of the conditions of this development approval constitutes an offence under the provisions of the Planning and Development Act 2005 and the Shire of Corrigin Local Planning Scheme No.2 and may result in legal action being initiated by the local government.*
7. *If the proponent is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be submitted directly to the State Administrative Tribunal within 28 days of the determination.*

8.2.5 LOCAL GOVERNMENT ELECTIONS – REVIEW OF WALGA ADVOCACY POSITIONS

Applicant:	Shire of Corrigin
Date:	1/10/2024
Reporting Officer:	Natalie Manton, Chief Executive Officer
Disclosure of Interest:	NIL
File Ref:	GR.0008
Attachment Ref:	NIL

SUMMARY

Council is asked to review WA Local Government Association (WALGA) advocacy positions for Local Government elections.

BACKGROUND

The *Local Government Amendment Act 2023* introduced a range of electoral reforms that came into effect prior to the 2023 Local Government ordinary elections:

- the introduction of Optional Preferential Voting (OPV);
- extending the election period to account for delays in postal services;
- changes to the publication of information about candidates;
- backfilling provisions for extraordinary vacancies after the 2023 election;
- public election of the Mayor or President for larger Local Governments;
- abolishing wards for smaller Local Governments; and
- aligning the size of councils with the size of populations of each Local Government (change to representation)

Following requests from several Zones, WALGA undertook a comprehensive review and analysis of five (5) ordinary election cycles up to and including the 2023 Local Government election against the backdrop of these legislative reforms. The review and report focused on postal elections conducted exclusively by the Western Australian Electoral Commission (WAEC), with the analysis finding evidence of the rising cost and a reduction in service of conducting Local Government elections in Western Australia.

COMMENT

The Elections Analysis Review and Report was presented to State Council 4 September 2024, with State Council supporting a review of WALGA's Local Government Elections Advocacy Positions.

WALGA is requesting Councils consider the current and alternative Elections Advocacy Positions and provide a response back to WALGA for the December 2024 State Council meeting.

The following is a summary of WALGA's current Advocacy Positions in relation to Local Government Elections:

2.5.15 Elections

Position Statement

The Local Government sector supports:

1. Four year terms with a two year spill
2. Greater participation in Local Government elections
3. The option to hold elections through:
 - Online voting

- Postal voting, and
 - In-person voting
4. Voting at Local Government elections to be voluntary
 5. The first past the post method of counting votes

The Local Government sector opposes the introduction of preferential voting, however if *first past the post* voting is not retained then optional preferential voting is preferred.

Background	The first past the post (FPTP) method is simple, allows an expression of the electorate's wishes and does not encourage tickets and alliances to be formed to allocate preferences.
State Council Resolution	February 2022 – 312.1/2022 December 2020 – 142.6/2020 March 2019 – 06.3/2019 December 2017 – 121.6/2017 October 2008 – 427.5/2008
Supporting Documents	Advocacy Positions for a New Local Government Act WALGA submission: Local Government Reform Proposal (February 2022)

2.5.16 Method of Election of Mayor

Position Statement	Local Governments should determine whether their Mayor or President will be elected by the Council or elected by the community.
State Council Resolution	February 2022 – 312.1/2022 March 2019 – 06.3/2019 December 2017 – 121.6/2017

2.5.18 Conduct of Postal Elections

Position Statement	The <i>Local Government Act 1995</i> should be amended to allow the Australian Electoral Commission (AEC) and any other third party provider including Local Governments to conduct postal elections.
Background	Currently, the WAEC has a legislatively enshrined monopoly on the conduct of postal elections that has not been tested by the market.
State Council Resolution	May 2023 – 452.2/2023 March 2019 – 06.3/2019 December 2017 – 121.6/2017 March 2012 – 24.2/2012

WALGA has requested the following advocacy positions be considered by Councils:

1. Participation
 - a) The sector continues to support voluntary voting at Local Government elections.
OR
 - b) The sector supports compulsory voting at Local Governments elections.
2. Terms of Office
 - a) The sector continues to support four-year terms with a two year spill;
OR
 - b) The sector supports four-year terms on an all in/all out basis.
3. Voting Methods
 - a) The sector supports First Past the Post (FPTP) as the preferred voting method for general elections. If Optional Preferential Voting (OPV) remains as the primary method of voting, the sector supports the removal of the 'proportional' part of the voting method for general elections
OR
 - b) The sector supports Optional Preferential Voting (OPV) as the preferred voting method for general elections.
4. Internal Elections
 - a) The sector supports First Past the Post (FPTP) as the preferred voting method for all internal elections.
OR
 - b) The sector supports Optional Preferential Voting (OPV) as the preferred voting method for all internal elections.
5. Voting Accessibility
The sector supports the option to hold general elections through:
 - a) Electronic voting; and/or
 - b) Postal voting; and/or
 - c) In-Person voting.
6. Method of Election of Mayor
The sector supports:
 - a) As per the current legislation with no change – Class 1 and 2 local governments directly elect the Mayor or President (election by electors method), with regulations preventing a change in this method.
 - b) Return to previous legislated provisions – all classes of local governments can decide, by absolute majority, the method for electing their Mayor or President.
 - c) Apply current provisions to all Bands of Local Governments – apply the election by electors method to all classes of local governments.

STATUTORY ENVIRONMENT

Local Government Act WA 1995

Local Government Amendment Act 2023

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
4.3	Forward planning and implementation of plans to achieve strategic direction and service levels	4.3.1	Work with external organisations to collaboratively plan and achieve improved community, education, health and business outcomes

VOTING REQUIREMENT

Simple Majority

OFFICER’S RECOMMENDATION

That Council recommends that WALGA adopt the following Local Government Election Advocacy Positions

1. **Participation** – council support advocacy position
 - (a) *The sector continues to support voluntary voting at Local Government elections.*
 - OR
 - (b) *The sector supports compulsory voting at Local Governments elections.*

2. **Terms of Office** – Council support advocacy position
 - (a) *The sector continues to support four-year terms with a two year spill;*
 - OR
 - (b) *The sector supports four-year terms on an all in/all out basis.*

3. **Voting Methods** – Council support advocacy position
 - (a) *The sector supports First Past the Post (FPTP) as the preferred voting method for general elections. If Optional Preferential Voting (OPV) remains as the primary method of voting, the sector supports the removal of the ‘proportional’ part of the voting method for general elections*
 - OR
 - (b) *The sector supports Optional Preferential Voting (OPV) as the preferred voting method for general elections.*

4. **Internal Elections** – Council support advocacy position
 - (a) *The sector supports First Past the Post (FPTP) as the preferred voting method for all internal elections.*
 - OR

(b) The sector supports Optional Preferential Voting (OPV) as the preferred voting method for all internal elections.

5. Voting Accessibility – Council support advocacy position

The sector supports the option to hold general elections through:

(a) Electronic voting; and/or

(b) Postal voting; and/or

(c) In-Person voting.

6. Method Of Election of Mayor – Council support advocacy position

(a) As per the current legislation with no change – Class 1 and 2 local governments directly elect the Mayor or President (election by electors method), with regulations preventing a change in this method.

(b) Return to previous legislated provisions – all classes of local governments can decide, by absolute majority, the method for electing their Mayor or President.

(c) Apply current provisions to all Bands of Local Governments – apply the election by electors method to all classes of local governments.

8.3 WORKS AND SERVICES

9 CHIEF EXECUTIVE OFFICER REPORT

The Chief Executive Officer's report was provided to Council during the Discussion Forum

10 PRESIDENT'S REPORT

11 COUNCILLORS' QUESTIONS, REPORTS AND INFORMATION ITEMS

12 URGENT BUSINESS APPROVED BY THE PRESIDENT OR DECIDED BY THE COUNCIL

13 INFORMATION BULLETIN

14 WALGA AND CENTRAL ZONE MOTIONS

15 NEXT MEETING

Ordinary Council Meeting on 19 November 2024.

16 MEETING CLOSURE