

ORDINARY COUNCIL MEETING

Minutes

Meeting Date Thursday 17 August 2023

Meeting Time 8:30 am

Held at Bill Hemsley Community Centre, Redcliffe Concourse, White Peak WA
6532, Meeting Room.

*"A thriving community, making the most of our coastline, ranges and rural settings
to support us to grow and prosper"*



SHIRE OF

Chapman Valley

love the rural life!

Jamie Criddle
Chief Executive Officer

Strategic Community Plan 2022-2032



Snapshot

OUR VISION

"A thriving and diverse community, embracing our coastline, ranges and rural settings to support growth and prosperity, while enjoying our peaceful and quiet lifestyle."

OUR VALUES

Ethical, Honest, Integrity,
Leadership, Respectful, Trustful



COMMUNITY, HEALTH & LIFESTYLE

- 1.1 Nurture the sense of community and unity across the Shire, while supporting towns and their volunteers in local issues
- 1.2 Address identified ageing population issues
- 1.3 Strengthen our role in regional partnerships and advocacy for continuity of local services/ facilities
- 1.4 Maintain and enhance safety and security in the Shire
- 1.5 Maximise health and lifestyle outcomes through environmental and public health strategies



ECONOMY & POPULATION

- 2.1 Build population and business activity through targeted strategies
Provide support for business development and local employment
- 2.2 Embrace local tourism and regional strategies and trails
- 2.3 Ensure town planning compliments economic and business development, population retention and growth strategies
- 2.4 Develop marketing plan to promote Chapman Valley as place to live, invest, work or visit



ENVIRONMENT & SUSTAINABILITY

- 3.1 Preserve and protect the natural environment and address environmental risks as they arise
- 3.2 Maintain the rural identity of the Shire
- 3.3 Build the green canopy of the Shire's town areas
- 3.4 Address weed and vermin control
- 3.5 Fire mitigation and control



PHYSICAL & DIGITAL INFRASTRUCTURE

- 4.1 Develop, manage, and maintain built infrastructure
- 4.2 Manage and maintain roads, drainage, and other essential infrastructure assets
- 4.3 Aspire to robust communication and digital infrastructure in the Shire through strong partnerships and alliances
- 4.4 Advocate for improved power networks
- 4.5 Advocate for improved water security within the Shire



GOVERNANCE & ACCOUNTABILITY

- 5.1 Ensure governance and administration systems, policies and processes are current and relevant
- 5.2 Be accountable and transparent while managing human and physical resources effectively
- 5.3 Make informed decisions within resources and areas of responsibility
- 5.4 Ensure robust processes and guidelines for development

ACKNOWLEDGEMENT OF COUNTRY

The Shire of Chapman Valley would like to respectfully acknowledge the Naaguja peoples who are the traditional owners and first people of the land on which we stand.

We would like to pay our respect to the elders past, present and emerging for they hold the memories, the traditions, the culture and hopes of the Naaguja peoples.

DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of Chapman Valley for any act, omission or statement or intimation occurring during Council Meeting. The Shire of Chapman Valley disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council or Committee Meetings.

Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council Meeting does so at that person's or legal entity's own risk.

The Shire of Chapman Valley warns that anyone who has any application or request with the Shire of Chapman Valley must obtain and should rely on WRITTEN CONFIRMATION of the outcome of the application or request of the decision made by the Shire of Chapman Valley.

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1 Declaration of Opening & Announcements of Visitors

The President welcomed elected members, staff and visitors to the council meeting and declaring the meeting open at 8:35 am.

The Shire acknowledged the traditional landowners through the reading of our Acknowledgement of Country.

“The Shire of Chapman Valley would like to respectfully acknowledge the Naaguja peoples who are the traditional owners and first people of the land on which we stand.

We would like to pay our respect to the elders past, present and emerging for they hold the memories, the traditions, the culture and hopes of the Naaguja peoples.”

2 Announcements from the Presiding Member

Nil

3 Record of Attendance

3.1 Attendees

The following attended the council meeting:

Elected Members

Cr Kirrilee Warr (President)
Cr Darrell Forth (Deputy President)
Cr Nicole Batten
Cr Beverley Davidson
Cr Elizabeth Elliott-Lockhart
Cr Peter Humphrey
Cr Catherine Low
Cr Trevor Royce

Officers

Jamie Criddle, Chief Executive Officer
Simon Lancaster, Deputy Chief Executive Officer
Beau Raymond, Minute Taker

Visitors

Russell & Lorre Smith (Left meeting at 9.00am)
Wayne Boys (Left meeting at 9.00am)
Julie & Peter Myers (Left meeting at 9.00am)

3.2 Apologies

Nil

3.3 Previously Approved Leave of Absence (By Resolution of Council)

Nil

4 Public Question Time

4.1 Response to Previous Public Questions on Notice

Nil

4.2 Public Question Time

Public Question 1:

Name

Russell Smith, 171 Wittenoom Circle, White Peak

Question

Regarding proposed subdivision of Lot 218 Parmelia Boulevard, White Peak; neighbouring properties were not notified and most are unaware of subdivision, why is this process different to smaller planning matters where all neighbours are contacted for comment?

Response

The subdivision application process is one that is administered by the State Government through the Western Australian Planning Commission (WAPC) and not the local government.

Council is being asked for comment upon the subdivision application by the WAPC along with various service agencies and government departments.

The WAPC are not required to notify surrounding landowners of subdivision applications.

The development application process is one that is administered by local government and where it is considered appropriate development applications are, and have been, advertised for comment to surrounding landowners.

Public Question 2:

Name

Wayne Boys, 184 Parmelia Boulevard, White Peak

Question

If the proposed subdivision of Lot 218 Parmelia Boulevard, White Peak is endorsed by Council, what are the options and next steps in the process?

Response

Council is being asked to provide comment upon the subdivision application by the WAPC, who are the decision making authority in this instance. The resolution of Council, whatever it may be, is a comment only and should not be considered the final decision in regard to this matter.

The WAPC may give regard for Council's invited comment but are not bound to this, or any other referral agency's, comment in reaching its determination upon the subdivision application.

In the event the subdivision application is approved by the WAPC there is no third party appeal right for Council or another party in regards to this determination. In the event the

subdivision application is refused by the WAPC there is an appeal right for the applicant to the State Administrative Tribunal.

5 Applications for Leave of Absence

Nil

6 Disclosure of Interest

Meeting Details:	Person	Type of Interest	Agenda Item
Ordinary Council Meeting 17 August 2023	Cr Peter Humphrey	Impartiality	Item #15.1 - Conflict of interest, unresolved complaint and governance issues.

7 Presentations

7.1 Petitions

Nil

7.2 Presentations

Nil

7.3 Deputations

Nil

8 Confirmation of Minutes from Previous Meetings

Council Resolution

Moved: Cr Katie Low **Seconded:** Cr Beverley Davidson

That the Minutes of the Ordinary Council Meeting held on 20 July 2023 be confirmed as true and accurate.

For Cr Katie Low, Cr Beverley Davidson, Cr Elizabeth Elliott-Lockhart, Cr Darrell Forth, Cr Nicole Batten, Cr Peter Humphrey, Cr Trevor Royce and Cr Kirrilee Warr

Against Nil

8 / 0
CARRIED UNANIMOUSLY
Minute Reference OCM 2023/08-1

Council Resolution

Moved: Cr Nicole Batten **Seconded:** Cr Katie Low

That the Minutes of Special Council Meeting held on 9 August 2023 be confirmed as true and accurate with the following corrections.

Recommendation 8:

ADOPTION OF 2023/2024 SCHEDULE OF FEES AND CHARGES

That Council, in accordance with section 6.16 of the Local Government Act 1995 confirm the adoption of the 2023/2024 Schedule of Fees and Charges effective 1 July 2023 as attached.

Endorsed 2023/2024 Fees & Charges:

Instalment Administration Fee - \$9.00

DFES ESL Penalty Interest – 7.00%

Recommendation 10:

That Council endorse the 2023/2024 Emergency Services Levy fixed rate set for Category 5 regions. The interest rate to be charged for the late payment of Emergency Services Levy by property owners for 2023/2024 has been declared at 11% per annum.

For Cr Katie Low, Cr Beverley Davidson, Cr Elizabeth Elliott-Lockhart, Cr Darrell Forth, Cr Nicole Batten, Cr Peter Humphrey, Cr Trevor Royce and Cr Kirrilee Warr

Against Nil

8 / 0

CARRIED UNANIMOUSLY
Minute Reference OCM 2023/08-2

9 Items to be dealt with En Bloc

Nil

10 Officer Reports

10.1 Deputy Chief Executive Officer

10.1.1	Proposed Subdivision
Department	Development Service Planning
Author	Simon Lancaster
Reference(s)	A1597
Attachment(s)	1. Subdivision application [10.1.1.1 - 5 pages] 2. Parkfalls Estate Structure Plan [10.1.1.2 - 2 pages]

Voting Requirements

Simply Majority

Staff Recommendation

That Council advise the Western Australian Planning Commission that it supports the proposed subdivision of Lot 218 Parmelia Boulevard, White Peak as shown upon Plan No.23150-01 subject to the following conditions and advice note:

Requested Conditions

- 1 Fencing to be constructed along the created boundary between Lots A & B to the requirements of the local government. (Local Government)
- 2 Arrangements being made with the Water Corporation for the provision of a suitable water supply service to each lot shown on the approved plan of subdivision. (Water Corporation)
- 3 Arrangements being made with Western Power for the provision of an underground electricity distribution system that can supply electricity to each lot shown on the approved plan of subdivision. (Western Power).

Requested Advice Note:

- (a) In regards to condition 1 the local government advises that fencing shall be installed to a minimum standard of 7 line ring lock with single strand wire on top and pine posts at 6m separation to the requirements of the local government.

Alternate Council Resolution

Moved: Cr Peter Humphrey **Seconded:** Cr Trevor Royce

That Council advise the Western Australian Planning Commission that it does not support the proposed subdivision of Lot 218 Parmelia Boulevard, White Peak as shown upon Plan No.23150-01 as the created lots would be inconsistent with the lot size identified upon the Subdivision Guide Plan adopted by Council at its 23 February 1999 meeting and would set a precedent for the other 7 x 2ha lots on the eastern side of Parmelia Boulevard.

For Cr Katie Low, Cr Beverley Davidson, Cr Elizabeth Elliott-Lockhart, Cr Darrell Forth, Cr

Nicole Batten, Cr Peter Humphrey, Cr Trevor Royce and Cr Kirrilee Warr
Against Nil

8 / 0
CARRIED UNANIMOUSLY
Minute Reference OCM 2023/08-3

All visitors left the council chambers at 9:00am.

Disclosure of Interest

No officer declared an interest under the *Local Government Act 1995*, Subdivision 1 (LGA 1995) in the preparation of this report.

Background

Council is in receipt of correspondence from the Western Australian Planning Commission ('WAPC') seeking its comment upon an application to subdivide 164 (Lot 218) Parmelia Boulevard, White Peak into 2 lots. This report recommends support for the subdivision application. In the event that Council considers the application should be refused, alternative wording is also provided.

Comment

Lot 218 is a cleared 2.1104ha property on the east side of Parmelia Boulevard that contains a two storey residence. The property slopes downwards from the 84m contour at the rear/north-eastern corner to the 78m contour in the front/south-western corner where the residence is located.

Figure 10.1.1(a) – Location Map for 164 (Lot 218) Parmelia Boulevard, White Peak

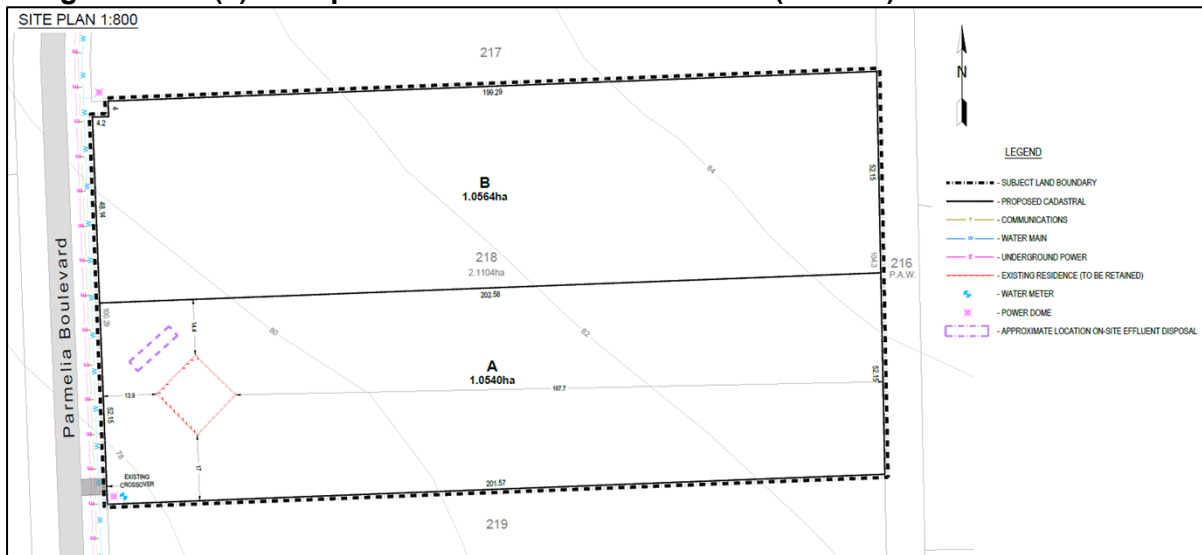


Figure 10.1.1(b) – Aerial photo of 164 (Lot 218) Parmelia Boulevard, White Peak



The application is for an east-west subdividing line down the centre of the block to create a 1.0564ha vacant northern lot and a 1.0540ha southern lot that would contain the residence. A copy of the subdivision application inclusive of the consultants' explanatory letter of support and subdivision plan has been provided as **separate Attachment 10.1.1.1**.

Figure 10.1.1(c) – Proposed Subdivision Plan for 164 (Lot 218) Parmelia Boulevard



Council may consider that the subdivision application could be supported on the following basis:

- the subject site is not within an area identified by the Department of Fire & Emergency Services as bushfire prone upon the State Map of Bushfire Prone Areas [Map of Bush Fire Prone Areas \(slip.wa.gov.au\)](http://slip.wa.gov.au)
- the subject site is not within an area identified by the Department of Planning, Lands & Heritage as having Aboriginal Cultural Heritage upon the Aboriginal Cultural Heritage Inquiry System [Aboriginal Cultural Heritage Inquiry System \(dplh.wa.gov.au\)](http://dplh.wa.gov.au)
- the subject site is within an area service by reticulated power, water and fire hydrant servicing
- the subject site fronts a sealed road

- the additional driveway/crossover created by the subdivision would be sited along a flat, straight section of road that offers acceptable sightlines for additional vehicle egressing movements
- the subdivided lot sizes and yellow sandplain soil type would comply with the requirements of the Department of Health for servicing by an on-site effluent disposal system
- the subdivided lot sizes would comply with the 1ha minimum lot size for the 'Rural Residential' zone established by the Shire of Chapman Valley Local Planning Scheme and *Planning and Development (Local Planning Schemes) Regulations 2015*
- the subdivided lots would be comparable in size to the majority of the lots within the Parkfalls Estate, including the lots to the immediate rear/east of Lot 218 on the other side of the bridle trail
- the proposed subdivision would introduce an additional landowner to contribute to the ongoing local government maintenance costs of providing the existing recreation, community and road infrastructure services.

Alternatively Council may consider that the subdivision application should not be supported on the following basis:

- the subject lot was identified at its current size on the Parkfalls Estate Subdivision Guide Plan that accompanied the rezoning documentation for the Parkfalls Estate that was gazetted on 17 September 1999
- the creation of an additional lot will enable the later construction of an additional residence and outbuilding(s) upon the subject site that would have potential to impact upon views
- the approval of this subdivision may be considered to create a precedent for the subdivision of the other 7 x 2ha lots that are on the eastern side of Parmelia Boulevard.

The Subdivision Guide Plan was adopted by Council at its 23 February 1999 meeting along with the Scheme Amendment that led to the later Parkfalls Estate subdivision and the original and current plan is provided as **separate Attachment 10.1.1.2**. The Subdivision Guide Plan identified Lot 218 in its current size although it is noted that the plan identified it as being within an area of "1.0 to 2.0 hectare" lots and the subdivision of this 2ha lot into 2 x 1ha lots could be considered in accordance with this original identified lot size range.

It is noted that if the other 7 x 2ha lots on the eastern side of Parmelia Boulevard were also to be subdivided this should not be considered to create a precedent for the 11 x larger lots on the western side of Parmelia Boulevard to be subdivided. These 11 x western lots were created at a larger size and had building envelopes placed upon them to ensure future residences were constructed at a greater separation distance from a potential highway realignment and were identified upon the original 1999 Subdivision Guide Plan as being "3.0 hectares minimum".

It is also noted that the subdivided lots would remain subject to the requirement that all outbuilding(s) must be separated by a distance of not more than 22m from the residence. This would require that all future buildings upon the northern vacant subdivided lot must be clustered, and that any future outbuilding(s) upon the southern subdivided lot must be clustered with the existing house, thereby controlling in part the impact of the additional built form upon the rural-residential amenity of the surrounding area and the neighbouring outlooks.

In the event that Council considers that the subdivision application should not be supported it may consider the following alternative wording appropriate:

“That Council advise the Western Australian Planning Commission that it does not support the proposed subdivision of Lot 218 Parmelia Boulevard, White Peak as shown upon Plan No.23150-01 as the created lots would be inconsistent with the lot size identified upon the Subdivision Guide Plan adopted by Council at its 23 February 1999 meeting and would set a precedent for the other 7 x 2ha lots on the eastern side of Parmelia Boulevard.”

Figure 10.1.1(d) – extract from Parkfalls Estate Subdivision Guide Plan 1999

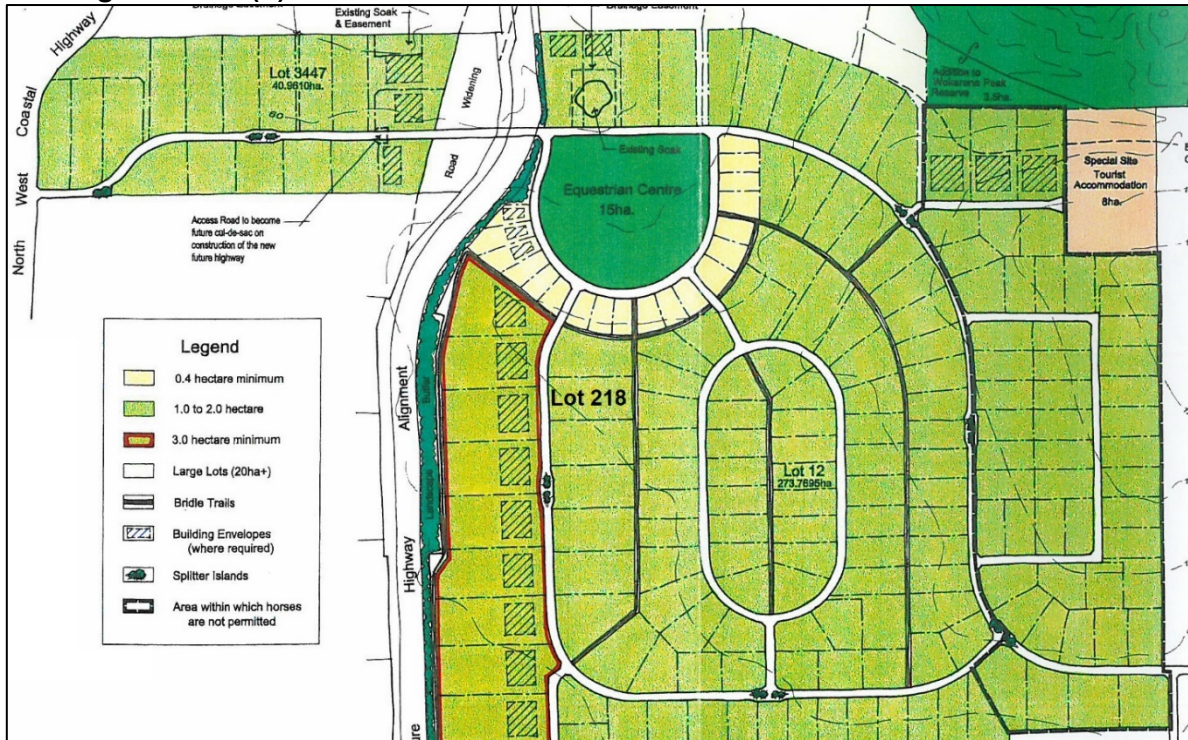


Figure 10.1.1(e) – View from Parmelia Boulevard looking north-east at Lot 218



Figure 10.1.1(f) – View from Wittenoom Circle looking west towards Lot 218



Statutory Environment

The report complies with the requirements of the:
 Shire of Chapman Valley Local Planning Policy
 Shire of Chapman Valley Local Planning Scheme No.3
Planning & Development (Local Planning Schemes) Regulations 2015

Lot 218 Parmelia Boulevard, White Peak is zoned 'Rural Residential 1' under the Shire of Chapman Valley Local Planning Scheme No.3 ('the Scheme').

Figure 10.1.1(g) – Shire of Chapman Valley Planning Scheme Zoning Map extract

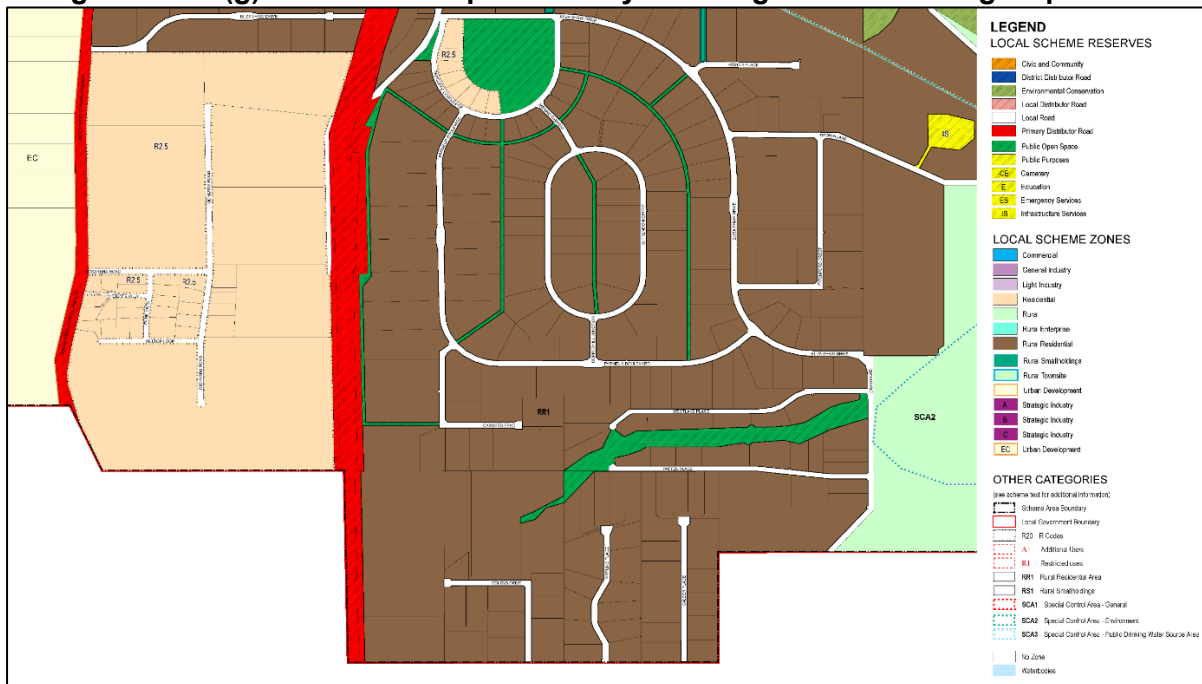


Table 2 of the Scheme lists the objectives of the 'Rural Residential' zone as being:

- *To provide for lot sizes in the range of 1 ha to 4 ha.*
- *To provide opportunities for a range of limited rural and related ancillary pursuits on rural-residential lots where those activities will be consistent with the amenity of the locality and the conservation and landscape attributes of the land.*
- *To set aside areas for the retention of vegetation and landform or other features which distinguish the land.”*

Schedule 3 of the Scheme states that the minimum lot area for the ‘Rural Residential’ zone is *“as outlined in the approved structure plan.”*

The Parkfalls Estate Subdivision Guide Plan was adopted by Council at its 23 February 1999 meeting and is considered to form a Structure Plan as per Part 9 Regulation 79 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Schedule 5 of the Scheme lists the following of relevance in the ‘Rural Residential’ zone to this subdivision application:

- “1 Structure Plan*
- (a) Subdivision, development and land use shall generally be in accordance with a structure plan as adopted by the local government and the Western Australian Planning Commission in accordance with Part 4 of the deemed provisions;*
 - (b) Subdivision, development and land-use shall generally be in accordance with any other matters outlined on the structure plan.*
 - (c) In addition to such other provisions of the Scheme as may affect it, any land that is included in a Rural Residential zone or Rural Smallholding zone shall be subject to those provisions as may be specifically set out against it in Schedules 6 or 7.*

Schedule 6 ‘Rural Residential 1’ of the Scheme lists the following of relevance to this subdivision application:

- “1 For those lots which do not depict a building envelope, all structures including sheds, outbuildings, garages, storage areas and effluent disposal systems shall be sited not more than 22 metres from the closest wall of the dwelling, and must also comply with the setback and/or siting standards in the Scheme;*
- 2 With the objective of maintaining sustainable land use practices and preventing land degradation through wind and water erosion, the keeping of animals is permitted in accordance with the following or such density as approved by the local government following consultation with the Department of Primary Industries and Regional Development, with conditions if appropriate:*
- *5 sheep / 1ha of agistment area*
 - *1 horse / 2ha of agistment area*
 - *1.6 pony / 2ha of agistment area*
 - *1 milking cow / 2ha of agistment area*
 - *1.6 heifer / 2ha of agistment area*
 - *5 goats / 1ha of agistment area*
- Only one stock option as specified above will be permitted or a combination equivalent of one option.*
- 3 Notwithstanding the above, the local government may reduce or vary the limit on stocking or place any other conditions in light of prevailing*

seasonal conditions to prevent overstocking, erosion, or other practices detrimental to the environment or amenity of the neighbouring properties from those rates described in Clause (2) above.”

The provisions of Schedule 6 would result in the subdivided lots being unable to have a horse agisted upon them without the requirement for the lodgement of a development application. The provisions also require all future buildings upon the vacant lot to be clustered and that any future outbuilding(s) upon the lot with the existing house must still be clustered with that building, thereby controlling in part the impact of the additional built form upon the rural-residential amenity of the surrounding area and the outlooks.

Schedule 2 Part 4 clause 27(1) of the *Planning and Development (Local Planning Schemes) Regulations 2015* states that:

“Effect of structure plan

(1) A decision-maker for an application for development approval or subdivision approval in an area that is covered by a structure plan that has been approved by the Commission is to have due regard to, but is not bound by, the structure plan when deciding the application.”

Policy/Procedure Implications

A Policy or Procedure is affected:
Planning and Development Policy & Procedures

Schedule 2 Part 2 Division 2 Clauses 3-6 of the *Planning and Development (Local Planning Schemes) Regulations 2015* provides for Council to prepare a Local Planning Policy in respect of any matter related to the planning and development of the Scheme area.

Council has prepared Shire of Chapman Valley Local Planning Policy 7.5 – Subdivision Standards a copy of which can be viewed at the following link:
<https://www.chapmanvalley.wa.gov.au/local-planning-policies.aspx>

Given Lot 218 already fronts a sealed road and has access to water and power services it is not considered that the requirements of LPP7.5 are applicable in this instance.

A Local Planning Policy does not bind the local government in respect of any application for planning approval but the local government is to have due regard to the provisions of the policy and the objectives which the policy is designed to achieve before making its determination.

In most circumstances the Council will adhere to the standards prescribed in a Local Planning Policy, however, the Council is not bound by the policy provisions and has the right to vary the standards and approve development where it is satisfied that sufficient justification warrants a concession and the variation granted will not set an undesirable precedent for future development.

Financial Implications

No Financial Implications Identified.

The Shire of Chapman Valley Long Term Financial Plan was endorsed by Council at its 19 June 2019 meeting. It is not considered that the determination of this application would have impact in relation to the Long Term Financial Plan.

Strategic Implications

Lot 218 is located within Precinct No.7 – South West of the Shire of Chapman Valley Local Planning Strategy (2008). Figures 4 and 11 of the Local Planning Strategy identify Lot 218 as being ‘Existing Rural Residential’.

The subdivision application can be considered to accord with the following objectives of the Local Planning Strategy:

- “7.1.2 Encourage the rezoning and subdivision of land into Rural Smallholdings and Rural Residential lots in accordance with Figure 4 as a rounding off the greater northern Geraldton area.”*
- “7.2.3 Ensure that Urban and Rural Residential development are adequately serviced by existing services and infrastructure that includes connection to a potable scheme water supply.”*
- “7.4.1 Enhance the standards of servicing and infrastructure commensurate with urban development standards (i.e. bitumen sealed roads, reticulated water, underground power etc.).*
- 7.4.2 Ensure adequate levels of servicing and infrastructure, as determined by Council, exist or will be provided when supporting proposals for a change in land use/development or subdivision, to avoid burden (financial or otherwise) on the Council’s resources.*
- 7.4.3 Identify, support and facilitate the efficient and coordinated use of existing road linkages.”*

The Local Planning Strategy addresses subdivision within Precinct No.7 - South West as follows:

“Council may support the subdivision/amalgamation of land within this Precinct, having due regard to the objectives of the Precinct, in the following circumstances:

- e) For urban and rural residential purposes in accordance with the Greater Geraldton Structure Plan 1999 development subject to structure planning, a potable reticulated scheme water supply, detailed land capability/suitability assessment and appropriate rezoning.”*

Strategic Community Plan/Corporate Business Plan Implications

COMMUNITY HEALTH & LIFESTYLE

1.1 Nurture the sense of community and unity across the Shire, while supporting towns and their volunteers in local issues.

1.1.1 Development of plans and strategies relevant to emerging population needs.

ENVIRONMENT & SUSTAINABILITY

3.2 Maintain the rural identity of the Shire.

3.2.1 Develop western peri-urban environment in context to rural lifestyle.

Consultation

The WAPC is not obliged to undertake public consultation in its assessment of subdivision applications, but has referred the application out to the Shire of Chapman Valley, Department of Fire and Emergency Services, Department of Health, Water Corporation and Western Power seeking comment.

Risk Assessment

An Insignificant Environmental Risk of Level 1 - Which will likely result in contained, reversible impact managed by on site response.

10.1.2 Unconstructed Road Reserve Closure

Department	Development Service Planning
Author	Simon Lancaster
Reference(s)	A1528
Attachment(s)	Nil

Voting Requirements

Simply Majority

Staff Recommendation

That Council:

- 1 Pursuant to Section 58 of the *Land Administration Act 1997* request the Minister for Planning, Lands & Heritage to approve the closure of the unconstructed, unnamed road reserve across Lot 2075 Old Nabawa-Northampton Road, Nabawa.
- 2 Advise the Minister for Planning, Lands & Heritage that the subject road reserve is surplus to its requirements and support its disposal into Lot 2075 at no land valuation cost to the Naaguja Warangkarri Aboriginal Corporation.

Council Resolution

Moved: Cr Darrell Forth **Seconded:** Cr Peter Humphrey

That Council:

- 1 Pursuant to Section 58 of the *Land Administration Act 1997* request the Minister for Planning, Lands & Heritage to approve the closure of the unconstructed, unnamed road reserve across Lot 2075 Old Nabawa-Northampton Road, Nabawa.
- 2 Advise the Minister for Planning, Lands & Heritage that the subject road reserve is surplus to its requirements and support its disposal into Lot 2075 at no land valuation cost to the Naaguja Warangkarri Aboriginal Corporation.

For Cr Katie Low, Cr Beverley Davidson, Cr Elizabeth Elliott-Lockhart, Cr Darrell Forth, Cr Nicole Batten, Cr Peter Humphrey, Cr Trevor Royce and Cr Kirrilee Warr

Against Nil

8 / 0

CARRIED UNANIMOUSLY
Minute Reference OCM 2023/08-4

Disclosure of Interest

No officer declared an interest under the *Local Government Act 1995*, Subdivision 1 (LGA 1995) in the preparation of this report.

Background

An unformed 450m long road reserve runs across Lot 2075 Old Nabawa-Northampton Road that is considered surplus to Shire requirements and negatively impacts the landowner. Council considered this matter at its 15 June 2023 meeting and resolved:

“That Council:

- 1 Pursuant to Section 58 of the Land Administration Act 1997 initiate closure action for the unconstructed, unnamed road reserve across Lot 2075 Old Nabawa-Northampton Road, Nabawa and its amalgamation into Lot 2075 as shown upon the plan included as Figure 10.1.2(a) to this report.*
- 2 Request that the Department of Planning, Lands & Heritage waive its costs (inclusive of land valuation/acquisition costs and document preparation fees/costs) relating to the closure and disposal of the road reserve across Lot 2075 and provide copy of the supporting correspondence from the Naaguja Warangkarri Aboriginal Corporation to the Department.”*

The road reserve closure has been advertised for comment and no objections were received. This report recommends that Council formally request the Minister for Planning, Lands and Heritage to close the subject road reserve to enable its amalgamation into the surrounding property.

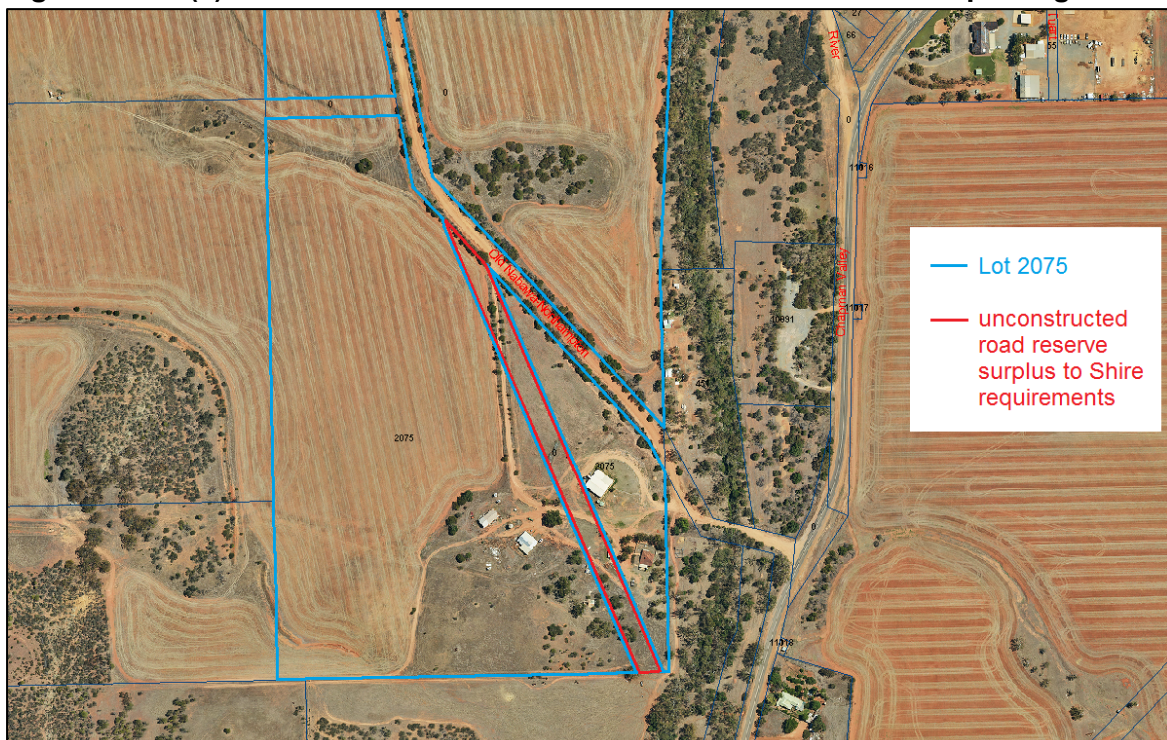
Comment

Lot 2075 Old Nabawa-Northampton Road, Nabawa is owned by the Naaguja Warangkarri Aboriginal Corporation and contains the residence, cultural centre and farm outbuildings that serve the wider farm landholding.

A 450m long, 20m wide road reserve with an approximate area of 9,517m² runs across Lot 2075 splitting the cultural centre from the residence and sheds. The road reserve is not constructed on-ground and is surplus to Shire requirements.

The closure and disposal of the unconstructed road reserve would benefit the Shire by removing an unrequired asset and would benefit the Naaguja Warangkarri Aboriginal Corporation as the alignment runs in immediate proximity to, and between, the buildings upon their farm.

Figure 10.1.2(a) – Aerial Photo of Unconstructed Road Reserve impacting Lot 2075



As part of the Nanson Showground Land Exchange, whereby 9.7ha of privately owned land is to be provided by the neighbouring landowner (Ballycastle Pty Ltd) to amalgamate into the Nanson Showground in exchange for 10.21ha of Crown Land being provided to the private landowner, the Shire was required to reach agreement for the taking of native title rights.

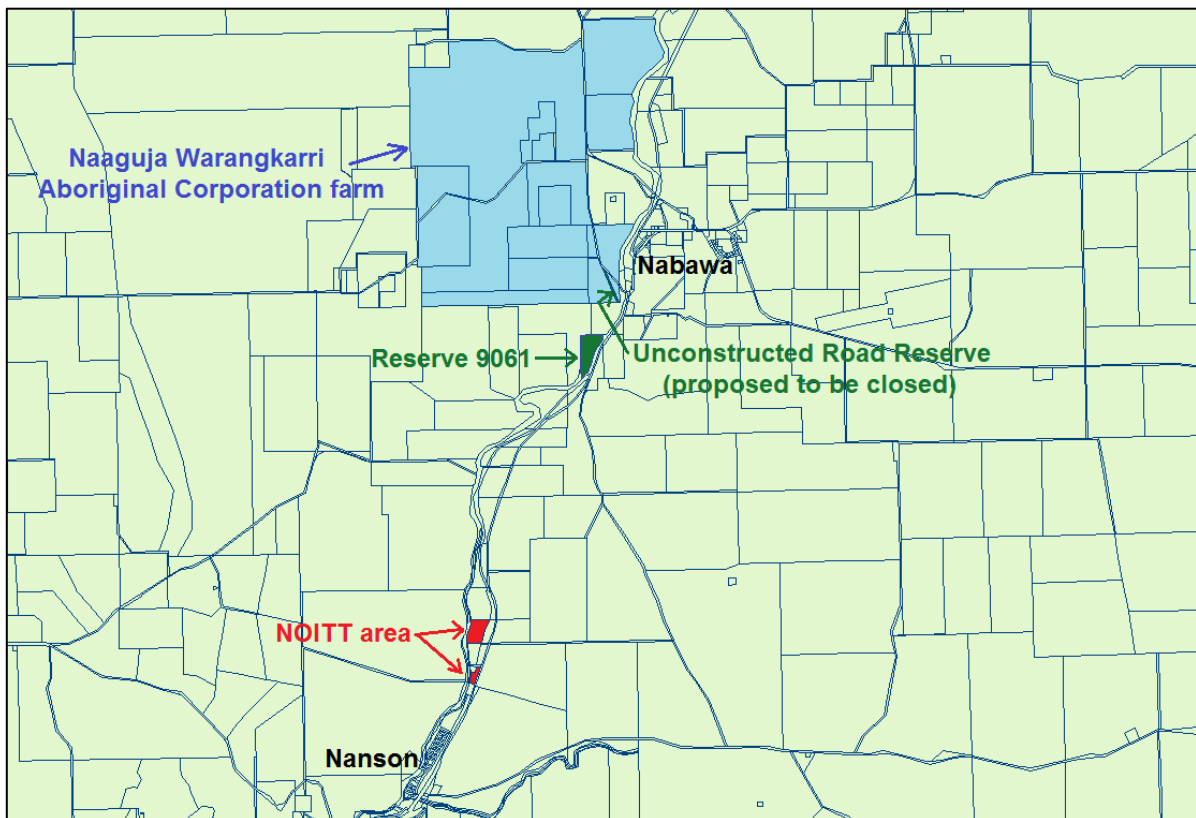
The Shire identified that the 9.5657ha Reserve 9061 on the western side of Chapman Valley Road (opposite the Nabawa Cemetery) was surplus to its requirements and considered it appropriate that this parcel should be included in the native title settlement. As a side matter the Shire also considered that the 9,517m² unformed road reserve that runs across Lot 2075 should also form part of the native title settlement.

Council resolved at its 18 March 2020 meeting as follows:

“That Council:

- 1 Advise the Yamatji Marlpa Aboriginal Corporation that it agrees to Reserve 9061 being included within the Yamatji Nation Indigenous Land Use Agreement in exchange for the withdrawal of its objection to Notice of Intention to Take N982297.*
- 2 Advise the Department of Planning, Lands & Heritage of Council’s resolution relevant to Reserve 9061 and, as a separate matter, advise the Department that Council supports the inclusion of the approximately 9,517m² unconstructed road reserve running across Lot 2075 Old Nabawa-Northampton Road, Nabawa into the Yamatji Nation Land Use Agreement and it being provided into the surrounding Naaguja Warangkarri Aboriginal Corporation freehold title landholding.”*

Figure 10.1.2(b) – Land parcels in the native title discussions relevant to the Nanson Showground Land Exchange



The native title claimants advised on 3 August 2020 that the objection to the native title notice of intent (NOITT) had been withdrawn enabling the Shire and the DPLH to commence finalisation of the Nanson Showground Land Exchange with Ballycastle Pty Ltd.

Reserve 9061 was included in the Yamatji Nation Indigenous Land Use Agreement Committed Land package.

However, the DPLH advised that due to timing it was unable to coordinate the inclusion of the road reserve across Lot 2075 into the Yamatji Nation Land Use Agreement, but that this could be considered as a separate formal road closure and disposal action.

The Shire made query with DPLH as to whether the land purchase costs that would normally be required to be paid to the DPLH by the acquiring landowner (in this case being the Naaguja Warangkarri Aboriginal Corporation) could be waived in this instance as the road reserve would have been provided free of cost if it had been included in the native title settlement package.

The DPLH advised that waiving, reducing or minimising fees and charges was a matter that its Assistant Director General would need to authorise and that the decision on a sale of land for less than the current unimproved market value required the approval of the Minister for Lands.

The Shire therefore made contact with the Naaguja Warangkarri Aboriginal Corporation seeking a letter of support to assist it in its request to the DPLH to waive the costs and fees involved in the road closure process.

The Naaguja Warangkarri Aboriginal Corporation have provided correspondence outlining their connection to country and their role in the community that was provided as Attachment 10.1.2.1 with the 15 June 2023 Council Agenda. It is recommended that a copy of this supporting correspondence be provided to the DPLH along with a Council's resolution should it resolve to proceed with this road closure action.

Shire staff support the closure and disposal of the road reserve across Lot 2075 on the following basis:

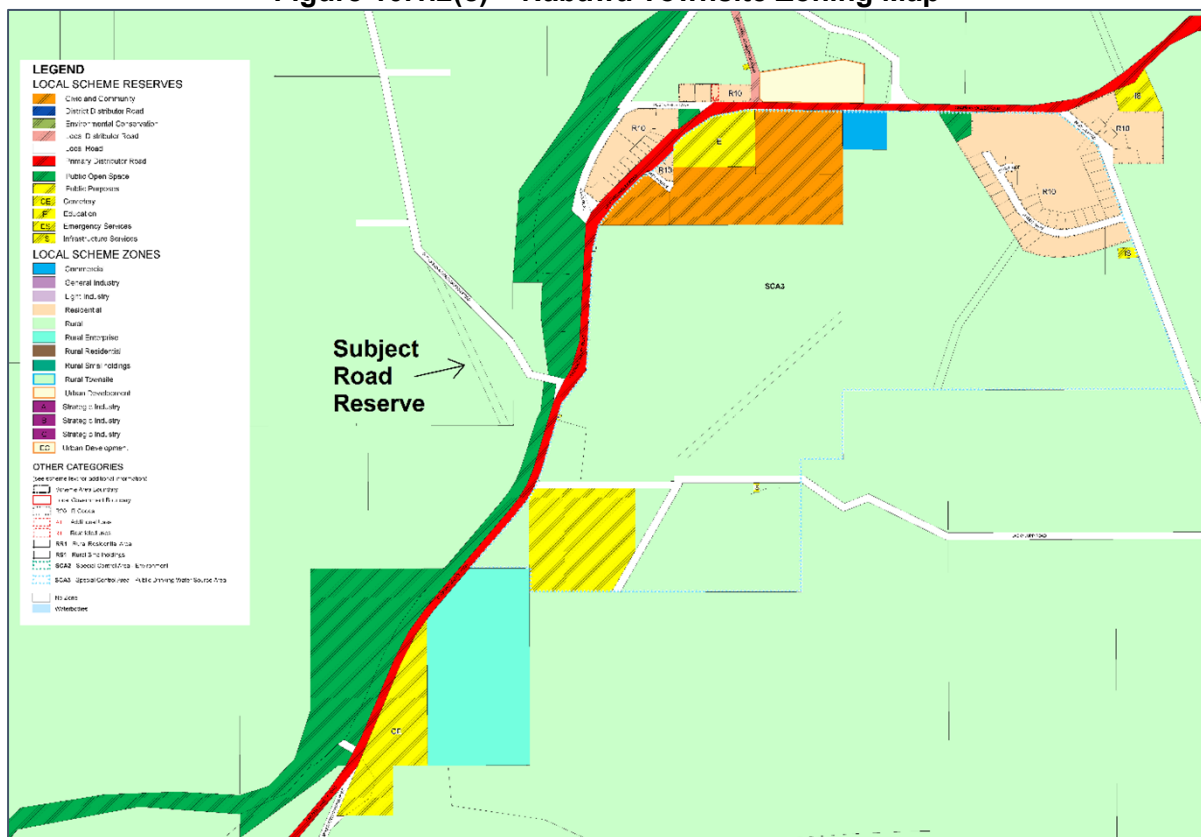
- the road reserve is unconstructed and does not provide general access;
- the road reserve is considered surplus to Shire requirements as it does not provide a through purpose and duplicates a parallel constructed road;
- the road reserve is not required to be constructed in future as the only other lot that it connects with (Lot 450) already has a constructed road frontage to Old Nabawa-Northampton Road;
- the closure of the unconstructed road would benefit the Shire by removing an unrequired asset, management responsibility and public liability concerns;
- the closure of the unconstructed road would benefit the landowner as the alignment runs between their cultural centre and the residence and farms sheds;
- the amalgamation of the road reserve into the surrounding lot will improve farm security for the landowner and ensure that the cadastral layout for the area corresponds with the on-ground reality and farming operations;
- the road already appears on-ground to form part of the landowner's property;
- it is considered that the subject land would be better managed under the private ownership of the adjoining landowner rather than under public ownership;
- the road closure process was advertised for public comment and no objections were received from the surrounding landowners and letters of support were received from all service authorities.

Statutory Environment

The report complies with the requirements of the:
Shire of Chapman Valley Local Planning Scheme No.3

The subject road reserve is zoned 'Rural' under the Shire of Chapman Valley Local Planning Scheme No.3 which corresponds with the surrounding Lot 2075 that it is proposed to be amalgamated into, meaning no rezoning action is required relating to this disposal.

Figure 10.1.2(c) – Nabawa Townsite Zoning Map



Road closures are undertaken pursuant to Section 58 of the *Land Administration Act 1997*

“58 Closing roads

- (1) *When a local government wishes a road in its district to be closed permanently, the local government may, subject to subsection (3), request the Minister to close the road.*
- (2) *When a local government resolves to make a request under subsection (1), the local government must in accordance with the regulations prepare and deliver the request to the Minister.*
- (3) *A local government must not resolve to make a request under subsection (1) until a period of 35 days has elapsed from the publication in a newspaper circulating in its district of notice of motion for that resolution, and the local government has considered any objections made to it within that period concerning the proposals set out in that notice.*
- (4) *On receiving a request delivered to him or her under subsection (2), the Minister may, if he or she is satisfied that the relevant local government has complied with the requirements of subsections (2) and (3) –*
 - (a) *by order grant the request; or*

- (b) *direct the relevant local government to reconsider the request, having regard to such matters as he or she thinks fit to mention in that direction; or*
 - (c) *refuse the request.*
- (5) *If the Minister grants a request under subsection (4) –*
 - (a) *the road concerned is closed on and from the day on which the relevant order is registered; and*
 - (b) *any rights suspended under section 55(3)(a) cease to be so suspended.*
- (6) *When a road is closed under this section, the land comprising the former road*
 - (a) *becomes unallocated Crown land; or*
 - (b) *if a lease continues to subsist in that land by virtue of section 57(2), remains Crown land.”*

In the event that the road closure and disposal process is supported by Council and the DPLH, then the DPLH would issue Crown Survey instruction for the preparation of a survey diagram to amalgamate the land into the surrounding lot and dispose of the Crown Land pursuant to Section 87 of the *Land Administration Act 1997*.

Policy/Procedure Implications

No Policy or Management Procedure affected.

Financial Implications

Long Term Financial Plan

No major effect is anticipated on the Long Term Financial Plan.

The Shire and Naaguja Warangkarri Aboriginal Corporation have prepared information that was submitted to the DPLH outlining the reasons why the land valuation and purchase costs should be waived in this instance. This includes the cultural association of the Naaguja people to the subject land, its immediate relevance to the Naaguja farm, and that the land should have been included in the native title settlement package as it was identified by the Shire and native title claimants through joint discussion prior to the finalisation of the Yamatji Nation Indigenous Land Use Agreement, and if the land has been included in the agreement there would not have been a purchase or conveyancing cost.

The DPLH advised on 28 June 2023 that this road closure would incur the following costs:

- \$500 GST exclusive Land Valuation; &
- \$1,427 DPLH Document Preparation Fee.

There would also be the survey cost of a Deposited Plan being prepared that amalgamates the road reserve into Lot 2075. The Shire has sought quote from a local surveyor and the anticipated cost of preparation of the Deposited Plan would be approximately \$2,000.

The Shire has the ability to cover the document preparation and survey cost within its Surveying & Land Expenses Account 7052 and this would then remove an unwanted asset from the Shire's maintenance, liability and budgetary responsibilities. However, it is not considered appropriate that there should be a land valuation cost attached to the return of the land by the Crown to the traditional owners. Further to this the subject land should have been provided without cost had it been included in the Yamatji Nation Agreement as was requested by the Shire at its 18 March 2020 meeting.

Strategic Implications

The closure and disposal of the road reserve that impacts the Naaguja cultural centre would align with the following objectives of both the Western Australian and Mid West Tourism Development Strategy:

“Aboriginal. Outcome: Provide every visitor with the opportunity to have an Aboriginal tourism experience: facilitate and support opportunities for access to land and tenure for the development of tourism; supporting industry in interfacing with government, maximising involvement in government tourism programs; opportunities and pathways for Aboriginal employment in tourism and hospitality, including through traineeships and cadetships”. (MWDC, page 11)

Strategic Community Plan/Corporate Business Plan Implications

COMMUNITY HEALTH & LIFESTYLE

1.1 Nurture the sense of community and unity across the Shire, while supporting towns and their volunteers in local issues.

1.1.2 Determine a whole of Shire community integration approach.

COMMUNITY HEALTH & LIFESTYLE

1.4 Maintain and enhance community safety and security.

1.4.1 Maintain safe roads and infrastructure.

Consultation

The proposed road reserve closure was required to be advertised for comment for a period of 35 days (or greater) under Section 58 of the *Land Administration Act 1997* and this has now been undertaken by the Shire and included the following actions:

- notice being placed in the Mid West Times on 26 June 2023;
- letters being sent to the 2 surrounding landowners;
- letters being sent to the relevant service authorities (ATCO Gas, Australian Gas Infrastructure Group, Telstra, Water Corporation and Western Power);
- sign detailing the proposed reserve closure being erected onsite; &
- notice and explanatory information being displayed on the Shire website.

At the conclusion of the advertising period on 4 August 2023, 5 submissions had been received, all from service authorities advising they had no assets within the subject area and expressing no objection to the proposed road reserve closure. Copies of the received submissions can be provided to Councillors upon request.

Risk Assessment

An Insignificant Property Risk of Level 1 - Likely resulting in inconsequential or no damage.

10.2 Manager of Finance & Corporate Services

10.2.1 Financial Management Report

Department	Finance, Governance & Corporate Services Finance
Author	Dianne Raymond
Reference(s)	307.00
Attachment(s)	1. Financial Management Report June 2023 [10.2.1.1 - 40 pages]

Voting Requirements

Simply Majority

Staff Recommendation

That Council receives the financial management report supplied under separate cover for the month of June 2023.

Council Resolution

Moved: Cr Nicole Batten **Seconded:** Cr Trevor Royce

That Council receives the financial management report supplied under separate cover for the month of June 2023.

For Cr Katie Low, Cr Beverley Davidson, Cr Elizabeth Elliott-Lockhart, Cr Darrell Forth, Cr Nicole Batten, Cr Peter Humphrey, Cr Trevor Royce and Cr Kirrilee Warr

Against Nil

8 / 0

CARRIED UNANIMOUSLY
Minute Reference OCM 2023/08-5

Disclosure of Interest

No officer declared an interest under the Local Government Act 1995, Subdivision 1 (LGA 1995) in the preparation of this report.

Background

Local Government (Financial Management) Regulations require monthly statements of financial activity to be reported and presented to Council.

Comment

The financial position at the end of June 2023 is detailed in the monthly management report provided as a separate attachment for Council's review. Note the final end of year position remains to be determined following full audit.

Statutory Environment

The report complies with the requirements of the:
Local Government Act 1995 Section 6.4
Local Government (Financial Management) Regulations 1996

Policy/Procedure Implications

No Policy or Management Procedure affected.

Financial Implications

Long Term Financial Plan

No major effect is anticipated on the Long-Term Financial Plan.

Strategic Implications

Strategic Community Plan/Corporate Business Plan Implications

GOVERNANCE & ACCOUNTABILITY

5.3 Make informed decisions within resources and areas of responsibility.

5.3.1 Council and Shire process formally incorporate integrated plans as references.

5.3.2 Regular and relevant briefings to Elected Members.

Consultation

Not applicable

Risk Assessment

An Insignificant Financial Impact Risk of Level 1 - Which will likely be less than \$1,000.

10.3 Chief Executive Officer

10.3.1 2024 Council Meeting Dates & Times

Department	Finance, Governance & Corporate Services Chief Executive Officer
Author	Jamie Criddle
Reference(s)	
Attachment(s)	Nil

Voting Requirements

Simply Majority

Staff Recommendation

That Council Ordinary Meeting time, dates and locations for the next Calendar Year as listed below be adopted and advertised in accordance with the Local Government (Administration) Regulations:

DATE	MEETING LOCATION
15 February	Nabawa Chambers
21 March	Nabawa Chambers
18 April	Nabawa Chambers
16 May	Nabawa Chambers
20 June	Nabawa Chambers
18 July	Nabawa Chambers
15 August	Bill Hemsley Community Centre
19 September	Nabawa Chambers
17 October	Nabawa Chambers
21 November	Nabawa Chambers
19 December	Nabawa Chambers

Note: All Ordinary Council Meetings are to commence at 9.00am.

Matter Lay on Table until September Ordinary Council Meeting

Council Resolution

Moved: Cr Darrell Forth **Seconded:** Cr Nicole Batten

That Council have the matter lay on the table pending further discussion and to return to the September 2023 Ordinary Council Meeting.

For Cr Katie Low, Cr Beverley Davidson, Cr Elizabeth Elliott-Lockhart, Cr Darrell Forth, Cr

Nicole Batten, Cr Peter Humphrey, Cr Trevor Royce and Cr Kirrilee Warr

Against Nil

8 / 0

CARRIED UNANIMOUSLY

Minute Reference OCM 2023/08-6

Disclosure of Interest

No officer declared an interest under the Local Government Act 1995, Subdivision 1 (LGA 1995) in the preparation of this report.

Background

Council is required under the Local Government Act 1995 to at least once a year set and advertise meeting dates, times and venues for Ordinary Council meetings for the next 12 month period.

Council has previously resolved in previous years to hold All OCM in Nabawa at the Council Chambers. In 2023 Council, after consultation with the Community resolved to hold the August meeting in the Western Regions (Bill Hemsley Community Centre) with the remainder of the ordinary Council Meeting to be held at the Nabawa Administration Building.

MOVED: Cr Royce

SECONDED: Cr Elliott-Lockhart

COUNCIL RESOLUTION /STAFF RECOMMENDATION

Council Ordinary Meeting time, dates and locations for the next Calendar Year as listed below be adopted and advertised in accordance with the Local Government (Administration) Regulations, to be reviewed in the February 2023 Ordinary Council Meeting:

DATE	MEETING LOCATION
16 February	Nabawa Chambers
16 March	Nabawa Chambers
20 April	Nabawa Chambers
18 May	Nabawa Chambers
15 June	Nabawa Chambers
20 July	Nabawa Chambers
17 August	Bill Hemsley Community Centre
21 September	Nabawa Chambers
19 October	Nabawa Chambers
16 November	Nabawa Chambers
14 December	Nabawa Chambers

Note: All Ordinary Council Meetings are to commence at 8.30am.

Voting F8/A0

CARRIED

Minute Reference: 08/22-07

Comment

Council meetings days were changed at the March 2022 OCM and are now held at Nabawa on the third Thursday of the month and Bill Hemsley Community Centre in August, commencing at 8.30am with the exception of January when no Ordinary Council Meeting is held.

There does not seem to be any clashes with dates throughout the year, but maybe amended with the correct notice as per the Local Government Act.

2024 Public Holidays

New Year's Day	Monday 1 January
Australia Day	Friday 26 January
Labour Day	Monday 4 March
Good Friday	Friday 29 March
Easter Sunday	Sunday 31 March
Easter Monday	Monday 1 April
Anzac Day	Thursday 25 April
Western Australia Day	Monday 3 June
King's Birthday	Monday 23 September
Christmas Day	Wednesday 25 December
Boxing Day	Thursday 26 December

Below are recommended meeting locations and dates for the 2024 Ordinary Council Meeting (OCM) with a NEW start time for these OCM's commencing at 9.00am:

DATE	MEETING LOCATION
15 February	Nabawa Chambers
21 March	Nabawa Chambers
18 April	Nabawa Chambers
16 May	Nabawa Chambers
20 June	Nabawa Chambers
18 July	Nabawa Chambers
15 August	Bill Hemsley Community Centre
19 September	Nabawa Chambers
17 October	Nabawa Chambers
21 November	Nabawa Chambers
19 December	Nabawa Chambers

Note: All Ordinary Council Meetings are to commence at 9.00am.

Statutory Environment

The report complies with the requirements of the:
Local Government Act 1995

Local Government (Administration) Regulations 1996 Clause 12 (1) states: Public notice of Council or Committee meetings – s 5.25(G)

At least once each year a local government is to give local public notice:

1. Of the dates, time and place of the ordinary council meetings;
2. The committee meetings that are required under the Act to be open to the members of the public or that are proposed to be open to members of the public are to be held in the next 12 months.

Policy/Procedure Implications

No Policy or Management Procedure affected.

Financial Implications

No Financial Implications Identified.

Strategic Implications

It is important for Council to include and engage all sectors of our community and the concept of structuring meeting times, dates and location to reach out to the community is one means of improving this.

Strategic Community Plan/Corporate Business Plan Implications

GOVERNANCE & ACCOUNTABILITY

5.1 Ensure governance and administration systems, policies and processes are current and relevant.

5.1.1 Review policy categories and set ongoing accountability for review processes.

Consultation

The practice of relocating the Council Meetings has previously been discussed in the past and I believe this has proven to be successful as it portrays a clear indication Council will continue to reach out to the community.

Risk Assessment

An Insignificant Compliance Risk of Level 1 - Which will likely result in no noticeable regulatory or statutory impact.

An Insignificant Reputational Risk of Level 1 - Which will likely result in unsubstantiated, low impact, low profile or 'no news' item.

10.3.2

WAEC Proposed Amended Electoral Boundaries

Department	Finance, Governance & Corporate Services Chief Executive Officer
Author	Jamie Criddle
Reference(s)	Nil
Attachment(s)	<ol style="list-style-type: none">20230809 Flying Agenda Objection to Proposed Boundaries (ID 658490) [10.3.2.1 - 6 pages]Electoral Distribution Commissioners Explanatory Statement [10.3.2.2 - 23 pages]WAEC Proposed Boundaries Western Australia [10.3.2.3 - 1 page]

Voting Requirements

Simply Majority

Staff Recommendation

That with respect to the WAEC Electoral Distribution Commissioners proposed changes to WA electoral boundaries, Council resolve that:

1. The Proposed changes do not represent the best interest of the Shire of Chapman Valley or country WA.
2. If the proposed changes are to go ahead then the State Government must invest in more regional electoral offices and Ministerial outreach to regional WA
3. Holistically the State's electoral methodology needs to be reviewed with a terms of reference to focus on equality of representation and services based on more than just population, to account for the value proposition of regional WA
4. Direct the CEO to provide the Shire's endorsed position as a submission to the WAEC Electoral Distribution Commissioners prior to 21 August 2023.

Council Resolution

Moved: Cr Elizabeth Elliott-Lockhart **Seconded:** Cr Nicole Batten

That with respect to the WAEC Electoral Distribution Commissioners proposed changes to WA electoral boundaries, Council resolve that:

1. The Proposed changes do not represent the best interest of the Shire of Chapman Valley or country WA.
2. If the proposed changes are to go ahead then the State Government must invest in

more regional electoral offices and Ministerial outreach to regional WA

3. Holistically the State's electoral methodology needs to be reviewed with a terms of reference to focus on equality of representation and services based on more than just population, to account for the value proposition of regional WA
4. Direct the CEO to provide the Shire's endorsed position as a submission to the WAEC Electoral Distribution Commissioners prior to 21 August 2023.

For Cr Katie Low, Cr Beverley Davidson, Cr Elizabeth Elliott-Lockhart, Cr Darrell Forth, Cr Nicole Batten, Cr Peter Humphrey, Cr Trevor Royce and Cr Kirrilee Warr

Against Nil

8 / 0

CARRIED UNANIMOUSLY
Minute Reference OCM 2023/08-7

Disclosure of Interest

No officer declared an interest under the Local Government Act 1995, Subdivision 1 (LGA 1995) in the preparation of this report.

Background

The Electoral Distribution Commissioners have proposed significant changes to Western Australia's State electoral boundaries. The most significant changes proposed by the Commissioners are the creation of a new district in the south metropolitan area, and the merging of the regional districts of Moore and North-West Central. This change directly impacts the effective representation of the Shire of Chapman Valley, as the Shire sits in the Moore electorate.

A notice for Objections Invited was distributed on 21 July 2023, which calls for written objections, comments or suggestions in response to the proposals to be lodged no later than 5:00pm on 21 August 2023.

The WA Electoral Commission (WAEC) generally reviews electoral boundaries based on population distribution, which in itself will favour representation towards areas with population mass or growth.

In 2021, the Shire of Chapman Valley opposed the Electoral Equality Bill that implemented a one-vote, one-value electoral system to the upper house. The bill abolished metro and regional upper house tickets in favour of a statewide ticket. At the time it was claimed by the State Government that under the old system a vote from some regions was worth six times one from a metro counterpart.

At the time the review was aligned to a report into electoral reform headed by former WA Governor Malcolm McCusker, however the terms of reference of the review centered around equality of votes as a determinant of electoral equality. The counter argument was made across regional areas that this mathematical view of equality ignored the vast gap between the regional and metropolitan areas in terms of healthcare, education, transport, telecommunications, welfare, and other support services. It was argued that the increased

regional weighting to votes ensured some form of advocacy and representation for the underpopulated and underserviced areas of the State.

In terms of the lower house, effective on 20 May 2005, the Electoral Amendment and Repeal Act 2005 (No.1 of 2005) abolished the country-metropolitan distinction for the Legislative Assembly, but all seats then in place remained until the following election on 6 September 2008.

A redistribution of seats announced by the Western Australian Electoral Commission on 29 October 2007 placed 42 seats in the Perth metropolitan area and 17 in the country area, with a variation of $\pm 10\%$ from the average population normally permitted. The only distinction for rural seats is that any seat with an area of 100,000 square kilometres or greater (that is, 4% of the State's land area) may have a variation of $+10\%$ -20% from the average, using an adjusted population based on the seat's area in square kilometres.

The current WAEC proposal will essentially reduce the number of seats in country areas further and add an extra metropolitan seat.

This change combined with previous one-vote; one-voice changes represents a reduction in country representation in both State houses of parliament.

On a principal basis, the Shire should object/challenge the proposal regardless of the fact that the modification affects the local Moore electorate, although that makes the stance even more important, given the change will reduce country representation and this representation is required to implement strong advocacy and outcomes for regional areas across the State.

Any reduction of regional seats would only exacerbate the existing challenges faced by regional communities, making it harder for their voices to be heard and their issues addressed.

Regional areas require strong and effective representation to ensure that their unique needs and challenges are adequately addressed. A reduction in regional seats would result in fewer representatives with a thorough understanding of the issues and challenges faced by regional communities, leading to a lack of effective advocacy and representation.

Furthermore, the merging of regional seats will result in larger electorates, making it more difficult for constituents to access their local Member and for Members to engage effectively with their communities. The larger the electorate, the more difficult it becomes for Members to provide the necessary support and advocacy that their constituents require.

The state economy is dominated by its resources and services sector and largely driven by the export of iron-ore, gold, liquefied natural gas and agricultural commodities such as wheat and it is these resources that generate much of the State's income and strong financial position.

Interestingly, the State government continues to argue at a federal level for a fair share of GST, even though the WA population size maybe does not warrant the investment, the State government argues that it is only fair that the State receive a fair share of the income it

generates back. If this argument is applied to WA as a State, then potentially the regional areas should be demanding a fair investment and representation based on the fact that

much of the State Governments income from exports and royalties is generated from the regions not where the populous areas are.

The above stands as an example of how a value proposition based holistically around population may not ensure appropriate representation and equality for the State, and potentially a continuation of the population driven electoral reform will lead to decision making that hinders the economic prosperity of regional WA and the State as a whole. It will not be easy to place an appropriate value on the contribution of regional WA to the State prosperity but potentially a review with a term of reference around equality of living and the value of access to members on the State's economic output.

Whilst the author does not believe that objecting or challenging the WAEC review outcome will in any way alter the outcome, it is important that the Shire acts out of civic responsibility.

Retaining the current number of regional seats is critical for ensuring that regional communities have adequate representation and support in the Western Australian Parliament. By doing so, we can ensure that our regional communities receive the attention and resources they need to thrive, and that their voices are heard at the highest levels of government.

If the change goes through as expected, then it is important that the State Government review the electoral districts and the travel distances between regional offices and consider implementing a maximum distance or travel time. This would likely trigger the investment in more electoral offices and at least provide a conduit by which regional residents can access their local member or at least one of their representatives.

Comment

That Chapman Valley states strongly that its preference is for the current electoral boundaries remain in effect as the proposed changes will further reduce the country representation in State parliament and diminish the inputs of the Midwest region and Chapman Valley Shire residents.

Statutory Environment

This report has no statutory environment requirements.

Policy/Procedure Implications

No Policy or Management Procedure affected.

Financial Implications

No Financial Implications Identified.

Strategic Implications

Strategic Community Plan/Corporate Business Plan Implications

COMMUNITY HEALTH & LIFESTYLE

1.1 Nurture the sense of community and unity across the Shire, while supporting towns and their volunteers in local issues.

1.1.1 Development of plans and strategies relevant to emerging population needs.

Consultation

WALGA

Risk Assessment

An Insignificant Reputational Risk of Level 1 - Which will likely result in unsubstantiated, low impact, low profile or 'no news' item.

11 Elected Members Motions

The Council did not received any notice of motion from an elected member during the meeting.

12 New Business of an Urgent Nature Introduced by Decision of the Meeting

Nil

13 Delegates Reports

That council receive the following Delegates Reports.

Delegate	Details
Cr Nicole Batten	Meeting with MWDC to assist with Oakajee SIA Community Forum Budget Adoption Meeting
Cr Katie Low	Budget Adoption Meeting Election Candidate information Briefing Webinar
Cr Darrell Forth	Budget Adoption Meeting Chapman Valley Back Roads Event Chapman Valley Show Meeting
Cr Beverley Davidson	Budget Adoption Meeting
Cr Elizabeth Elliott-Lockhart	Budget Adoption Meeting
Cr Trevor Royce	Budget Adoption Meeting
Cr Kirrilee Warr	Budget Adoption Meeting

14 Announcements by Presiding Member Without Discussion

No announcements were made by the Presiding Member throughout the course of the meeting.

15 Matters for which Meeting to be Closed to Members of the Public

Council Resolution

Moved: Cr Katie Low **Seconded:** Cr Nicole Batten

That Council close the meeting to the public pursuant to the Local Government Act 1995, Section 5.23(a) - A matter affecting an employee or employees, at 9:18 am.

For Cr Katie Low, Cr Beverley Davidson, Cr Elizabeth Elliott-Lockhart, Cr Darrell Forth, Cr Nicole Batten, Cr Peter Humphrey, Cr Trevor Royce and Cr Kirrilee Warr

Against Nil

8 / 0
CARRIED UNANIMOUSLY
Minute Reference OCM 2023/08-8

15.1 Confidential Items

Department Finance, Governance & Corporate Services

Author Jamie Criddle

Reason for Confidentiality **CONFIDENTIAL REPORT**
Reason for confidentiality – Local Government Act 1995, Section 5.23(a) – A matter affecting an employee or employees.

CONFIDENTIAL ATTACHMENT
Reason for confidentiality – Local Government Act 1995, Section 5.23(a) – A matter affecting an employee or employees.

Cr Peter Humphrey, Jamie Criddle and Simon Lancaster left the meeting at 9:28 am.

Beau Raymond left the meeting at 9:31 am.

Council Resolution

Moved: Cr Trevor Royce **Seconded:** Cr Darrell Forth

9:33 am, That as per part 17.1 of the Shire of Chapman Valley Standing Order Local Laws 2016, Council suspend the operation of the following clauses to allow sufficient discussion of item 15.1:

- 8.5 Priority when speaking,
- 8.7 Relevance,
- 8.8 Speaking twice,
- 8.9 Duration of speeches

For Cr Katie Low, Cr Beverley Davidson, Cr Elizabeth Elliott-Lockhart, Cr Darrell Forth, Cr Nicole Batten, Cr Trevor Royce and Cr Kirrilee Warr

Against Nil

7 / 0
CARRIED UNANIMOUSLY
Minute Reference OCM 2023/08-9

Discussion was undertaken on the item.

Council Resolution

Moved: Cr Nicole Batten **Seconded:** Cr Beverley Davidson

10:05 am, That as per part 17.1 of the Shire of Chapman Valley Standing Order Local Laws

2016, Council reinstate the operation of the following clauses to allow sufficient discussion of item 15.1:

- 8.5 Priority when speaking,
- 8.7 Relevance,
- 8.8 Speaking twice,
- 8.9 Duration of speeches

For Cr Katie Low, Cr Beverley Davidson, Cr Elizabeth Elliott-Lockhart, Cr Darrell Forth, Cr Nicole Batten, Cr Trevor Royce and Cr Kirrilee Warr

Against Nil

7 / 0

CARRIED UNANIMOUSLY
Minute Reference OCM 2023/08-10

Beau Raymond returned to the meeting at 10:04 am.

Council Resolution

Moved: Cr Nicole Batten **Seconded:** Cr Trevor Royce

That Council

1. Endorses the CEO Performance Review Panel's recommendation detailed in Confidential Attachment - Chapman Valley CEO Review 2022/23 Final, as the review of the Shire of Chapman Valley's Chief Executive Officer's 2022/23 performance;
2. Endorses the Chief Executive Officers 2023/24 Annual Performance Review document including Key Performance Indicators as detailed in Confidential Attachment - Chapman Valley CEO Review 2023/24 Draft; and
3. Authorises the execution and signing of the agreement by the President & Chief Executive Officer and advise in writing of the results of the review and any outcomes identified about the performance of the CEO.

For Cr Katie Low, Cr Beverley Davidson, Cr Elizabeth Elliott-Lockhart, Cr Darrell Forth, Cr Nicole Batten, Cr Trevor Royce and Cr Kirrilee Warr

Against Nil

7 / 0

CARRIED UNANIMOUSLY
Minute Reference OCM 2023/08-11

Cr Peter Humphrey, Jamie Criddle and Simon Lancaster returned to the meeting at 10:05 am.

16 Closure

The Shire President thanked Elected Members and Staff for their attendance and closed the Ordinary Council Meeting 17 August 2023 at 10:07 am.