

ORDINARY COUNCIL MEETING

Minutes

Meeting Date Thursday 16 November 2023

Meeting Time 8:30 am

Held at Chapman Valley Administration Office, 3270 Chapman Valley Road,
Nabawa WA 6532, Council Chambers.

*"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.

Table of Contents

1	Declaration of Opening & Announcements of Visitors	6
2	Announcements from the Presiding Member.....	6
3	Record of Attendance.....	6
3.1	Attendees.....	6
3.2	Apologies.....	6
3.3	Previously Approved Leave of Absence (By Resolution of Council)	6
4	Public Question Time	6
4.1	Response to Previous Public Questions on Notice.....	7
4.2	Public Question Time	7
5	Applications for Leave of Absence	7
6	Disclosure of Interest	7
7	Presentations	7
7.1	Petitions.....	7
7.2	Presentations	7
7.3	Deputations	7
8	Confirmation of Minutes from Previous Meetings	7
8.1	Ordinary Council Meeting held on 19 October 2023.....	7
9	Items to be dealt with En Bloc	8
10	Officer Reports	9
10.1	Deputy Chief Executive Officer.....	9
10.1.1	Proposed Subdivision.....	9
10.2	Manager of Finance & Corporate Services.....	22
10.2.1	Financial Management Reports	22
10.3	Chief Executive Officer.....	24
10.3.1	Council Meeting Dates	24
10.3.2	Council Committees for Appointment.....	29
11	Elected Members Motions	38
12	New Business of an Urgent Nature Introduced by Decision of the Meeting.....	38
13	Delegates Reports.....	38
14	Announcements by Presiding Member Without Discussion	40

15 Matters for which Meeting to be Closed to Members of the Public.....40
16 Closure40

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 8:37 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

3 Record of Attendance

3.1 Attendees

The following attended the council meeting:

Elected Members

Cr Kirrilee Warr (President)
Cr Nicole Batten (Deputy President)
Cr Philip Blakeway
Cr Elizabeth Elliott-Lockhart
Cr Catherine Low
Cr Emma Rodney
Cr Trevor Royce

Officers

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

Visitors

Nil

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

Nil

5 Applications for Leave of Absence

Nil

6 Disclosure of Interest

Meeting Details:	Person	Type of Interest	Agenda Item
Ordinary Council Meeting 16 November 2023	Cr Philip Blakeway	Financial	10.1.1 Subdivision of 341/Lot 14

7 Presentations

7.1 Petitions

The Council has not received any petitions at the time of writing this report.

7.2 Presentations

The Council does not anticipate any presentations at the time of writing this report.

7.3 Deputations

The Council has not received any deputations at the time of writing this report.

8 Confirmation of Minutes from Previous Meetings

Council Resolution

Moved: Cr Katie Low **Seconded:** Cr Elizabeth Elliott-Lockhart

That the Minutes of the Ordinary Council Meeting held on 19 October 2023 be confirmed as true and accurate.

For Cr Emma Rodney, Cr Katie Low, Cr Philip Blakeway, Cr Elizabeth Elliott-Lockhart, Cr Nicole Batten, Cr Trevor Royce and Cr Kirrilee Warr

Against Nil

7 / 0

CARRIED UNANIMOUSLY
Minute Reference OCM 2023/11-1

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)	A1657 & A2141
Attachment(s)	1. Subdivision Application [10.1.1.1 - 105 pages]

Voting Requirements

Simply Majority

Staff Recommendation

That Council advise the Western Australian Planning Commission that it supports the proposed subdivision of Lots 14 & 341 Nanson-Howatharra Road, Nanson as shown upon Plan No.22250-02 subject to the following conditions:

- 1 A notification, pursuant to Section 165 of the *Planning and Development Act 2005* is to be placed on the certificate of title of the proposed lots, advising of the existence of a hazard or other factor. Notice of this notification is to be included on the diagram or plan of survey (deposited plan). The notification is to state as follows: *"This land is within a bushfire prone area as designated by an Order made by the Fire and Emergency Services Commissioner. Additional planning and building requirements may apply to development on this land"*.
- 2 A notification, pursuant to Section 165 of the *Planning and Development Act 2005* is to be placed on the certificate of title of the proposed lots, advising of the existence of a hazard or other factor. Notice of this notification is to be included on the diagram or plan of survey (deposited plan). The notification is to state as follows: *"Vehicle access to this land is required to be undertaken by means of a crossover that is located, constructed and maintained to the approval of the local government"*.
- 3 A notification, pursuant to Section 165 of the *Planning and Development Act 2005* is to be placed on the certificate of title of proposed Lots A, C and D, advising of the existence of a hazard or other factor. Notice of this notification is to be included on the diagram or plan of survey (deposited plan). The notification is to state as follows: *"The lot is in vicinity of a tourism/commercial development and may be affected by noise, light and other impacts associated with the development."*

8:41 am - Cr Philip Blakeway left the meeting.

Council Resolution

Moved: Cr Trevor Royce **Seconded:** Cr Elizabeth Elliott-Lockhart

That Council advise the Western Australian Planning Commission that it supports the proposed subdivision of Lots 14 & 341 Nanson-Howatharra Road, Nanson as shown upon Plan No.22250-02 subject to the following conditions:

- 1 A notification, pursuant to Section 165 of the *Planning and Development Act 2005* is to

be placed on the certificate of title of the proposed lots, advising of the existence of a hazard or other factor. Notice of this notification is to be included on the diagram or plan of survey (deposited plan). The notification is to state as follows: *"This land is within a bushfire prone area as designated by an Order made by the Fire and Emergency Services Commissioner. Additional planning and building requirements may apply to development on this land"*.

2 A notification, pursuant to Section 165 of the *Planning and Development Act 2005* is to be placed on the certificate of title of the proposed lots, advising of the existence of a hazard or other factor. Notice of this notification is to be included on the diagram or plan of survey (deposited plan). The notification is to state as follows: *"Vehicle access to this land is required to be undertaken by means of a crossover that is located, constructed and maintained to the approval of the local government"*.

3 A notification, pursuant to Section 165 of the *Planning and Development Act 2005* is to be placed on the certificate of title of proposed Lots A, C and D, advising of the existence of a hazard or other factor. Notice of this notification is to be included on the diagram or plan of survey (deposited plan). The notification is to state as follows: *"The lot is in vicinity of a tourism/commercial development and may be affected by noise, light and other impacts associated with the development."*

For Cr Emma Rodney, Cr Katie Low, Cr Elizabeth Elliott-Lockhart, Cr Nicole Batten, Cr Trevor Royce and Cr Kirrilee Warr

Against Nil

6 / 0

CARRIED UNANIMOUSLY

Minute Reference OCM 2023/11-2

8:57 am - Cr Philip Blakeway returned to the meeting.

Disclosure of Interest

No officer declared an interest under the *Local Government Act 1995*, Subdivision 1 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 2 lots (Lots 14 & 341 Nanson-Howatharra Road, Nanson) into 4 lots. This report recommends support for the subdivision application.

Comment

Lot 321 is a 40.0547ha lot on the eastern side of Nanson-Howatharra Road, 2km west of the Nanson townsite. The property is largely cleared excepting some remnant vegetation on elevated sections, and contains no structures, there is a Geraldton Wax plantation towards the front/west of the property and several disused marron ponds in the south-eastern corner.

Lot 14 is an 88.0837ha property located on the western side of Nanson-Howatharra Road, characterised by undulating terrain with remnant vegetation on the hilltops and cleared areas in the valleys. Lot 14 is used for general farming and also intensive agricultural purposes, and contains a series of buildings in its north-eastern corner along Nanson-Howatharra Road including the Burnt Barrel restaurant and brewery <https://www.burntbarrel.com/>.

There are 2 residences upon Lot 14, one being 30m to the south-east of the Burnt Barrel and the other 200m to the north-west.

The recent development history for 305 (Lot 14) Nanson-Howatharra Road, Nanson is as follows:

- 22/12/1994 Council initiated Scheme Amendment No.7 to rezone Location 2248 'Cayley Springs' from 'General Farming' to 'Special Rural'.
- 20/6/1995 Council, following advertising, adopted Scheme Amendment No.7, enabling subsequent subdivision and creation of Lot 14.
- 20/2/1996 Council approved a 5ha vineyard development.
- 3/5/1996 Scheme Amendment No.7 was gazetted.
- 21/5/1996 Council approved an aquaculture development (yabby farm) comprising 5 dams (4 of which were subsequently created on-ground).
- 17/12/1996 Council approved a winery and brewery development.
- 18/2/1997 Council approved a revised floor plan for the winery and brewery development.
- 16/9/1997 Council approved a revised location for the winery and brewery development.
- 16/12/1997 Council approved 2 roadside advertising signs for the winery.
- 23/3/1999 Council initiated Scheme Amendment No.25 to rezone Lot 14 to introduce the following additional uses – restaurant, holiday and tourist accommodation/chalets, reception centre;
- 21/4/1998 Council approved a temporary wine tasting and sales area and toilet block that would serve prior to the construction of the previously approved winery and brewery development.
- 15/6/1999 Council approved a further 2ha of vineyards.
- 17/8/1999 Council, following advertising, adopted Scheme Amendment No.25.
- 17/8/1999 Council approved restaurant alterations to the operating winery development (including upgrading toilets, new kitchen, bar facilities, servery, service yard and insulated storeroom).
- 14/9/1999 Shire approved a second residence (that would be the manager's residence relevant to the current application).
- 9/11/1999 Scheme Amendment No.25 gazetted.
- 23/12/1999 Shire approved an outbuilding.
- 20/6/2006 Council endorsed application to seal Nanson-Howatharra Road under Mid West Regional Road Group.
- 11/5/2012 Shire health inspection confirmed winery operations now limited to appointment only restaurant events and had ceased general restaurant trade.
- 10/12/2014 Council approved a micro-brewery, restaurant, reception centre and agriculture-intensive (honey bee farm) and subsequently re-opened as the Burnt Barrel.

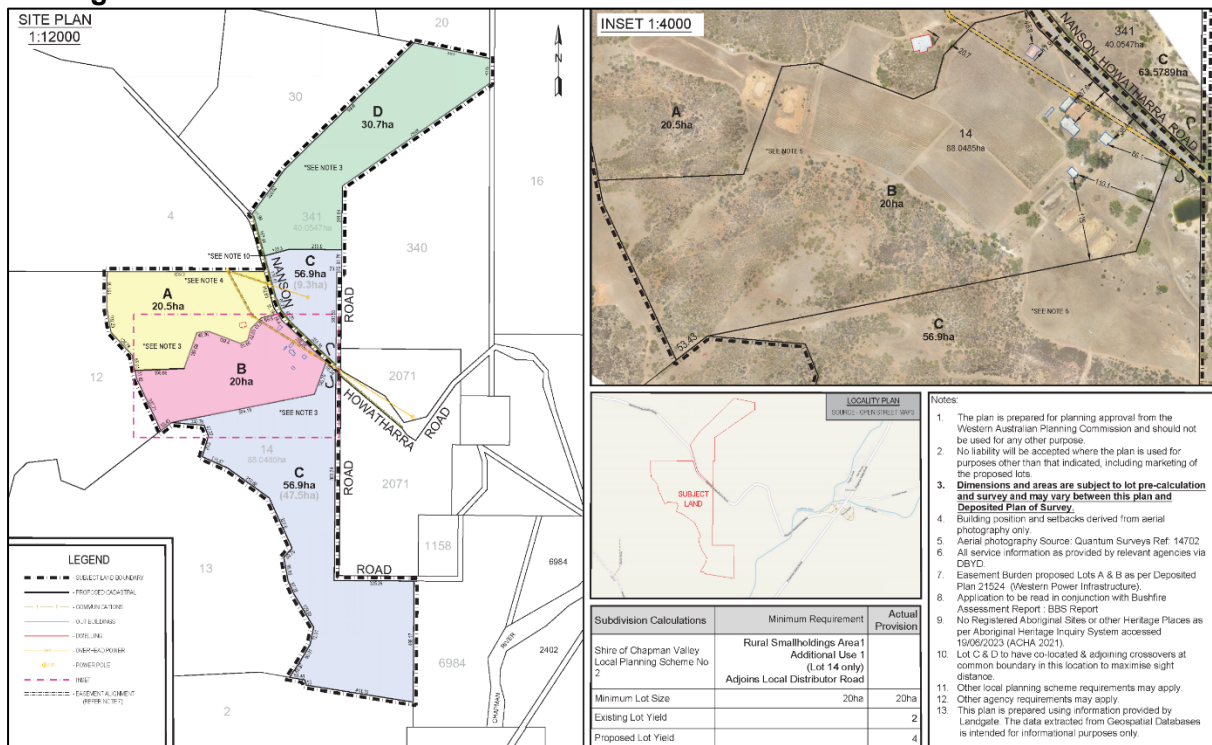
Figure 10.1.1.1 – Location Map for Lot 14 & Lot 341 Nanson-Howatharra Road, Nanson



Figure 10.1.1.2 – Aerial photo of developed areas upon Lot 14 & Lot 341 Nanson-Howatharra Road, Nanson



Figure 10.1.1.3 – Subdivision Plan for Lots 14 & 341 Nanson-Howatharra Road



The application is seeking to create 4 new lots in place of the existing 2 lots as follows:

Proposed Lot A (20.5ha)

Lot A would contain the existing residence that is located 200m uphill/north-west of the Burnt Barrel.

Lot A would have a 183.87m frontage to Nanson-Howatharra Road and would access the road from an existing crossover.

Water supply would be via existing roof catchment tanks and from a bore upon proposed Lot B that would be secured through an easement that would be created at time of subdivision.

Proposed Lot B (20ha)

Lot B would contain the Burnt Barrel business and nearby residence and outbuildings.

Lot B would have a 279.65m frontage to Nanson-Howatharra Road and would access the road from an existing crossover.

Water supply would be from an existing bore upon the proposed lot.

Proposed Lot C (30.7ha)

Lot C is proposed to straddle Nanson-Howatharra Road. There would be a 47.5ha portion on the southern side of the road, with a 55.34m frontage to Nanson-Howatharra Road. The northern portion would be 9.3ha and have a 550.02m frontage on the northern side of Nanson-Howatharra Road.

There is a soak on the southern section fed by an area on the northern section and the subdivision application proposal seeks to have these under the same ownership and within a unifying lot.

Proposed Lot D (30.7ha)

Lot D would be a vacant lot located on the northern side of Nanson-Howatharra Road and would have a 179.93m road frontage.

The applicant proposes that Lot D would be serviced by a stand-alone renewable energy source and not by Western Power connection.

A copy of the subdivision application inclusive of the consultants' explanatory letter of support that provides details on the servicing levels for the subject land, subdivision plan and bushfire management plan has been provided as **separate Attachment 10.1.1.1**.

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

- Whilst the subject area contains land that is 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) there is ability for any further development upon the vacant Lots C & D to be sited in locations outside of the identified bushfire prone areas. Alternatively there is the ability for a future applicant to lodge bushfire assessment information that is based upon on-ground analysis and legislation that is current at time of application providing solutions to the satisfaction of local government to develop upon land within proposed Lots C & D that is identified as bushfire prone.
- 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 located outside of the flood prone area identified by the Department of Water & Environmental Regulation in the Chapman River Flood Study.
- The subject site fronts a sealed road.
- Whilst the subject land does front a section of road that contains bends with reduced traffic visibility it is noted that the additional driveway/crossovers created by the subdivision would be required to be sited in locations that are to the satisfaction of local government and constructed and maintained to its specifications.
- The proposed lot sizes and sandy duplex soils in the valley areas (where development is existing and likely) 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 20ha minimum lot size for the 'Rural Smallholdings' zone established by the Shire of Chapman Valley Local Planning Strategy for this precinct.
- The proposed 20ha x 2, 30.7ha & 56.9ha lot sizes are comparable to other existing lots in the 'Rural Smallholding 1' zone.
- The proposed subdivision would introduce additional landowners to contribute to the ongoing local government maintenance costs of providing services.
- The alignments for the proposed subdivision boundaries have been selected to minimise impact upon remnant vegetation.
- Development upon the vacant Lots C & D will be required to comply with Council's statutory planning requirements as contained in its Local Planning Scheme; strategic planning requirements as contained in its Local Planning Strategy; and policy requirements as contained in its Local Planning Policies.

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

- The proposed subdivision would create lots smaller than those identified on the Outline Plan of Subdivision that accompanied the Scheme Amendment No.7 to Scheme No.1 rezoning documentation that led to the creation of Lot 14 that was adopted by Council at its 21/11/95 meeting and gazetted on 3/6/96.
- The proposed subdivision would create lots smaller than those identified on the Subdivision Guide Plan that accompanied the Scheme Amendment No.23 to Scheme No.1 rezoning documentation that led to the creation of Lot 341 that was adopted by Council at its 16/6/99 meeting and gazetted on 31/3/00.

- The creation of a separate lot containing the residence that is located 200m uphill from the Burnt Barrel will enable this to become owned/occupied by a party separate to that operating the business and create potential for the resident/landowner of Lot A to lodge complaint regarding noise, light, traffic movement and other matters pertaining to the operation of the business upon Lot B, and also create potential for restriction on future expansion or holding of one-off larger events at the business upon Lot B.
- The subdivision proposes to create Lot A that does not have a bore within its lot boundaries and would rely on water through roof catchment and easement/shared access to bore located upon Lot B.
- The subdivision is proposing to create Lot D without connection to reticulated power.

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 Lots 14 & 341 Nanson-Howatharra Road, Nanson as shown upon Plan No.22250-02 on the following basis:

- 1 The proposed subdivision would create lots smaller than those identified on the Outline Plan of Subdivision that accompanied the Scheme Amendment No.7 to Scheme No.1 rezoning documentation that led to the creation of Lot 14 that was adopted by Council at its 21/11/95 meeting and gazetted on 3/6/96.*
- 2 The proposed subdivision would create lots smaller than those identified on the Subdivision Guide Plan that accompanied the Scheme Amendment No.23 to Scheme No.1 rezoning documentation that led to the creation of Lot 341 that was adopted by Council at its 16/6/99 meeting and gazetted on 31/3/00.*
- 3 The separation of title proposed by Lots A & B of the residence that is located 200m uphill from the Burnt Barrel business will enable separate ownership and potential for the resident/landowner of Lot A to lodge complaint regarding noise, light, traffic movement and other matters pertaining to the operation of the business upon Lot B, and also create potential for restriction on future expansion or holding of one-off larger events at the business upon Lot B.*
- 4 The separation of the residence upon proposed Lot A from the tourism development upon proposed Lot B and potential for restricting future operation and growth of the tourism development is considered contrary to the objectives of WAPC Planning Bulletin 83 - Planning for Tourism.*
- 5 The subdivision proposes to create Lot A that does not have a bore within its lot boundaries and would rely on water through roof catchment and easement/shared access to a bore located upon Lot B; &*
- 6 The subdivision is proposing to create Lot D without connection to reticulated power.”*

Figure 10.1.1.4 – View of Lot 341 looking east from Nanson-Howatharra Road



Figure 10.1.1.5 – View of main cluster of buildings upon Lot 14 Nanson-Howatharra Rd



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

Lots 14 & 341 Nanson-Howatharra Road, Nanson are both zoned 'Rural Smallholding 1' under the Shire of Chapman Valley Local Planning Scheme No.3 ('the Scheme').

Figure 10.1.1.6 – Shire of Chapman Valley Local Planning Scheme Zoning Map extract

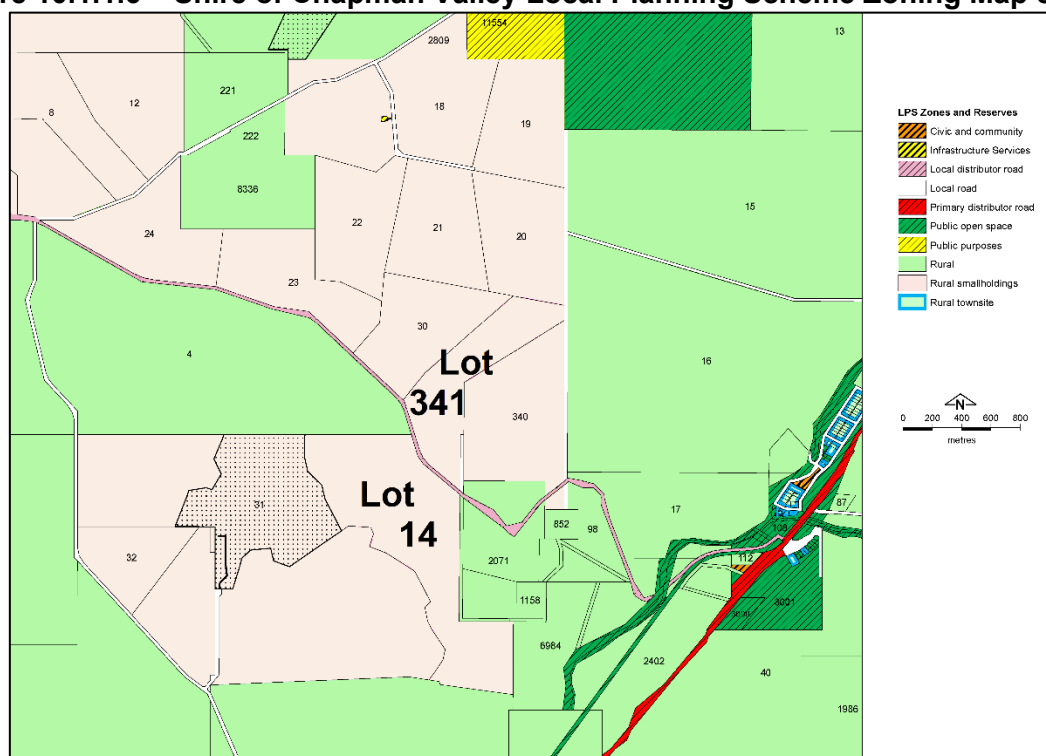


Table 2 of the Scheme lists the objectives of the ‘Rural Smallholding’ zone as being:

- *To provide for lot sizes in the range of 4 ha to 40 ha.*
- *To provide for a limited range of rural land uses 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 5 of the Scheme notes the following of relevance to this proposed subdivision in the ‘Rural Smallholding’ zone:

- “(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; and*
 - (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...*

- ...(5) *Fire Management*
- (a) *At time of subdivision, the local government may request that the Western Australian Planning Commission impose condition/s requiring the preparation of a fire management plan; and*

- (b) *At time of subdivision, the local government may request that the Western Australian Planning Commission impose condition/s requiring a contribution toward firefighting facilities in the district.*

- (6) **Vehicular Access**
 - (a) *At time of subdivision, the local government may request that the Western Australian Planning Commission impose condition/s requiring the construction of any roads, battle-axe access legs, or shared access legs required to provide adequate vehicular access to the proposed lots; and*
 - (b) *At time of subdivision, the local government may request that the Western Australian Planning Commission impose condition/s requiring a contribution to the upgrading of the local road system.*
 - (c) *At time of development approval, the local government may require a crossover to be constructed to the specifications of the Shire and/or Main Roads WA.*

- (7) **Fencing**
 - (a) *At time of subdivision, the local government may request that the Western Australian Planning Commission impose condition/s requiring the installation of boundary fencing and fencing around areas of remnant vegetation and/or re-vegetation. All such fences are to be constructed to control stock to the satisfaction of local government and maintained in good condition thereafter to the satisfaction of the local government; and*
 - (b) *Prior to the stocking of any particular lot, the local government may require that areas of remnant vegetation within or adjoining the lot shall be protected by stock proof fencing to the specification and satisfaction of the local government. All such fences are to be maintained in good condition thereafter to the satisfaction of the local government.*

- (8) **Advice to Prospective Purchasers**
 - (a) *At time of subdivision, the local government may request that the Western Australian Planning Commission impose condition/s requiring the subdivider to advise prospective purchasers of the special provisions contained herein and any other provisions of the Scheme considered relevant by the local government."*

Lot 14 is also zoned with an overlying 'Additional Use 1' zoning that allows for the following:

Additional Use	Conditions
As an 'A' use: <ul style="list-style-type: none"> • Brewery • Camping ground • Caravan park • Holiday accommodation • Residential Building • Reception centre • Restaurant/café • Winery 	<ol style="list-style-type: none"> 1 The local government may require that a local development plan be prepared to its satisfaction prior to approving development in accordance with Part 6 of the deemed provisions. 2 Following the preparation of a local development plan to the satisfaction of the local government, development is to be in accordance with the local development plan.

The 'Additional Use 1' zoning arose from Scheme Amendment No.25 to Scheme No.1 that was gazetted on 9/11/99 and introduced to allow for the Chapman Valley Winery development upon Lot 14.

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."*

Part 9 Regulation 79 of the *Planning and Development (Local Planning Schemes) Regulations 2015* states that an outline development plan or a subdivision guide plan are considered to form a structure plan.

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 Lots 14 & 314 already front a sealed road it is not considered that the imposition of a road upgrade/maintenance contribution is warranted in this instance.

Shire of Chapman Valley Local Planning Policy 2.3 - Rural Tourism has the objective to provide for a range of accommodation and other tourist related uses in the rural areas of the Shire in a manner that are complementary and sensitive to the agricultural and environmental fabric of the municipality.

Policy 2.3 does note the following:

- "6.8 Subdivision and/or strata subdivision of rural land on which tourism development is proposed or existing will generally not be supported by the Local Government. Such proposal are not considered appropriate because they create circumstances where tourist activities can be operated independently of the principal agricultural or rural use of the land, thereby fragmenting rural land and leading to an increased likelihood of land use incompatibilities."*

The subdivision, however, would accord with the minimum lot size requirement of the policy, as proposed Lot B is 20ha in area and the policy recommends a minimum lot size of 15ha for Restaurant/Cafes, 20ha for Reception Centres and 20ha for Tourist Developments.

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

Lots 14 & 341 are located within Precinct No.3 – Chapman Valley of the Shire of Chapman Valley Local Planning Strategy. Figure 7 of the Local Planning Strategy identifies Lots 14 & 341 as being 'Existing Rural Smallholding (20-40ha)'.

The Strategy lists the vision for 'Precinct 3 – Chapman Valley' as being:

"A diverse range of rural pursuits and incidental tourist developments that complement the sustainable use of agricultural resources.

Precinct 3 has the following objectives of relevance in the assessment of this application:

- "3.1.1 Ensure that the rezoning and subdivision of rural land into Rural Smallholdings maximises and reflects the agricultural potential of the land, and can accommodate a range of agricultural pursuits coupled with lifestyle opportunity...*
- ...3.3.4 Ensure that land use conflicts (i.e. noise, dust, odour, spray drift, vermin etc) are avoided through appropriate environmental and planning controls...*
- ...3.3.6 Ensure fire prevention measures are implemented and maintained in accordance with statutory requirements as a minimum...*
- ...3.4.1 Enhance the standards of servicing and infrastructure around the Nanson and Nabawa townsites.*
- 3.4.2 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, rezoning, development or subdivision, to avoid burden (financial or otherwise) on the Council's resources.*
- 3.4.3 Identify, support and facilitate the efficient and coordinated use of existing road linkages."*

The Western Australian Planning Commission's 'Planning Bulletin 83 - Planning for Tourism' sets out the policy position to guide decision making by the WAPC and local government for rezoning, subdivision and development proposals for tourism purposes. The Bulletin sets out general location criteria to determine the tourism value of a site including:

"The size of the site should be adequate to accommodate a sustainable tourism facility with respect to its design, operation and function, and its site specific and wider impacts and consideration of future growth/expansion. This will require a

site to be able to be developed without compromising the sustainable use of natural and cultural resources or existing social structures. Development of the site should also contribute to the delivery of diversified and balanced tourism opportunities.

The Bulletin also notes that:

“Subdivision of tourist zoned land In assessing a subdivision application for land zoned for tourism purposes, the WAPC will, among other things including approved or adopted plans and policies, consider whether the proposed lots will:

- facilitate the development of a quality, sustainable tourism facility;*
- Incorporate those facilities associated with tourist accommodation developments such as recreation, entertainment facilities and integrated management facilities.*
- provide for current and future tourism demand;*
- have the capacity to accommodate the necessary services, management and support facilities without compromising the character, development flexibility or tourism amenity of the site;*
- provide the flexibility necessary to facilitate development of a quality tourism facility;*
- provide for the retention or enhancement of the strategic value of the site for tourism purposes, including the relationship between individual lots and areas of high tourism amenity (such as the beachfront) and the potential to accommodate current and future tourism demand; and*
- result in the wholesale subdivision of a large tourism lot where the residential component is located on separate lot(s) to the tourism component, resulting in tourism lots remaining undeveloped and the potential for future pressure to approve residential components on these tourism lots to finance development.”*

Strategic Community Plan/Corporate Business Plan Implications

ENVIRONMENT & SUSTAINABILITY

3.2 Maintain the rural identity of the Shire.

3.2.2 Ensure recreational, tourism activities on lifestyle blocks have minimal impact on sustainable farming.

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 Biodiversity, Conservation & Attraction; Department of Fire and Emergency Services; Department of Mines, Industry Regulation & Safety; Department of Water & Environmental Regulation; Water Corporation and Western Power seeking comment.

Risk Assessment

No Risks have been Identified.

10.2 Manager of Finance & Corporate Services

10.2.1	Financial Management Reports
Department	Finance, Governance & Corporate Services Finance
Author	Beau Raymond
Reference(s)	Nil
Attachment(s)	1. Financial Management Reports - October 2023 [10.2.1.1 - 34 pages]

Voting Requirements

Simply Majority

Staff Recommendation

That Council receives financial management reports supplied under separate cover for the month of October 2023.

Council Resolution

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

That Council receives financial management reports supplied under separate cover for the month of October 2023.

For Cr Emma Rodney, Cr Katie Low, Cr Philip Blakeway, Cr Elizabeth Elliott-Lockhart, Cr Nicole Batten, Cr Trevor Royce and Cr Kirrilee Warr

Against Nil

7 / 0

CARRIED UNANIMOUSLY
Minute Reference OCM 2023/11-3

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 October 2023 is detailed in the monthly management reports provided as separate attachments for Council's review.

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

No Financial Implications Identified.

Strategic Implications

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

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 Council Meeting Dates

Department	Finance, Governance & Corporate Services Administration & Governance
Author	Jamie Criddle
Reference(s)	401.09
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 (FRIDAY)	MEETING LOCATION
16 February	Bill Hemsley Community Centre
15 March	Nabawa Chambers
19 April	Nabawa Chambers
17 May	Nabawa Chambers
21 June	Nabawa Chambers
19 July	Nabawa Chambers
16 August	Nabawa Chambers
20 September	Nabawa Chambers
18 October	Nabawa Chambers
15 November	Nabawa Chambers
20 December	Nabawa Chambers

Council Resolution

Moved: Cr Elizabeth Elliott-Lockhart **Seconded:** Cr Trevor Royce

9:10 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 10.3.1:

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

For Cr Emma Rodney, Cr Katie Low, Cr Philip Blakeway, Cr Elizabeth Elliott-Lockhart, Cr Nicole Batten, Cr Trevor Royce and Cr Kirrilee Warr

Against Nil

7 / 0

CARRIED UNANIMOUSLY
Minute Reference OCM 2023/11-4

Discussion was undertaken on the item.

Council Resolution

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

9:21 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 10.3.1:

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

For Cr Emma Rodney, Cr Katie Low, Cr Philip Blakeway, Cr Elizabeth Elliott-Lockhart, Cr Nicole Batten, Cr Trevor Royce and Cr Kirrilee Warr

Against Nil

7 / 0

CARRIED UNANIMOUSLY
Minute Reference OCM 2023/11-5

Council Resolution

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

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 (THURSDAY)	MEETING LOCATION
15 February - 9:00AM	Bill Hemsley Community Centre
21 March - 9:00AM	Nabawa Chambers
18 April - 9:00AM	Nabawa Chambers
16 May - 9:00AM	Nabawa Chambers
20 June - 9:00AM	Nabawa Chambers
18 July - 9:00AM	Nabawa Chambers
15 August - 9:00AM	Nabawa Chambers
19 September - 9:00AM	Nabawa Chambers
17 October - 9:00AM	Nabawa Chambers
21 November - 9:00AM	Nabawa Chambers

12 December - 9:00AM	Nabawa Chambers
----------------------	-----------------

For Cr Emma Rodney, Cr Katie Low, Cr Philip Blakeway, Cr Elizabeth Elliott-Lockhart, Cr Nicole Batten, Cr Trevor Royce and Cr Kirrilee Warr
Against Nil

7 / 0
CARRIED UNANIMOUSLY
Minute Reference OCM 2023/11-6

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 resolved in previous years to hold all OCM’s 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 has discussed the meeting dates & times recently and decided to let it lay on the table until the new Council was elected. There was a suggestion to combine the Western Region meeting with the Annual General Meeting in February, should the Audit report be available by the 21st December 2023, allowing 56 days to hold the AGM on the same day as the February OCM.

This would allow for all other meetings to be held in Nabawa (except February) at a time to be determined by the meeting with the exception of January when no Ordinary Council Meeting is held. Holding meetings outside of the Nabawa Council Chambers are logistically hard, but manageable on odd occasions, especially when we are required to move to audio recordings.

There was also a suggestion to hold the meetings on a Friday (third Friday of the month), aimed at suiting the affected sitting Councillors.

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 to be determined by Council:

DATE (FRIDAY)	MEETING LOCATION
16 February	Bill Hemsley Community Centre
15 March	Nabawa Chambers
19 April	Nabawa Chambers
17 May	Nabawa Chambers
21 June	Nabawa Chambers
19 July	Nabawa Chambers
16 August	Nabawa Chambers
20 September	Nabawa Chambers

18 October	Nabawa Chambers
15 November	Nabawa Chambers
20 December	Nabawa Chambers

In addition to the above meetings, Council will need to arrange a meeting date & time for the next Tourism & Events Advisory Group (TEAG) to assess the Australia Day function and Awards. The preferred date is between 20th November and 7th December 2023 which is after the close of nominations.

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

A Policy or Procedure is affected:

Elected Member Governance Policy & Procedures

Financial Implications

No Financial Implications Identified.

Strategic Implications

Strategic Community Plan/Corporate Business Plan Implications

GOVERNANCE & ACCOUNTABILITY

5.2 Be accountable and transparent while managing human and physical resources effectively

5.2.4 Effectively Engage and communicate with the community.

Consultation

Nil

Risk Assessment

No Risks have been Identified.

10.3.2

Council Committees for Appointment

Department	Finance, Governance & Corporate Services Administration & Governance
Author	Jamie Criddle
Reference(s)	402.00
Attachment(s)	1. Council Committees Advisory Group 2023 [10.3.2.1 - 5 pages]

Voting Requirements

Absolute Majority

Staff Recommendation

That Council endorse the following representation on Committees, Working, Advisory, Steering Groups, and External Organisations as follows:

Building & Disability Services Committee

4x Councillors

Cr

Cr

Cr

Cr

Observers:

CEO

Building Surveyor

Finance Audit & Risk Management Committee

4x Councillors

Cr

Cr

Cr

Cr

Grant Middleton - External, Independent Member

Observers

CEO

Manager Finance & Corporate Services

Road Infrastructure Committee

All Councillors

Observers

CEO

Manager Works & Services

Deputy CEO

Works Leading Hand

Bush Fire Brigades Group Management Advisory Committee

President (Presiding Member) & 2x Councillors

Cr Warr (President)

Cr

Cr

CBFCO

DCBFCO

All Brigade FCO's

CEO

Senior Ranger

Observers

1x DFES Rep

Proxy Councillor Rep

Cr (Proxy)

Batavia Local Emergency Management Committee

2x Councillors

Cr

Cr

CEO

Community Growth Fund Advisory Group

President (Presiding Member) & 3 x Councillors

Cr Warr (President)

Cr

Cr

C

CEO

Manager Finance & Corporate Services

Tourism & Events Advisory Group

3x Councillors

Cr

Cr

Cr

CEO

Deputy CEO

Up to 2x Community Representatives for Australia Day Awards

Coronation Beach Masterplan Steering Group

1x Councillor

Cr (Chairperson)

Deputy CEO

Department of Sport & Recreation

Neighbouring Landowners

Community / User Group Representatives

Future Industries & Renewable Energy Advisory Group

Shire President

Deputy Shire President

Cr

Cr

CEO

Deputy CEO

Chapman Valley Regional Trails Master Group

Cr

Cr

Deputy CEO

Community / User Group Representatives x2

Neighbouring Council Representatives (if required)

Nabawa Recreation Centre User Group

Cr

Cr

CEO

Community / User Group Representatives (up to 4)

Northern Country Zone (WALGA)

2x Councillors

Cr

Cr

CEO (To act as proxy in absence of Elected Members not attending)

Sub-Regional Road Group Committee

2x Councillors

Cr

Cr

CEO

Manager Works & Services

Midwest Development Assessment Panel (DAP)

2x Councillors (Members)

Cr

Cr

2x Councillors (Proxies)

Cr

Cr

Chapman Valley Northampton Local Recovery Coordination Group

1x Councillor

Cr

CEO

1x Councillor (Proxy)

Cr (Proxy)

Midwest Drought Resilient Working Group

1x Councillor

Cr

CEO

1x Councillor (Proxy)

Cr (Proxy)

Council Resolution

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

9:25 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 10.3.2:

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

For Cr Emma Rodney, Cr Katie Low, Cr Philip Blakeway, Cr Elizabeth Elliott-Lockhart, Cr Nicole Batten, Cr Trevor Royce and Cr Kirrilee Warr

Against Nil

7 / 0

CARRIED UNANIMOUSLY
Minute Reference OCM 2023/11-7

Discussion was undertaken on the item.

Council Resolution

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

10:14 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 10.3.2:

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

For Cr Emma Rodney, Cr Katie Low, Cr Philip Blakeway, Cr Elizabeth Elliott-Lockhart, Cr Nicole Batten, Cr Trevor Royce and Cr Kirrilee Warr

Against Nil

7 / 0

CARRIED UNANIMOUSLY
Minute Reference OCM 2023/11-8

9:55 am - Cr Katie Low left the meeting.

9:57 am - Cr Katie Low returned to the meeting.

10:02 am - Cr Elizabeth Elliott-Lockhart left the meeting.

10:03 am - Cr Elizabeth Elliott-Lockhart returned to the meeting.

10:04 am - Cr Nicole Batten left the meeting.

10:04 am - Cr Nicole Batten returned to the meeting.

10:07 am - Jamie Criddle left the meeting.

10:08 am - Jamie Criddle returned to the meeting.

Council Resolution

Moved: Cr Nicole Batten **Seconded:** Cr Emma Rodney

That Council endorse the following representation on Committees, Working, Advisory, Steering Groups, and External Organisations as follows:

Building & Disability Services Committee

4x Councillors

Cr Royce
Cr Blakeway
Cr Elliott-Lockhart
Cr Warr

Observers:

CEO
Building Surveyor

Finance Audit & Risk Management Committee

4x Councillors

Cr Elliott-Lockhart
Cr Batten
Cr Rodney
Cr Warr
Grant Middleton - External, Independent Member

Observers

CEO
Manager Finance & Corporate Services

Road Infrastructure Committee

All Councillors

Observers

CEO
Manager Works & Services
Deputy CEO
Works Leading Hand

Bush Fire Brigades Group Management Advisory Committee

President (Presiding Member) & 2x Councillors

Cr Warr (President)
Cr Royce
Cr Blakeway
CBFCO
DCBFCO
All Brigade FCO's
CEO
Senior Ranger

Observers

1x DFES Rep

Batavia Local Emergency Management Committee

2x Councillors

Cr Royce
Cr Blakeway
CEO

Community Growth Fund Advisory Group

President & 3 x Councillors

Cr Warr (President)
Cr Low
Cr Rodney
Cr Batten

CEO
Manager Finance & Corporate Services

Tourism & Events Advisory Group

3x Councillors

Cr Elliott-Lockhart

Cr Low

Cr Blakeway

CEO

Deputy CEO

Up to 2x Community Representatives for Australia Day Awards

Coronation Beach Masterplan Steering Group

1x Councillor

Cr Blakeway (Chairperson)

Deputy CEO

Department of Sport & Recreation

Neighbouring Landowners

Community / User Group Representatives

Future Industries & Renewable Energy Advisory Group

Shire President

Deputy Shire President

Cr Rodney

Cr Elliott-Lockhart

CEO

Deputy CEO

Community / User Group Representatives (up to 3)

Chapman Valley Regional Trails Master Group

Cr Batten

Cr Blakeway

Deputy CEO

Community / User Group Representatives x2

Neighbouring Council Representatives (if required)

Nabawa Recreation Centre User Group

Cr Warr

Cr Rodney

CEO

Community / User Group Representatives (up to 4)

Northern Country Zone (WALGA)

2x Councillors

Cr Royce

Cr Warr

CEO (To act as proxy in absence of Elected Members not attending)

Sub-Regional Road Group Committee

2x Councillors

Cr Royce

Cr Warr

CEO

Manager Works & Services

Midwest Development Assessment Panel (DAP)

2x Councillors (Members)

Cr Batten

Cr Elliott-Lockart

2x Councillors (Proxies)

Cr Warr

Cr Rodney

Chapman Valley Northampton Local Recovery Coordination Group

1x Councillor

Cr Warr

CEO

1x Councillor (Proxy)

Cr Baten (Proxy)

Midwest Drought Resilient Working Group

1x Councillor

Cr Batten

CEO

1x Councillor (Proxy)

Cr Royce (Proxy)

For Cr Emma Rodney, Cr Katie Low, Cr Philip Blakeway, Cr Elizabeth Elliott-Lockhart, Cr Nicole Batten, Cr Trevor Royce and Cr Kirrilee Warr

Against Nil

7 / 0

CARRIED UNANIMOUSLY
Minute Reference OCM 2023/11-9

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 establishment and legislative conditions of local government Committees (Grey section) is detailed in section 5.9 (2) (a) of the Local Government Act 1995 and is required to be resolved by Absolute Majority. Council currently has three (3) such committees:

- Building & Disability Services Committee
- Finance Audit & Risk Management Committee
- Road Infrastructure Committee

There must be a minimum of three (3) members on each of the above committees.

Council also selects representation of the various internal working, advisory, steering groups (Blue section), and external organisations (Green section), which are not subject to the legislative requirements of the Act and only require a simple majority. There are also a number of existing steering groups that may be discontinued due to duplication or completion. (Red section)

Comment

The President called for nominations from Councillors for various Committees, Working, Advisory & Steering Groups, and External Organisations as per the attachment **Council Committee & Advisory Group 2023** with last elections members listed.

Statutory Environment

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

Establishment of committees

5.8. A local government may establish* committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees. * Absolute majority required.

Types of committees

- 5.9. (1) In this section — “other person” means a person who is not a council member or an employee.
- (2) A committee is to comprise —
- (a) council members only;
 - (b) council members and employees;
 - (c) council members, employees and other persons;
 - (d) council members and other persons;
 - (e) employees and other persons; or (f) other persons only.

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

1.3 Strengthen our role in regional partnerships and advocacy for continuity of local services/ facilities.

1.3.1 Maintain close relationships with neighbouring shires and regional bodies.

GOVERNANCE & ACCOUNTABILITY

5.2 Be accountable and transparent while managing human and physical resources effectively

5.2.4 Effectively Engage and communicate with the community.

Consultation

Nil

Risk Assessment

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

11 Elected Members Motions

The Council has not received any notice of motion from an elected member at the time of writing this report.

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

Nil

13 Delegates Reports

10:22 am - Cr Nicole Batten left the meeting.

10:23 am - Cr Nicole Batten returned to the meeting.

That council receive the following Delegates Reports.

Delegate	Details
Cr Kirrilee Warr (President)	Minister Michael via Zoom introduction meeting
	Special Council Meeting
	Apologies – Meeting Development WA
	Regional Roads Group Meeting
	Western Power Local Government Forum
Cr Nicole Batten (Deputy President)	Special Council Meeting
	Rotary Club of Geraldton Cyclone Recovery Funding Discussions
	Western Power Local Government Forum
Cr Philip Blakeway	Special Council Meeting
Cr Elizabeth Elliott-Lockhart	Special Council Meeting

Cr Catherine Low	Special Council Meeting
Cr Emma Rodney	Special Council Meeting
Cr Trevor Royce	Special Council 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

The Council has no confidential items for consideration.

16 Closure

The Shire President thanked Elected Members and Staff for their attendance and closed the Ordinary Council Meeting 16 November 2023 at 10:26 am.