

ORDINARY COUNCIL MEETING

Minutes

Meeting Date Thursday 16 May 2024

Meeting Time 9:00 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.

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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 9:03 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 Elizabeth Elliott-Lockhart
Cr Catherine Low
Cr Trevor Royce

Officers

Jamie Criddle, Chief Executive Officer
Simon Lancaster, Deputy Chief Executive Officer
Dianne Raymond, Manager Finance & Corporate Services
Beau Raymond, Minute Taker

Visitors

Jordan Kippin

3.2 Apologies

Cr Philip Blakeway
Cr Emma Rodney

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 May 2024	Cr Kirrilee Warr	Impartiality	10.2.3 Local Government Elected Members Fees & Allowances
Ordinary Council Meeting - 16 May 2024	Cr Kirrilee Warr	Impartiality	10.2.4 Differential Rating
Ordinary Council Meeting - 16 May 2024	Cr Kirrilee Warr	Proximity	10.3.3 Chapman Valley Bush Fire Advisory Committee
Ordinary Council Meeting - 16 May 2024	Cr Kirrilee Warr	Proximity	15.1 Confidential Tender
Ordinary Council Meeting - 16 May 2024	Cr Nicole Batten	Impartiality	10.2.3 Local Government Elected Members Fees & Allowances
Ordinary Council Meeting - 16 May 2024	Cr Nicole Batten	Impartiality	10.2.4 Differential Rating
Ordinary Council Meeting - 16 May 2024	Cr Elizabeth Elliott-Lockhart	Impartiality	10.2.3 Local Government Elected Members Fees & Allowances
Ordinary Council Meeting - 16 May 2024	Cr Elizabeth Elliott-Lockhart	Impartiality	10.2.4 Differential Rating

Ordinary Council Meeting - 16 May 2024	Cr Catherine Low	Impartiality	10.2.3 Local Government Elected Members Fees & Allowances
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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 Nicole Batten **Seconded:** Cr Elizabeth Elliott-Lockhart

That the Minutes of the Ordinary Council Meeting held on 18 April 2024 be confirmed as true and accurate.

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

Against Nil

5 / 0
CARRIED UNANIMOUSLY
Minute Reference OCM 2024/05-1

9 Items to be dealt with En Bloc

Council Resolution

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

Council resolves to move the following items En Bloc:
10.1.1, 10.1.2, 10.1.3, 10.2.1, 10.2.3 and 10.3.3.

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

Against Nil

5 / 0

CARRIED UNANIMOUSLY
Minute Reference OCM 2024/05-2

9.11 am - Jordan Kippin left chambers

10 Officer Reports

10.1 Deputy Chief Executive Officer

10.1.1	Proposed Residence, Buller
Department	Development Service Planning
Author	Simon Lancaster
Reference(s)	A2152
Attachment(s)	<ol style="list-style-type: none"> 1. Coastal Crest Residence Application [10.1.1.1 - 5 pages] 2. Coastal Crest Residence Objection [10.1.1.2 - 1 page] 3. Coastal Crest Residence Supporting Responses [10.1.1.3 - 4 pages]

Voting Requirements

Simply Majority

Staff Recommendation

Council En Bloc Resolution - Minute Reference 2024/05-2

That Council grant formal planning approval for a residence upon 10 (Lot 214) Coastal Crest, Buller subject to the following conditions:

- 1 Development shall be in accordance with the plans provided as Attachment 10.1.1.1 and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the local government.
- 2 The walls and roof of the development are to be of materials, finish and colours that are complementary to the surrounding landscape features to the satisfaction of the local government.
- 3 All storm water must be contained and disposed of on-site to the satisfaction of the local government.
- 4 Any soils disturbed or deposited on site shall be stabilised to the satisfaction of the local government.
- 5 If the development/land use, the subject of this approval, is not substantially commenced within a period of two years after the date of determination, the approval shall lapse and be of no further effect.

Notes:

- (a) Where an approval has so lapsed, no development/land use shall be carried out without the further approval of the local government having first been sought and obtained.
- (b) If an applicant is aggrieved by this determination there is a right (pursuant to the *Planning and Development Act 2005*) to have the decision reviewed by the State Administrative Tribunal. Such application must be lodged within 28 days from the date of determination.

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 for an application for a residence upon 10 (Lot 214) Coastal Crest, Buller with a reduced side boundary setback. The application has been advertised for comment and an objection was received. This report recommends approval of the residence.

Comment

Lot 214 is a vacant 4,060m² property on the eastern side of Coastal Crest in the newly created 25 lot Buller subdivision. Lot 214 is rectangular in shape, with a 39.99m frontage to Coastal Crest and a depth of 105.4m, and contains a 3m wide drainage easement running along its southern side boundary. The property slopes down from the 61.8.5m contour in the north-eastern corner to the 55.2m contour in the south-western corner.

Figure 10.1.1.1 – Location Plan for 10 (Lot 214) Coastal Crest, Buller



**Figure 10.1.1.2 – Aerial Photo of 10 (Lot 214) Coastal Crest, Buller
(Note: photo taken prior to completion of subdivision works)**



An application has been received for a single storey 4 bedroom, 2 bathroom residence upon Lot 214 that would be brick walled, colorbond roofed, and have a floor area of 312.89m². The residence would be setback 40m from the front/western property boundary and 40.313m from the rear/eastern boundary.

The residence is proposed to be setback 5.777m from the northern side boundary and 5.934m from the southern side boundary which is a variation to the R-Codes recommendation of a setback distance of 7.5m from (non-front) boundaries in the 'Residential R2.5' zone.

A copy of the residence application has been provided as **separate Attachment 10.1.1.1**

The application was advertised for comment to both side neighbours, with no response being received from the northern side neighbour and an objection being received from the southern side neighbour. The objection related to the intrusion upon their privacy when in and around their shed. The objection also raised concern over the issue of sand drift during the residence's construction period. Further detail on the advertising period is provided in the Consultation section of this report and a copy of the objection is provided as **separate Attachment 10.1.1.2**

Following advertising, the applicant was provided with a redacted copy of the submission and the opportunity to respond to the issues raised. The builder and landowner responses are provided as **separate Attachment 10.1.1.3**

Figure 10.1.1.3 – View looking east at Lot 214 from Coastal Crest



It is considered that the residence application can be supported on the following basis:

- the portion of the residence that would project into the 7.5m southern side setback area would be a relatively minor 10.5m² triangular area rather than an extended length of a building.
- the 40m x 100m long, narrow rectangular shape of Lot 214 makes it difficult to comply with the 7.5m side boundary setback requirements and build a substantial home.

- the residence is of a design and scale that will be an enhancement to the newly created subdivision.
- the proposed residence is of a single storey design which is less problematic in terms of impact on an adjoining property than a two (or more) storey development.
- the proposed residence would have a separation distance of 40m from the objecting landowner's residence and 38m from their closest shed as illustrated in **Figure 10.1.1.4**.
- the neighbouring property to the south contains 2 outbuildings that are setback 4.8m and 5m from the side boundary with Lot 214 as illustrated in **Figure 10.1.1.5**, which is a lesser setback distance than the proposed residence setback of 5.934m from the common side boundary.
- it is not considered that the 1.566m reduction in side setback would lead to significant issues pertaining to views, privacy, overshadowing, ventilation or amenity.
- the objection also raised concern with sand drift during the residence construction period, it is noted in this regard that the prevailing wind directions are southerly and easterly which are both away from the objecting landowner's property. The builder has also advised that the will implement management measures including timed sprinklers, laying of heavier river sand, or gravel where required, and temporary shadecloth fencing if required. Control of earthworks and dust could be included as a condition, were Council to approve the application to address the objecting party's concern.
- the reduction in the side boundary setback R-Code requirements would not be out of character with the surrounding area where a number of buildings have been approved with a reduced setback upon R2.5 zoned and comparably sized lots as illustrated in **Figure 10.1.1.6**.

Figure 10.1.1.4 – Proposed residence separation distance to neighbouring buildings



In the event that Council consider that the application does not meet its requirements and that it should be refused then it may find the following wording appropriate:

“That Council refuse the application for a residence upon 10 (Lot 214) Coastal Crest, Buller for the following reasons:

- 1 The development is considered contrary to Sections 9, 16 & 37 of the Shire of Chapman Valley Local Planning Scheme No.3.*
- 2 The development is considered contrary to Clause 67 of the deemed provisions of the Planning and Development (Local Planning Schemes) Regulations 2015.*
- 3 The development is considered contrary to Table B of the Residential Design Codes*

Advice Note:

If an applicant is aggrieved by this determination there is a right (pursuant to the Planning and Development Act 2005) to have the decision reviewed by the State Administrative Tribunal. Such application must be lodged within 28 days from the date of determination.”

Statutory Environment

The report complies with the requirements of the:

Shire of Chapman Valley Local Planning Scheme No.3

Planning & Development (Local Planning Schemes) Regulations 2015

10 (Lot 214) Coastal Crest, Buller is zoned ‘Residential R2.5’ under the Shire of Chapman Valley Local Planning Scheme No.3 (‘the Scheme’).

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

- To provide for a range of housing and a choice of residential densities to meet the needs of the community.*
- To facilitate and encourage high quality design, built form and streetscapes throughout residential areas.*
- To provide for a range of non-residential uses, which are compatible with and complementary to residential development.”*

Clause 67 of the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* lists the following relevant matters to be considered by Council in considering a development application:

- (a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;*
- (c) any approved State planning policy;...*
- (h) any structure plan or local development plan that relates to the development;...*
- (m) the compatibility of the development with its setting including -*
 - (i) the compatibility of the development with the desired future character of its setting; and*
 - (ii) the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;*
- (n) the amenity of the locality including the following —*
 - (i) environmental impacts of the development;*
 - (ii) the character of the locality;*
 - (iii) social impacts of the development;...*

- (p) *whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;*
- (w) *the history of the site where the development is to be located;..*
- (y) *any submissions received on the application;...*
 - (zb) *any other planning consideration the local government considers appropriate."*

The applicant is seeking to site the development 5.77m (north) and 5.934m (south) from the side property boundaries. Section 5.1.3.C3.1 and Table B of the R-Codes recommends a 7.5m side boundary setback for R2.5 zoned properties.

Section 4.2.1 of the Explanatory Guidelines for the R-Codes make the following relevant observations:

*"Exceptions to basic setback provisions
Consideration of setbacks should have regard to the natural ground level, shape, development and orientation of adjoining lots.
A reduction to the R-Codes deemed-to-comply setback requirements should only be considered where it can be demonstrated this is preferable for practical or aesthetic reasons, and will not be to the detriment of the amenity of adjoining properties, particularly where the reduced setback may result in increased overshadowing, overlooking or lack of privacy. In these situations the building design would need to address the design principles of clause 5.1.3."*

Policy/Procedure Implications

No Policy or Management Procedure affected.

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 determination of this application would have impact in relation to the Long Term Financial Plan.

Strategic Implications

Lot 214 is located within the Wokarena Heights Structure Plan which is a 142.79ha area located 8km north of the Geraldton CBD. The subject land is bounded by the North West Coastal Highway to the west, rural residential lots to the north, the former Geraldton-Northampton railway alignment and beyond this rural residential lots to the east, and low density residential lots to the south. At time of the Structure Plan's preparation the Wokarena Heights area consisted of 11 individually owned lots (8 of which contained a residence) the majority of which were square in shape, 12ha in size and contained rural lifestyle uses.

The Wokarena Heights Structure Plan was originally adopted by Council at its 19 September 2012 meeting, and an updated version was adopted by Council at its 21 August 2013 meeting. The Structure Plan was endorsed by the WAPC on 22 October 2012 and again on 9 October 2013.

The Wokarena Heights Structure Plan allows for the eventual creation of 253 x 4,000m² residential lots, with 54 of these now having been created.

Strategic Community Plan/Corporate Business Plan Implications

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

Section 2.3 of the R-Codes notes that where there may be potential for the amenity of an adjacent property to be impacted the local government may invite comment and have regard to any expressed views prior to making its determination.

The Shire wrote to the 2 side neighbours on 25 March 2024 providing details of the application and inviting comment upon the proposal prior to 19 April 2024.

At the conclusion of the advertising period 1 submission had been received, offering objection to the application, a copy of which is provided as **separate Attachment 10.1.1.2**.

The applicant was provided with a redacted copy of the submission on 19 April 2024 and the opportunity to respond to the issues raised by 3 May 2024, and the 3 received responses have been provided as **separate Attachment 10.1.1.3**.

Risk Assessment

No Risks have been Identified.

10.1.2	Proposed Road Closure, Howatharra
Department	Development Service Planning
Author	Simon Lancaster
Reference(s)	A1680
Attachment(s)	1. Applicant correspondence [10.1.2.1 - 2 pages]

Voting Requirements

Simply Majority

Staff Recommendation

That Council:

- 1 Pursuant to Section 58 of the *Land Administration Act 1997*, initiate closure action of the road reserve running along the southern boundary of 2930 (Lot 118) North West Coastal Highway, Howatharra (to enable its subsequent amalgamation with Lot 118).
- 2 At the conclusion of the public notice period return this matter to Council for its further consideration.

Council En Bloc Resolution - Minute Reference 2024/05-2

That Council:

- 1 Pursuant to Section 58 of the *Land Administration Act 1997*, initiate closure action of the road reserve running along the southern boundary of 2930 (Lot 118) North West Coastal Highway, Howatharra (to enable its subsequent amalgamation with Lot 118).
- 2 At the conclusion of the public notice period return this matter to Council for its further consideration.

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 an enquiry from the landowner of 2930 (Lot 118) North West Coastal Highway, Howatharra regarding the potential acquisition of the unnamed and unconstructed road reserve that runs along the southern boundary of their property. This report recommends that Council advertise the proposed road closure and amalgamation action inviting comment.

Comment

Lot 118 is a 9,570m² property on the eastern side of North West Coastal Highway that contains a residence and outbuildings. The property is located 500m north of the Coronation Beach Road turn off and 600m south of the Nanson-Howatharra Road intersection.

Lot 118 has a 20m wide and 155m long unnamed and unconstructed 3,140m² road reserve running along its southern boundary.

Figure 10.1.2.1 – Location Plan for unnamed road reserve, Howatharra

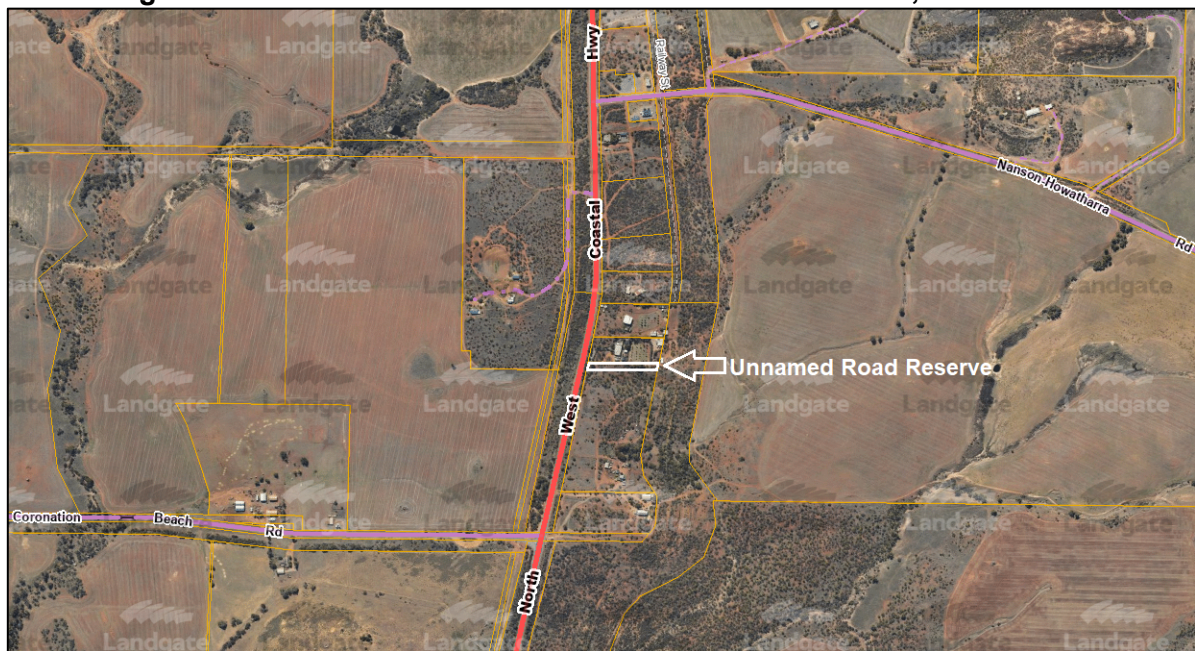


Figure 10.1.2.2 – Aerial Photo of 2930 (Lot 118) North West Costal Highway and unnamed road reserve running along its southern boundary



The landowner of Lot 118 has made enquiry whether the Shire would be supportive of the unnamed road reserve being closed and amalgamated into their property and a copy of their correspondence has been provided as **separate Attachment 10.1.2.1**

Shire staff raise no objection to the closure of the unnamed road reserve and its amalgamation into the adjoining Lot 118 on the following basis:

- the road is considered surplus to Shire requirements.
- closing the road reserve would not inconvenience surrounding landowners, the wider public or any government agency or utility provider as it is not required for access or servicing purposes.
- the road reserve is not constructed on-ground and already presents as private property.

- the adjoining landowner to the south has been written to by the Shire and asked whether they would be interested in acquiring a half share of the road reserve (i.e. a 10m wide, 155m length of the road reserve being equally amalgamated into the neighbouring lots) and they have responded that they support the landowner of Lot 118 acquiring the road reserve in full.
- disposal of the road reserve would remove any Shire responsibility for the land relating to management or liability;
- the unnamed road reserve has an intersection point that is south of a highway bend that offers restricted visibility to the north and its construction would present a danger to road safety.
- the north-south highway has significant raised grade separation to the east-west unnamed road reserve meaning that were it to be constructed it would need unrealistically major earthworks to achieve connectivity.
- it is considered undesirable to introduce an additional road intersection onto a 110km/hour section of highway between the Coronation Beach Road and Nanson-Howatharra Road intersections and the removal of this unrequired road reserve would achieve a positive road safety outcome.
- Crown Reserve 8810 to the rear/east of the unnamed road reserve (being the former Geraldton-Northampton railway alignment) already has constructed road access in the form of a 1,028.67m frontage to the North West Coastal Highway to the south, and a 20.28m frontage to Railway Street to the north.
- the amalgamation of the 3,140m² unnamed road reserve into the 9,579m² Lot 118 would create a property of 1.2719ha which is more in keeping with the +1ha lot sizes for the 'Rural Residential' zone.
- it is considered that the subject land would be better managed under the private ownership of the adjoining landowner rather than under public ownership with particular regard for fire management, access, fencing and littering.

Figure 10.1.2.3 – View looking east at unnamed road reserve



Statutory Environment

The report complies with the requirements of the:

Shire of Chapman Valley Local Planning Scheme No.3

2930 (Lot 118) North West Coastal Highway, Howatharra is zoned ‘Rural Residential’ under the Shire of Chapman Valley Local Planning Scheme No.3 (‘the Scheme’).

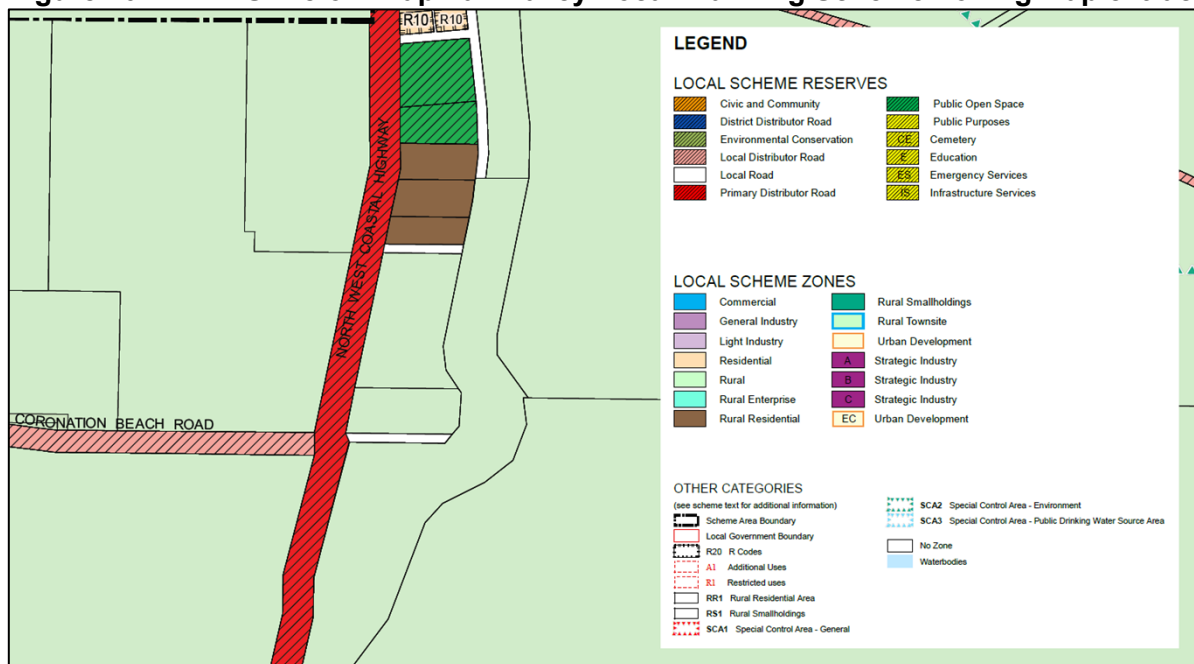
Table 2 of the Scheme lists the objectives of the ‘Rural Residential’ zone as being:

- *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.”*

The unnamed road reserve is zoned ‘Local Road’ under the Scheme the objective for which is *“to set aside land required for a local road being a road classified as an Access Road under the Western Australian Road Hierarchy”.*

It is not suggested in this instance that a separate Scheme Amendment to rezone the road reserve to ‘Rural Residential’ should be required to be undertaken prior to the road closure and amalgamation action. This rezoning can instead be attended to during the wider Scheme Review process which the Shire is required under the *Planning and Development Act 2005* to commence in the 24/25 financial year anyway.

Figure 10.1.2.4 – Shire of Chapman Valley Local Planning Scheme Zoning Map extract



Section 58 of the *Land Administration Act 1997* provides for the closure of public roads and requires a resolution of Council to commence this process.

Council’s role in the disposal of road reserves is an initiating and advisory one only, and the final decision on whether to dispose of the land will rest with the State Department of Planning, Lands & Heritage (DPLH).

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

No Financial Implications Identified.

Council's financial involvement would be limited to the minor cost of advertising the road closure process only, although there is long-term financial benefit to Council in removing unrequired assets and management responsibility.

Should the DPLH be in agreeance to the disposal of the land it will request the Valuer General to set a valuation for the 3,140m² area of road reserve.

The DPLH will require the landowner/purchaser to accept any incurred surveying and conveyancing expense, in addition to the cost of purchase of the land as set by the Valuer General, and this money is retained by the State Government and not the Local Government.

Strategic Implications

The Shire of Chapman Valley Local Planning Strategy identifies Lot 118 and the unnamed road reserve as being within Precinct No.5 – Howatharra and the proposed closure of the road reserve and its amalgamation into the adjoining land would align with the following objective for this precinct:

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

(d) For the relocation of lot boundaries that achieves improvements in environmental conditions and/or land management practices without adversely affecting the existing use of the land.”

Strategic Community Plan/Corporate Business Plan Implications

COMMUNITY HEALTH & LIFESTYLE

1.4 Maintain and enhance community safety and security.

1.4.1 Maintain safe roads and infrastructure.

Consultation

Upon receipt of the enquiry the Shire wrote to the landowner of 2898 (Lot 17) North West Coastal Highway, this being the property to the south of the unnamed road reserve, on 31 January 2024 enquiring whether they would be interested in acquiring a half share of the road reserve.

The neighbouring landowner advised on 24 April 2024 that *“I have checked it out and have no problem with the plan at all. I actually think it is a good idea. I am not able to find funds in my current situation to purchase 50% of the land but I have no problem with Robyn and Vince going ahead with this plan, as I said for many reasons I think it would be a good idea.”*

Should Council initiate the road reserve closure, it is required under Section 58 of the *Land Administration Act 1997* to be publicly advertised for a period of 35 days. This would include the following actions:

- notice being placed in a locally circulating newspaper detailing the proposed road reserve closure;
- letters being sent to the surrounding landowners;
- emails being sent to the relevant agencies (in this instance this would be considered to be Main Roads WA, Telstra, Water Corporation and Western Power); &
- a sign detailing the proposed road closure being erected onsite.

At the conclusion of the advertising period the proposal is required to be returned to a meeting of Council for determination, and in the event that Council is supportive, forwarding of its recommendation to the DPLH.

Risk Assessment

No Risks have been Identified.

10.1.3	Buller Bridge Upgrade
Department	Development Service Planning
Author	Simon Lancaster
Reference(s)	1017 & A2027
Attachment(s)	1. MRWA Buller bridge letter [10.1.3.1 - 9 pages] 2. HCWA Buller bridge letter [10.1.3.2 - 5 pages]

Voting Requirements

Simply Majority

Staff Recommendation

That Council agree to the:

- 1 Excision of an area of land from Lot 103 (DP24143) as outlined in Attachment 10.1.3.1 for the purpose of amalgamation into the North West Coastal Highway road reserve to enable the Buller bridge replacement and road widening project.
- 2 The excised land shall be provided by the Shire free of cost to Main Roads WA, subject to all costs and claims that may arise as a result of the surveying, dedication, amalgamation, conveyancing and other associated matters relevant to the Buller bridge replacement and road widening project, being the responsibility of Main Roads WA and not the Shire.
- 3 Main Roads WA and its contractors entering onto Lot 103 (DP24143) to carry out any works associated with the Buller bridge replacement and road widening project that may commence prior to the excision of the land into the road reserve being completed, subject to all liability being the responsibility of Main Roads WA and not the Shire.

Council En Bloc Resolution - Minute Reference 2024/05-2

That Council agree to the:

- 1 Excision of an area of land from Lot 103 (DP24143) as outlined in Attachment 10.1.3.1 for the purpose of amalgamation into the North West Coastal Highway road reserve to enable the Buller bridge replacement and road widening project.
- 2 The excised land shall be provided by the Shire free of cost to Main Roads WA, subject to all costs and claims that may arise as a result of the surveying, dedication, amalgamation, conveyancing and other associated matters relevant to the Buller bridge replacement and road widening project, being the responsibility of Main Roads WA and not the Shire.
- 3 Main Roads WA and its contractors entering onto Lot 103 (DP24143) to carry out any works associated with the Buller bridge replacement and road widening project that may commence prior to the excision of the land into the road reserve being completed, subject to all liability being the responsibility of Main Roads WA and not the Shire.

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 an enquiry from Main Roads WA (MRWA) seeking support for the excision of 1,693m² Shire land to enable the Buller River highway bridge replacement project to proceed. This report recommends that Council agree to the ceding of the land.

Comment

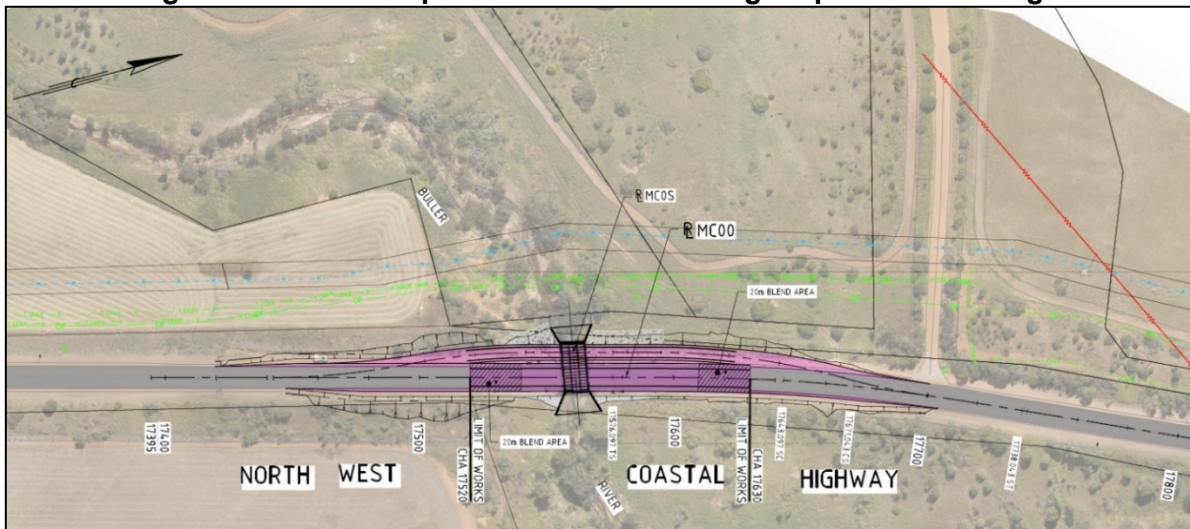
The North West Coastal Highway timber bridge over the Buller River is 81 years old and requires replacement due to its age and the demands of heavier and wider modern truck loads.

MRWA intend in the second half of 2024 to replace the existing bridge with a new concrete design to accommodate RAV10 standard heavy vehicles.

Figure 10.1.3.1 – Location Plan for Buller River bridge



Figure 10.1.3.2 – Proposed Buller River bridge replacement design



MRWA require a 1,693m² portion of the 8.7ha Lot 103, that is owned by the Shire and immediately east of the existing Buller bridge, to be excised from the property and added to the North West Coastal Highway road reserve to enable a wider replacement bridge to be installed.

A copy of the MRWA correspondence has been provided as **separate Attachment 10.1.3.1**

Figure 10.1.3.3 – Lot 103 North West Coastal Highway, Buller



- Shire staff raise no objection to the land being provided to MRWA on the following basis:
- the current Buller bridge has exceeded its planned lifespan and is in need of replacement.
 - the upgrading and widening of the bridge to a RAV 10 standard will be an improved road safety outcome.
 - the requested 1,693m² is a relatively small area, representing only 1.9% of the overall 8.7003ha Lot 103 Shire land area.
 - the Shire has no identified purpose for the land that MRWA are seeking to acquire.
 - the installation of a wider bridge (and with it the need to expand the highway reserve into the Shire land to the east) will assist in the future realisation of the Shire's long-term strategic vision of creating 2WD road access to the Buller Rivermouth for the local community and visitors.
 - the installation of a larger bridge will also assist in the future realisation of the Shire's long-term strategic vision of creating a walking trail along the Buller River (and under the highway bridge) that links the future Moresby Range Conservation Park with the Buller Rivermouth.

Figure 10.1.3.4 – Proposed land excision area from Lot 103 North West Coastal Hwy

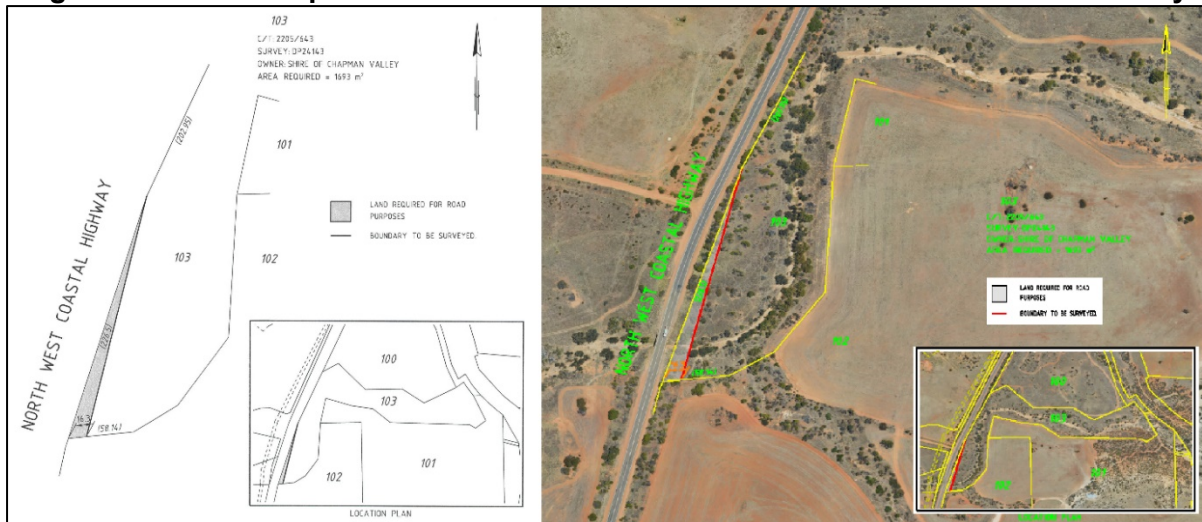


Figure 10.1.3.5 – West (left) and East (right) elevations of Buller bridge



Figure 10.1.3.6 – View of timber underside of Buller bridge



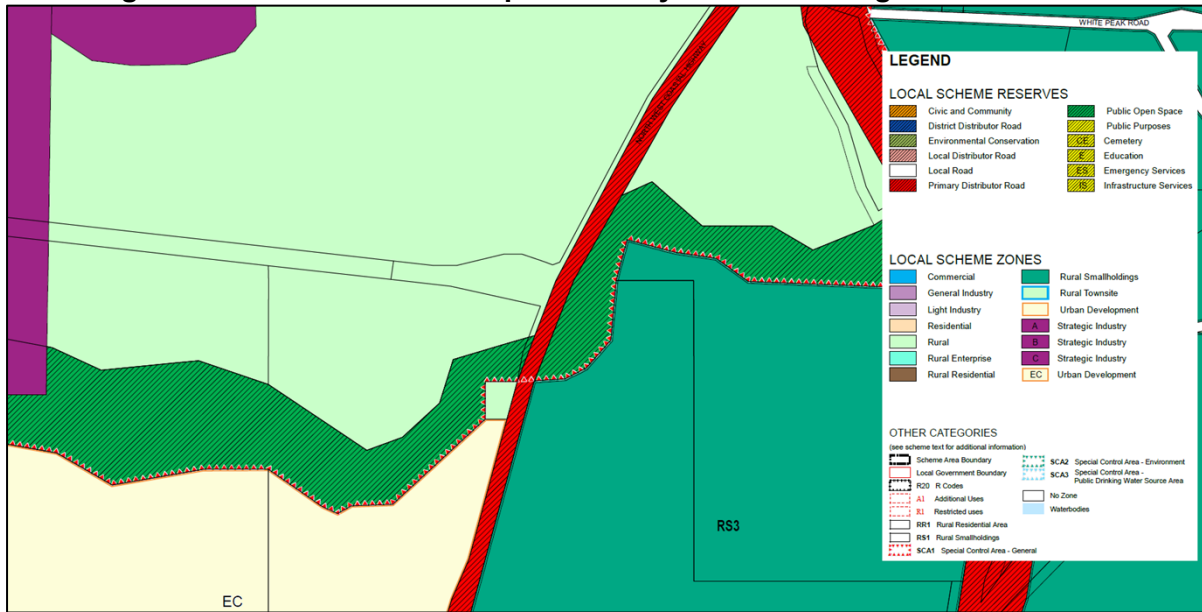
Statutory Environment

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

Lot 103 North West Coastal Highway, Buller is zoned 'Public Open Space' and also lies within the 'Oakajee Industrial Zone and Buffer' zoning under the Shire of Chapman Valley Local Planning Scheme No.3 ('the Scheme').

The North West Coastal Highway alignment is zoned 'Primary Distributor Road' under the Scheme.

Figure 10.1.3.7 – Shire of Chapman Valley Local Planning Scheme extract



It is not suggested that in this instance a separate Scheme Amendment should be required to be undertaken prior to the land ceding action, rather the rezoning of the 1,693m² land area from 'Public Open Space' to 'Primary Distributor Road' be attended to during the Scheme Review process which the Shire is required under the *Planning and Development Act 2005* to commence in the 24/25 financial year anyway.

MRWA would be required to attend to all surveying, conveyancing and road dedication/proclamation actions associated with the excision of land from freehold title to road reserve relevant to the *Main Roads Act 1930*, *Land Administration Act 1997* and accompanying legislation.

Policy/Procedure Implications

No Policy or Management Procedure affected.

Financial Implications

No Financial Implications Identified.

It is not suggested that the Shire seek payment from MRWA for the ceded land given its relatively small 1,693m² area. Further the land will be used for a public purpose that will benefit the Chapman Valley and wider community by providing a safer, wider bridge and replacing one that has exceeded its standard planned lifespan. It is also noted in the Strategic Implications section that the road reserve widening will assist in the eventual delivery of the long term strategic Shire vision of providing Buller Rivermouth access.

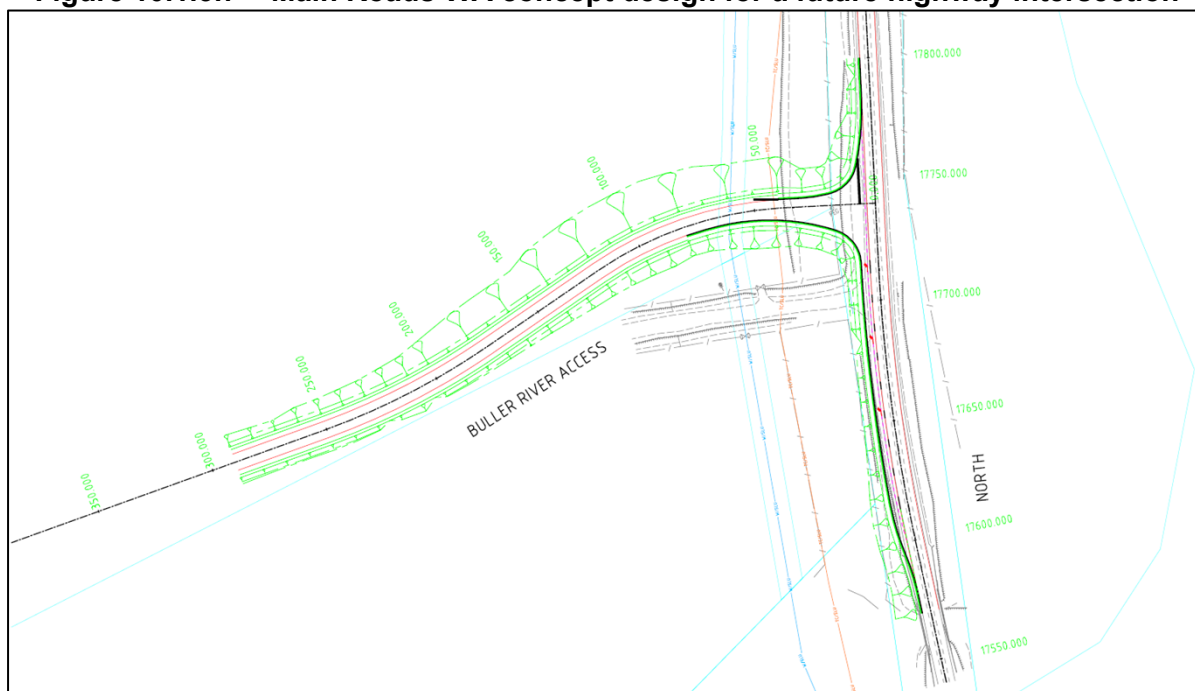
Strategic Implications

In previous discussions with MRWA the Shire has requested that the Buller bridge replacement project give regard for the design that has been prepared for the future creation of a highway intersection that would service a road leading westwards towards Buller Rivermouth. **Figure 10.1.3.7** provides an illustration of the long-term proposed (Rivermouth Road) intersection design.

MRWA had previously advised that they did not have sufficient funds to build this intersection as part of the bridge project but that if there were beneficial items that could be undertaken they would investigate this.

Subsequently MRWA advised that the future (Rivermouth Road) intersection design had a left turn slip lane/pocket, the length of which was restricted due to the width of the (existing) bridge. To address this issue MRWA planned to install a wider Buller bridge that would enable the left turn pocket for the future (Rivermouth Road) intersection.

Figure 10.1.3.7 – Main Roads WA concept design for a future highway intersection



General background to the separate Buller Rivermouth Road project is provided below, however, it must be noted that this is a distinct (and much longer-term) project to the current Buller River bridge replacement project, although the widening of the bridge will allow for the future creation of the left turn slip lane for the highway intersection leading towards the Buller Rivermouth.

The Buller Rivermouth currently faces issues associated with uncontrolled vehicle access, fire risk, littering, anti-social behaviour and risk to the sites of Aboriginal significance that are in this area. The Buller Rivermouth is currently accessible only by travelling north from Drummond Cove Road along the beach.

The existing gravel access track that runs west off the North West Coastal Highway to the north of the Buller River, is situated upon land owned by Development WA and is not a road reserve, and is therefore not open for public use and is sign posted and gated accordingly.

The Buller Rivermouth area will be transferred from Development WA to the Department for Planning, Lands & Heritage (DPLH) as a Reserve and then subsequently placed under the management of the Bundi Yamatji Aboriginal Corporation for the purpose of 'Yamatji Social, Cultural and/or Economic Benefit' as part of the Yamatji Nation Indigenous Land Use Agreement (YNILUA) native title settlement.

MRWA in association with Development WA completed a highway intersection design (refer **Figure 10.1.3.7**) that confirmed the existing location for the gravel driveway onto the

highway was unsafe and would need to be relocated further northwards to be able to be created as a road reserve. This would require significant earthworks (inclusive of 3m cut), existing water and telecommunication service relocation, and construction of a left-turn slip lane.

The Shire of Chapman Valley Coastal Management Strategy and Action Plan identifies that Buller Rivermouth could be developed as a day use node to better manage current activities (overnight stay would not be available as it is within the Oakajee buffer area), however, there are a number of key issues that would require prior resolution including:

- the creation of 2WD vehicle access from North West Coastal Highway to Buller Rivermouth (this will be at considerable cost as the highway intersection will require relocation and significant works to meet the requirements of MRWA after which the Development WA property of Lot 21 could then be created formally as a road reserve);
- the undertaking of Aboriginal heritage surveys (as the Buller Rivermouth contains a number of heritage and burial sites and these will need to be identified);
- the undertaking of a masterplan exercise (this would design for the type and location of future development in this area e.g. Aboriginal interpretation, cultural and promotion works and recreational works; identify rehabilitation works; plan for excluding access to areas that the prior survey work has identified as having heritage or environmental significance);
- the undertaking of on-ground works as identified by the masterplan (e.g. there may be through the YNILUA process or through external funding sources ability to attract grants for capital works at the Buller Rivermouth and also the highway access upgrade works); &
- agreement between several parties upon a funding framework and ongoing management model (e.g. there may be through the YNILUA process, or through ongoing funding arrangement with Development WA, or through the Department of Biosecurity, Conservation & Attractions (DBCA) model arising out of the YNILUA in regards to Conservation Reserves ability to secure ongoing funding sources for recurrent management measures such as Aboriginal Ranger programs and site maintenance works).

These actions will have some significant costs associated with them and it is likely they will require the land manager, along with the Shire, and also DPLH, DBCA, Development WA, MRWA, Mid West Ports Authority to explore whether there is ability to work together to identify funding sources, areas of common interest, have input into a masterplan process, deliver project aspects etc.

These discussions should also explore not just whether there is opportunity to work together towards sourcing funding for capital works to realise a masterplan's objectives but would also need to give consideration to non-capital items such as:

- initial survey/planning/design cost;
- future resourcing, maintenance and management costs, appropriately indexed and quarantined;
- associated costs such as depreciation costs and road maintenance; &
- any additional insurance costs arising.

Given the number of aspects that need to be worked through, and the future land manager may not initially have the funding (or initial management structure capability) to consider such a project, this is likely to be more of a long-term vision than one capable of being realised on-ground immediately. However, the Shire has maintained a position that it is willing to meet with any parties to discuss the Buller Rivermouth's potential future and to explore whether the Shire may be able to provide assistance to the land manager in some form.

The installation of a larger highway bridge over the Buller River will also assist in the future realisation of the Shire's long-term strategic vision of providing a walking trail along the Buller River (and under the highway bridge) that would link the future DBCA Moresby Range Conservation Park and campground with the Buller Rivermouth.

The DBCA's 'Moresby Range Conservation Park Visitor Concept Plan' makes reference to this wider vision when it identifies the following opportunities:

"Through a joint management program being developed between the Southern Yamatji Nation and DBCA, there are many opportunities for the inclusion of cultural awareness and education for visitors to the MRCP. This could be through a range of opportunities including activities in a Cultural Centre or elsewhere in the park that provide for knowledge sharing, dance and craft workshops, the interpretation of place names, bush tucker, medicine, local fauna and dreaming stories. The park could also be a place for aboriginal people to come and learn on Country.

Joint management will provide opportunities for the employment of Aboriginal rangers and Caring for Country through traditional land management practices.

The scale and scope of a cultural centre will be determined by Naaguja and DBCA. The activities and experiences available at the centre are yet to be determined. A range of options has been discussed with Naaguja including those outlined below.

- Art and craft workshop, gallery and shop.
- Guided tours of MRCP in a car, mini-van or mini-bus.
- Guided walk tours of MRCP.
- Aboriginal tucker experience.
- e-bike hire with self-guided tour.
- Star gazing - night sky experience.
- Overnight stay in tented accommodation.
- Evening cultural talks around a communal campfire.
- Cultural discovery workshop.
- Extended day walk to Buller River mouth.
- Heritage site tour.
- Remote bush barbecue and cultural talk."

"The park could provide access to Class 1, 2 and 3 walking trails to sites offering views, landscape features and/or cultural / natural qualities. There is opportunity for visitors to access day use areas using designated pathways and walking trails, including 'loop' trails from campgrounds to day use areas, and a scenic ridge trail offering spectacular views.

Extended walk trails (e.g. 1-2hr duration and/or Class 3) may be considered in the future, including possible linkages with potential trails outside of the park such as a proposed (8km) walk trail along the Buller river to the Indian Ocean."

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.

COMMUNITY HEALTH & LIFESTYLE

1.4 Maintain and enhance community safety and security.

1.4.1 Maintain safe roads and infrastructure.

Consultation

The Shire and MRWA have been in discussion regarding the Buller bridge project and the Shire's request that the works give regard to the long-term strategic vision of creating Buller Rivermouth access have been incorporated into the design resulting, in part, in the requirement to extend the bridge design into the Shire land to the east.

MRWA also consulted with the DPLH's Heritage Council who advised that:

"MRWA Bridge 0798, over Buller River, North West Coastal Hwy, is a reinforced concrete, timber and stone bridge located in Buller in the Shire of Chapman Valley. Oriented north-south the bridge is situated near a slight bend along North West Coastal Highway. MRWA Bridge 0798, over Buller River, North West Coastal Hwy has two spans over the Buller River, 15 metres long and approximately 9 metres wide. The structure is timber, and the superstructure is made of round timber girders with a reinforced concrete deck. The sub-structure is of round timber bearers with solid stone piers and wing walls..."

...Constructed c.1943,7 it is unknown whether MRWA Bridge 0798, over Buller River, North West Coastal Hwy replaced an earlier bridge at this location as there is limited information available about the place. However, it is likely the current bridge replaced an earlier structure. The North West Coastal Highway was officially gazetted in 1944. Largely created from existing roads and tracks it remained a hazardous route. Economic growth and development in northern Western Australia resulted in further improvements in the late 1940s, and the road from Geraldton to Carnarvon was sealed by 1962. Given the Geraldton–Northampton Railway line closed in 1957 traffic along the North West Coastal Highway may have increased at that time..."

...Information provided by Main Roads WA lists only 11 bridges constructed between 1929 and 1960 in the Mid West region (including MRWA Bridge 0798, over Buller River, North West Coastal Hwy). During and following WWII there was a shortage of goods and labour along with strong government controls and national interests being prioritised. Construction largely ceased to channel resources to the war effort. However, with the construction of a secret airfield at Corunna Downs in the Pilbara, transport to the region may have been improved, and this may go some way to explain the construction or works done to bridges to the north of the state during this period..."

...The above would suggest that MRWA Bridge 0798, over Buller River, North West Coastal Hwy is relatively rare as an extant road bridge constructed in the Mid West region during WWII. However, it's rarity should be considered in the context of the reduction in construction across the board during this period, and the focus on the war effort."

"After careful consideration of a preliminary review of the place I have determined, under direction from the Heritage Council, that while MRWA Bridge 0798, over Buller River, North West Coastal Hwy may have some cultural heritage value, it is unlikely to have the cultural heritage significance required to meet the condition for entry in the State Register under section 38 of the Heritage Act 2018. This means that the place does not warrant a full assessment."

A copy of the Heritage Council correspondence is provided as **separate Attachment 10.1.3.2**

Risk Assessment

No Risks have been Identified.

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 March 2024 [10.2.1.1 - 34 pages] 2. Financial Management Report April 2024 [10.2.1.2 - 31 pages]

Voting Requirements

Simply Majority

Staff Recommendation

That Council receives the Monthly Financial Management report supplied under separate cover for March & April 2024 including the following:
Statement of Financial Activities by Nature or Type
Statement of Financial Activity Information & Notes
Summary of Accounts Paid
Bank Reconciliation
Credit Card Statement

Council En Bloc Resolution - Minute Reference 2024/05-2

That Council receives the Monthly Financial Management report supplied under separate cover for March & April 2024 including the following:
Statement of Financial Activities by Nature or Type
Statement of Financial Activity Information & Notes
Summary of Accounts Paid
Bank Reconciliation
Credit Card Statement

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 March & April 2024 is detailed in the monthly management report provided as a separate attachment for Council's review.

Statutory Environment

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

5.3 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.

10.2.2 Amend the Naming & Purpose of Reserve Account

Department	Finance, Governance & Corporate Services Finance
Author	Dianne Raymond
Reference(s)	304.04
Attachment(s)	1. Advertisement for Reserve Account Amendment [10.2.2.1 - 1 page]

Voting Requirements

Absolute Majority

Staff Recommendation

That Council amends the Computer and Office Equipment Reserve account to the following:

Account Name – Communications & Information Technologies reserve account

Reserve Purpose – To be used to fund the upgrade and replacement of the Shire's Communications & Information Technologies.; and

Give one month's local public notice of the proposed change of purpose or proposed use as per the requirements of the Local Government Act 1995.

Council Resolution

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

That Council amends the Computer and Office Equipment Reserve account to the following:

Account Name – Communications & Information Technologies reserve account

Reserve Purpose – To be used to fund the upgrade and replacement of the Shire's Communications & Information Technologies.; and

Give one month's local public notice of the proposed change of purpose or proposed use as per the requirements of the Local Government Act 1995.

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

Against Nil

5 / 0

CARRIED UNANIMOUSLY

Minute Reference OCM 2024/05-3

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

The Shire of Chapman Valley of currently has nine (9) allocated reserve accounts for various purposes. Each reserve account serves a designated purpose, and the funds within it are earmarked for specific uses.

If a local government wishes to alter the purpose of a reserve account or use the funds for a different purpose, it must follow specific procedures:

- Provide one month's local public notice of the proposed change or intended use.
- Obtain an absolute majority for the proposed amendment.

Council is being requested to consider changing the purpose and use of the current Computer & Office Equipment Reserve to allow it to be used for the payment of a wider cross-section of Communication and Information Technology. These would include yet not be limited to:

- Diverse computer hardware
- A variety of software applications.
- Photocopiers.
- Servers or cloud storage solutions.
- Wi-Fi infrastructure.
- Phone systems.

The Reserve fund has been in place for a number of years and holds funds set aside to cover the replacement of information and communications technology equipment. The issue is in the name of the reserve which may be a bit too prescriptive and thus the alteration to following:

“Communications & Information Technologies reserve account – To be used to fund the upgrade and replacement of the Shire’s Communications & Information Technologies”. It is felt the reference to Office Equipment is not required as this is funded as required under operating maintenance.

Comment

The purpose of this agenda item is to propose a modification of the Computer and Office Equipment Reserve in order to better reflect the contemporary landscape of Information, Communications & Technology (ICT). As we embrace the digital age our organisational requirements have shifted from traditional on-site hardware to encompass a diverse array of solutions including cloud-based storage, web portals, and software as a service (SaaS) application. This evolution necessitates an alignment of our reserve naming to accurately mirror the scope and nature of our ICT environment.

Particularly, the proposed “Consolidated Services” project being developed by the Shire’s of Irwin & Chapman Valley. This initiative is to assist the LGAs in managing the numerous, common pain points being experienced, including accessing skilled workforce and resources, delivering key services – HR (Human Resources), Finance, Procurement etc., and will replace the current accounting software (SynergySoft) which will be phased out within the next 5 years to either their new software version “Altus” or an alternative. The full suite of Altus software products will be a significant cost to council, as will alternative local

government software providers. It is anticipated that the Consolidated Services model will be more cost-effective while being custom build for our local government.

Also, the weight of legislative and governance burden, imposed in recent years, is making it almost impossible for small local governments (LGAs) to be fully compliant across all areas. The consolidated service delivery option would offer an independent service delivery entity, removing the burden from the smaller LGAs, allowing them to focus on the important on-ground services to their constituents. The aim is to deliver ninety percent consistent services for participating LGAs.

It is proposed to name the reserve account broadly to allow updating, upgrading, replacing of our information technology as we progress our digital environment.

Previous Reserve name – Computer and office equipment reserve account

Amended Reserve name - Communications & Information Technologies reserve account

Current purpose - To be used to replace Information and Communications Technologies equipment.

Proposed purpose - To be used to fund the upgrade and replacement of the Shire's Communications & Information Technologies.

Statutory Environment

S6.11 (2) of the Local Government Act requires Council to give one month's local public notice of the proposed change of purpose or proposed use.

Policy/Procedure Implications

No Policy or Management Procedure affected.

Financial Implications

The computer and office equipment reserve account currently has \$40,182 set aside.

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

5.1 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

Senior Staff

Risk Assessment

Risks are identified in the restrictive terminology of the reserve which could result in funds not being available from the reserve account for future requirements.

Council Resolution

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

That Council adjourned the meeting at 9:12 am.

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

Against Nil

5 / 0

CARRIED UNANIMOUSLY

Minute Reference OCM 2024/05-4

Council Resolution

Moved: Cr Katie Low **Seconded:** Cr Trevor Royce

That Council reopen the meeting at 9:43 am.

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

Against Nil

5 / 0

CARRIED UNANIMOUSLY

Minute Reference OCM 2024/05-5

10.2.3 Local Government Elected Members Fees & Allowances

Department	Finance, Governance & Corporate Services Administration & Governance Finance
Author	Dianne Raymond
Reference(s)	306.00
Attachment(s)	1. SAT Determination Elected Members & CEO [10.2.3.1 - 34 pages]

Voting Requirements

Absolute Majority

Staff Recommendation

- That Council approves the maximum Elected Members fees and allowances for the 2024/2025 Draft Budget:

	Annual Attendance fees in lieu of Council meeting fees	Annual Allowance (President)	Annual Allowance (Deputy President) - 25% of President	Annual Communication Allowance	Annual Travel Allowance
President	Maximum set by WASAT	Maximum set by WASAT		\$3,500	\$50
Deputy President		NA	Maximum set by WASAT	\$3,500	\$50
Other Elected Members		NA	NA	\$3,500	\$50

- That payments be made six-monthly in arrears (i.e. December and June).

Council En Bloc Resolution - Minute Reference 2024/05-2

- That Council approves the maximum Elected Members fees and allowances for the 2024/2025 Draft Budget:

	Annual Attendance fees in lieu of Council meeting fees	Annual Allowance (President)	Annual Allowance (Deputy President) - 25% of	Annual Communication Allowance	Annual Travel Allowance

			President		
President	Maximum set by WASAT	Maximum set by WASAT		\$3,500	\$50
Deputy President		NA	Maximum set by WASAT	\$3,500	\$50
Other Elected Members		NA	NA	\$3,500	\$50

2. That payments be made six-monthly in arrears (i.e. December and June).

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 Salaries and Allowances Tribunal (SAT) is established pursuant to section 5 of the Salaries and Allowances Act 1975 ("the Act"). On Friday 05 April 2024, the SAT released the 2024 Local Government Chief Executive Officers and Elected Members Determination setting salaries, allowances, fees etc effective 01 July 2024 under the Salaries and Allowances Act, 1975, Pursuant to Section 7(A) and 7(B).

Council has previously resolved to set an annual attendance fee in lieu of council, committee and prescribed meeting attendance fees paid for periods 31 December and 30 June each year.

Comment

The Western Australian Salaries and Allowances Tribunal (WASAT) determination for 1 July 2024 was handed down with changes in determination including:

- An increase to the CEO (Chief Executive Officer) Band 4 remuneration range
- A 4% increase to all CEO and Elected Member Bands
- An additional 0.5% increase to all CEO Bands to reflect the legislated increase to the superannuation guarantee
- A change to the Motor Vehicle section of the Determination (Part 5) for regional Band 3 and 4 Local Governments means any motor vehicle provided to the CEO is not to be considered part of the Total Reward Package. This provides further flexibility in setting the Total Reward Package for a CEO.
- Superannuation has been removed from the guidance notes following consultation with the DLGSC (Department of Local Government, Sport and Cultural).

Annual attendance fees in lieu of council meeting, committee meeting and prescribed meeting attendance fees are set dependent on the class/band of the local government. The ranges of fees in the table below apply where a local government decides by an absolute

majority that, instead of paying council members an attendance fee referred to in section 5.98 of the LG (Local Government) Act, it will pay an annual fee to all council members who attend council, committee, or prescribed meetings.

Table 8: Annual attendance fees in lieu of council meeting, committee meeting and prescribed meeting attendance fees – local governments

For a council member other than the mayor or president

Band	Minimum	Maximum
1	\$26,624	\$34,278
2	\$16,089	\$25,137
3	\$8,320	\$17,711
4	\$3,884	\$10,286

For a council member who holds the office of mayor or president

Band	Minimum	Maximum
1	\$26,624	\$51,412
2	\$16,089	\$33,706
3	\$8,320	\$27,425
4	\$3,884	\$21,138

The 2023/2024 endorsed budget included an allowance of \$9,742 per annum with a total budget expense of \$77,936 for 2023/2024. Should council endorse the full 4% increase to the maximum Band 4 allowance, and the maximum allowance for the president, the total budget expense would be \$82,854. Previous reviews and increases are listed below which are minimal across the previous five years:

- 2023 – 3.5%
- 2022 – 0.0%
- 2021 – 0.0%
- 2020 – 0.0%
- 2019 - 1.0%

The annual allowance allocated to the President and Deputy President within Band 4 for the financial year 2024/2025 ranges from a minimum of \$526 to a maximum of \$21,710. In the preceding financial year, the endorsed budget designated a \$10,000 annual allowance for the President, with the Deputy President's allowance set at 25% of the President's, resulting in a total council budget expense of \$12,500. Endorsing the SAT increase in the maximum Band 4 allowance would elevate the total expense to \$27,137.50. Whilst it is advisable to exercise fiscal prudence amidst the prevailing economic conditions, it is essential to acknowledge the substantial responsibilities shouldered by the President and Deputy President in serving the council's interests.

Annual allowances determined instead of reimbursement for particular types of expenses is reviewed under section 9.2 being communication expenses, travel & accommodation.

(1) In this section: ICT expenses means: (a) rental charges in relation to one telephone and one facsimile machine, as prescribed by regulation 31(1)(a) of the LG Regulations; (b) any other expenses that relate to information and communications technology (for example,

telephone call charges and internet service provider fees) and that are a kind of expense prescribed by regulation 32(1) of the LG Regulations; or (c) any expenses, including the purchase costs, of ICT hardware provided to elected members. travel and accommodation expenses means: (a) travel costs, as prescribed by regulation 31(1)(b) of the LG Regulations; or (b) any other expenses that relate to travel or accommodation and that are a kind of expense prescribed by regulation 32(1) of the LG Regulations. (2) For the purposes of section 5.99A(b) of the LG Act, the minimum annual allowance for ICT expenses is \$500 and the maximum annual allowance for ICT expenses is \$3,500. (3) For the purposes of section 5.99A(a) of the LG Act, the annual allowance for travel and accommodation expenses is \$100.

The 2023/2024 endorsed budget included an allowance of \$500 per annum for ICT and \$50 for Travel with a total budget expense of \$4,400. Should council endorse the maximum annual allowance for Band 4 ICT this would see an increase to the 2024/2025 budget from \$4,000 to \$24,500 for seven elected members.

If council chooses to endorse all increases in accordance with the maximum SAT allowances, this action will result in a \$67,421 rise in the 2024/2025 budget expenditure, totalling \$134,841.50, compared to the previous year's expenditure of \$94,836.

Statutory Environment

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

Salaries and Allowances Act 1975

Policy/Procedure Implications

No Policy or Management Procedure affected.

Financial Implications

Budgetary Implications

The budget will be affected in the following ways: total expenditure for elected members will be \$134,841.50 an increase from last year of \$67,420.75

Strategic Implications

It is important Elected Members are remunerated for their contribution to local government.

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

Council budgets for the funds to accommodate the current level of Elected Members Allowances annually therefore the risk rating is considered minor.

10.2.4 Differential Rating

Department	Finance, Governance & Corporate Services Finance
Author	Dianne Raymond
Reference(s)	Budget 306.00
Attachment(s)	<ol style="list-style-type: none"> 1. Differential Rate Modelling Summary [10.2.4.1 - 1 page] 2. Landgate Letter Revaluation Rural Assessments [10.2.4.2 - 2 pages] 3. Local Public Notice [10.2.4.3 - 1 page] 4. Object and Reasons for Differential Rating [10.2.4.4 - 2 pages] 5. Rate Revenue Increases 2012 to current [10.2.4.5 - 1 page]

Voting Requirements

Simply Majority

Staff Recommendation

That Council:

1. Provides 21 days local public notice, as required by s6.36 (1) of the Local Government Act 1995, of its intention to impose differential rates for the 2024/2025 budget year as listed below.
2. Agrees to staff using the following rates in the dollar and minimum rates as the basis for the preparation of the 2024/2025 Draft Annual Budget.

Differential Rating Category	Rate in \$	Minimum Rate
UV Rural	0.6683	\$ 441.00
UV Oakajee Industrial Estate	1.2231	\$ 441.00

Council Resolution

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

That Council:

1. Provides 21 days local public notice, as required by s6.36 (1) of the Local Government Act 1995, of its intention to impose differential rates for the 2024/2025 budget year as listed below.
2. Agrees to staff using the following rates in the dollar and minimum rates as the basis for the preparation of the 2024/2025 Draft Annual Budget.

Differential Rating Category	Rate in \$	Minimum Rate
UV Rural	0.6683	\$ 441.00
UV Oakajee Industrial Estate	1.2231	\$ 441.00

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

5 / 0

CARRIED UNANIMOUSLY
Minute Reference OCM 2024/05-6

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

The ability to raise local government property rates is set out under the Local Government Act 1995 (LGA). Sections 6.33 and 6.34 of the Local Government Act 1995 allow local governments to impose differential rates and minimum payment. Section 6.36 requires local governments to give notice of certain rates before imposing. Council must consider the current Strategic Community Plan which communicates the vision for the Shire; the Corporate Business Plan describing how the vision will be achieved over the next four years along with the Long-Term Financial Plan for the next ten years. Information from all the informing documents forms part of the annual budget process. A significant component of the Shire's budget revenue is derived from property rates with the purpose of levying rates being to meet the budget requirement to deliver services and projects each budget year.

The Shire can apply a uniform rate or a differential rate for each of the valuation categories; it is the rate in the dollar imposed which determines whether there is a differential rate category. Local Governments under Section 6.33 of the Local Government Act 1995 have the power to implement differential rating in order to consider certain characteristics of the rateable land. These characteristics include:

- The purpose for which the land is zoned under the town planning scheme in force;
- The predominant use for which the land is held or used as determined by the local government; and
- Whether or not the land is vacant.

Differential rates may be applied according to any, or a combination of the above characteristics. However, local governments are constrained in the range of differential rates for which they may impose. That is, a local government may not impose a differential rate which is more than twice the lowest differential rate applied by that local government unless approval from the Minister is sought.

Before imposing a differential rate, a local government must provide local public notice (a copy of which is attached) of its intention to do so and consider any resultant submissions. Section 6.36(3)(c) of the Local Government Act requires preparation of a document describing the objects of, and the reason for, each differential rate and minimum to be available for public inspection and for public submissions to be called and considered before imposing a differential rate (a copy of which is attached).

Historically the Shire of Chapman Valley has imposed a different rate for the Unimproved Valued land contained in the Special Control Area of the Shire of Chapman Valley Town Planning Scheme set aside for the purpose of strategic industry and deep-water port known as the Oakajee Industrial Estate and buffer areas.

Comment

The purpose of this report is to determine whether council wish to continue with this rating methodology for the preparation of the draft 2024/2025 Annual Budget. The objective of the proposed differential rate is to ensure there is consistency with the previous years of rating methodology. The Unimproved Value properties have an annual revaluation process which to date has been received and implemented. This report has used the new values for 1 July 2024 to determine the total rates revenue per differential rate type. This was based on the 6.5% increase on the differential rate in the dollar and minimum rates set in the previous rating period.

The purpose of implementing a differential rate on Oakajee Industrial Estate properties is to ensure a fair and proportionate contribution from this sector towards the rates associated with the land managed by Landcorp. The differential rate aims to prevent any financial detriment to the Shire of Chapman Valley resulting from the acquisition and subsequent development of the land. To mitigate the impact of the Oakajee development on ratepayers, the Council previously proposed the introduction of a differential rate system. Despite a significant 29% increase in valuation during the annual revaluation review of rural assessments, the adjusted rate in the dollar model accounts for this increase and effectively adjusts the rate in the dollar to mitigate its impact

The UV Oakajee Industrial Estate Buffer Zone category includes any property zoned Oakajee Industrial Estate and Buffer within Town Planning Scheme No.1. A proposes adjusted rate in the dollar of 1.2231 cents on this category of Unimproved Values with a minimum of \$441 which equates to a 6.50% increase to rate revenue from 2023/2024 and affects two (2) rateable assessments.

The balance component relating to the unimproved value rating area category encompasses the UV Rural General Rate, which is defined as follows: Any other property within the Shire of Chapman Valley that is designated as Rural according to the Shire of Chapman Valley Town Planning Scheme. A proposed adjustment to the rate in the dollar, decreasing from 0.9778 cents in 2023/2024 to 0.6683 cents in 2024/2025 for Unimproved Values, with a minimum charge set at \$441 is compliant with the requirements of the LGA.

The advertising of a differential rate does not bind a local government to use the rate in the dollar at the time of adopting its' budget. The prime purpose of the advertisement is the opportunity for the public to prepare submissions on the existence of the differential rate category and its indicative level. If a differential general rate or minimum payment differs from the proposed rate the reasons are required to be disclosed in the relevant budget and rate notice information.

A Differential Rate Model is attached under separate cover for the proposed differential rating revenue; however, it is indicative only as the new budget is yet to be endorsed. The recommendation is for the higher percentage increase which then allows council to adopt a lesser amount if the budget expenditure permits.

Statutory Environment

The report complies with the requirements of the Local Government Act 1995 and Financial Management Regulations as below:

- *S.6.32 States that a local government, in order to make up the budget deficiency, is to impose a general rate on rateable land that may be imposed uniformly or differentially.*

- S6.33 (1) Provides that a local government may impose differential rates based upon characteristic of zoning, predominant land use, whether or not the land is vacant.
- S6.34 States that a local government cannot without the approval of the Minister yield a general rate that exceeds 100% of the budget deficiency or less than 90% of the budget deficiency.
- S6.35 States that a local government may impose on any rateable land in its district a minimum payment which is greater than the general rate which would otherwise be payable on that land.
- S6.35(4) States that a minimum payment is not to be imposed on more than the prescribed percentage of a) the number of separately rated properties in the district; or b) the number of properties in each category.
- FMR 5 s.52 States that the percentage prescribed for the purposes of s6.35 (4) is 50%.
- S6.36(1) States that before imposing any differential general rates or a minimum payment applying to a differential rate category under section 6.35(6)(c) a local government is to give local public notice of its intention to do so
- S6.36(2) States that a local government is required to ensure that a notice referred to in subsection (1) is published in sufficient time to allow compliance with the requirements specified in this section and section 6.2(1).
- S6.36(3) States that a notice referred to in subsection (1) —
 - (a) may be published within the period of 2 months preceding the commencement of the financial year to which the proposed rates are to apply on the basis of the local government's estimate of the budget deficiency;
 - (b) is to contain —
 - (i) details of each rate or minimum payment the local government intends to impose;
 - (ii) an invitation for submissions to be made by an elector or a ratepayer in respect of the proposed rate or minimum payment and any related matters within 21 days (or such longer period as is specified in the notice) of the notice; and
 - (iii) any further information in relation to the matters specified in subparagraphs (i) and (ii) which may be prescribed;
 - and
 - (c) is to advise electors and ratepayers of the time and place where a document describing the objects of, and reasons for, each proposed rate and minimum payment may be inspected.
- S6.36(4) States that a local government is required to consider any submissions received before imposing the proposed rate or minimum payment with or without modification.

Policy/Procedure Implications

No Policy or Management Procedure affected.

Financial Implications

Budgetary Implications

If the council chooses not to endorse the differential rating category, the valuation component for two assessments will default to a general UV Rural-rated revenue. Consequently, in the rating for the 2023/2024 period, the absence of revenue from the UV Oakajee Industrial Estate category would have led to a reduction of around \$94,000.

Strategic Implications

Section 6.2(2) of the Local Government Act requires council in formulating the budget, to have regard to the contents of the plan for the future of the district.

The proposed 6.50% rate revenue increase using differential rating remains within reasonable boundaries consistent with the Long-Term Financial Plan (LTFP) endorsed at the May 2023 Ordinary Meeting of Council; regard should be given to a prudent and responsible budget to continue providing services into the future.

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

Public Notice of 21 days is to be given as required by s6.36 (1) of the Local Government Act 1995.

Risk Assessment

A Minor Compliance Risk of Level 2 - Which will likely result in some temporary non-compliance should advertising of differential rating does not occur.

Council Resolution

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

9:48 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 10.2.4:

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

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

Against Nil

5 / 0

CARRIED UNANIMOUSLY
Minute Reference OCM 2024/05-7

Discussion was undertaken on the item.

Council Resolution

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

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 10.2.4:

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

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

Against Nil

5 / 0

CARRIED UNANIMOUSLY
Minute Reference OCM 2024/05-8

10.2.5

Proposed Fees and Charges

Department	{use-custom-field-department-do-not-remove}
Author	Dianne Raymond
Reference(s)	Enter-Text-Here-(Arial Size 11 ONLY)
Attachment(s)	1. Proposed Schedule Fees & Charges 2024-2025 [10.2.5.1 - 14 pages]

Voting Requirements

Absolute Majority

Staff Recommendation

The proposed 2024/2025 Draft Fees and Charges as presented to Council be endorsed and included into the 2024/2025 Annual Budget in accordance with the requirements of the Local Government Act, 1995.

Council Resolution

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

The proposed 2024/2025 Draft Fees and Charges as presented with changes to Council be endorsed and included into the 2024/2025 Annual Budget in accordance with the requirements of the Local Government Act, 1995.

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

4 / 1

CARRIED

Minute Reference OCM 2024/05-9

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

As part of the function of local government and its operations, each year the Council is required, under Section 6.2 of the Local Government Act 1995, to formally adopt its annual financial year budget, to enable the administration to carry out the defined services and programs and to raise revenue through rates and fees and charges. In preparation for the compilation of the 2024/2025 Annual Budget the Proposed Schedule of Fees and Charges for 2024/2025 is attached for review and approval to list in the 2024/2025 Draft Budget.

Comment

A considerable number of Council's fees and charges are set by legislation and as such remain the same as last year until various agencies advise of changes. These include fees and charges associated with Planning, Building and Health regulations.

The draft 2024/2025 Proposed Schedule of Fees & Charges are based on the previous formatted endorsed fees and charges and in line with the Long-Term Financial Plan assumptions of a total revenue increase of 1.50%. It is prudent local government find a balance between cost recovery of providing services and facilities without unnecessary impact on the community. Continual increase costs in cleaning, power, water, and general maintenance however does add to budget pressures. It is important therefore to keep this to the forefront of mind when receiving submissions for any waiving of fees and charges for venue hire and usage.

Based on the existing revenue generated from fees and charges, we have refrained from adjusting individual fees, as we anticipate that the targeted 1.5% increase in total revenue can be attained through enhanced usage. Maintaining stable and predictable costs presents an opportunity to foster increased local consumption, particularly among individuals with greater discretionary income, thereby bolstering economic activity within the community. It is imperative to acknowledge the importance of favourable public perception; residents are likely to view the local government favourably for demonstrating responsiveness and prudence in abstaining from imposing supplementary financial obligations amidst economic uncertainty.

Statutory Environment

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

Section 6.16 is the primary piece of legislation under the Local Government Act 1995 that requires fees and charges to be reviewed and adopted as part of the budget process.

6.16. Imposition of fees and charges

(1) A local government may impose and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.*

** Absolute majority required.*

(2) A fee or charge may be imposed for the following —

(a) providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government;

b) supplying a service or carrying out work at the request of a person;

(c) subject to section 5.94, providing information from local government records;

(d) receiving an application for approval, granting an approval, making an inspection and issuing a license, permit, authorisation or certificate;

(e) supplying goods;

(f) such other service as may be prescribed.

(3) Fees and charges are to be imposed when adopting the annual budget but may be —

(a) imposed during a financial year; and*

(b) amended from time to time during a financial year.*

** Absolute majority required.*

6.17. Setting the level of fees and charges

(1) In determining the amount of a fee or charge for a service or for goods a local government is required to take into consideration the following factors —

(a) the cost to the local government of providing the service or goods;

(b) the importance of the service or goods to the community; and

(c) the price at which the service or goods could be provided by an alternative provider.

(2) A higher fee or charge or additional fee or charge may be imposed for an expedited service or supply of goods if it is requested that the service or goods be provided urgently.

(3) The basis for determining a fee or charge is not to be limited to the cost of providing the service or goods other than a service —

(a) under section 5.96;

(b) under section 6.16(2)(d); or

(c) prescribed under section 6.16(2)(f), where the regulation prescribing the service also specifies that such a limit is to apply to the fee or charge for the service.

(4) Regulations may —

(a) prohibit the imposition of a fee or charge in prescribed circumstances; or

(b) limit the amount of a fee or charge in prescribed circumstances.

6.18. Effect of other written laws

(1) If the amount of a fee or charge for a service or for goods is determined under another written law a local government may not —

(a) determine an amount that is inconsistent with the amount determined under the other written law; or

(b) charge a fee or charge in addition to the amount determined by or under the other written law.

(2) A local government is not to impose a fee or charge for a service or goods under this Act if the imposition of a fee or charge for the service or goods is prohibited under another written law.

6.19. Local government to give notice of fees and charges

If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of —

(a) its intention to do so; and

(b) the date from which it is proposed the fees or charges will be imposed.

Policy/Procedure Implications

A Policy or Procedure is affected:

Organisational Corporate Policy & Procedures

Elected Member Governance Policy & Procedures

Planning and Development Policy & Procedures

HR & Induction Policy & Procedures

Finance Policy & Procedures

Works and Services Policy & Procedures

Building & Projects Policy & Procedures

Financial Implications

Budgetary Implications

The budget will be affected in the following ways:

An estimated increase to total fees and charges revenues of 1.5 %

Strategic Implications

Strategic Community Plan/Corporate Business Plan Implications

GOVERNANCE & ACCOUNTABILITY

5.3 Make informed decisions within resources and areas of responsibility.

5.3.2 Regular and relevant briefings to Elected Members.

Consultation

All Senior Staff have been consulted in the draft budget process and given opportunity to review the proposed schedule of fees and charges.

Risk Assessment

The associated risk would be the failure to comply with Local Government Financial Management Regulations.

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

Council Resolution

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

Council adjourned the meeting at 10:54 am.

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

Against Nil

5 / 0

CARRIED UNANIMOUSLY

Minute Reference OCM 2024/05-10

Council Resolution

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

That council reopen the meeting at 11:59 am.

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

Against Nil

5 / 0

CARRIED UNANIMOUSLY

Minute Reference OCM 2024/05-11

10.3 Chief Executive Officer

10.3.1 Consolidated Services Update

Department	Finance, Governance & Corporate Services Chief Executive Officer
Author	Jamie Criddle
Reference(s)	405.00
Attachment(s)	1. LGCSA Draft Structure v7 [10.3.1.1 - 1 page]

Voting Requirements

Simply Majority

Staff Recommendation

That Council receives the attached report and commits to transferring the unspent residual of Altus software line item in account 0722 Accounting Software Operating Expenditure of the 2023/24 budget to the newly renamed "Information, Communications & Technologies Reserve" account at years end.

Council Resolution

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

That Council

1. Receives the attached report with addendum additions and commits to transferring the unspent residual of Altus software line item in account 0722 Accounting Software Operating Expenditure of the 2023/24 budget to the newly renamed "Information, Communications & Technologies Reserve" account at years end.
2. Approve the creation of a not-for-profit association encompassing the inaugural members being from the Shire's of Irwin and Chapman Valley with the understanding the association can be expanded in the future to other interested local government authorities.
3. Authorise the Chief Executive Officer in consultation with the Shire of Irwin to compile the initial Rules, Purpose and Charter for the not-for-profit association based upon the Consolidated Services Model to commence the application process for the establishment of the association. These initial Rules, Purpose and Charter will be based upon the ability for amendments to be made as the association evolves.
4. Once items 2 & 3 are complete, this item to be presented to council.

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

4 / 1

CARRIED

Minute Reference OCM 2024/05-12

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

Back in December 2023, Council invited Mr Maurice Battilana to explain the **Consolidated Services** concept in detail and what progress has been made since the previous presentation to Council.

The Shire of Irwin, in conjunction with the Shire of Chapman Valley has been working on this project for almost two years to look at possible alternative service delivery models to improve on the historical methods which are not efficient or practical, specifically for small local government authorities (i.e. Band 3 & 4 LGAs). The concept being progressed has been described as a **Consolidated Services** model of service delivery.

As lead agency, the Shire of Irwin has discussed the **Consolidated Services** concept with the Local Government Ministers (State), WALGA and the Department of Local Government with all giving in-principle support at this stage. A Steering Committee has been established to oversee and provide high-level support for the project. The Steering Committee includes members from WALGA, DLGSC and an independent, experienced LG practitioner/consultant.

Comment

The Shire of Irwin co-opted the services of Ernst & Young Australia to undertake a pre-feasibility analysis of the **Consolidated Services** concept. The report provided by Ernst & Young (which is currently confidential and cannot be provided with this report) identified one of the priorities is to determine what software is available to best establish and support the **Consolidated Services**.

To ensure the market is tested in a suitable and clear way it was also identified there would be a need to undertake *Process Mapping* of the existing local government processes and procedures. The *Process Mapping* would allow software providers to quote as accurately as possible on what would be required to support a **Consolidated Services**.

The Shire of Irwin acquired the Process Mapping software, and the provider of the software has spent four weeks with Working Groups comprised predominantly of Shire of Irwin staff with contributions from the Shire of Chapman Valley and Shire of Three Springs staff. The Working Groups have mapped the following priority service areas upon which the Request for Quote (RFQ) will be based:

- Finance (including Long Term, Asset Management and Workforce Plans)
- Procurement
- Human Resources; and
- Rates & Properties

It was considered appropriate (and recommended) the transition to the establishment of a **Consolidated Services** would be best done in stages and over several years, rather than all at once.

Due to the commercial confidentiality and protection of intellectual property associated the *Process Mapping* undertaken to date, this information cannot be included with the Agenda Report but will form the bulk of the RFQ requirements.

Though the *Process Mapping* undertaken has prioritised the abovementioned four priority service areas, the Shire of Irwin has also completed mapping on several other areas e.g.

- Customer Services
- Planning Development
- Building Services
- Health Services
- Rangers Services (Law Enforcement)
- Infrastructure Services (partial only)
- Compliance Audit Returns
- Compliance Calendar & Compliance Reports

The other major advantage of the standards established by a **Consolidated Services** is the in-built ability to amend these standard when the invariable legislative changes are handed down to LGAs by the other two tiers of government (i.e., the **Consolidated Service** will amend processes to conform with changes, rather than each individual LGA having to do this in insolation).

ReadyTech have recently acquired IT Vision who currently operate the SynergySoft financial system which will be phased out within the next 5 years to either their new software version "Altus" or an alternative. The full suite of Altus software products will cost in the vicinity of \$400,000 to implement as will alternative software providers to Local Government. It is anticipated that the Consolidated Services model will be nowhere near this cost and custom build for Local Government. \$60,000 of this \$400,000 total expend was budgeted for in the 2023/24 financial year to update to the Altus Payroll package. If Council is serious in the **Consolidated Services** project, it is felt that this allocation should be transferred to the newly adjusted "Information, Communications & Technologies Reserve" account. This will reduce the burdon on Council, should the **Consolidated Services** project be successful. If not, nothing is lost, and staff will look at other options utilising these funds

The Shire of Irwin and the Shire of Chapman Valley have progressed the project to the point where it is ready to go out to tender. Council have already resolved to participate in the Consolidated Services (RFQ) quote process and contribute to the financial processes to date.

However, there are some issues with the Local Government Act precluding the two Councils from 'joint tendering' so with the assistance of Tony Brown at WALGA we are currently in the process of creating the proposed "Local Government Corporate Services Association" (LGSCA) structure using the ASIC Not-For-Profit (NFP) organization model and registered as a public company limited by guarantee. This structure will allow the two Council's to operate 'outside' of the Local Government Act for this purpose and will grow very quickly as the number of Council's already wishing to get on board is growing with the State and outside (NT). A copy of the proposed structure is attached for your perusal.

Statutory Environment

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

Policy/Procedure Implications

No Policy or Management Procedure affected.

Financial Implications

Budgetary Implications

The budget will be affected in the following ways:

Council adopted in the 2023/24 Budget to purchase a payroll software in lieu of the existing Synergysoft program which is not being supported in the next few years.

Account 0722 allowed for \$60,000 for the purchase of Altus Payroll

Strategic Implications

Strategic Community Plan/Corporate Business Plan Implications

PHYSICAL & DIGITAL INFRASTRUCTURE

4.3 Aspire to develop robust communication and digital infrastructure in the Shire.

4.3.1 Ongoing engagement with infrastructure and service providers.

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.

Consultation

Maurice Battilana, Project Manager, Shire of Irwin

Shane Ivers, CEO, Shire of Irwin

Beau Raymond, SFO

Di Raymond, MFCS

Tony Brown, WALGA

Risk Assessment

A Moderate Financial Impact Risk of Level 3 - Which will likely be between \$10,001 to \$50,000.

A Moderate Service Disruption Risk of Level 3 - Which will likely result in medium term temporary interruptions with backlogs cleared in less than one week.

A Moderate Compliance Risk of Level 3 - Which will likely result in short term non-compliance but with significant regulatory requirements imposed.

A Moderate Reputational Risk of Level 3 - Which will likely result in substantiated, public embarrassment, moderate impact, moderate news profile.

10.3.2

New Council Policy

Department	Finance, Governance & Corporate Services Administration & Governance Chief Executive Officer
Author	Jamie Criddle
Reference(s)	411.01
Attachment(s)	1. Policy Review [10.3.2.1 - 12 pages]

Voting Requirements

Absolute Majority

Staff Recommendation

That Council reviews the attached policies/amendments and adopts as per the requirements of the Local Government Act 1995.

Council Resolution

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

That Council reviews the attached policies/amendments and adopts as per the requirements of the Local Government Act 1995.

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

Against Nil

5 / 0

CARRIED UNANIMOUSLY
Minute Reference OCM 2024/05-13

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 was presented with the full Policy review which was conducted and endorsed at the April meeting with the request to bring three (3) policies for addition/review to the May meeting.

This includes:

- Credit Card/Transaction Card Policy
- Financial Hardship Policy
- Covid Leave Policy

Comment

This review is now complete with some changes recommended. The Financial Hardship Policy is a new policy and is in line with industry recommendations. The Covid Leave Policy has been amended to reflect the managements intent of the policy post Covid State of Emergency cancelation while the Credit Card Policy has been totally amended to account for recent adjustments to the Local Government Act 1995 and accommodate for all Council controlled transaction cards.

Policies may be amended at any time by Council resolution. However, several require absolute majority, and several also require advertising of amendments (if changes are made). These requirements are advised within the Notes section of the relevant policies. None of these particular policies are proposed to be changed, hence, only a simple majority is required.

Statutory Environment

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

Local Government Act 1995 – Section 2.7(2)(b)

Role of Council

- 1) *The council:*
 - (1) *Governs the local government's affairs; and*
 - (2) *Is responsible for the performance of the local government's function.*
 - (3)
- 2) *Without limiting subsection (1), the council is to:*
 - a) *Oversee the allocation of the local government's finances and resources; and*
 - b) ***Determine the local government policies.***

Policy/Procedure Implications

A Policy or Procedure is affected:
Organisational Corporate Policy & Procedures

All of the Shire of Chapman Valley existing policies & procedures are reviewed annually by Senior Staff, with those being recommended for amendments, adoption or deletion presented to Council for consideration.

Financial Implications

No Financial Implications Identified.

Strategic Implications

It is important Councillors and staff are fully conversant with Policies and Procedures of the organisations in the first instance and for these to be accessible to the Elected Members, Staff and the community to ensure all ambiguity are removed regarding how the Shire operates.

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

Nil

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.

10.3.3 Chapman Valley Bush Fire Advisory Committee

Department	Development Service Emergency Management
Author	Jamie Criddle
Reference(s)	601.08
Attachment(s)	1. CV Bushfire Brigades Unconfirmed Minutes April 2024 [10.3.3.1 - 5 pages]

Voting Requirements

Simply Majority

Staff Recommendation

That Council endorse the recommendation from the Bushfire Advisory Committee:

1. BFB 4/24-02 - Election of Officers – All One Year Terms

6.1	Chief Fire Control Officer	Current Position Holder	A Vlahov
6.2	Deputy Chief Bushfire Control Officer	Current Position Holder	J Stokes
6.3	Fire Prevention Officer	Current Position Holder	E O'Donnell
6.4	Group Training Officer	Current Position Holder	E O'Donnell
6.5	Group Administrative Officer	Current Position Holder	Chief Executive Officer
6.6	Noxious Weed & Clover Permit Officer	Current Position Holder	A Vlahov
6.7	Fire Weather Officer	Current Position Holder	A Vlahov
	Deputy Fire Weather Officer	Current Position Holder	J Stokes

(Note: All terms of office will commence upon endorsement by Council and subject to condition stated in Corporate Management Procedure EMP-005.)

2. BFB 4/24-03 - Appointments of Bushfire Control Officers

Bruce Lee – Durawah/Valentine Brigade (subject to qualifications)

Calvin Royce – Howatharra Brigade

Neil Kupsch – Nabawa Brigade

Craig Mincherton – Naraling Brigade

Jason Stokes – Yetna Brigade

Shaun Earl – Yuna Brigade

(Note: All terms of office will commence upon endorsement by Council and subject to

condition stated in Corporate Management Procedure EMP-005.)

3. BFB 4/24-04 - Fire Break Notice

The Committee recommend Council endorse the existing Bush Fire Notice as presented with the CEO to adjust possible large tree farm narration.

4. BFB 4/24-05 - Annual Inspections

The Annual Fire Break Inspection procedures remain the same.

Council En Bloc Resolution - Minute Reference 2024/05-2

That Council endorse the recommendation from the Bushfire Advisory Committee:

1. BFB 4/24-02 - Election of Officers – All One Year Terms

6.1	Chief Fire Control Officer	Current Position Holder	A Vlahov
6.2	Deputy Chief Bushfire Control Officer	Current Position Holder	J Stokes
6.3	Fire Prevention Officer	Current Position Holder	E O'Donnell
6.4	Group Training Officer	Current Position Holder	E O'Donnell
6.5	Group Administrative Officer	Current Position Holder	Chief Executive Officer
6.6	Noxious Weed & Clover Permit Officer	Current Position Holder	A Vlahov
6.7	Fire Weather Officer	Current Position Holder	A Vlahov
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The Annual Fire Break Inspection procedures remain the same.

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 Chapman Valley Bushfire Brigades Group Management Advisory Committee met at the Shire of on the 29th April 2024.

Comment

In accordance with section 38 of the Bush Fires Act 1954 a local government may appoint such persons as it thinks necessary to be its Bush Fire Control Officers (FCO’s) and of those officers the local government shall appoint as the Chief Bush Fire Control Officer and Deputy Chief Bush Fire Control Officer.

Statutory Environment

The report complies with the requirements of the:
Local Government Act 1995
Bushfire Act, 1954

Policy/Procedure Implications

A Policy or Procedure is affected:
Elected Member Governance Policy & Procedures

Council’s Management Procedure EMP-005 provides guidelines and procedures for the appointment of Bush Fire Control Officers i.e.

MANAGEMENT PROCEDURE No.	<i>EMP-005</i>
MANAGEMENT PROCEDURE	<i>FIRE CONTROL OFFICER APPOINTMENTS</i>
RESPONSIBLE DIRECTORATE	<i>ADMINISTRATION</i>
RESPONSIBLE OFFICER	<i>CHIEF EXECUTIVE OFFICER</i>
PREVIOUS POLICY No.	<i>3.90</i>

RELEVANT DELEGATIONS	
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OBJECTIVES:

This Operational Procedure provides the eligibility criteria for a person to be appointed as a Bush Fire Control Officer with the following objectives:

- 1. To ensure that a person has the relevant qualifications necessary to hold the position of Bush Fire Control Officer (BFCO); and*
- 2. To ensure that these qualifications are maintained by the appointed Bush Fire Control Officer (BFCO).*

MANAGEMENT PROCEDURE STATEMENT/S:

- 1. To be eligible for appointment as a Bush Fire Control Officer, a person must have completed the Bush Fire Control Officer Training Program not more than ten (10) years prior to appointment.*
- 2. Notwithstanding Item 1 above, a person will be eligible for appointment as a Bush Fire Control Office if they complete the Bush Fire Control Officer Training within six (6) months of appointment.*
- 3. For a person to continue as a Bush Fire Control Officer, they must complete the Bush Fire Control Officer's Course or a refresher course at intervals of no more than every ten (10) years.*
- 4. Nominations from Brigades shall be submitted to a Bush Fire Brigades Group Management Advisory Committee for recommendation to Council by 1 October, where applicable.*
- 5. An appointment shall be for a period of one (1) year, unless revoked by Council.
Bush Fire Control*
- 6. Officers will be eligible for reappointment unless their appointment was revoked by Council.*

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.

1.1.3 Identify all volunteers and determine their support needs.

Consultation

Nil

Risk Assessment

A Minor Compliance Risk of Level 2 - Which will likely result in some temporary non-compliance.

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

Council Resolution

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

That Council accepts to deal with item of new business of an urgent nature, being modification of July Ordinary Meeting date.

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

Against Nil

5 / 0

CARRIED UNANIMOUSLY
Minute Reference OCM 2024/05-14

12.1 Change of Date for July Ordinary Council Meeting

12.1	Change of Date for July Ordinary Council Meeting
Department	Governance
Author	Cr Kirrilee Warr
Reference(s)	N/A
Attachment(s)	N/A

Council Resolution

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

That Council moves July 2024 Ordinary Council Meeting from the 18th of July 2024 to 19th of July 2024.

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

Against Nil

5 / 0

CARRIED UNANIMOUSLY
Minute Reference OCM 2024/05-15

13 Delegates Reports

That council receive the following Delegates Reports.

Delegate	Details
Cr Kirrilee Warr (President)	Coffee catchup with CEO & Deputy President
	Northern Country Zone Meeting Geraldton
	SoCv Bush Fire Brigade Meeting
	WALGA State Council
	FABCV Mother's Day Morning Tea
	CABY- Shire Catchup at Yuna
Cr Nicole Batten (Deputy President)	CEO, President, VP meeting
	Shire CDO Yuna community groups meeting
	FABCV meeting
	WA State Budget briefing
	CEO Performance Review meeting
Cr Philip Blakeway	No Reports Submitted
Cr Elizabeth Elliott-Lockhart	FABCV Quiz night
	FABCV Mother's Day Morning Tea
	CVAS Meeting
	CVAS Meeting with Teagan (Shire of CV)
Cr Catherine Low	FABCV Meeting
Cr Emma Rodney	No Reports Submitted

Cr Trevor Royce	No Reports Submitted

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 Nicole Batten **Seconded:** Cr Trevor Royce

12:43 pm that Council close the meeting to public in accordance with

Section 5.23(c) - A contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.

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

Against Nil

5 / 0

CARRIED UNANIMOUSLY
Minute Reference OCM 2024/05-16

Council Resolution

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

Council deal with the late item 15.1 - Tender 03-2023/2024 Pit Loader

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

Against Nil

5 / 0

CARRIED UNANIMOUSLY
Minute Reference OCM 2024/05-17

15.1 Tender 03-2023/2024 Pit Loader

15.1 Tender 03-2023/2024 Pit Loader

Department Finance, Governance & Corporate Services

Chief Executive Officer

Author {author-name-do-not-remove}

Reference(s) 408.01.109

Attachment(s) {attachment-list-do-not-remove}

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(c) - A contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.*

12:44 pm - Cr Kirrilee Warr declared interest and left Chambers

Council Resolution

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

That Council awards the Tender 03-23/24 to AFGRI Equipment Australia Pty Ltd for the supply of one (1) John Deere 724K Loader less trade-in of existing item of plant as follows:

~ Purchase Price (without Trade)	\$ 400,000.00 (GST Exclusive)
~ Less Trade	\$ 90,000.00 “ “
Net Cost (after Trade)	\$ 310,000.00 “ “

For Cr Nicole Batten, Cr Elizabeth Elliott-Lockhart, Cr Katie Low and Cr Trevor Royce

Against Nil

4 / 0

CARRIED UNANIMOUSLY
Minute Reference OCM 2024/05-18

12:49 pm - Cr Kirrilee Warr returned to Chambers

Council Resolution

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

12:50 pm that Council reopen the meeting to public

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

Against Nil

5 / 0

CARRIED UNANIMOUSLY
Minute Reference OCM 2024/05-19

16 Closure

The Shire President thanked Elected Members and Staff for their attendance and closed the Ordinary Council Meeting - 16 May 2024 at 12:51 pm.