

ORDINARY COUNCIL MEETING

Minutes

Meeting Date Thursday 18 April 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"*



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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UNCONFIRMED

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 Philip Blakeway
Cr Elizabeth Elliott-Lockhart
Cr Catherine Low
Cr Emma Rodney
Cr Trevor Royce

Officers

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

Visitors

Nil

3.2 Apologies

Cr Philip Blakeway

Nil

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

Nil

4 Public Question Time

4.1 Response to Previous Public Questions on Notice

Nil

4.2 Public Question Time

Nil

5 Applications for Leave of Absence

Nil

6 Disclosure of Interest

Meeting Details:	Person	Type of Interest	Agenda Item
Ordinary Council Meeting - 18 April 2024	Cr Kirrilee Warr	Impartiality	10.3.2 - Member/Sponsor CVFC, CVAS Committee Member
Ordinary Council Meeting - 18 April 2024	Jamie Criddle	Impartiality	10.3.2 - Member CVFC, Sponsor of CV Shearing Competition
Ordinary Council Meeting - 18 April 2024	Cr Liz Elliot-Lockhart	Impartiality	10.3.2 - Member of CVAS and FABCV
Ordinary Council Meeting - 18 April 2024	Cr Nicole Batten	Impartiality	10.3.2 - Member of CVFC, Committee Member of FABCV and Member of CVAS

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 Emma Rodney **Seconded:** Cr Trevor Royce

That the Minutes of the Ordinary Council Meeting held on 21 March 2024 be confirmed as true and accurate.

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

Against Nil

7 / 0

CARRIED UNANIMOUSLY

Minute Reference OCM 2024/04-1

Council Resolution

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

That the Minutes of the Special Meeting of Council held on 22 February 2024 be confirmed as true and accurate.

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

Against Nil

7 / 0

CARRIED UNANIMOUSLY

Minute Reference OCM 2024/04-2

9 Items to be dealt with En Bloc

Council Resolution

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

Council resolves to move the following items En Bloc:
10.2.1 & 10.2.2

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

Against Nil

7 / 0

CARRIED UNANIMOUSLY
Minute Reference OCM 2024/04-3

UNCONFIRMED

10 Officer Reports

10.1 Deputy Chief Executive Officer

10.1.1	Proposed Outbuilding, 1635 North West Coastal Highway, Buller
Department	Development Service Planning
Author	Simon Lancaster
Reference(s)	A1
Attachment(s)	1. NWC Hwy outbuilding application [10.1.1.1 - 14 pages] 2. NWC Hwy outbuilding submissions [10.1.1.2 - 2 pages]

Voting Requirements

Simply Majority

Staff Recommendation

That Council grant formal planning approval for an outbuilding upon 1635 (Lot 11) North West Coastal Highway, 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 outbuilding is only to be used for general storage purposes associated with the predominant use of the land and must not be used for habitation, commercial or industrial purposes.
- 3 The walls and roof of the outbuilding are to be of materials, finish and colours that are complementary to the existing developments upon the property to the satisfaction of the local government.
- 4 The maintenance of landscaping upon the property for the purpose of reducing the visual impact of the outbuilding from the highway and neighbouring side properties to the satisfaction of the local government.
- 5 All stormwater must be contained and disposed of on-site to the satisfaction of the local government.
- 6 Any soils disturbed or deposited on site shall be stabilised to the satisfaction of the local government.
- 7 The location, design, construction and ongoing maintenance of the access point onto North West Coastal Highway shall be to the requirements of Main Roads WA.
- 8 All parking of vehicles associated with the development shall be provided for within the property boundary and not the road reserve.
- 9 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.

Advice 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) The applicant is advised that this planning approval does not negate the requirement for any additional approvals which may be required under separate legislation. It is the applicant's responsibility to obtain any additional approvals required before the development/use lawfully commences.

- (c) 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.

Council Resolution

Moved: Cr Trevor Royce **Seconded:** Cr Emma Rodney

That Council grant formal planning approval for an outbuilding upon 1635 (Lot 11) North West Coastal Highway, 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 outbuilding is only to be used for general storage purposes associated with the predominant use of the land and must not be used for habitation, commercial or industrial purposes.
- 3 The walls and roof of the outbuilding are to be of materials, finish and colours that are complementary to the existing developments upon the property to the satisfaction of the local government.
- 4 The maintenance of landscaping upon the property for the purpose of reducing the visual impact of the outbuilding from the highway and neighbouring side properties to the satisfaction of the local government.
- 5 All stormwater must be contained and disposed of on-site to the satisfaction of the local government.
- 6 Any soils disturbed or deposited on site shall be stabilised to the satisfaction of the local government.
- 7 The location, design, construction and ongoing maintenance of the access point onto North West Coastal Highway shall be to the requirements of Main Roads WA.
- 8 All parking of vehicles associated with the development shall be provided for within the property boundary and not the road reserve.
- 9 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.

Advice 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) The applicant is advised that this planning approval does not negate the requirement for any additional approvals which may be required under separate legislation. It is the applicant's responsibility to obtain any additional approvals required before the development/use lawfully commences.
- (c) 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.

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

Against Cr Kirrilee Warr

**6 / 1
CARRIED**

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 application for a shed upon 1635 (Lot 11) North West Coastal Highway, Buller that exceeds the Outbuildings Policy height and area requirements. The application has been advertised for comment and no objections were received. This report recommends conditional approval.

Comment

1635 (Lot 11) North West Coastal Highway, Buller is a long, rectangular 7.8531ha property, approximately 100m wide and 800m long, that is located on the western side of the highway immediately north of the Drummond Cove Holiday Park.

Figure 10.1.1.1 – Location Plan for 1635 (Lot 11) North West Coastal Highway, Buller



Lot 11 is characterised by 4 distinct sections. The eastern portion of Lot 11 slopes gradually downward from the 52m contour at its highway frontage to the 40m contour across a horizontal distance of 200m. This eastern 2ha area is landscaped with trees and shrubs, contains the existing residence and outbuilding, and is where the proposed outbuilding would be sited.

The property then slopes more steeply down a limestone ridge towards the centre of the property, from the 40m contour to the 10m contour, across a horizontal distance of 250m. This 2.2ha steep ridge section contains remnant vegetation.

The central portion of Lot 11 is a cleared low lying, flat 2ha section at the 5m contour.

The western most section of the property is approximately 1.7ha in area and is comprised of coastal dune and vegetation and rises from the 5m contour to the 15m contour at the western boundary of the property.

Figure 10.1.1.2 – Aerial Photo of 1635 (Lot 11) North West Coastal Highway, Buller



The recent development history for the property is as follows:

- 17 July 2001 Council refused an application to site a second hand transportable residence in the dune section of Lot 11.
- 25 October 2004 Shire approved a 108m² shed.
- 17 December 2004 Shire approved 2 x 45m² extensions either side of existing shed, taking the total outbuilding area to 198m².
- 22 December 2005 Shire approved a 78.4m² shed extension, taking the total outbuilding area to 276.4m²;
- 16 March 2006 Shire approved an application for a 412m², 4 bedroom, 3 bathroom, single storey brick walled and colorbond roofed residence.
- 19 September 2007 Shire approved 48m² patio on residence.

The landowner is seeking to construct a 240m² outbuilding, with a wall height of 5.42m and a total height of 6.772m with green, trimdeck profile wall and roof cladding. The shed would be used to store their boat, cars and household items.

A copy of the applicant's supporting correspondence and submitted site, floor and elevation plans along with site photographs have been included as **separate Attachment 10.1.1.1** to this report.

Given that Lot 11 contains an existing 276.4m² outbuilding area and the application is for a 240m² outbuilding this would increase the total outbuilding area upon Lot 11 to 516.4m².

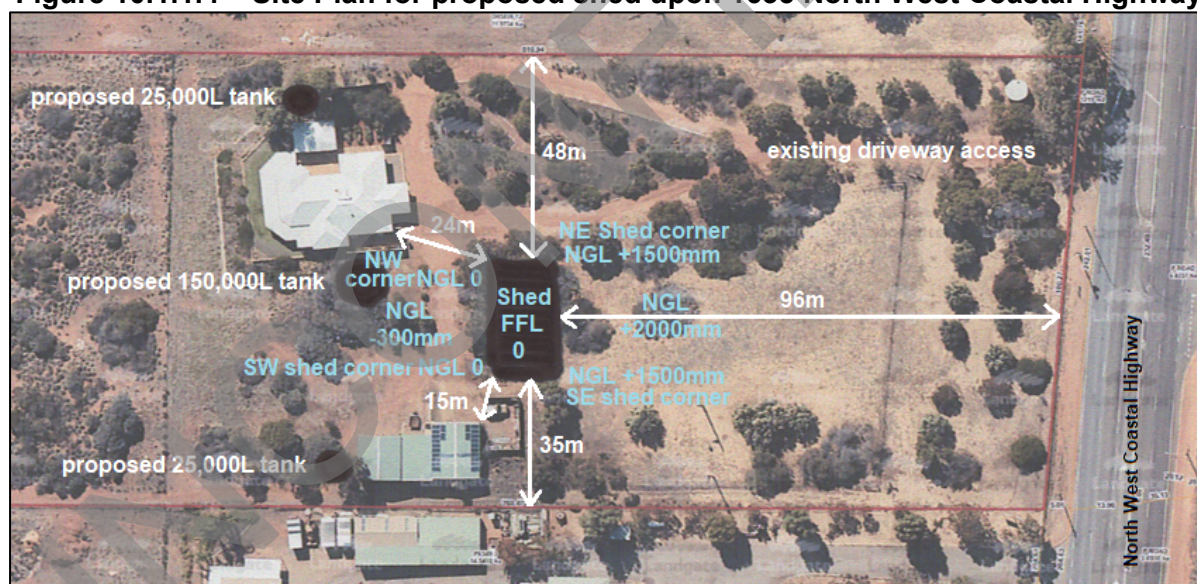
Lot 11 is zoned 'Urban Development' and falls within the area addressed by the Buller Structure Plan which assigns a base density residential code of Low Density Residential R5. The Shire of Chapman Valley Outbuildings Local Planning Policy requires that outbuildings upon R5 lots should have a maximum area of 180m².

The Outbuildings Policy also sets a maximum outbuilding wall height of 4m and maximum total height of 5m for R5 zoned lots and the proposed shed would have a wall height of 5.42m and a total height of 6.772m (although it is noted that the shed would be set into cut earthworks at a depth of 1.5m on the western side thereby presenting a lesser 3.92m height when viewed from the west/highway elevation).

Figure 10.1.1.3 – View looking west at Lot 11 from North West Coastal Highway



Figure 10.1.1.4 – Site Plan for proposed shed upon 1635 North West Coastal Highway



As the application is seeking a variation to the maximum area and height requirements under the Outbuildings Policy it is unable to be determined by Shire staff under delegated authority and is required to be placed before a meeting of Council for determination.

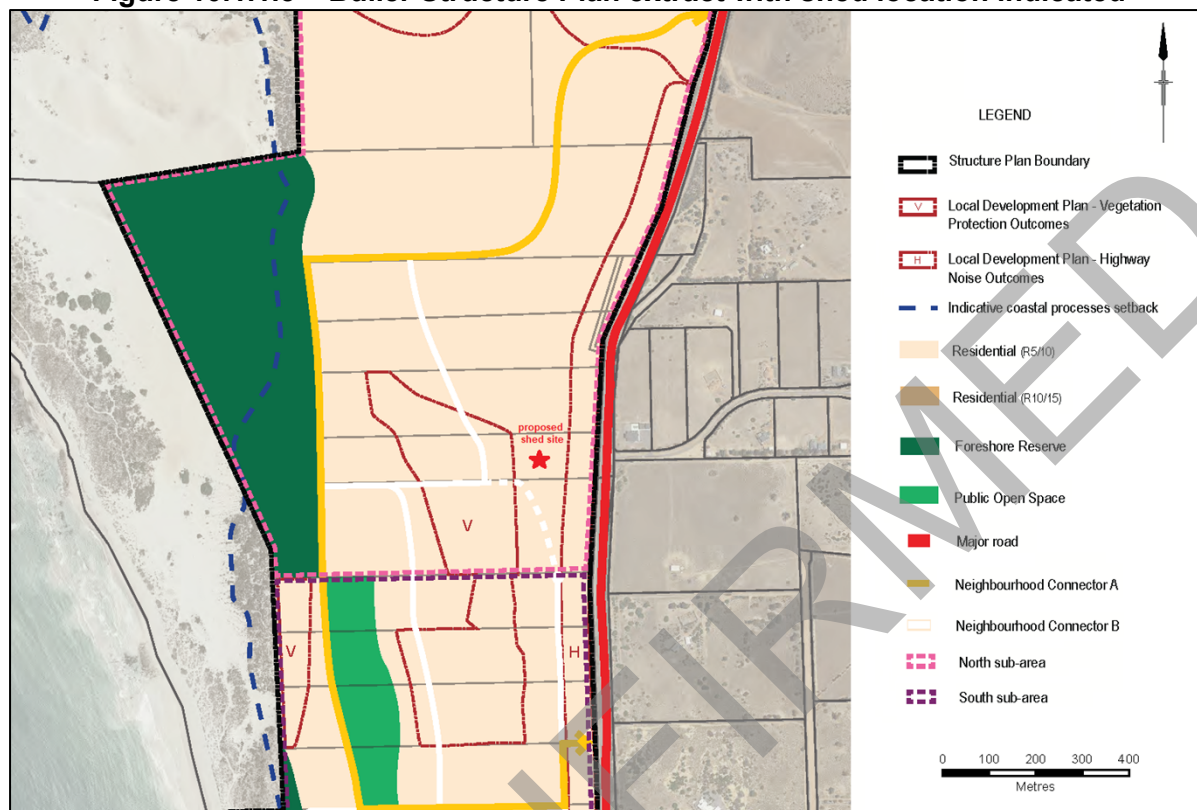
The Shire advertised the application for comment and further information on the advertising period can be found in the Consultation section of this report. 2 submissions were received expressing support for the application, and no objections were received. Copies of the submissions are provided as **separate Attachment 10.1.1.2**.

The officer recommendation to approve the shed is based upon the following:

- The outbuilding would be setback 96m, and downslope, from the front (eastern) property boundary and would be obscured by existing vegetation thereby reducing its street visual impact.
- The outbuilding would be setback 35m from the nearest side (southern) property boundary and 48m from the other (northern) side property boundary.
- The property contains significant landscaping consisting of native trees and shrubs that will assist in screening it from the highway and surrounding properties.
- The outbuilding would be sited outside of (and therefore not impact) the vegetated ridgeline and coastal dune portions of the property that were considered by the Environmental Protection Authority, the Department of Water and Environmental Regulation, and the Department of Biodiversity, Conservation and Attractions to have environmental merit.
- The outbuilding would be clad in green wall and roof sheeting to match the existing shed upon the property and to better blend with existing screening vegetation.
- Whilst the Outbuildings Policy sets a maximum wall height of 4m and maximum total height of 5m for this zone (and the proposed shed would have a wall height of 5.42m and a total height of 6.772m) it is noted that the shed would be set into cut earthworks at a depth of 1.5m on the western side thereby presenting a wall height of 3.92m when viewed from the west, and the property slopes upward a further 2.5m by the time it reaches the highway frontage, meaning the shed would be lower again when viewed from the road.
- The construction of the outbuilding would enable the landowner to store their personal items securely and out of the weather rather than have them in the open, which may be considered to improve visual appearance, security and amenity.
- The acceptance of the proposed outbuilding as being within the character of the surrounding area could be considered to have been demonstrated through no objections being received, and 2 submissions being received in support of the application.
- The assessment of this property is made with regard for Lot 11 not being a standard smaller residential zoned property set amidst smaller residential lots in close proximity, but rather is bordered by the Drummond Cove Holiday Park to the immediate south which contains multiple structures; the heavy haulage route of the North West Coastal Highway to the east, and beyond that a rural residential estate; a 11.9754ha property to the north; and Unallocated Crown Land to the west.
- Approval of this application would not set a precedent as the neighbouring properties contain existing larger outbuildings; with Lot 3 to the immediate south containing multiple buildings including 2 outbuildings totalling 417m² in area sited against the common boundary with Lot 11; Lot 8 the property to the south of Lot 3 containing 2 outbuildings totalling 1,176m² in area, and Lot 12 to the north contains a 252m² shed with a wall height of 4.6m and a gable height of 5m (noting also that the shed on Lot 12 is sited atop fill, raising further its height above natural ground level).
- Whilst the Residential R5 outbuilding policy requirements apply to this property it might be considered that given the 7.8531ha size of Lot 11 that a larger outbuilding would not appear unduly excessive (the combined footprint of all outbuildings and the residence would be 976.4m² which is 1.24% of the total property).
- The Buller 'Development' zone realistically has a long-term timeframe for subdivision due to servicing issues, Main Roads WA restricting highway access locations, subdivisional costs (particularly when compared to other land available for subdivision and market-entry elsewhere in Geraldton) and presently low-demand, meaning that in all likelihood Lot 11 will remain unsubdivided for several decades. Further, the topography and landform of Lot 11 makes it unlikely that even when the property is subdivided that it will be down to a standard R5/2,000m² subdivision layout.
- The outbuilding would be sited so that it does not conflict with the future subdivisional road network as identified in the Buller Structure Plan as illustrated in Figure 10.1.1.5

and the subdivision can be designed to allow for a larger lot to contain the existing built form and screening landscaping.

Figure 10.1.1.5 – Buller Structure Plan extract with shed location indicated



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 an outbuilding upon 1635 (Lot 11) North West Coastal Highway, 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 the objectives and requirements of the Shire of Chapman Valley Local Planning Policy 1.4 – Outbuildings.*
- 4 Approval of this application may well set an undesirable precedent for future variation to the Shire’s statutory and strategic planning requirements.*

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 Policy

Shire of Chapman Valley Local Planning Scheme No.3

Planning & Development (Local Planning Schemes) Regulations 2015

1635 (Lot 11) North West Coastal Highway, Buller is zoned 'Urban Development' under the Shire of Chapman Valley Local Planning Scheme No.3 ('the Scheme') the objectives for which are listed in Table 1 as being:

- “• To provide an intention of future land use and a basis for more detailed structure planning in accordance with the provisions of this Scheme.
- To provide for a range of residential densities to encourage a variety of residential accommodation.
- To provide for the progressive and planned development of future urban areas for residential purposes and for commercial and other uses normally associated with residential development.”

The Buller Structure Plan was adopted by Council at its 17 June 2015 meeting and subsequently given final approval by the Western Australian Planning Commission on 1 February 2016. Section 5.2.1 of the structure plan document assigns a base density code of R5 for lots within the structure plan area.

A copy of the Buller Structure Plan can be viewed at the following link:

<https://www.wa.gov.au/system/files/2021-11/SPL-SPN0655-Chapman-Valley-Buller.pdf>

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;...
- ...(g) any local planning policy for the Scheme area;
- (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;...
- ...(s) the adequacy of —
 - (i) the proposed means of access to and egress from the site; and
 - (ii) arrangements for the loading, unloading, manoeuvring and parking of vehicles;
- (t) the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;...
- ...(w) the history of the site where the development is to be located;
- (x) the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;
- (y) any submissions received on the application;...

...(zb) *any other planning consideration the local government considers appropriate.*"

Policy/Procedure Implications

A Policy or Procedure is affected:

Planning and Development Policy & Procedures

Part 2 of the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* provides for the Council to prepare a Local Planning Policy in respect of any matter related to the planning and development of the Scheme area.

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

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

The Shire of Chapman Valley Outbuildings Local Planning Policy has the following objectives:

- "3.1 To allow for a regional variation to Section 5.4.3 of State Planning Policy 3.1 - Residential Design Codes.*
- 3.2 To provide a clear definition of what constitutes an "outbuilding".*
- 3.3 To ensure that outbuildings are not used for habitation, commercial or industrial purposes by controlling building size and location.*
- 3.4 To limit the visual impact of outbuildings.*
- 3.5 To encourage the use of outbuilding materials and colours that complement the landscape and amenity of the surrounding areas.*
- 3.6 To ensure that the outbuilding remains an ancillary use to the main dwelling or the principle land use on the property."*

Section 6.2 of the Outbuildings Policy sets the following size criteria for the R5 zone.

Zone	Standard	Maximum
Residential (R5 and lower density)	Area (total aggregate)	180m ²
	Wall Height	4m*
	Overall Height (single story)	5m*

** heights are to be measured from natural ground level*

Section 6.2 of Council's Outbuildings Policy sets the maximum total aggregate outbuilding area for Lot 11 as being 180m². Lot 11 currently has a total aggregate outbuilding area of 276.4m², and the proposed additional shed would take the total aggregate outbuilding area for the property to 516.4m².

The proposed outbuilding with its 5.42m wall height and 6.772m gable height would exceed the 4m maximum wall height and 5m maximum overall height set by the Outbuildings Policy. Although it is noted that the shed would be set into cut earthworks at a depth of 1.5m on the western side thereby presenting a compliant 3.92m wall height when viewed from the west/highway elevation.

A copy of the Outbuildings Local Planning Policy can be viewed at the following link:

[SoCV_LPP_1_4_Outbuildings.pdf \(chapmanvalley.wa.gov.au\)](https://chapmanvalley.wa.gov.au/SoCV_LPP_1_4_Outbuildings.pdf)

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 11 North West Coastal Highway, Buller is contained within Planning Precinct No.7 – South West in the Shire of Chapman Valley Local Planning Strategy (2008). The Vision for this Precinct is as follows:

“The planned expansion of the south west area of the Shire, whilst taking into consideration the plans and policies of other local and regional government authorities.”

The Strategy also identifies the following objectives relevant to this application:

“7.1.1 Support the planned expansion of urban with potable reticulated scheme water as identified on the Greater Geraldton Structure Plan 1999 with due regard to land capability/suitability, demand and servicing.”

“7.2.1 Accommodate urban growth sympathetic to rural lifestyle based on appropriate structure planning.”

“7.3.2 Protect and enhance the visual amenity in areas of visual prominence.”

Lot 11 and the Buller ‘Development’ zone is identified in the Greater Geraldton Structure Plan (2011) prepared by the WAPC as being ‘Future Urban’ with Section 3.1.1 of the accompanying report noting that:

“An area of approximately 1,700ha is identified as ‘future urban’ in the Greater Geraldton Structure Plan 2011 to guide the direction of long-term urban expansion. The bulk of this area identified is located at Buller and around Cape Burney, which are at the extremities of the northern and southern coastal corridors respectively.”

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 7.2 of the Shire’s Outbuildings Local Planning Policy notes that applications seeking variation require consultation by means of the Shire writing directly to the surrounding landowners inviting comment.

On 27 February 2024 the Shire wrote to the 9 surrounding landowners, along with Main Roads WA (as the property fronts a highway) and the Water Corporation (as Lot 11 contains the Geraldton-Northampton water pipeline easement) providing details of the application and inviting comment upon the proposal prior to 22 March 2024. A sign was also erected on-site

to advise of the received application and the opportunity for comment, and a copy of the application and background explanatory information was displayed on the Shire website.

At the conclusion of the advertising period 2 submissions had been received, both in support of the application, and none in objection, and copies of these have been provided as separate Attachment 10.1.1.2. Main Roads WA also provided informal advice that they had no objection to the application, subject to the applying of standard conditions relating to the vehicle crossover and on-street vehicle parking, in the event of approval.

Risk Assessment

No Risks have been Identified.

UNCONFIRMED

10.1.2	Proposed Road Name, Oakajee
Department	Development Service Planning
Author	Simon Lancaster
Reference(s)	A2111 & 1008.00
Attachment(s)	1. Shire Road Names Policy [10.1.2.1 - 2 pages]

Voting Requirements

Simply Majority

Staff Recommendation

That Council:

- 1 Thank the Yamatji Southern Regional Corporation for its suggested road name for the Oakajee Access Road and welcome the future submission of further road name suggestions for the Oakajee Industrial Estate.
- 2 Advise the Department of Planning, Lands & Heritage's Geographic Names Committee that it supports the assignation of the road name 'Nhanagardi Road' to the Oakajee Access Road.
- 3 Request that the Department of Planning, Lands & Heritage's Geographic Names Committee include the following names on a reserve list of road names for future use in the Oakajee Industrial Estate:
 - Gelirah;
 - Minyanogo; &
 - Wannegarangee.

Council Resolution

Moved: Cr Nicole Batten **Seconded:** Cr Philip Blakeway

That Council:

- 1 Thank the Yamatji Southern Regional Corporation for its suggested road name for the Oakajee Access Road and welcome the future submission of further road name suggestions for the Oakajee Industrial Estate.
- 2 Advise the Department of Planning, Lands & Heritage's Geographic Names Committee that it supports the assignation of the road name 'Nhanagardi Road' to the Oakajee Access Road.
- 3 Request that the Department of Planning, Lands & Heritage's Geographic Names Committee include the following names on a reserve list of road names for future use in the Oakajee Industrial Estate:
 - Gelirah;
 - Minyanogo; &
 - Wannegarangee.

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

Against Nil

7 / 0

CARRIED UNANIMOUSLY
Minute Reference OCM 2024/04-5

Disclosure of Interest

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

Background

Development WA will be commencing construction of an access road into the Oakajee Industrial Estate in 2024 and a name for the road is required. The Shire wrote to the Yamatji Southern Regional Corporation inviting a suggested road name, and the name 'Nhanagardi' has been provided. This report recommends that the name 'Nhanagardi Road' be forwarded to the Departments of Planning, Lands & Heritage's (DPLH) Geographic Names Committee for pre-approval so that it can then be applied to the Deposited Plan of Survey that will formally create the road reserve.

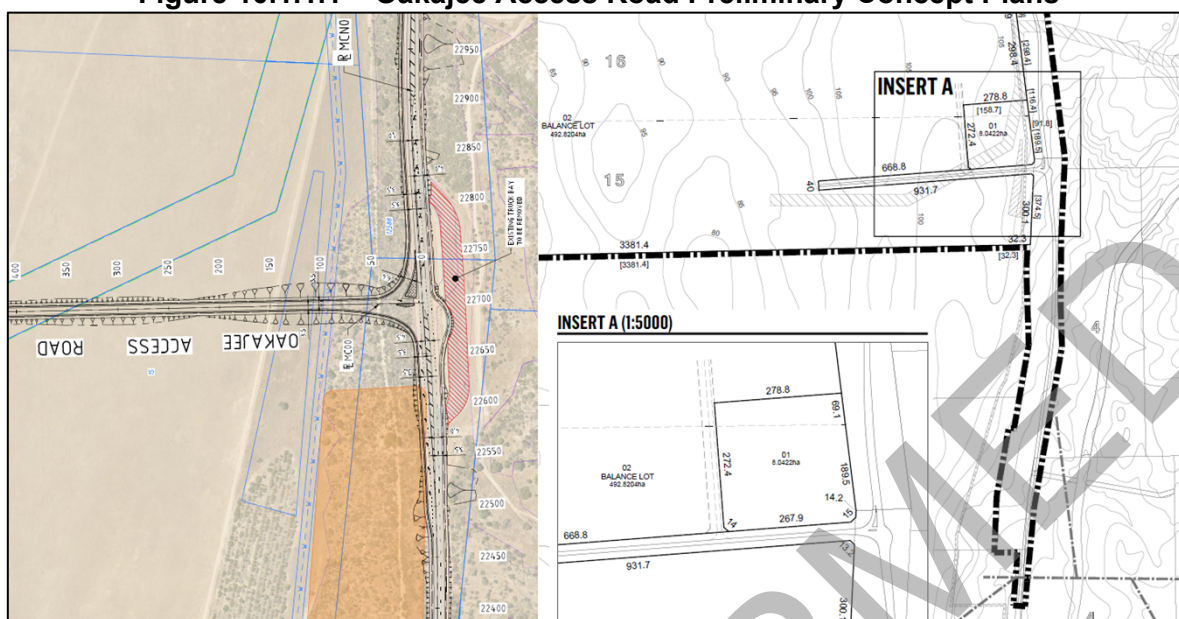
Comment

Development WA in partnership with Main Roads WA have been advancing the design for the entry road into the Oakajee Industrial Estate. The highway intersection location accords with the siting of the 'Indicative Central Access Road' upon the Oakajee Structure Plan.

The road is proposed to initially be constructed for a 660m length and would have a RAV10 standard intersection design onto the North West Coastal Highway.

Council supported the subdivision application to create the road reserve at its 15 December 2022 meeting.

Figure 10.1.1.1 – Oakajee Access Road Preliminary Concept Plans



Council also discussed preparing a list of road names for the Oakajee Industrial Estate at its 18 August 2022 Concept Forum.

The recognition of notable landmarks, local identities, local flora, local heritage places and events as road names assist in promoting the Shire of Chapman Valley and its history and features rather than the application of more generic titles.

The DPLH's Geographic Names Committee are responsible for the final approval of road names and ensuring that road names are not duplicated wherever possible. The Geographic Names Committee deem under their road naming guidelines that the following are not suitable:

- names of living persons;
- first names;
- derogatory or discriminatory names;
- company or commercialised names;
- names that are duplicated or similar to existing road names within a 50km radius.

For interested Councillors further information in regards to the road naming process can be viewed at the following link to the DPLH website:

<https://www0.landgate.wa.gov.au/?a=46421>

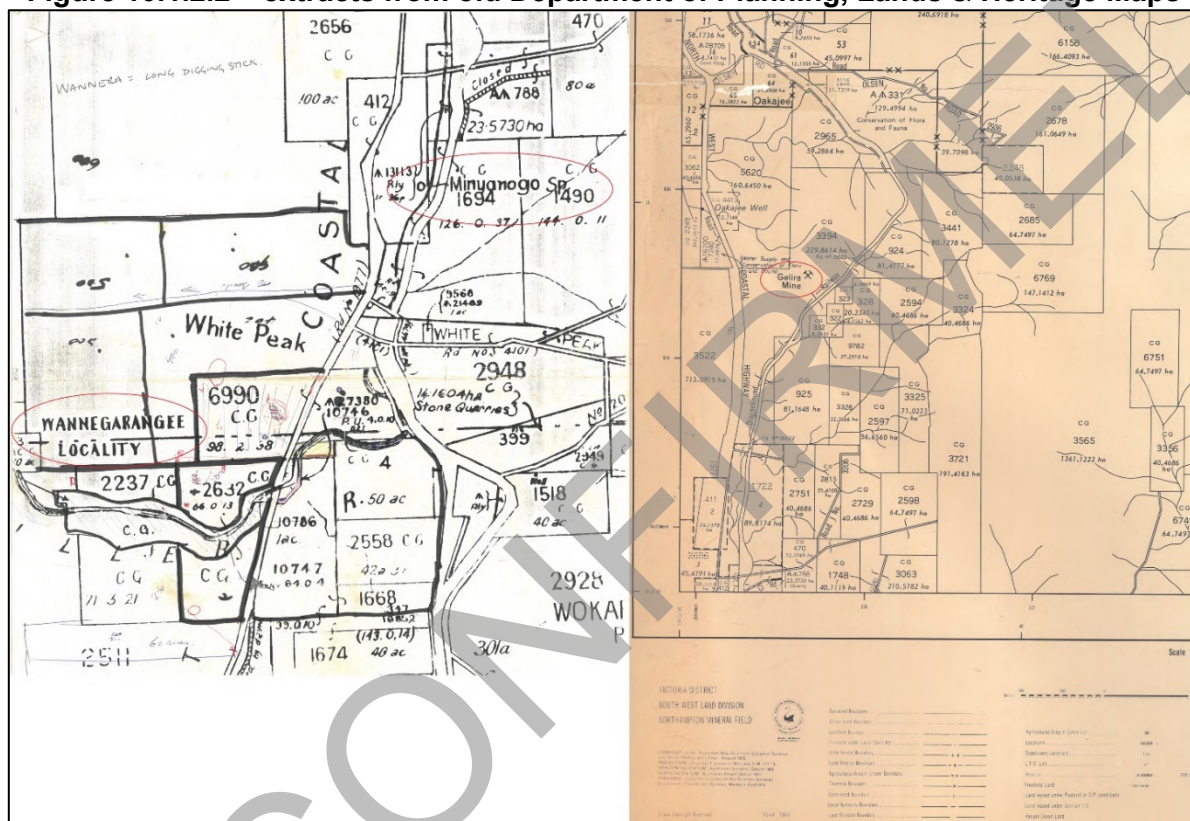
Shire Policy CP-102-Road Names provides a Council pre-approved list of road names for application in the Shire of Chapman Valley and Council may wish to choose from these pre-approved names.

However, when this matter was discussed at the 18 August 2022 Concept Forum the general agreement was that a list of road names should be compiled specifically for the Oakajee Industrial Estate, which is similar to the process Council undertook for the Wokarena Heights Structure Plan area.

As a starting point for discussion at the 18 August 2022 Concept Forum it was suggested that the following names could be included in a list of road names:

- Wannegarangee (this being the old locality name for the area north of Buller River);
- Minyanogo (this being the name of a spring approximately 800m north of White Peak Road, where White Peak Quarry operated, and was along the former Geraldton-Northampton railway line that used to run through the Oakajee locality);
- Gelirah (this being the name of the Galena (lead(II)sulfide) mine that used to operate in the Oakajee area approximately 1.5km east of the North West Coastal Highway and 400m south of Wells Road).

Figure 10.1.2.2 – extracts from old Department of Planning, Lands & Heritage Maps



Statutory Environment

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

Local governments are required to forward its suggested road names to the DPLH's Geographic Names Committee for consideration and final approval as per Section 26A of the *Land Administration Act 1997*:

"26A New subdivisions, names of roads and areas in

- (1) If a person delivers a diagram or plan of survey of a subdivision of land approved by the Planning Commission to a local government, and the proposed subdivision includes the provision of a road for use by the public, that person must also deliver to the local government the name proposed to be given to the road.*
- (2) The local government may require the person so subdividing the land -
 - (a) to propose a name for the proposed road or, if a name has already been proposed, to alter that name; and*
 - (b) to propose a name for the area the subject of the proposed subdivision, or if a name has already been proposed, to alter that name.**
- (3) If the local government approves a name proposed under subsection (1) or (2), the local government is to forward the proposal to the Minister.*
- (4) The Minister may -
 - (a) approve the proposed name; or*
 - (b) direct the local government to reconsider the proposed name, having regard to such matters as the Minister may mention in the direction; or*
 - (c) refuse to approve the proposed name.**
- (5) A person must not -
 - (a) assign a name to the area or road unless the name is first approved by the Minister;*
 - (b) alter or change a name that has been so assigned, whether initially or from time to time, to the area or road unless the Minister first approves of the alteration or change of that name.**

Penalty: \$1 000 and a daily penalty of \$100."

Policy/Procedure Implications

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

Shire Policy 15.210 'Road Names' (provided as separate Attachment 10.1.2) provides guidance on the application of road names in the Shire of Chapman Valley.

Shire of Chapman Valley Local Planning Policy 7.5 – Subdivision Standards provides guidance that the access road must be designed and constructed in accordance with the requirements of the Institute of Public Works Engineering Australasia's 'Local Government Guidelines for Subdivisional Development' (amongst other documents). A copy of Policy 7.5 can be viewed at the following link:

<https://www.chapmanvalley.wa.gov.au/local-planning-policies.aspx>

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

The 2021/2022 State Budget included allocation of \$7.5 million to fund the construction of an access road into the Oakajee Strategic Industrial Area:

[\\$61.5 million boost for WA's renewable hydrogen industry | Western Australian Government \(www.wa.gov.au\)](https://www.wa.gov.au/government/news/61.5-million-boost-for-wa-s-renewable-hydrogen-industry)

Subsequently the State Government conducted an expression of interest process and on 18 October 2022 announced it had approved land allocations for 6 proponents to pursue renewable hydrogen projects in the Oakajee Strategic Industrial Area:

[Oakajee Strategic Industrial Area gains land allocation approval | Western Australian Government \(www.wa.gov.au\)](https://www.wa.gov.au/government/news/oakajee-strategic-industrial-area-gains-land-allocation-approval)

The road construction represents an initial on-ground step towards this ultimate goal of creating a multi-product renewable hydrogen precinct in the Oakajee Strategic Industrial Area:

<https://developmentwa.com.au/projects/industrial-and-commercial/oakajee-sia/overview>

The Shire of Chapman Valley Local Planning Strategy was endorsed by the WAPC on 20 November 2007 and the subject area is identified within Precinct No.6 – Oakajee the vision for which is:

“Large-scale regional and significant industry that is developed in the Precinct is protected by a buffer of compatible uses.”

The Oakajee Industrial Estate is a 2,332ha land area that is owned by the State Government with the acquisition of this core area occurring through 1997-2004. The industrial estate is surrounded by a 4,071ha Buffer area also now entirely under government ownership, with the acquisition of all privately owned lots within the buffer area concluded by the State Government in 2014.

The Oakajee Industrial Estate Structure Plan was prepared by Development WA to address the estate and buffer area and was endorsed by the Shire of Chapman Valley and subsequently approved by the WAPC in 2012.

The proposed subdivision is in accordance with the strategic planning document of the Oakajee Industrial Estate Structure Plan. A copy of the Oakajee Industrial Estate Structure Plan can be accessed at the following link:

<https://www.wa.gov.au/system/files/2021-11/SPL-SPN0303-Chapman-Valley-Oakajee-Industrial-Estate.pdf>

The technical reports accompanying the Oakajee Industrial Estate Structure Plan can be accessed at the following link:

<https://www.chapmanvalley.wa.gov.au/oakajee-industrial-estate-structure-plan.aspx>

Strategic Community Plan/Corporate Business Plan Implications

ECONOMY & POPULATION

2.4 Ensure town planning scheme allows for economic development / population retention / growth.

2.4.1 Town Planning review for residential land, aged care facilities or business / industrial development opportunities.

GOVERNANCE & ACCOUNTABILITY

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

5.2.4 Effectively Engage and communicate with the community.

Consultation

The Shire wrote to the Yamatji Southern Regional Corporation on 6 September 2022 enquiring whether it would like to submit historical/cultural names relevant to the Oakajee area for inclusion on a road reserve name list. The Yamatji Southern Regional Corporation responded to the Shire on 26 March 2024 and this matter is returned to Council for consideration.

The DPLH referred the subdivision application to create the Oakajee Access Road to the following agencies inviting comment prior to determination; Shire of Chapman Valley, Department of Biodiversity, Conservation & Attractions, Department of Fire and Emergency Services, Department of Jobs, Tourism, Science & Innovation, Department of Water & Environmental Regulation, Main Roads WA, Telstra, Water Corporation and Western Power.

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) Nil

Attachment(s) 1. Financial Management Report February 2024 [10.2.1.1 - 33 pages]

Voting Requirements

Simply Majority

Staff Recommendation

That Council receives the Monthly Financial Management report supplied under separate cover for February 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 2024/04-3

That Council receives the Monthly Financial Management report supplied under separate cover for February 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 February 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.
5.3.2 Regular and relevant briefings to Elected Members.

Consultation

Not applicable

Risk Assessment

No Risks have been Identified.

10.2.2 Elected Members Budget Request 2024/2025

Department	Finance, Governance & Corporate Services Finance
Author	Dianne Raymond
Reference(s)	Budgets 306.00
Attachment(s)	1. Cr Batten Budget Requests [10.2.2.1 - 1 page] 2. Cr Low and Rodney Budget Request [10.2.2.2 - 1 page]

Voting Requirements

Simply Majority

(Note: There is no Staff Recommendation provided as this is considered a matter for Elected Member deliberation and determination)

Council Recommendation

That Council endorses the following items presented for further consideration to be included in the 2024/2025 Draft Budget:

Council En Bloc Resolution - Minute Reference 2024/04-3

That Council endorses the following items presented for further consideration to be included in the 2024/2025 Draft Budget:

1	Website Review	Website Review - add capabilities for mobile device venue booking, link to calendar, online payment systems	Shire own Resources/ Contractor Resources	No quotes provided
2	Social Media Reviews	Social media review including Amplify contract review	Shire own Resources/ Contractor Resources	No quotes provided, elected member estimate only
3	Yuna Park garden revitalization	Yuna Park garden revitalization incl shade and art replacement	Shire own Resources/ Contractor Resources	\$7,000 No quotes provided, elected member estimate only

4	Cleaning Contractors	(Shade dome Co) Cleaning contractors to lock in full clean x 3/yr. @YCC, Nabawa Rec Centre (e.g., End Jan 1st week Feb, June & October) Is it possible to package up our local cleaning requirements and circulate an expression of interest from local people? Potential small business opportunity?	Contractor Resources		No quotes provided
5	Seed Funds	Seed funds to build on the MW Drought Resilience Plan - social resilience pillar (maintain & build community capacity) NACC	Shire own Resources / Contractor Resources	\$10,000	No quotes provided, elected member estimate only
6	Water Resources	Value add to MWDC funds (~\$50k) for GHD to explore option for desalinated water from Oakajee into	Shire own Resources/ Contractor Resources	\$10,000-\$20,000	No quotes provided, elected member estimate only

7	Bus Shelter	surrounding region Howatharra Bus stop shelter?	Contractor Resources	\$10,000	No quotes provided, elected member estimate only
	Seed Funds	Town Team Movement - Safer Speeds and Better Place Project. Street Art and traffic calming for Parkfalls, Nabawa & Yuna. Budget allocation to leverage further funds through this State Govt grant round <i>Ongoing from previous 2 budgets SCP (strategic Community Plan)</i> <i>Objective 3.4 Manage the impact of waste, water, weed & vermin control on environment.</i> Shire in conjunction with NBG and DPIRD (Department of Primary Industries and Regional Development	Shire own Resources/ Contractor Resources	\$5,000	No quotes provided, elected member estimate only
8	Pest Management		Shire own Resources/ Contractor Resources	\$5,000	No quotes provided, estimate from previous year

		<p>), to run another rabbit control workshop at Bill Hemsley Park Community Centre early in 2025 to educate residents to take responsibility in helping to control the rabbit population on their own land. Due to positive feedback, we would like to make free Pindone available again to interested residents to encourage them to be proactive and work collaboratively with their neighbours and the shire to help with this control.</p>			
9	Pest Management	<p>Continue contract rabbit control using Josh Gould on Shire owned property. Some of these costs can be recouped from other</p>	Contractor Resources	\$10,000	No quotes provided, elected member estimate only

10	Pest Management	Government departments Continue additional mowing program of verges, bridle paths and the unestablished areas of BHP, using contractors if not practicable for Shire staff	Contractor Resources	\$12,000	No quotes provided, elected member estimate only
11	Pest Management	Continue additional spraying program of verges bridle paths and the unestablished areas of BHP, using contractors if not practicable for Shire staff	Contractor Resources	\$8,000	No quotes provided, elected member estimate only

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

Councillors are invited to send any budget requests for the forthcoming draft budget in April each year. Also, users of Shire owned/controlled facilities were encouraged to put items forward for the Building & Disability Services Committee to consider, which have then been forwarded to Council at the March 2024 OCM for budget consideration.

Comment

Elected Members budget requests have been received from Crs Low, Rodney and Cr Batten of which a summary of the original request has been inserted below (numbered for reference

only and not to be considered as being in any order of priority). Note these requests have not previously been before any relevant Committee to date. Additional Shire Own (employee) resources for any items will have an impact on future budgets.

1	Website review	Website review – add capabilities for mobile device venue booking, link to calendar, online payment systems	Shire own Resources / Contractor Resources		No quotes provided
2	Social media review	Social media review including Amplify contract review	Shire own Resources / Contractor Resources		No quotes provided
3	Yuna Park garden revitalization	Yuna Park garden revitalization incl shade & art replacement (Shade Dome Co)	Shire own Resources / Contractor Resources	\$7,000	No quotes provided, elected member estimate only
4	Cleaning Contractors	Cleaning contractors to lock in full clean x 3/yr. @ YCC, Nabawa Rec Centre (e.g., End Jan/1st week Feb, June & October) Is it possible to package up our local cleaning requirements and circulate an expression of interest from local people? Potential small business opportunity?	Contractor Resources		No quotes provided
5	Seed Funds	Seed funds to build on the MW Drought Resilience Plan- social resilience pillar (maintain & build community capacity) NACC.	Shire own Resources / Contractor Resources	\$10,000	No quotes provided, elected member estimate only
6	Water Resources	Value add to MWDC funds (~\$50k) for GHD to explore option for desalinated water from Oakajee into surrounding region	Shire own Resources / Contractor Resources	\$10,000-\$20,000	No quotes provided, elected member estimate only
7	Bus Shelter	Howatharra Bus stop shelter?	Contractor Resources	\$10,000	No quotes provided, elected member

					estimate only
	Seed Funds	Town Team Movement – Safer Speeds and Better Places project. Street Art and traffic calming for Parkfalls, Nabawa & Yuna. Budget allocation to leverage further funds through this State Govt grant round	Shire own Resources / Contractor Resources	\$5,000	No quotes provided, elected member estimate only
8	Pest Management	<i>Ongoing from previous 2 budgets SCP (Strategic Community Plan)</i> <i>Objective 3.4 Manage the impact of waste, water, weed & vermin control on environment.</i> Shire, in conjunction with NBG and DPIRD (Department of Primary Industries and Regional Development), to run another rabbit control workshop at Bill Hemsley Park Community Centre early in 2025 to educate residents to take responsibility in helping to control the rabbit population on their own land. Due to positive feedback, we would like to make free Pindone available again to interested residents to encourage them to be proactive and work collaboratively with their neighbours and the Shire to help with this control.	Shire own Resources / Contractor Resources	\$5,000	No quotes provided, estimate from previous year
9	Pest Management	Continue contract rabbit control using Josh Gould on Shire owned property. Some of these costs can be recouped from other Government departments	Contractor Resources	\$10,000	No quotes provided, elected member estimate only
10	Pest Management	Continue additional	Contractor	\$12,000	No quotes

		mowing program of verges, bridle paths and the unestablished areas of BHP, using contractors if not practicable for Shire staff	Resources		provided, elected member estimate only
11	Pest Management	Continue additional spraying program of verges, bridle paths and the unestablished areas of BHP, using contractors if not practicable for Shire staff	Contractor Resources	\$8,000	No quotes provided, elected member estimate only

Officers have already begun a review of the shire website allocated funds from the Department of Fire and Emergency Services (DFES) Community Benefit Fund to update the earlier COVID-19 portal into a Councillor Portal Design, updates to the mega menu structure and added modules for events calendar & contacts directory. With the new meeting requirements in mind, we have also added a council meetings module which provides a quick and straightforward way to manage online promotion of meetings; managing agenda and minute content will be easy to navigate for administrators.

Social media is currently a hybrid of in house and external contractor. The contractor terms will expire on 30 June 2024 along with the recruitment of a full-time community development officer a social media review has been flagged with the relevant officers.

Contract cleaners are engaged to service up to three times per year both Nabawa & Yuna Community Centres within the building maintenance operational budget. The 2024/2025 draft budget lists an operating amount for continuation of contract cleaners. To note we have previously tried the concept of sourcing local cleaners without success.

The amount of \$25,000 has been allocated from the DFES Community Benefit Fund to support seed funds for projects which at this point are not decided, therefore we have potential to utilise this funding source.

Statutory Environment

Council adopts the Annual Budget in accordance with the Local Government Act and associated Regulations at which time all items listed in the Draft Budget are considered.

Local Government (Financial Management) Regulations 1996

Policy/Procedure Implications

No Policy or Management Procedure affected.

Financial Implications

Budgetary Implications

The 2024/2025 Draft Budget allocations will be set as per the Council Resolution; however, these can be altered either at budget workshops or the meeting when Council considers adopting the 2024/2025 Budget. All elected members items will influence the 2024/2025 Draft Budget which staff have not had the opportunity to obtain estimate costs for any of the items.

Strategic Implications

Additional staff resources with an influence the LTFP

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

The Budget process includes Committee meetings (e.g. Buildings, Infrastructure Roads) and consultation with Elected Members, users of Shire owned/controlled facilities & staff to establish a Draft Budget for Council consideration. The budget process also needs to consider the Integrated Planning & Reporting (IPR) documents to ensure the draft presented shows existing items and any alteration to the long-term planning for the Shire. Added items not previously shown in the Corporate Business Plan will need to be noted in the Annual Financial Reporting.

Risk Assessment

The risk rating varies from Minor to Moderate dependent on the estimated costs for each item.

10.3 Chief Executive Officer

10.3.1 Policy & Procedures Review 2024	
Department	Finance, Governance & Corporate Services Administration & Governance Chief Executive Officer
Author	Jamie Criddle
Reference(s)	411.01
Attachment(s)	<ol style="list-style-type: none"> 2024 Policy Review [10.3.1.1 - 23 pages] Request HQ Quick Guide [10.3.1.2 - 4 pages] Works & Services Manual [10.3.1.3 - 58 pages] Building & Projects Manual [10.3.1.4 - 16 pages] EM & Governance Manual [10.3.1.5 - 70 pages] Finance Manual [10.3.1.6 - 65 pages] HR & Induction Manual [10.3.1.7 - 91 pages] Organisational Corporate Manual [10.3.1.8 - 96 pages] Planning & Development Manual [10.3.1.9 - 78 pages]

Voting Requirements

Absolute Majority

Staff Recommendation

That Council reviews the Policy documents, endorse amendments, deletions and additions (as required) to the following Shire of Chapman Valley Policies & Management Procedures as presented.

Council Resolution

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

9:20 am, That as per part 17.1 of the Shire of Chapman Valley Standing Order Local Laws 2016, Council suspend the operation of the following clauses to allow sufficient discussion of item 10.3.1:

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

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

Against Nil

7 / 0

CARRIED UNANIMOUSLY
Minute Reference OCM 2024/04-6

Discussion was undertaken on the item.

Council Resolution

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

10:01 am, That as per part 17.1 of the Shire of Chapman Valley Standing Order Local Laws 2016, Council reinstate the operation of the following clauses to allow sufficient discussion of item 10.3.1:

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

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

Against Nil

7 / 0

CARRIED UNANIMOUSLY
Minute Reference OCM 2024/04-7

10:05 am - Cr Katie Low left the meeting.

10:07 am - Cr Katie Low returned to the meeting.

Council Resolution

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

That Council reviews the Policy documents, endorse amendments, deletions and additions (as required) to the following Shire of Chapman Valley Policies & Management Procedures as presented.

1. Works & Services Manual
2. Building & Projects Manual
3. EM & Governance Manual
4. Finance Manual
5. HR & Induction Manual
6. Organisational Corporate Manual
7. Planning and Development Manual

With the following policies to be presented in the May OCM as listed below:

CMP-021 - Credit Card Policy

CP-026 - COVID-19 Leave Policy

NEW Policy - Financial Hardship Policy

IMP 020 - Midwest Regional Road Group (MWRRG) Significant Roads - addition of pre-approved roads from infrastructure committee (Nabawa Yetna & Nolba Roads)

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

Against Nil

7 / 0

CARRIED UNANIMOUSLY
Minute Reference OCM 2024/04-8

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 Policy Manual records various matters that are either required by legislation, or are standing instructions of Council to staff on a range of legislative and internal processes. The Local Government Act 1995, section 2.7, provides that it is a role of Council to set (and adopt) the policies for the local government. Council is required to review and consider changes to the Shire Policy & Procedures Manuals that are attached.

At the April 2023 OCM the following was resolved:

That Council endorse amendments, deletions and additions to the following Shire of Chapman Valley Policies & Management Procedures as presented.

CMP-064 Financial Assistance

CMP-065 Community Enhancement Donations & Sponsorship

CMP-067 Community Growth Fund - Operational

and with additional wording to CMP-065 Individuals only one (1) application approved per year

Comment

The Policies & Procedures are categories in the following areas, which will have separate Manuals for each area of responsibility i.e.

- Building
- Finance
- Governance
- HR Induction
- Organisational Corporate
- Planning & Development

- Works & Services

Each Manual has a designated Responsible Officer who is required for ensuring the policies & procedures relevant to their areas are communicated to staff under their management and to present recommended updates, amendments, additions, etc. to the CEO for consideration as required.

Executive Staff have reviewed the documents with some changes recommended. All changes are listed under a separate attachment 10.3.1.1 - **2024 Policy Review**.

The following are the proposed major changes:

CMP-036 – Community Communication – Modified to Community Engagement as details are duplicated in the Communications & Social Media policy (CMP-013).

CMP-013 – Communication & Social Media – Modified to include communications via WhatsApp.

CP-003 – Complaints Handling – Modified to include references to Request HQ, minor paragraph numbering.

CP-026 – Gratuity Payment to finishing Employees – Required to comply with section 5.50 of Local Government Act 1995.

CMP-073 – Request HQ use & Administration – Management Policy to deal with Request HQ.

CMP-039 – COVID 19 Financial Hardship – This policy has now been repealed due to the withdrawal of the Local Government (COVID-19 Response) Amendment Order 2022.

CMP-047 - Superannuation, where the superannuation default fund is now Aware Super (previously WA Super).

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 – Section 2.7(2)(b)

Role of Council

1. The council:
 - a. Governs the local government's affairs; and
 - b. Is responsible for the performance of the local government's function.
 - c.
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.

The legislation has no specific period for the review of Policies, yet Council has attempted to undertake a review annually.

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

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.

It is also important Councillors and staff review the policies & procedures to ensure these remain current and relevant.

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.

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

All Responsible Staff members have been given to opportunity to recommend to the CEO any amendments, deletions and additions to the existing policies & procedures, which forms the basis of the Staff Recommendation presented for Council consideration.

Risk Assessment

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

A Minor Reputational Risk of Level 2 - Which will likely result in substantiated, low impact, low news item.

10.3.2 Community Growth Fund

Department	Development Service Community Development
Author	Jamie Criddle
Reference(s)	403.10
Attachment(s)	1. Unconfirmed Minutes CGF Advisory Group April 2024 [10.3.2.1 - 9 pages] 2. Matrix Summary Recommendations [10.3.2.2 - 1 page]

Voting Requirements

Simply Majority

Staff Recommendation

That Council

1. Minute Ref: CGFAG 2024/03-3 – Community Growth Fund Allocations

Council receives the minutes from the 8 April 2024 Community Growth Fund Advisory Group meeting and endorses the following funding allocation under the Shire of Chapman Valley's Community Growth Funds for 2023/2024 budget consideration:

Chapman Valley Shears	Concrete hard stand	\$8,800
Chapman Valley Football Club	Behind the Goal Netting	\$6,000
Chapman Valley Country Music Festival	<i>Seed funding for running of CV Country Music Festival</i>	\$9,000

Council Resolution

Moved: Cr Katie Low **Seconded:** Cr Emma Rodney

That Council

2. Minute Ref: CGFAG 2024/03-3 – Community Growth Fund Allocations

Council receives the minutes from the 8 April 2024 Community Growth Fund Advisory Group meeting and endorses the following funding allocation under the Shire of Chapman Valley's Community Growth Funds for 2023/2024 budget consideration:

Chapman Valley Shears	Concrete hard stand	\$8,800
Chapman Valley Football Club	Behind the Goal Netting	\$6,000
Chapman Valley Country Music Festival	<i>Seed funding for running of CV Country Music Festival</i>	\$9,000

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

Against Nil

Disclosure of Interest

Chief Executive Officer, Mr Jamie Criddle declared an impartiality interest as he is a member of the Chapman Valley Junior & Senior Football Club Committees.

Background

Council has in previous budgets set an amount aside of \$30,000 for Community Growth Fund (CGF) applications. Applications opened 13 February 2024 and closed 12 March 2024 with the Community Growth Fund Advisory Group meeting held on 8 April 2024 for evaluation of all applications in readiness for Council determination.

Comment

The Shire of Chapman Valley Community Growth Fund (CGF) Advisory Group comprises of the following Council appointed representatives:

- Cr Nicole Batten (Presiding Member)
- Cr Kirrilee Warr
- Cr Emma Rodney
- Cr Katie Low
- Chief Executive Officer
- Manager Finance & Corporate Services
- Community Development Officer

The purpose of the Advisory Group is as follows:

“Evaluate applications received for funding under the Shire of Chapman Valley Community Growth Fund program in accordance with Guidelines, policies and procedures set by Council and make recommendations to Council to allocate funds.”

A copy of the Unconfirmed Minutes of the CGF Advisory Group held on the 8 April 2024 is provided at Attachment 10.3.2.1.

Total funding amount requested -	\$25,800
Total project cost of all submissions received -	\$120,830
Total percentage ratio funding to project cost -	22%

Statutory Environment

This report has no statutory environment requirements.

Policy/Procedure Implications

A Policy or Procedure is affected:

Organisational Corporate Policy & Procedures

Council has approved the CGF Operational Procedures (see Attachment 10.3.2.2) and this was the basis upon which the Group evaluated the applications received.

Financial Implications

Budgetary Implications

The budget will be affected in the following ways:

The CGF Advisory Group recommendations will affect the 2023/2024 Draft Budget; however, will have similar impact to the financial position as previous years.

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.

1.1.2 Determine a whole of Shire community integration approach.

1.1.3 Identify all volunteers and determine their support needs.

Consultation

The Community Development Officer has had regular dialogue with the groups and individuals within the community to explain the CGF Operational Procedures and will continue to do this.

Risk Assessment

A Minor Financial Impact Risk of Level 2 - Which will likely be between \$1,001 to \$10,000.

A Minor Reputational Risk of Level 2 - Which will likely result in substantiated, low impact, low news item.

10.3.3 Road Infrastructure Committee 2024

Department Works & Services
Capital Works

Author Jamie Criddle

Reference(s) 403.03

Attachment(s)

1. Hierarchy Procedure - IMP 025 [10.3.3.1 - 11 pages]
2. Proposed 10 Year RW Prog 2024 [10.3.3.2 - 7 pages]
3. IMP-022 [10.3.3.3 - 1 page]
4. Proposed Plant Replacement Program 2024 [10.3.3.4 - 3 pages]
5. Unconfirmed Minutes - RIC March 2024 [10.3.3.5 - 33 pages]

Voting Requirements

Simply Majority

Staff Recommendation

That Council Council receive the Road Infrastructure Committee Minutes and endorse the recommendations within i.e.

1. Minute Reference RIC 2024/03-2

The Road Infrastructure Committee recommends Council endorses the *Road Hierarchy Procedure (IMP-025)* as presented at **Attachment 10.3.3.1** without change.

2. Minute Reference RIC 2024/03-5

The Road Infrastructure Committee recommends Council endorse:

1. The 10 Year Road Works Program 2024/25 to 2031/2032 as presented at **Attachment 10.3.3.2** Proposed 10 Year RW Program with the following changes and this Program be used as a basis for resource allocation into the Draft 2024/2025 Budget:
 - a. Insert Nabawa Yetna Road into 2025/2026 and 2026/2027 program
 - b. Insert Nolba Road into 2027/2028 program
2. The LRCIP Roads Funding for East Chapman & Eliza Shaw Drive and this Program be used as a basis for resource allocation into the Draft 2024/2025 Budget.
3. The actions of the CEO in presenting the Nabawa-Yetna Road and Ogilvie East Road (Shire of Northampton)/ Nolba Stock Route / Nolba Stock Route Road / Nolba Road to the Batavia Regional Road Group for endorsement on the Roads 2040 document.

3. Minute Reference RIC 2024/03-2

The Road Infrastructure Committee recommends Council endorses the *Management Procedure (IMP-022) – Heavy Haulage Vehicle Permits* as at **Attachment 10.3.3.3** presented without change.

4. Minute Reference RIC 2024/03-8

The Road Infrastructure Committee recommends Council endorses the *Proposed Plant Replacement Program* as presented at **Attachment 10.3.3.4 Proposed Plant Replacement Program** with the following changes and request the Chief Executive Officer use this Program as a basis for resources to be allocated in the forthcoming budget

1. Nil

Council Resolution

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

That Council Council receive the Road Infrastructure Committee Minutes and endorse the recommendations within i.e.

1. Minute Reference RIC 2024/03-2

The Road Infrastructure Committee recommends Council endorses the *Road Hierarchy Procedure (IMP-025)* as presented at **Attachment 10.3.3.1** without change.

3. Minute Reference RIC 2024/03-5

The Road Infrastructure Committee recommends Council endorse:

4. The 10 Year Road Works Program 2024/25 to 2031/2032 as presented at **Attachment 10.3.3.2** Proposed 10 Year RW Program with the following changes and this Program be used as a basis for resource allocation into the Draft 2024/2025 Budget:
 - c. Insert Nabawa Yetna Road into 2025/2026 and 2026/2027 program
 - d. Insert Nolba Road into 2027/2028 program
5. The LRCIP Roads Funding for East Chapman & Eliza Shaw Drive and this Program be used as a basis for resource allocation into the Draft 2024/2025 Budget.
6. The actions of the CEO in presenting the Nabawa-Yetna Road and Ogilvie East Road (Shire of Northampton)/ Nolba Stock Route / Nolba Stock Route Road / Nolba Road to the Batavia Regional Road Group for endorsement on the Roads 2040 document.

5. Minute Reference RIC 2024/03-2

The Road Infrastructure Committee recommends Council endorses the *Management Procedure (IMP-022) – Heavy Haulage Vehicle Permits* as at **Attachment 10.3.3.3** presented without change.

6. Minute Reference RIC 2024/03-8

The Road Infrastructure Committee recommends Council endorses the *Proposed Plant Replacement Program* as presented at **Attachment 10.3.3.4 Proposed Plant Replacement Program** with the following changes and request the Chief Executive Officer use this Program as a basis for resources to be allocated in the forthcoming budget

2. Nil

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

Against Nil

7 / 0

CARRIED UNANIMOUSLY
Minute Reference OCM 2024/04-10

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 Road Infrastructure Committee met on the 21st March 2024 to review the following:

- ~ Road Works Program;
- ~ Road Hierarchy;
- ~ Heavy Haulage Vehicle Permit Roads; and
- ~ Plant Replacement Program

The Unconfirmed Minutes of the meeting have been provided under separate cover for Council reference and information (see **Attachment 10.3.3.5**).

Comment

Determination from the Road Infrastructure Committee will form recommendations to Council for consideration and endorsement for allocation of funding and resources to the forthcoming Draft Budget.

Rather than repeat the content of the Committee Meeting in this report I refer Councillors to the Committee Minutes and welcome any comments/questions.

Statutory Environment

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

Policy/Procedure Implications

A Policy or Procedure is affected:

Works and Services Policy & Procedures

As stated in the Road Infrastructure Committee Minutes, various Policies and Procedures affect the decision-making process. These Policies and Procedures were considered during the Committee's deliberations.

Financial Implications

Budgetary Implications

The budget will be affected in the following ways:

Road works is the largest income and expenditure component of the Shires operations, which makes it important to ensure the limited resources made available by grants and those allocated by Council to this function are maximised, whilst remaining conscious of the need to ensure road infrastructure maintenance is also preserved.

Strategic Implications

It is imperative Council carefully considers where resources are allocated in future road works programs to ensure the higher priority roads are catered for. The Shire's Road Hierarchy identifies the priority roads into the following categories:

- A. Main Arterial Roads (Significant Roads and approved by the RRG only);
- B. Main Feeder Roads;
- C. Minor Feeder Roads;
- D. Major Access Roads; and
- E. Minor Access Roads

It is important the Policy/Procedure to amend the Road Hierarchy is adhered to. This will ensure the integrity of the Road Hierarchy list and therefore the integrity of how Council allocates its resources to road works within the Shire is maintained.

Strategic Community Plan/Corporate Business Plan Implications

PHYSICAL & DIGITAL INFRASTRUCTURE

4.2 Manage and maintain roads, drainage, and other essential infrastructure.

4.2.1 Capital Road Works Programs.

4.2.2 Plant Replacement Programs.

Consultation

Consultation occurred with the Shire's Manager Works and Services (Esky Kelly), Works Leading Hand (Marty Elks) and Greenfield Technical Services (consultant engineer) when developing the proposed road works and/or plant replacement programs.

Risk Assessment

There is a risk associated with limited resources not being allocated to the roads in most need, hence the reason for the Road Hierarchy and consultation with the road works staff

being essential to the integrity of the process of funding allocations. Council should not be subject to allocating funds to road because of the “squeaky wheel receiving the most oil” concept.

A Minor Financial Impact Risk of Level 2 - Which will likely be between \$1,001 to \$10,000.

A Minor Service Disruption Risk of Level 2 - Which will likely result in short term temporary interruptions with backlogs cleared in less than one day.

A Minor Reputational Risk of Level 2 - Which will likely result in substantiated, low impact, low news item.

UNCONFIRMED

10.3.4 Chief Executive Officers Performance Review

Department	Finance, Governance & Corporate Services Chief Executive Officer
Author	Jamie Criddle
Reference(s)	908.189
Attachment(s)	1. CEO Standards Policy CP-023 [10.3.4.1 - 6 pages]

Voting Requirements

Simply Majority

Staff Recommendation

That Council:

1. Appoints the Shire President, Deputy Shire President and Cr(s) _____ to undertake the Chief Executive Officer Annual Performance Appraisal and Remuneration Review for 2023 and bring this back to Council for consideration and work with the Chief Executive Officer to formulate sufficient Key Performance Indicators(KPI's) for the ensuing 12 month period.
2. Provide the Chief Executive Officer written notice of his Annual Performance Appraisal and Remuneration Review to be undertaken.

Council Resolution

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

That Council:

1. Appoints the Shire President, Deputy Shire President, Cr Royce and Cr Elliott-Lockhart to undertake the Chief Executive Officer Annual Performance Appraisal and Remuneration Review for 2023 and bring this back to Council for consideration and work with the Chief Executive Officer to formulate sufficient Key Performance Indicators(KPI's) for the ensuing 12 month period.
2. Provide the Chief Executive Officer written notice of his Annual Performance Appraisal and Remuneration Review to be undertaken.

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

Against Nil

7 / 0

CARRIED UNANIMOUSLY
Minute Reference OCM 2024/04-11

Disclosure of Interest

Chief Executive Officer, Mr Jamie Criddle to be the beneficiary with this matter directly concerning the Employment Contract between the Shire of Chapman Valley and Jameon (Jamie) Clinton Criddle.

Background

The Chief Executive Officer commenced with the Shire of Chapman Valley on 27th January 2022 and after a successful probationary period the initial contract was endorsed for a five-year period to January 2027.

The purpose of this Agenda Item is to commence the process to undertake the Chief Executive Officer's Annual Performance Appraisal and Remuneration Review for 2023 and to formulate and adopt the Key Performance Indicators (KPI's) for the Chief Executive Officer, in accordance with the Local Government Act 1995 section 5.38 and the Chief Executive Officer's contract of employment.

In accordance with Council Policy CMP - 23 - Mandatory Standards for CEO Recruitment, Performance and Termination, Council and the CEO must agree on the performance review process, and any performance criteria to be met by the CEO that are in addition to the contractual performance criteria.

Comment

The council of a local government is already required to undertake an annual review of the CEO's performance in accordance with section 5.38 of the *Local Government Act 1995* (Act). A performance review carried out in an objective and comprehensive manner can facilitate a good understanding between the council and the CEO on the progress and achievement of council priorities.

Local governments should review their current process for performance review in consultation with the CEO and make any changes required to ensure that the process meets the requirements set out under Division 3 of the CEO Standards.

The CEO Standards require the council and the CEO to agree on the process for performance review and any performance criteria additional to those specified in the CEO's contract of employment. Local governments must ensure that the process for performance review is documented. Following a review of the CEO's performance, the council must formally endorse the outcomes of the review.

Division 3 — Standards for review of performance of CEOs

15. Overview of Division

This Division sets out standards to be observed by the local government in relation to the review of the performance of CEOs.

16. Performance review process to be agreed between local government and CEO

(1) The local government and the CEO must agree on —

(a) the process by which the CEO's performance will be reviewed; and

(b) any performance criteria to be met by the CEO in addition to the contractual performance criteria.

(2) Without limiting subclause (1), the process agreed under subclause (1)(a) must be consistent with clauses 17, 18 and 19.

(3) The matters referred to in subclause (1) must be set out in a written document.

17. Carrying out a performance review

(1) A review of the performance of the CEO by the local government must be carried out in an impartial and transparent manner.

(2) The local government must —

(a) collect evidence regarding the CEO's performance in respect of the contractual performance criteria and any additional performance criteria in a thorough and comprehensive manner; and

(b) review the CEO's performance against the contractual performance criteria and any additional performance criteria, based on evidence.

18. Endorsement of performance review by local government

Following a review of the performance of the CEO, the local government must, by resolution of an absolute majority of the council, endorse the review.

19. CEO to be notified of results of performance review

After the local government has endorsed a review of the performance of the CEO under clause 18, the local government must inform the CEO in writing of —

(a) the results of the review; and

(b) if the review identifies any issues about the performance of the CEO — how the local government proposes to address and manage those issues.

Principles

The standards regarding CEO performance review are based on the principles of fairness, integrity and impartiality. Performance Review Standards The minimum standard for performance review will be met if:

S2.1 Performance criteria is specific, relevant, measurable, achievable and time-based.

S2.2 The performance criteria and the performance process are recorded in a written document, negotiated with and agreed upon by the CEO and council.

S2.3 The CEO is informed about how their performance will be assessed and managed and the results of their performance assessment.

S2.4 The collection of evidence regarding performance outcomes is thorough and comprehensive.

S2.5 Assessment is made free from bias and based on the CEO's achievements against documented performance criteria, and decisions and actions are impartial and transparent.

S2.6 The council has endorsed the performance review assessment by absolute majority.

Statutory Environment

The report complies with the requirements of the:

Local Government Act 1995

Local Government Act 1995, Part 5, Division 4, s 5.38 and Division 2, s5.23 (2)

Policy/Procedure Implications

A Policy or Procedure is affected:

Organisational Corporate Policy & Procedures

HR & Induction Policy & Procedures

Policy CP - 23 - Standards for CEO Recruitment, Performance and Termination

Division 3 — Standards for review of performance of CEOs

15. Overview of Division

This Division sets out standards to be observed by the local government in relation to the review of the performance of CEOs.

16. Performance review process to be agreed between local government and CEO

(1) The local government and the CEO must agree on —

(a) the process by which the CEO's performance will be reviewed; and

(b) any performance criteria to be met by the CEO in addition to the contractual performance criteria.

(2) Without limiting subclause (1), the process agreed under subclause (1)(a) must be consistent with clauses 17, 18 and 19.

(3) The matters referred to in subclause (1) must be set out in a written document.

17. Carrying out a performance review

(1) A review of the performance of the CEO by the local government must be carried out in an impartial and transparent manner.

(2) The local government must —

(a) collect evidence regarding the CEO's performance in respect of the contractual performance criteria and any additional performance criteria in a thorough and comprehensive manner; and

(b) review the CEO's performance against the contractual performance criteria and any additional performance criteria, based on evidence.

18. Endorsement of performance review by local government

Following a review of the performance of the CEO, the local government must, by resolution of an absolute majority of the council, endorse the review.

19. CEO to be notified of results of performance review

After the local government has endorsed a review of the performance of the CEO under clause 18, the local government must inform the CEO in writing of —

(a) the results of the review; and

(b) if the review identifies any issues about the performance of the CEO — how the local government proposes to address and manage those issues.

Financial Implications

Budgetary Implications

The budget will be affected in the following ways:

The 2023/2024 Budget has not been completed as yet and will be guided by the Sub-Committees decisions.

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

The performance appraisal and remuneration review requires consultation to be evident between the Council and the Chief Executive Officer.

Risk Assessment

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

A Minor Reputational Risk of Level 2 - Which will likely result in substantiated, low impact, low news item.

UNCONFIRMED

11 Elected Members Motions

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

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

Nil

13 Delegates Reports

That council receive the following Delegates Reports.

Delegate	Details
Cr Kirrilee Warr (President)	Regional Telecommunications Review
	Community Growth Fund Advisory Group Meeting
	FARM Entry Audit Meeting
	Town Teams Movement online training session
Cr Nicole Batten (Deputy President)	Yuna Community Swimming Pool Meeting
	Regional Telecommunication Review Meeting
	Regional Renewals and Hydrogen info Session
	Community Growth Fund Advisory Group Meeting
	FARM Entry Audit Meeting
	WALGA Town Teams Movement Meeting
Cr Philip Blakeway	No Reports Submitted
Cr Elizabeth Elliott-Lockhart	No Reports Submitted

Cr Catherine Low	Community Growth Fund Advisory Group Meeting
Cr Emma Rodney	Community Growth Fund Advisory Group Meeting
Cr Trevor Royce	No Reports Submitted

14 Announcements by Presiding Member Without Discussion

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

Local Government Act 1995

Administration Part 5

Council meetings, committees and their meetings and electors'

meetings Division 2

s. 5.23

The council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following —

- (a) a matter affecting an employee or employees; and
 - (b) the personal affairs of any person; and
 - (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; and
 - (d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting; and
 - (e) a matter that if disclosed, would reveal —
 - (i) a trade secret; or
 - (ii) information that has a commercial value to a person; or
 - (iii) information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government; and
 - (f) a matter that if disclosed, could be reasonably expected to —
 - (i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law; or
 - (ii) endanger the security of the local government's property; or
 - (iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety; and
 - (g) information which is the subject of a direction given under section 23(1a) of the Parliamentary Commissioner Act 1971; and
 - (h) such other matters as may be prescribed.
- (3) A decision to close a meeting or part of a meeting and the reason for.

The Council has no confidential items for consideration.

16 Closure

The Shire President thanked Elected Members and Staff for their attendance and closed the Ordinary Council Meeting - 18 April 2024 at 10:44 am.

UNCONFIRMED