



AGENDA

ORDINARY MEETING OF COUNCIL

to be held on

Thursday, 22 June 2023 at 5:30pm

via

eMeeting



WESTERN AUSTRALIA'S
WILDFLOWER COUNTRY

'This meeting is being recorded on audio tape and to assist with minute taking purposes. The public is reminded that in accordance with Section 6.16 of the Shire of Morawa Meeting Procedures Local Law 2012 that nobody shall use any visual or vocal recording device or instrument to record the proceedings of Council without the written permission of the presiding member.'

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DISCLOSURE OF FINANCIAL/ IMPARTIALITY/ PROXIMITY INTERESTS

Local Government Act 1995 – Section 5.65, 5.70 and 5.71 Local Government (Administration) Regulation 34C

<i>This form is provided to enable members and officers to disclose an Interest in a matter in accordance with the regulations of Section 5.65, 5.70 and 5.71 of the Local Government Act and Local Government (Administration) Regulation 34C</i>			
Name of person declaring the interest			
Position			
Date of Meeting			
Type of Meeting (Please circle one)	Council Meeting/ Committee Meeting/ Special Council Meeting Workshop/ Public Agenda Briefing/ Confidential Briefing		
Interest Disclosed			
Item Number and Title			
Nature of Interest			
Type of Interest (please circle one)	Financial	Proximity	Impartiality
Interest Disclosed			
Item Number and Title			
Nature of Interest			
Type of Interest (please circle one)	Financial	Proximity	Impartiality
Interest Disclosed			
Item Number and Title			
Nature of Interest			
Type of Interest (please circle one)	Financial	Proximity	Impartiality

Signature: _____ **Date:** _____

Important Note:

Should you declare a **Financial** or **Proximity** Interest, in accordance with the Act and Regulations noted above, you are required to leave the room while the item is being considered.

For an **Impartiality** Interest, you must state the following prior to the consideration of the item:

“With regard to agenda item (read item number and title), I disclose that I have an impartiality interest because (read your reason for interest). As a consequence, there may be a perception that my impartiality on the matter may be affected. I declare that I will consider this matter on its merits and vote accordingly.”

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Item 1 Opening of Meeting

The President to declare the meeting open at 5:30pm.

Item 2 Acknowledgement of Traditional Owners and Dignitaries

The President acknowledges the traditional custodians, the Yamatji people, and recognises the contribution of Yamatji elder's past, present and future, in working together for the future of Morawa.

Item 3 Recording of Attendance**3.1 Attendance - Electronic****Council**

President (Presiding Member) Councillor Karen Chappel

Deputy President Councillor Ken Stokes

Councillor Jane Coaker

Councillor Debbie Collins

Councillor Yvette Harris

Councillor Shirley Katona

Staff

Chief Executive Officer

Scott Wildgoose

Executive Manager Corporate & Community Services

Jackie Hawkins

Members of the Public

Nil

3.2 Apologies**3.4 Approved Leave of Absence**

Councillor Mark Coaker

3.5 Disclosure of Interests

To be advised – *Item 11.1.5 CBH Permanent Upgrades Application, Morawa*

Item 4 Applications for Leave of Absence**Item 5 Response to Previous Questions****Item 6 Public Question Time**

Questions for Public Question Time should be submitted in advance of the meeting to ea@morawa.wa.gov.au These questions will be responded to via appropriate correspondence after being raised during the meeting. For more information, see Council Policy ELM26 Conducting eMeetings.

Item 7 Questions from Members without Notice

Item 8 Announcements by Presiding Member without Discussion

President's Meetings for the month of May 2023.

Date	Details of Meeting
3 May 2023	State Council regional meeting
11 May 2023	LGIS Board Meeting
17 May 2023	Finance & Services Committee Budget Workshop
18 May 2023	Shire of Morawa – Ordinary Council Meeting
19 May 2023	Shire of Morawa - Audit Entrance Meeting
24-25 May 2023	ALGA Board meeting

Item 9 Declaration by all Members to have given due consideration to All Matters Contained in the Business Paper before the Meeting

The Elected Members to declare that they had given due consideration to all matters contained in the agenda.

Item 10 Confirmation of Minutes of Previous Meeting

The Minutes of the 18 May 2023 Ordinary Council Meeting were provided under separate cover via the Shire of Morawa's secure portal to all Councillors on 22 May 2023.

The Minutes of the 6 June 2023 Special Council Meeting were provided under separate cover via the Shire of Morawa's secure portal to all Councillors on 7 June 2023.

OFFICER'S RECOMMENDATION

That Council confirm that:

- 1. the Minutes of the Ordinary Council Meeting held 18 May 2023 are a true and correct record.**
- 2. the Minutes of the Special Council Meeting held 6 June 2023 are a true and correct record.**

SIMPLE MAJORITY VOTE REQUIRED

Disclaimer

Members of the public are cautioned against taking any action on Council decisions, on items in this agenda in which they may have an interest, until formal notification in writing from the Shire has been received. Decisions made at this meeting can be revoked pursuant to the Local Government Act 1995.

Item 11 Reports of Officers**11.1 Chief Executive Officer****11.1.1 Actions Performed under Delegated Authority for May 2023**

Author: Executive Assistant

Authorising Officer: Chief Executive Officer

Disclosure of Interest: The Author/Authorising Officer declares that they do not have any conflict of interest in relation to this item.

OFFICER RECOMMENDATION

That with respect to Actions Performed under Delegated Authority for May 2023, Council:

- 1. Accept the Report.**

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

To report back to Council, actions performed under delegated authority from the period 01 May 2023 to 31 May 2023.

DETAIL

To increase transparency this report has been prepared for Council and includes all actions performed under delegated authority for –

- Development Approvals;
- Building Permits;
- Health Approvals;
- One off delegations to the Chief Executive Officer;
- Dangerous Goods;
- Affixing of Common Seal;
- Other Delegations as provided for in the Delegations Register.

The following outlines the actions performed within the Shire relative to Delegated Authority from the period 01 May 2023 to 31 May 2023 ('the period') and are submitted to Council for information.

Bushfire

No delegated decisions were undertaken by Shire pursuant to bushfire matters during the period.

Caravan parks and campgrounds

No delegated decisions were undertaken by Shire pursuant to caravan parks and camping grounds during the period.

Common Seal

No Common Seal actions were undertaken by the Shire during the period.

Dangerous Goods Safety Act 2004

No delegated decisions were undertaken by Shire pursuant to Dangerous Goods Safety matters during the period.

Food Act 2008

<i>Date of decision</i>	<i>Decision Ref.</i>	<i>Decision details</i>	<i>Applicant</i>	<i>Other affected person(s)</i>
12/05/2023	Approved	Registration of a Food Business	Morawa Football Club	

Hawkers, traders, and stall holders

No delegated decisions were undertaken by Shire pursuant to hawkers, traders, and stall holders during this period.

Liquor Control Act 1988

No delegated decisions were undertaken by Shire pursuant to liquor matters during the period.

Lodging houses

No delegated decisions were undertaken by Shire pursuant to lodging house matters during the period.

Public Buildings

No delegated decisions were undertaken by Shire pursuant to public buildings matters during the period.

Septic Tank Approvals

No delegated decisions were undertaken by Shire pursuant to the Health Act 1911 and Health (Treatment of Sewage and Disposal of Effluent Waste) Regulations 1974 during the period.

Planning Approval

No delegated decisions were undertaken by Shire pursuant to *Planning & Development Act 2005* during the period.

Building Permits

No delegated decisions were undertaken by Shire pursuant to building permits during this period.

Other Delegations

Date of decision	Decision Ref.	Decision details	Applicant	Other affected person(s)
23/05/2023	Approved	Skin Penetration Establishment	Delve Aesthetics	
29/05/2023	Approved	RAV Permit Renewal	Mac's Bulk Haulage	
17/05/2023	230390	Demolition 16 Manning Street, Morawa	K. Mitchell	
29/05/2023	230406	Demolition 27 Richter Ave, Morawa	M. Flannigan	

LEVEL OF SIGNIFICANCE

Low – report provided to Council for information purposes.

CONSULTATION

Nil

LEGISLATION AND POLICY CONSIDERATIONS

Building Act 2011

Bushfire Act 1954

Dangerous Goods Safety (Explosives) Regulations 2007

Health Act 1991

Health Act 1911

Health (Public Buildings) Regulations 1992

Liquor Control Act 1988

Local Government Act 1995

Planning & Development Act 2005

Shire of Morawa Local Planning Scheme No. 2

Shire of Morawa Cemeteries 2018 - Local Law

Shire of Morawa Dogs 2018 - Local Law

Shire of Morawa Extractive Industries 2018 - Local Law

Shire of Morawa Fencing 2018 Local Law

Shire of Morawa Health 2004 - Local Law

Shire of Morawa Public Places and Local Government Property 2018 - Local Law

Shire of Morawa Meeting Procedures 2012 - Local Law

Shire of Morawa Waste 2018 - Local Law

Shire of Morawa Delegations Register (2020)

FINANCIAL AND RESOURCES IMPLICATIONS

There are no known financial implications relating to this Item.

RISK MANAGEMENT CONSIDERATIONS

There are no known risk management implications relating to this Item.

ATTACHMENTS

Nil

11.1.2 Review of Townsite Planter Boxes

Author: Chief Executive Officer

Authorising Officer: Chief Executive Officer

Disclosure of Interest: The Author/Authorising Officer declares that he does not have any conflicts of interest in relation to this item.

OFFICER'S RECOMMENDATION

That Council

- 1. Approve the relocation of the townsite planter boxes to the Shire Caravan Park, and other locations as deemed appropriate and cost effective by the CEO.**

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

For Council to review the townsite planter boxes.

DETAIL

The Shire of Morawa introduced planter boxes around the townsite in approximately 2018. The intention of the planter boxes was to add to the amenity of the townsite. 21 Planter boxes are currently located around Winfield Street and Solomon Terrace with no reticulation.

As part of the Shire's new Corporate Business Plan, Organisational Efficiency was identified as a key focus area.

Given the townsite planters are free standing, unreticulated, and regularly vandalised the below annual costs have been calculated for them.

Activity	Time (approx.)	Cost (including labour, plant, and materials) (approx.)
Watering every two days	130-180 hrs per annum	\$6,000 - \$10,000
Spraying and General Maintenance	20-30 hrs per annum	\$1,000 - \$2,000
Replanting	100 hrs per annum	\$10,000

The Shire does not cost down to the job level specific to this individual activity but given

the plants regularly die over summer, are damaged or pulled out of the planters regularly, staff must drive a ute and water tank set up to water on a regular basis, the estimated annual cost of \$20,000 does not seem unfeasible.

The Shire has tried 5 different types of plants in the planter boxes but due to harsh weather conditions and no reticulation the plants have limited success.

The Shire has also had reports relating to community members and tourists opening their car doors into the planter boxes when parking street side due to the height of the boxes.

The planter boxes have been predominantly used on Winfield Street and Solomon Terrace. During tourist season they may add some amenity to these areas, but the Shire is often criticised that these plants aren't thriving, or the planter boxes are harbouring rubbish.

It is proposed that the planter boxes be relocated to the Shire Caravan Park to surround the existing lawned area that has onsite reticulation. Installing basic reticulation to the planters will reduce a significant amount of officer time involved in watering activities and having them in the caravan park will still add to tourist amenity but reduce the destruction of the plants.

The extra time the Shire staff will have each week can be allocated to the other townsite gardens and amenities.

LEVEL OF SIGNIFICANCE

Minor – the townsite planters represent a minor cost in terms of the whole budget but the decision around organisational efficiency versus amenity needs careful consideration.

CONSULTATION

Senior Management Team
Team Leader Parks and Gardens

LEGISLATION AND POLICY CONSIDERATIONS

Nil

Strategic Community Plan 2022 to 2032

Ensure the Shire and its assets are well resourced and sustainable.

FINANCIAL AND RESOURCES IMPLICATIONS

It is estimated that the relocation of the planter boxes will allow for approximately \$20,000 worth of labour, plant, and materials costs to be reallocated to other areas.

The initial move is likely to involve a days labour, truck, and forklift (or equivalent) this will reduce Year 1 benefits but future year cost savings will be as stated.

RISK MANAGEMENT CONSIDERATIONS

Some of the planters are cracked and leaking and may not survive being transported – it is likely these planters would have broken shortly anyway.

CONCLUSION

The Shire is often balancing efficiency against community outcomes. The relocation of the planter boxes represents a more efficient allocation of resources with minimal amenity impact given the regular death or destruction of the plants.

ATTACHMENTS

Nil

11.1.3 Winfield Street Light Replacement

Author: Planning and Projects Officer

Authorising Officer: Chief Executive Officer

Disclosure of Interest: The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

OFFICER'S RECOMMENDATION

That Council:

- 1. Approve the CEO to utilize the existing Winfield Street lighting budget to replace the existing streetlights with new poles and LED lights utilizing the existing site power.**
- 2. Direct the CEO to identify suitable locations in the Morawa townsite for the solar lights and develop a budget for their installation in the 2023-2024 financial year.**

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

For Council to review information relating to the Winfield Street Light Replacement Project and approve a way forward.

DETAIL

Historically, one of the existing Winfield Street light poles fell over. This then prompted a pole inspection and review, with a business case being developed by the administration in July 2020 to support the use of Local Roads and Community Infrastructure (LRCI) Program funds to replace the street lighting.

The business case highlighted that the Shire owns 12 streetlight poles which have been outdated, in need of repairs or replacing and not sustainable in their power usage.

The document references that the annual cost for power is approximately \$40,000, this is correct however it somewhat infers that this cost relates to only the lights on Winfield Street. The Shire is billed for power associated with 210 streetlights located all around the townsite, most of these pole assets are owned and operated by Western Power, but the Shire contributes to the energy costs. As such the cost of each light per annum is approximately \$200.

In line with the Business Case, Council approved the purchase of nine (9) solar streetlights under Phase 1 of the Local Roads and Community Infrastructure Program (LRCIP). The Winfield Street Solar Light Projects was incorporated into the 2020-2021 budget with an associated budget allocation of \$78,927 – 100% LRCIP funded.

In September 2020, nine (9) custom made 7m high solar lights with double outriggers 2.5m wide were purchased at the value of \$79,739.00. One key aspect of the custom design was Council's

preference to try and retain a similar design to the existing mains powered lights on Winfield Street.

The first issue with this project arose in February 2021 when the Solar Lights were delivered to Morawa and the installation methodology was reviewed by the new CEO. The business case had assumed that Shire staff would install the lights on the main street however, this was never feasible. The decommissioning of the existing lights would require electrical skills and qualifications given they are mains powered, the new lights are 7m high and 5m wide which would require a cherry picker and sufficient traffic management and working with heights skills not common in the Shire team, the new lights were also much larger at the base than the existing lights which would require a footing review.

As such it was determined that the Shire staff could not complete the project.

To acquit Phase 1 LRCIP funding the Shire had a solar light installed at the front of the Shire office at a cost of \$7,000, in April 2022.

In October 2022 the Shire through the WALGA eQuotes Electronic Portal sought quotes to have the solar lights installed. The primary deliverables of this project include all works associated with the decommissioning six (6) mains-fed streetlights along Winfield Street and installation of eight (8) solar streetlights at various locations within the townsite.

Two (2) quotes were received, Powerbrite was award the project. Powerbrite has been to site and conducted service locating plus engineering works related to the specifications of the purchased lights and existing footings.

The second major project issue arose as Powerbrite reviewed the design and engineering requirements associated with the project after completing service locating during a site visit.

Since purchasing the solar lights in September 2020, the Shire has been impacted by a Cyclone which has increased its wind category rating. The existing installed solar light would now be non-compliant with the new wind rating, as the footing requirements are increased due to the solar panel acting as a sail during engineering design.

Powerbrite quoted based on the existing engineering design that was supplied with the Solar Lights which specified footings 900mm in Diameter by 800mm Deep, however the new wind rating now requires a minimum of a 1200mm diameter footing. This means none of the existing Winfield Street footings are useable and a larger than quoted excavator would be required to create the necessary footing, this would also be problematic with the existing garden beds and service locations.

In order to make the purchased solar lights work on Winfield Street it would come at a higher than budgeted cost – Budget \$110,000 – Current commitment = \$95,000 – estimated increase \$50,000.

In order to deliver this project in a cost effective and efficient manner, the Shire administration has been reviewing options:

Option A

Continue as planned, implement a budget amendment.

Option B

Utilise the purchased solar light poles but purchase all in one solar lights that reduce the wind drag and footing requirements. An example of an all in one solar light is shown below.

HOME / PRODUCTS / MOSLK-60W



The administration is not in favour of this approach as the purchased poles and outriggers have an old style heritage look to them and the inclusion of all in one solar lights at either end would look out of place as they are inherently a modern looking it.

Option C

Utilise the purchased solar light poles but instead of using solar refine the infrastructure to accommodate mains fed LED lights. The use of LEDs will offer power consumption reductions and will save on decommissioning costs as the existing power and footings can be utilised.

This would lead to the solar panel and battery infrastructure purchased in 2020-2021 becoming redundant.

Option D

Renegotiate the electrical works contract to include new power poles and mains fed LED lights to fit on the existing footings. The administration would seek to retain the Manor Red colouring for the poles and where possible the double outriggers, however the inclusion of banners may be restricted by wind engineering. Essentially the Shire would be replacing the old main street lighting infrastructure with new infrastructure and globe technology to reduce energy consumption. It is anticipated that whilst the cost of the materials may impact on the project budget, savings will be made with the removal of the civil works and decommissioning of power associated with using the purchased solar lights. Initial cost estimates and quotations indicate that the cost of replacing the existing poles with new mains powered poles would be within the current 2022-2023 budget of \$1110,000.

The other benefit of this option is that it leaves the purchased solar infrastructure intact to be utilised in locations around the townsite where no mains fed power exists.

At this stage the administration sees potential uses for these lights at:

- Harris Park
- Newly installed Cemetery Carpark
- Wildflower Park
- Greater Sports Ground Car Park
- Industrial Unit/Gym Carpark
- Solomon Terrace Public Open Space
- Town Hall Car Park

The ability to utilise Solar Power in unlit areas to offer safety and amenity benefits could be an unexpected positive from this process.

Overall, the Shire's street lighting bills are not excessive given the number of streetlights located around town, however utilising more efficient technology represents good practice.

Western Power are moving metro streetlights to LED due to their lighting capabilities and cost reduction benefits.

The administration believes that whilst the project has not progressed as expected over the last 2 years, the proposal presented in option D represents the best use of Shire resources and the already purchased light assets.

LEVEL OF SIGNIFICANCE

Medium – the Shire administration needs a decision of Council to proceed with this project and replace the existing outdated assets.

CONSULTATION

Senior Management Team
Solar Light Supplier
Powerbrite
Works Team

LEGISLATION AND POLICY CONSIDERATIONS

N/A

Strategic Community Plan 2022 - 2032

Be future focused in all we do:

1. Ensure the Shire and its assets are well resourced and sustainable.

FINANCIAL AND RESOURCES IMPLICATIONS

The purchase of nine solar lights at \$80,000 represent a significant purchase for the Shire.

The installation charges associated with installing these lights on Winfield Street would be higher than the cost of purchasing the lights.

It is expected that with a budget amendment in the new financial year the Shire could utilise mains

powered LED lights on Winfield Street and Solar Lighting elsewhere in the Shire. With the existing budget carried forward covering the mains component and new funding allocated for the solar lighting aspect.

RISK MANAGEMENT CONSIDERATIONS

The risk of installing lighting that isn't compliant with new wind ratings risks the lighting becoming a major hazard should another Cyclone hit Morawa.

CONCLUSION

That Council accept the project modification to continue to utilise mains power on Winfield Street and redeploy the solar lights elsewhere around the Morawa townsite.

ATTACHMENTS

Nil

11.1.4 Proposed Outbuilding – Lot 94 (11) Evans Street, Morawa

Author: Planning Officer

Authorising Officer: Executive Manager Corporate & Community Services

Disclosure of Interest: The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

OFFICER'S RECOMMENDATION

That Council resolve to grant development approval for the proposed outbuilding on Lot 94 (11) Evans Street, Morawa subject to the following conditions:

1. Development shall be in accordance with the attached approved plan(s) dated 19 May 2023 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 development shall be consistent or complementary in colour with the existing building to the approval of the local government.
3. The approved outbuilding is only to be used for general storage purposes associated with the predominant use of the land and shall not be used for habitation, commercial or industrial purposes.
4. All stormwater is to be disposed of on-site to the approval of the local government.
5. The use of second-hand materials is not permitted.
6. During construction, access to the site shall be at the location of the vehicle crossover only. No material or vehicles associated with construction shall be allowed on the verge without the prior written approval from the local government.
7. That a building permit is to be obtained for the shed prior to construction.
8. The development/land use is to be located entirely within the property boundary.
9. Any lighting device is to be positioned and shielded as not to cause any direct, reflected, or incidental light to encroach beyond the property boundaries or cause any glare nuisance to any nearby residents or passing motorists.

Advice Notes:

- a. Any additions to or change of use of any part of the building or land (not the subject of this approval) requires further application and development approval.
- b. With regards to Condition No.6 on application for a building permit a detailed design of stormwater collection and disposal system of developed areas is to be supplied.

- c. With regards to Condition No.9 it is recommended that the services of a licensed surveyor be employed to verify the exact boundary position.

Notes:

- i. If the development/land use, the subject of this approval, is not substantially commenced within a period of 2 years after the date of determination, the approval shall lapse and be of no further effect.
- ii. Where an approval has so lapsed, no development shall be carried out without the further approval of the local government having first been sought and obtained.
- iii. 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.

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

The owner of Lot 94 (11) Evans Street, Morawa is seeking approval to construct an additional outbuilding on the subject property.

DETAIL

The subject property incorporates an existing residential house, carport, and outbuilding on a 12,215m² lot. The property owner has informed the local government that the existing shed will be used as a garage and the proposed new shed will be used as a home workshop and storage.

The proposed shed is 12.5m long x 15.0m wide and 5m in height, therefore a proposed floor area of 187.5m². The property owner proposes to locate the shed north of the existing dwelling. Proposed primary street setback of 90.5m and a 20m from the western lot boundary.

The subject land is zoned Urban Development under the Shire of Morawa Town Planning Scheme No 3. The objective of Urban Development is defined as;

“To provide for a range of residential densities to encourage a variety of residential accommodation.”

The site and development requirements for Urban Development is defined as;

- a. *“Prior to subdivision or development within the Urban Development zone, approval of a structure plan may be required to demonstrate the acceptability of the proposed number and layout of lots, land use capability, bushfire hazard level assessment and/or any other matters addressed by a structure plan.”*
- b. *“The local government can approve development without the requirement of a structure plan where it is satisfied that development will not impact the future development or subdivision of the land.”*

In this instance, no structure plan is required as the proposed outbuilding is not considered to impact the future development or subdivision of land.

Clause 5.4.3 of the Residential Design Codes permits a 60m² outbuilding with 2.4m wall height to be erected in a residential zone without the requirement for planning approval. Sheds greater than this size or height require Council planning approval.

LEVEL OF SIGNIFICANCE

Low

CONSULTATION

Nil

LEGISLATION AND POLICY CONSIDERATIONS

State Planning Policy – 7.3 Residential Design Codes

FINANCIAL AND RESOURCES IMPLICATIONS

Nil

RISK MANAGEMENT CONSIDERATIONS

Nil

CONCLUSION

That council grant development approval for the proposed outbuilding.

ATTACHMENTS

Attachment 1 – 11.1.4a Application

Attachment 2 – 11.1.4b Site Plan

Attachment 3 – 11.1.4c Floor Plan and Elevations

11.1.5 CBH Permanent Upgrades Application, Morawa

Author: Planning Officer

Authorising Officer: Executive Manager Corporate & Community Services

Disclosure of Interest: The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

OFFICER'S RECOMMENDATION

That Council approve the application for grain receipt and storage facility upon Lot 51 Burton Road, Morawa subject to the following conditions:

1. Development shall be in accordance with the attached approved plan(s) dated 10 May 2023 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. Any additions to or change of use of any part of the building or land (not the subject of this consent/approval) requires further application and planning approval for that use/addition.
3. The applicant is to ensure that the location, design, and ongoing maintenance of the access point for the development site into the road network shall be at the approval of local government.
4. The repairing of any damage to the road network in connection with the development, to the approval of the local government, and Main Roads WA where relevant, with all cost met by the applicant, as per section 132 of the Road Traffic (Administration) Act 2008.
5. The installation of any directional/traffic/advanced warning/safety signage related to the development shall be to the approval of local government, and Main Roads WA where relevant, with all cost met by the applicant.
6. All parking of vehicles associated with the development shall be provided for within the property boundary.
7. Vehicle movements and access points relating to the development shall be to the approval of the local government, and Main Roads WA where relevant.
8. Adequate notification and protection must be given to adjoining properties and buildings where compaction/vibrating equipment is to be used.
9. The applicant is to implement and maintain reporting mechanism for complaints concerning the operation of the development. In the event of a substantiated complaint being received the applicant is required to demonstrate mitigation response(s) to the approval of local government.

10. Measures must be taken to suppress dust, noise odour or other emissions during construction to prevent nuisance to surrounding neighbours in accordance with the Health (Miscellaneous Provisions) Act 1911 and the Public Health Act 2016.
11. The use of second-hand materials is not permitted.
12. Any lighting device is to be positioned and shielded as not to cause any direct, reflected, or incidental light to encroach beyond the property boundaries or cause any glare nuisance to any nearby residents or passing motorists.
13. The access road shall be sealed from the edge of the Wubin – Mullewa Road. Main Roads requires that the Burton Road intersection is sealed to accommodate all RAV 7 swept path movements and for the first 50m of Burton Road to ensure the safer operation of Burton Road and its intersection with the Wubin – Mullewa Road. All cost associated with these works will be attributed to the applicant and all works must be approved by the local government and Main Roads as the road owners.
14. Complete sealing of Burton Road in line with Australian Standards. CEO or delegate accepting scope of works and providing practical completion sign off, with the cost met by the applicant.
15. No earthworks, fencing or private works associated with the proposal shall be located within the Wubin – Mullewa Road reserve.
16. No stormwater drainage is to be discharged onto the Wubin - Mullewa Road reserve and must be disposed of on-site to the approval of the local government.
17. No works are permitted within the Wubin Mullewa Road reserve, unless Main Roads has approved a relevant application to undertake works within the road reserve.
18. No waste collection is permitted from the Wubin – Mullewa Road or widened road reservation.

Advice Notes:

- a. Any additions to or change of use of any part of the building or land (not the subject of this approval) requires further application and development approval.
- b. The applicant is required to submit an application form to undertake works within the road reserve prior to undertaking any works within the road reserve. Application forms and supporting information about the procedure can be found on the Main Roads website > Technical & Commercial > Working on Roads.
- c. Main Roads recommends the sealing of the two driveways to the CBH office and fuel bowsers to improve safety and better delineate public access points as part of the upgrade works at the Morawa grain receival and storage site.

Notes:

- i. If the development, the subject of this approval, is not substantially commenced within a period of three months after the date of determination, the approval shall lapse and be of no further effect.

- ii. Where an approval has so lapsed, no development shall be carried out without the further approval of the local government having first been sought and obtained.
- iii. 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.

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

This report recommends that a planning application submitted by Cooperative Bulk Handling Limited (CBH) (Landowner) for permanent development approval to existing development approvals including various associated improvements to support the ongoing operation of the existing grain handling and storage facility in the Morawa townsite be approved subject to conditions.

DETAIL

CBH is seeking an amendment to three existing development approvals from the Shire of Morawa seeking permanent development approval for three bulkheads at its existing grain handling and storage facility located at Lot 51 Burton Road, Morawa.

Lot 51 Burton Road, Morawa is in the southern part of the Morawa townsite, comprising a total area of approximately 31.5 hectares, adjoining existing land is CBH's existing grain handling and storage facilities, broadacre agriculture and residential. The subject property is zoned 'Rural' under Town Planning Scheme No.3.



Location & Lot Configuration (Source: Landgate)

Background

CBH Group has a strategic objective to receive an average crop of 22M tonnes network wide by 2033. To achieve this objective, a commensurate amount of investment into the expansion and enhancement of network strategy sites will be required.

The Shire issued development approval for TBH03 on 09 August 2021 under planning application TP03/21, TBH04 on 14 September 2021 under planning application TP04/21 and TBH05 on 23 November 2021 under planning application TP05/21. Each approval was limited to a period of 12 months from the date of each determination. This was extended by the Shire on 01 July 2022 until 14 September 2023. TBH03 & TBH04 are proposed to be sealed as part of this application whilst TBH05 will remain as constructed and will only be used as a last option when site capacity is reached. It is therefore requested that permanent approval be issued for these three bulkheads as part of this application.

Further, as part of this project, CBH will also install a new sample platform. Investment into Morawa's MSW infrastructure will enable the continued use of Morawa, improve safety on site by reducing traffic congestion and potentially reducing cycle time.

In recent years, Morawa has been subject to several changes in how it manages site traffic flow in response to ongoing feedback. In response to this feedback, this application seeks to seal the marshall, sample and weigh (MSW) infrastructure in the rural zone lot south of Burton Road as well as to reseal Burton Road. These sealing works seek to minimise dust emissions that may be blown into town.

Proposal

This application proposes the following elements:

- Seal the existing temporary MSW internal site roadways;
- Seal Burton Road from Mullewa-Wubin Road through to Powell Street;
- Seal TBH03, TBH04 and TBH05;
- Permanent approval for the use of TBH03, TBH04 and TBH05;
- Installation of the Type-9 sample hut;
- Associated drainage works to retain a 20-year ARI event; and
- Reinstate and install any necessary power and communications infrastructure.

Standard considerations for a development application of this type are traffic generation and stormwater management. It is proposed that stormwater will be retained onsite in the existing drain and a Stormwater Management Plan has been included as an attachment to this report supporting this strategy. A Traffic Impact Assessment has been included as an attachment to this application and is summarised below.

Traffic Management

CBH are requesting permanent development for TBH03, TBH04 and TBH05 to increase site capacity so that more grain can be stored through harvest and inefficient out-loading movements and disruptions within the harvest period are avoided. Without these bulkheads, during harvest once site capacity is reached, out-loading movements may be required to restore capacity to Morawa by transporting grain to alternate sites. This will involve shifting the grain from Morawa to the next available site with storage capacity. This double handling adds additional traffic to the

surrounding road network. Noting that CBH outloads from Morawa by rail the more storage the site has means that these inefficient out-loading movements are eliminated.

To accommodate this increase in traffic movements, the Traffic Impact Assessment has reviewed the impact on the surrounding road network and has concluded the following:

- The estimated traffic generation can be accommodated within the capacity of the adjacent road network.
- The additional traffic generated by the site is not considered to increase the likelihood of crashes to unacceptable levels.
- The sealed/carriageway widths of the surrounding road network are equal to or above the minimum road width for their relative RAV categories.
- Existing sight distances at the intersections are considered satisfactory.
- Existing intersection geometry is adequate for the existing RAV approvals and no further widening required.
- The warranted turning treatments at the Burton Road intersection are already in place and no further improvements required.
- CBH have indicated that there will be no train services during the Harvest hauling period which will eliminate the issue with the rail stacking distance and sight distance.
- It is recommended that Burton Road be closed to the public during the harvest period to reduce the potential for conflict between haulage and public vehicles.

A full copy of the development application submitted, including supporting documentation and plans, is provided in the **Attachments**.

Council's stated objectives for the development and use of any land classified 'Rural' zone are as follows:

- *To provide for the maintenance or enhancement of specific local rural character.*
- *To protect broad acre agricultural activities such as cropping and grazing and intensive uses such as horticulture as primary uses, with other rural pursuits and rural industries as secondary uses in circumstances where they demonstrate compatibility with the primary use.*
- *To maintain and enhance the environmental qualities of the landscape, vegetation, soils, and water bodies, to protect sensitive areas especially the natural valley and watercourse systems from damage.*
- *To provide for the operation and development of existing, future, and potential rural land uses by limiting the introduction of sensitive land uses in the Rural zone.*
- *To provide for a range of non-rural land uses where they have demonstrated benefit and are compatible with surrounding rural uses.*

Under the terms of LPS3 the development of a grain receival and storage facility is considered to meet the definition of 'Industry-Primary Production' which is defined in the Scheme as follows;

means premises used —

- (a) to carry out a primary production business as that term is defined in the Income Tax Assessment Act 1997 (Commonwealth) section 995-1; or
- (b) for a workshop servicing plant or equipment used in primary production businesses.

The application was advertised for public comment for a period of fourteen (14) days in accordance with *Schedule 2 Part 8 Clause 64 & 66 of the Planning and Development (local Planning Schemes) Regulations 2015*. Which included public display of the application at the Shire's administration centre, and on the Shire's website. At the conclusion of public advertising no submission had been received.

LEVEL OF SIGNIFICANCE

High significance

CONSULTATION

CEO

LEGISLATION AND POLICY CONSIDERATIONS

- Planning and Development Act 2005 (as amended)
- Planning and Development (Local Planning Schemes) Regulations 2015 (as amended)
- Shire of Morawa Local Planning Scheme No.3

Strategic Community Plan 2022 - 2032

Be future focused in all we do:

1. Ensure the Shire and its assets are well resourced and sustainable.

FINANCIAL AND RESOURCES IMPLICATIONS

Nil immediate financial implications for the Shire aside from the administrative costs associated with processing the application which are provided for in Council's annual budget and will be offset by the development application fee paid by the applicant. All costs associated with the proposed development will be met by the applicant/landowner.

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

RISK MANAGEMENT CONSIDERATIONS

There are no known risk management implications in relation to this item.

CONCLUSION

That Council approve the application for a grain receival and storage facility upon Lot 51 Burton Road, Morawa.

ATTACHMENTS

- Attachment 1 – 11.1.5a Application for Development Approval*
- Attachment 2 – 11.1.5b Delegated Authority to Lodge Development Applications*
- Attachment 3 – 11.1.5c Certificate of Title 2754-547 Lot 51 On Deposited Plan 51704*
- Attachment 4 – 11.1.5d Proposed Industry-Rural Land Use on Lot 51 On Deposited Plan 51704*
- Attachment 5 – 11.1.5e Proposed Site Plan – Morawa*
- Attachment 6 – 11.1.5f Sample Hut Elevation Plan - Morawa*
- Attachment 7 – 11.1.5g Standard Elevation Drawings – Morawa*
- Attachment 8 – 11.1.5h Stormwater Management Plan - Morawa*
- Attachment 9 – 11.1.5i Traffic Impact Assessment - Morawa*
- Attachment 10 – 11.1.5j General Arrangement, Earthworks & Drainage Plan – Morawa*
- Attachment 11 – 11.1.5k Main Roads Response re CBH Permanent Bulkheads Application*

11.2 Executive Manager Corporate & Community Services

11.2.1 Statement of Financial Activity – May 2023

Author: Corporate & Community Services Officer

Authorising Officer: Executive Manager Corporate & Community Services

Disclosure of Interest: The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

OFFICER'S RECOMMENDATION

That Council receive:

1. the Statement of Financial Activity for the period ending 31 May 2023.
2. the Bank Reconciliation Report for period ending 31 May 2023.
3. the attached List of Payments for the period ending 31 May 2023.
4. with respect to the Chief Executive Officer authorisations and reporting to Council;
 - 4.1. Reimbursement applications made by the Chief Executive Officer for the period ending 31 May 2023

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

The Statement of Financial Activity is prepared to provide Council with a comprehensive report on the financial position on a monthly basis.

The Statement of Financial Activity Report will include the Monthly Financial Report, Bank Reconciliation Report and the List of Payments made.

DETAIL

In accordance with the provisions of Section 6.4 of the *Local Government Act 1995* and Regulation 34(1) of the *Local Government (Financial Management) Regulations 1996*, a local government is to prepare each month a Statement of Financial Activity (**Attachment 1**) reporting on the revenue and expenditure as set out in the Annual Budget each month.

Under the regulations the report must include the following items,

- Annual Budget estimates
- Budget estimates to the end of the month to which the statement relates,
- Actual amounts of expenditure, revenue, and income.
- Material variances between budget and actual
- Net current assets
- The report is to be accompanied by documents containing an explanation of the net current assets, material variances and other relevant supporting documentation.

As part of the monthly report a bank reconciliation report will be completed and included as **Attachment 2**. The summary of the report for 31 May is as follows:

Account	Balance
Municipal Account	787,465.56
Municipal Online Account	541,110.73
Trust Account	8,773.40
Reserve Account	3,930,935.34
Term Deposits (Reserves)	2,100,000.00
Total Cash & Investments	\$7,368,285.03

Pursuant to Section 5.42 of the *Local Government Act 1995*, Council has resolved to delegate to the Chief Executive Officer the authority to make payments from the municipal and trust funds.

As a result of this delegation there is a requirement under the *Local Government (Financial Management) Regulations 1996* – Reg 13(3) for a list of payments to be prepared and presented to Council.

The list of accounts paid for the period 1 May 2023 to 31 May 2023 is presented as an attachment to this report (**Attachment 3**) and is summarised in the table below.

Bank	Payment Description	Amount
Municipal	Electronic Funds Transfers (EFT)	728,885.57
Municipal	Cheques No: 12047	39,327.11
Municipal	Direct Debit Transactions	86,213.86
Municipal	Bank Transfers / Payroll / Other Payments	140,473.41
Municipal	Corporate Credit Cards	3,460.05
Trust	Electronic Funds Transfers (EFT)	0.00
	TOTAL	\$998,360.00

Reimbursement Applications

There have been \$0 of reimbursements claimed and 2 days of leave taken by the Chief Executive Officer during the month of May.

LEVEL OF SIGNIFICANCE

Low significance - report is presented to Council for information purposes only.

CONSULTATION

Chief Executive Officer
Executive Manager Corporate & Community Services

OFFICER'S COMMENTS

The month of May had significant changes in the Bank reconciliation activities with a transfer of \$500,000 from the online Municipal account to the Municipal account due to a low balance resulting from delayed grant income. There was \$300,000 transferred from the reserve account to facilitate the yearly plant purchasing activities, one of which is a grader included in this month's

list of payments. The shire received the final allocation of the federal assistance grants and is due to receive the final instalment of the Rural Roads grants in June.

The spending in May compared to the previous month has decreased by 5 percent however cheque payments have increased significantly. This is due to the water billing cycle falling into the may period. Electronic Funds Transfers (EFT) and Bank transfer payments have decreased by 10 and 15 percent with corporate credit card expenditure dropping by 26 percent.

LEGISLATION AND POLICY CONSIDERATIONS

Section 5.42 *Local Government Act 1995* Delegation of some powers and duties to the CEO.

Section 2.7 of the *Local Government Act 1995* states:

Role of council

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

Local Government (Financial Management) Regulations 1996

Regulations 34(1)

- (1) A local Government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d) for each month.

Regulation 13

- (1) If the local government has delegated authority to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month.

- (3) A list prepared under sub regulation (1) or (2) is to be —
 - (a) presented to the council at the next ordinary meeting of the council after the list is prepared; and
 - (b) recorded in the minutes of that meeting

Procurement Policy

Use of Corporate Credit Card Policy

CEO Leave Authorisations and Other Approvals Policy

Strategic Community Plan 2023 - 2032

Be future focused in all we do:

1. Ensure the Shire and its assets are well resourced and sustainable.

FINANCIAL AND RESOURCES IMPLICATIONS

As presented.

RISK MANAGEMENT CONSIDERATIONS

The risks identified as part of this report being inaccurate information is mitigated by Council receiving financial statements on a monthly basis and in the form that is in accordance with the Local Government Act 1995 and associated regulations in the format called Statutory Reporting and is considered Low Risk.

CONCLUSION

Council is requested to receive the attached Statement of Financial Activity, the Bank Reconciliation report, the list of accounts paid by the Chief Executive Officer and the list of any work-related expenses/reimbursements submitted by the Chief Executive Officer.

ATTACHMENTS

Attachment 1 – 11.2.1a Monthly Financial Report for the period ending 31 May 2023.

Attachment 2 – 11.2.1b Bank Reconciliation for the period ending 31 May 2023.

Attachment 3 – 11.2.1c List of Accounts Paid for the period ending 31 May 2023.

Item 12 Reports from Committees

Item 13 Motions of Which Previous Notice Has Been Given

Item 14 New Business of an Urgent Nature

Item 15 Matters for Which the Meeting May Be Closed (Confidential Items)

Item 16 Closure

16.1 Date of Next Meeting

The next ordinary meeting of Council will be held in on Thursday, 20 July 2023 commencing at 5.30pm.

16.2 Closure

There being no further business, the President to declare the meeting closed.