



Shire of Wongan-Ballidu



UNCONFIRMED MINUTES

ORDINARY MEETING OF COUNCIL

WEDNESDAY, 16 DECEMBER 2020



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SHIRE OF WONGAN-BALLIDU

The Ordinary Council Minutes of Meeting held on Wednesday, 16 December 2020 commencing at 3.00pm.

Item 1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Shire President opened the Meeting at 3.03pm.

Cr Jon Hasson welcomed Councillors and Staff to the Meeting and welcomed Visitors Mr Michael Coughlan and Mrs Kathleen Wallington.

Item 2. ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE PREVIOUSLY GRANTED

Attendance

Councillors

Cr J Hasson	Shire President
Cr B West	Deputy Shire President
Cr S Boekeman	
Cr S Falconer	
Cr E Ganzer	
Cr M Stephenson	
Cr Andrew Tunstill	

Council Officers

Mr S Taylor	Chief Executive Officer
Mr A Hart	Deputy Chief Executive Officer
Mr K Mickle	Manager Works & Services
Mrs A Wigmore	Manager Community Services
Ms M Marcon	Building Services Coordinator
Ms M Lee-Curtis	Personal Assistant to the Chief Executive Officer (Minutes)

Apologies

Nil.

Leave of Absence Previously Granted

Nil.

Visitors

Mrs Kathleen Wallington
Mr Michael Coughlan

Item 3. PUBLIC QUESTION TIME

Mrs Kathleen Wallington
17 Johnston Street
Wongan Hills

Question: The disabled toilet at the Lesser Hall is too low and the rail attached to the wall to assist getting on and off the toilet is fitted at the wrong angle. Could the Shire please attend to rectifying these problems.

The Shire President thanked Mrs Wallington for her question and requested the CEO respond. The CEO advised that the Shire will review the facility and ensure that it complies with the relevant Standards.

Mrs Wallington departed the Meeting at 3.11pm.

Item 4. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

Nil.

Item 5. DEPUTATIONS / PRESENTATIONS / SUBMISSIONS / PETITIONS

Mr Michael Coughlan, Coordinator of FIRST (For Inspiration and Recognition of Science and Technology) Lego League Challenge informed Council of the outcome of the Wongan District High School's involvement in the initiative, being one of 7 schools competing in the Challenge, and provided a brief history of how the program came about to culminate in students and teachers from around the world participating. Mr Coughlan reported an improvement in the students STEM discipline skills, and increased student confidence, autonomy, resilience and teamwork.

Mr Coughlan thanked the Shire Councillors for their support and requested Council's future involvement in providing dedicated spaces for the students to fulfil an aspect of the Challenge which includes community participation.

Council discussed the open grassed areas that could be suitable, including Fenton Place, the area between the road reserve and the CRC/Tourist Information Centre car park, and the Swimming Pool.

Mr Coughlan departed the Meeting at 3.26pm.

Item 6. APPLICATION/S FOR LEAVE OF ABSENCE

Item 7. CONFIRMATION OF MINUTES

7.1 CONFIRMATION OF THE MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON WEDNESDAY, 25 NOVEMBER 2020:

MOTION MOVED: Cr West

SECONDED: Cr Boekeman

That the Minutes of the Ordinary Meeting of Council held on Wednesday, 25 November 2020 be confirmed as a true and correct record of the proceedings.

**CARRIED 7/0
RESOLUTION 011220**

Item 8. MATTERS FOR WHICH MEETING MAY BE CLOSED

Nil.

Item 9. REPORTS OF OFFICERS AND COMMITTEES

9.1 GOVERNANCE

9.1.1 COUNCIL MEETING DATES FOR 2021

FILE REFERENCE:	A1.2
REPORT DATE:	7 December 2020
APPLICANT/PROPONENT:	Stuart Taylor – Chief Executive Officer
OFFICER DISCLOSURE OF INTEREST	Nil
PREVIOUS MEETING REFERENCES:	Nil
AUTHOR:	Meredith Lee-Curtis - Personal Assistant
ATTACHMENTS:	Nil

Cr Ganzer advised that the September Meeting date coincides with a long weekend, Monday, 27 September 2021 being a Public Holiday (Queens Birthday Weekend) and recommended that the Meeting date be changed to Friday, 17 September 2021.

PURPOSE OF REPORT:

That Council adopts the 2021 Meeting dates and give local public notice in accordance with Section 1.7 of the *Local Government Act 1995*.

BACKGROUND:

At least once per year Council is required to advertise the dates, times and place for its ordinary and committee meetings for the next twelve months.

COMMENT:

The proposed dates for Council's Ordinary Meetings are the fourth Wednesday of each month, with the exception of:

- January, when Council is in recess;
- August, when the meeting would fall on the Wednesday or Thursday of the Dowerin Field Days;
- September, when the meeting is held on a Friday in Cadoux; and
- December, when the meeting would fall on 25 December.

It is proposed that the Council Meetings will commence at 3:00pm with afternoon tea being taken between 4.00pm and 4.15pm followed by the informal briefing session.

A Special Meeting is listed on 7 July 2021, for the adoption of the Budget.

Council's Audit and Review Committee will meet on an ad hoc basis and to meet its legislative requirements.

POLICY REQUIREMENTS:

There are no known policy requirements in relation to this item.

LEGISLATIVE REQUIREMENTS:

Regulation 12 of the Local Government (Administration) Regulations 1996 requires the public notice of Council and committee meetings.

STRATEGIC IMPLICATIONS:

There are no known strategic requirements in relation to this item.

SUSTAINABILITY IMPLICATIONS:

- **Environment**
There are no known environmental implications associated with this item.
- **Economic**
There are no known economic implications associated with this proposal.
- **Social**
There are no known social implications associated with this item.

FINANCIAL IMPLICATIONS:

There are no known financial implications in relation to this item.

VOTING REQUIREMENTS:

ABSOLUTE MAJORITY REQUIRED: No

MOTION MOVED: Cr Falconer

SECONDED: Cr Boekeman

That Council ADOPTS the following meeting dates for 2021, and gives local public notice in accordance with Section 1.7 of the *Local Government Act 1995*:

DAY	DATE	TIME	MEETING	VENUE
Wednesday	24 February 2021	3.00pm	Ordinary	Council Chambers, Wongan Hills
Wednesday	24 March 2021	3.00pm	Ordinary	Council Chambers, Wongan Hills
Wednesday	28 April 2021	3.00pm	Ordinary	Council Chambers, Wongan Hills
Wednesday	26 May 2021	3.00pm	Ordinary	Council Chambers, Wongan Hills
Wednesday	23 June 2021	3.00pm	Ordinary	Council Chambers, Wongan Hills
Wednesday	7 July 2021	3.00pm	Special Budget Meeting	Council Chambers, Wongan Hills
Wednesday	28 July 2021	3.00pm	Ordinary	Council Chambers, Wongan Hills
Tuesday	24 August 2021	3.00pm	Ordinary	Council Chambers, Wongan Hills
Friday	17 September 2021	3.00pm	Ordinary	Cadoux Recreation Centre, Cadoux
Wednesday	27 October 2021	3.00pm	Ordinary	Council Chambers, Wongan Hills
Wednesday	24 November 2021	3.00pm	Ordinary	Council Chambers, Wongan Hills
Wednesday	15 December 2021	3.00pm	Ordinary	Council Chambers, Wongan Hills

**CARRIED 7/0
RESOLUTION 021220**

9.2 ADMINISTRATION & FINANCIAL SERVICES

9.2.1 ACCOUNTS SUBMITTED FOR NOVEMBER 2020

FILE REFERENCE:	F1.4
REPORT DATE:	10 December 2020
APPLICANT/PROPONENT:	N/A
OFFICER DISCLOSURE OF INTEREST:	Nil
PREVIOUS MEETING REFERENCES:	Nil
AUTHOR:	Alan Hart, Deputy Chief Executive Officer
ATTACHMENTS:	Accounts November 2020

PURPOSE OF REPORT:

That the accounts as submitted be received.

BACKGROUND:

This information is provided to the Council on a monthly basis in accordance with provisions of the *Local Government Act 1995* and Local Government (Financial Management) Regulations 1996.

COMMENT:

Refer to attachment.

POLICY REQUIREMENTS:

There are no known policy requirements related to this item.

LEGISLATIVE REQUIREMENTS:

Local Government (Financial Management) Regulations 1996 Sections 12 & 13 require the attached reports to be presented to Council.

Lists of Accounts

Section 6.10 of the *Local Government Act 1995* regulation 12 of the Financial Management Regulations (FMR's) requires a list of accounts paid for the month, and where the Council has delegated the payment of these accounts to the CEO under regulation 13 there must be a list of accounts paid, and the listing shall disclose the following:

- The payee's name
- The amount of the payment
- The date of the payment
- The fund from which it is paid; and
- Sufficient information to identify the transaction.

STRATEGIC IMPLICATIONS:

There are no strategic implications in relation to this item.

SUSTAINABILITY IMPLICATIONS:

- **Environment**
There are no known environmental impacts associated with this proposal.
- **Economic**

There are no known economic impacts associated with this proposal.

➤ **Social**

There are no known social implications associated with this proposal.

FINANCIAL IMPLICATIONS:

All payments are within the confines of Councils adopted budget. There have been no other material outstanding creditors since the cheques were prepared.

VOTING REQUIREMENTS:

ABSOLUTE MAJORITY REQUIRED: No

MOTION MOVED: Cr Ganzer

SECONDED: Cr Tunstill

That the accounts submitted from 1 to 30 November 2020 totalling \$841,844.42 having been checked and certified in accordance with the requirements of the Financial Management Regulations 12 be received, as shown on the summary of accounts paid schedule and the payroll EFT batches.

**CARRIED 7/0
RESOLUTION 031220**

9.2.2 FINANCIAL REPORTS FOR NOVEMBER 2020

FILE REFERENCE:	F1.4
REPORT DATE:	10 December 2020
APPLICANT/PROPONENT:	N/A
OFFICER DISCLOSURE OF INTEREST:	Nil
PREVIOUS MEETING REFERENCES:	Nil
AUTHOR:	Alan Hart, Deputy Chief Executive Officer
ATTACHMENTS:	Financial Reports

PURPOSE OF REPORT:

That the following statements and reports for the month ended November 2020 be received:

BACKGROUND:

Under the Local Government (Financial Management) Regulations 1996 ('FMR') the Council is to prepare financial reports outlining the financial operations at the previous month end date.

Listed below is a compilation of the reports that will meet compliance, these are listed under Sections and the relevant regulations below.

Financial Activity Statement Report

Section 6.4 of the *Local Government Act 1995* regulation 34.1 of the FMR requires a local government to prepare each month a statement of financial activity reporting on the sources and application of funds, as set out in the annual budget containing the following detail:

- Annual budget estimates;
- Budget estimates to the end of the month to which the statement relates (known as YTD Budget);
- Actual amounts of expenditure, revenue and income to the end of the month to which the statement relates (known as YTD Actuals);
- Material variances between the comparatives of Budget v's Actuals; and
- The net current assets (NCA) at the end of the month to which the statement relates.

Regulation 34.2 - Each statement of financial activity must be accompanied by documents containing:

- An explanation of the composition of the net current assets of the month to which it relates, less committed assets and restricted assets containing the following detail:
 - An explanation of each of the material variances; and
 - Such other supporting information as is considered relevant by the local government.

Regulation 34.3 - The information in a statement of financial activity may be shown:

- According to nature and type classification;
- By program; or
- By business unit.

Each financial year a local government is to adopt a % value, calculation in accordance with AAS5, to be used in reporting material variances.

COMMENT:

Refer to attachment.

POLICY REQUIREMENTS:

Council Policy 4.8 - Monthly Financial Reporting Requirements.

LEGISLATIVE REQUIREMENTS:

- *Local Government Act 1995*
- Local Government (Financial Management) Regulations 1996

STRATEGIC IMPLICATIONS:

There are no Strategic Implications relating to this item.

SUSTAINABILITY IMPLICATIONS:

- **Environment**
There are no known environmental impacts associated with this proposal.
- **Economic**
There are no known economic impacts associated with this proposal.
- **Social**
There are no known social implications associated with this proposal.

FINANCIAL IMPLICATIONS:

The financial reports for the period ending November 2020 are attached to the Council Agenda.

VOTING REQUIREMENTS:

ABSOLUTE MAJORITY REQUIRED: No

MOTION MOVED: Cr Boekeman

SECONDED: Cr Ganzer

That the following Statements and Reports for the month ended November 2020 be received:

• Monthly Statements as follows:-

- | | | |
|----|--|----------------------|
| a) | Statement of Financial Activity (by Nature and Type) | FM Regs 34 |
| b) | Statement of Operating Activities by Programme/Activity (Summary) | FM Regs 34 |
| c) | Statement of Net Current Assets (NCA) | FM Regs 34 |
| d) | Rate setting statement | Discretionary |
| e) | Disposal of Assets | Discretionary |
| f) | Rates Outstanding Report | Discretionary |
| g) | Debtors Outstanding Report | Discretionary |
| h) | Bank Reconciliation Report | Discretionary |
| i) | Investment Report | Discretionary |
| j) | Reserve Account Balances Report | Discretionary |
| k) | Loans Schedule | Discretionary |

**CARRIED 7/0
RESOLUTION 041220**

9.3 WORKS AND SERVICES

9.3.1 RAV 7-REQUEST LGA SUPPORT

FILE REFERENCE:	T6.2
REPORT DATE:	9 December 2020
APPLICANT/PROPONENT:	Shire of Wongan-Ballidu
OFFICER DISCLOSURE OF INTEREST:	Nil
PREVIOUS MEETING REFERENCES:	Nil
AUTHOR:	Karl Mickle – Manager of Works & Services
ATTACHMENTS:	Nil.

PURPOSE OF REPORT:

The purpose of this report is to present to Council a request from Heavy Vehicle Services (HVS) to assess and provide HVS with any comments relating to road condition, planning conflicts, development issues etc., that may be impacted by including the listed roads onto the RAV 7.3 network.

Manmanning Road from Northam-Pithara Road to Carter Street, Carter Street from Manmanning Road to Jenson Street, Jenson Street from Manmanning to Cemetery Road.

BACKGROUND:

An application was submitted to Main Roads Western Australia (HVS) by Rycor Nominees, trading as Overland Freight, requesting RAV network changes to the following roads:

Road No.	Road Name	From Location (SLK)	To Location (SLK)	Current Network	Requested Network
5180006	Manmanning Rd	Northam Pithara Rd (0.00)	Carter St (0.73)	RAV 6, N4.3	RAV 7, N7.3
5180179	Carter St	Manmanning Rd (0.00)	Jensen St (0.18)	Nil	RAV 7, N7.3
5180180	Jensen St	Manmanning Rd (0.00)	Cemetery Rd (0.68)	RAV 4, N4.3	RAV 7, N7.3

COMMENT:

Manmanning Road and Carter Road are currently a RAV 6. The most significant changes from category RAV 6 to RAV 7 is the overall mass weight of the truck and the additional axle.

A RAV 6 network allows a total mass weight of 87.5tonnes, with the concessional loading and additional axle this will increase the total mass weight to 107.5 tonnes.

The RAV 6 route allows heavy vehicle combinations up to 27.5m in total length, this will not change with this combination.

Jensen Road is currently not RAV rated. The request on this application is for 523 meters of Janson Street from Cemetery Road, because of a tight right-hand corner at Dsatco Mulch that is not suitable for this application.

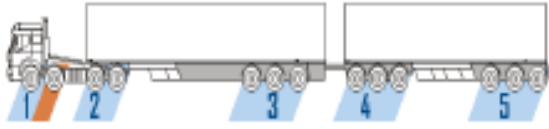
Cemetery Road is currently rated a RAV 4.

These roads listed are all roads into the Shire's industrial area, which we are currently in the process of upgrading for safer access.

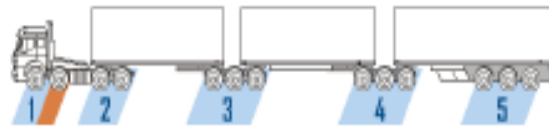
Department of Main Roads combinations and network levels are:

RAV 6

(A) PRIME MOVER, SEMI TRAILER TOWING 6 AXLE DOG
>27.5m, ≤36.5m



(B) B-TRIPLE >27.5m, ≤36.5m

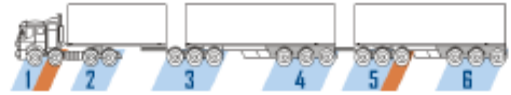


RAV 7

(A) PRIME MOVER, TOWING SEMI TRAILER AND B DOUBLE >27.5m, ≤36.5m



(B) B-DOUBLE TOWING A DOG TRAILER >27.5m, ≤36.5m



(A) TRUCK TOWING 2X 5 OR 6 AXLE DOG TRAILERS >27.5m, ≤36.5m



If Council does not want a higher Network level on particular roads for any reasons, then they have the option to not support the application. This consultation process precedes the onsite assessment process by HVS staff members, who determine whether the road is suitable for the higher Network level. This assessment process either shows the road as suitable for the higher Network level or highlights those blackspots and deficiencies that are restricting the higher levels to be achieved.

POLICY REQUIREMENTS:

The “Heavy Vehicle” Policy 10.4 outlines Council’s expectations for the use of heavy vehicles within the Shire.

LEGISLATIVE REQUIREMENTS:

The Road Traffic Act 1974, Road Traffic Code 2000, Road Traffic (Vehicle Standards) Regulations 2002 and MRWA Regulations and Policies control the use of heavy vehicles throughout the State.

STRATEGIC IMPLICATIONS:

Liaising with the State Government vehicle configurations is in line with Council’s strategic direction on Infrastructure (work with State Government to ensure improvement and integration of our local and state road network and public transport systems).

SUSTAINABILITY IMPLICATIONS:

- **Environment**
There are no significant environmental implications.

- **Economic**
There are no significant economic implications.

- **Social**
There are no significant social implications.

FINANCIAL IMPLICATIONS:

There are no immediate financial implications, however a change in RAV Network Rating for all or part of the road has the potential to reduce the life of the road and increase the maintenance requirements of the road.

RISK IMPLICATIONS:

Any amendment to RAV Network Ratings can potentially reduce the life of the road and increase the maintenance requirements of the road, therefore impacting on the Shire of Wongan-Ballidu Asset Management Plan and Long-Term Financial Plan.

VOTING REQUIREMENTS:

ABSOLUTE MAJORITY REQUIRED: No

MOTION MOVED: Cr West SECONDED: Cr Boekeman

That Council SUPPORTS the request from HVS to include the roads listed in the table below onto the RAV 7.3 network, with the exception of the portion of Jenson Street from Manmanning Road for 523 metres: -

Road No.	Road Name	From Location (SLK)	To Location (SLK)	Current Network	Requested Network
5180006	Manmanning Rd	Northam Pithara Rd (0.00)	Carter St (0.73)	RAV 6, N4.3	RAV 7, N7.3
5180179	Carter St	Manmanning Rd (0.00)	Jensen St (0.18)	Nil	RAV 7, N7.3
5180180	Jensen St	Manmanning Rd (0.00)	Cemetery Rd (0.68)	RAV 4, N4.3	RAV 7, N7.3

**CARRIED 7/0
RESOLUTION 051220**

9.4 HEALTH, BUILDING AND PLANNING

9.4.1 APPLICATION FOR DEVELOPMENT APPROVAL – P493 ON LOT 2 JENSEN ST AND LOT 7 NINGHAN ROAD, WONGAN HILLS

FILE REFERENCE:	A1568/A1574/P493
REPORT DATE:	10 December 2020
APPLICANT/PROPONENT:	Nutrien Ag Solutions Limited
OFFICER DISCLOSURE OF INTEREST:	Nil
PREVIOUS MEETING REFERENCES:	Nil
AUTHOR:	Melissa Marcon – Building Services Coordinator
ATTACHMENTS:	Nil

PURPOSE OF REPORT:

Consideration and final determination of an Application for Development Approval for installation, construction and use of outbuildings and associated works as outlined below on Lot 2 Jensen Street and Lot 7 Ninghan Road, Wongan Hills.

BACKGROUND:

The applicant is seeking Council's development approval for the following additions to existing buildings on Lot 2 Jensen Street and Lot 7 Ninghan Road, Wongan Hills:

- Construction of a new 390m² steel framed and Colourbond clad warehouse/storage shed on Lot 2;
- Construction of a new 496m² steel framed and Colourbond clad chemical storage shed on Lot 2;
- The installation of suitable capacity bunding and dry sumps within both new sheds on Lot 2 to contain liquid chemicals in the unlikely event of a major spill;
- Construction of new sealed vehicle accessways and concrete hardstand areas on Lot 2 and the northern portion of Lot 7;
- Construction of ten (10) new parking bays on Lot 2 including one (1) disabled bay;
- Upgrades to the existing gravel crossover from Lot 2 to Jensen Street and construction of one (1) new driveway crossover to Jensen Street to industrial standards to accommodate all heavy vehicle movements to/from the land;
- Installation of stormwater drainage infrastructure in accordance with a stormwater drainage management plan to be prepared by a suitably qualified engineer for consideration and approval by the Shire prior to the commencement of development. Key infrastructure will pipework and suitable capacity rainwater tanks to contain and manage all stormwater onsite insofar as possible. It is anticipated that any excess water generated by the development in its entirety will be directed to Jensen Street for discharge into the local government's drainage system;
- Low level retaining works and installation of approximately 236m² of landscaping along the frontage of Lot 2 comprising drought tolerant native vegetation species that will grow to a height of 1 to 1.5 metres when mature;
- Various new infrastructure required to accommodate the proposed use including a new fire hydrant and fire hoses in select locations, vehicle access gates along the land's Jensen Street frontage, safety shower and eye wash facilities, and protective bollards.

A two-storey office and conference room and two existing steel framed sheds currently exist on Lot 2 Jensen Street.

Lot 2 Jensen Street and Lot 7 Ninghan Road, Wongan Hills, comprise a total combined area of approximately 1.2045 hectares.



Google Maps 10/12/2020



Bushfire Prone Area Map Date 11/11/2020

COMMENT:

A subdivision application has recently been prepared and submitted to the Western Australian Planning Commission (WAPC) requesting approval to amalgamate Lots 2 and 7 into one (1) new separately titled lot (WAPC Application Reference No.160100) by the applicant. The Shire has responded to WAPC with no objection to this amalgamation.

Amalgamation of the land as proposed will ensure all proposed improvements, including the new vehicle accessways, are contained within the land's designated boundaries without the need for any right-of-carriageway easements and associated legal agreements to formalise and maintain rights of access in the event of the sale of either lot to another party.

Lot 2 Jensen St and Lot 7 Ninghan Road, Wongan Hills is classified 'General Industry' zone in the Shire of Wongan Ballidu Local Planning Scheme No. 5 (LPS5).

The Zone Objectives for the development and use of any land classified 'General Industry' zone are as follows:

- To provide for a broad range of industrial, service and storage activities which by their operations, should be isolated from residential and other sensitive land uses.
- To accommodate industry that would not otherwise comply with the performance standards of light industry.
- To seek to manage impacts such as noise, dust and odour within the zone.
- To encourage any development to be appropriately screened from the main road.
- To provide a location where separate heavy vehicular access is provided.

Under the terms of the Zoning Table in LPS5 the development in this zone for this type of business is not listed.

Having regard for the land use terms in Schedule 1 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, it is contended the existing development and use of the land for the purposes of a 'farm supply centre' is most appropriately classified as 'trade supplies' which is defined as follows:

Premises used to sell by wholesale or retail, or to hire, assemble or manufacture any materials, tools, equipment, machinery or other goods used for the following purposes including goods which may be assembled or manufactured off the premises:

- i) automotive repairs and servicing;*
- ii) building including repair and maintenance;*
- iii) industry;*
- iv) landscape gardening;*
- v) provision of medical services;*
- vi) **primary production**; and*
- vii) use by government departments or agencies, including local government.*

Under the terms of the zoning table in LPS5 it comes under "Industry Primary Production" as a "A" use. An "A" use means that the use is not permitted unless the local government has exercised its discretion by granting development approval after giving notice in accordance with clause 64 of the deemed provisions.

Clause 3.3.4 of the LPS5 states:

3.3.4 The local government may, in respect of a use that is not specifically referred to in the zoning table and that cannot reasonably be determined as falling within a use class referred to in the zoning table –

(a) Determine that the use is consistent with the objectives of a particular zone and is therefore a use that may be permitted in the zone subject to conditions imposed by the local government; or

(b) Determine that the use may be consistent with the objectives of a particular zone and give notice under clause 64 of the deemed provisions before considering an application for development approval for the use of the land; or

(c) Determine that the use is not consistent with the objectives of a particular zone and is therefore not permitted in the zone.

Clause 3.3.4 (a) is consistent with the objectives of the 'General Industry' zone.

The application has been assessed with due regard for the specific objectives and standards of the Shire's local planning framework including LPS5 and all relevant local planning policies, and the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

The development application has been assessed in consultation with the above documents and is subject to compliance with a number of conditions. As such it is recommended Council exercise its discretion and grant conditional approval to the application to ensure the development proceeds in accordance with the information and plans submitted in support of the proposal and the relevant standards and requirements of the Shire's local planning framework.

The proposal is compliant with the minimum setback requirements.

It is noted the total amount of landscaping to be provided is less than that required by LPS5. Minimum requirement is 15% and the proposal is 4% which is approximately 236m², comprising of drought tolerant native vegetation species that will grow to a height of 1-1.5m in height when mature along the frontage of Lot 2 Jensen Street.

It is the landowner's intention to store and distribute fertilisers, agricultural and veterinary chemicals on the land, some of which are hazardous to human health and/or the environment, the proposed development has also been carefully designed to minimise any future potential risks. The site will be monitored by Department of Mines, Industry Regulation and Safety Dangerous good inspectors, Agsafe and Nutrient Ag Health and Environment Managers.

The future proposed use of the land for the intended purposes, the following should be noted:

- The business will operate from 8.00am to 5:00pm Monday to Friday, 8.00am to midday on Saturdays and will be closed on Sundays and public holidays;
- A total of five (5) people will be employed on the land on a daily basis. This may increase to a maximum of six (6) people if required during busier periods;
- A maximum of three (3) customers are expected to attend the site at any one time;
- The largest sized heavy vehicle to attend the site will be an A-Double which is an articulated truck comprising a prime mover and a semi-trailer coupled by a turntable or B-coupling with a maximum length of 20 metres;
- On average a total of two (2) heavy vehicles will attend the site each week with up to five (5) weekly visits during busy times of the year and less than one (1) in quieter times;
- No heavy vehicles will be stored, serviced, cleaned or repaired on the land at any time.

Signage is not included in this application and will be provided by a professional sign contractor once designs have been completed.

POLICY REQUIREMENTS:

There are no policy requirements in relation to the item.

LEGISLATIVE REQUIREMENTS:

Planning and Development Act 2015
Planning and Development (Local Planning Schemes) Regulations 2015
Shire of Wongan Ballidu Local Planning Scheme No. 5

STRATEGIC IMPLICATIONS:

There are no known Strategic implications associated with this item.

SUSTAINABILITY IMPLICATIONS:

- **Environment**
There are no known environmental implications associated with this item.
- **Economic**
There are no known economic implications associated with this proposal.
- **Social**
There are no known social implications associated with this item.

FINANCIAL IMPLICATIONS:

There are no financial implications to Council in relation to this item. All costs associated with the proposed development are the responsibility of and will be met by the current landowners.

VOTING REQUIREMENTS:

ABSOLUTE MAJORITY REQUIRED: No

MOTION MOVED: Cr Tunstill

SECONDED: Cr Stephenson

That Council: APPROVES the Development Application submitted by the Applicant for the installation and construction and use of outbuildings and associated works at Lot 2 Jensen St and Lot 7 Ninghan Rd, Wongan Hills subject to the following conditions and advise notes:

Conditions

1. The proposed development shall be completed within a period of two (2) years from the date of this approval. If the development is not completed within this period, the approval will lapse and be of no further effect. Where an approval has lapsed no development shall be carried out without the further approval of the Shire of Wongan Ballidu having first been sought and obtained.
2. The proposed development shall be undertaken strictly in accordance with the information and plans submitted in support of the application subject to any modifications required as a consequence of any condition/s of this approval or otherwise approved by Council.
3. All stormwater drainage generated by the proposed dwelling shall be contained and managed on site to the specifications and satisfaction of the Shire's Chief Executive Officer.
4. All external surfaces of the proposed outbuilding shall be clad with new materials only.

Advice Notes

1. This approval is not an authority to ignore any constraint to development on the land which may exist through contract or on title, such as an easement, memorial or restrictive covenant. It is the responsibility of the applicant and landowner and not the Shire to investigate any such constraints before commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether or not it has been drawn to the Shire's attention.
2. This is a development approval of the Shire of Wongan Ballidu under its Local Planning Scheme No. 5. It is not a building permit or an approval to commence or carry out development under any other law. It is the responsibility of the applicant/landowner to obtain any other necessary approvals, consents, permits and licences required under

any other law, and to commence and carry out development in accordance with all relevant laws.

3. The applicant/landowner is reminded of their obligation to ensure compliance with the following requirements:
 - a) Shire of Wongan Ballidu Annual Firebreak Notice, Rural Residential and Industrial Properties – all land of less than 1 hectare (10,000 square metres) and zoned under the Town Planning Scheme as Rural Residential and Industrial are required to have all annual grass and herbage slashed or mowed to a height of not more than 100 mm and construct a clear earth firebreak of not less than 2 metres in width immediately surrounding all buildings and/or haystacks situated on the land.
 - b) Shire of Wongan Ballidu Health Local Law.
4. In accordance with the Building Act 2011 and Building Regulations 2012, a building permit application must be submitted to and approved by the Shire's Building Surveyor prior to the commencement of any construction or earthworks on the land.
5. The proposed outbuilding is required to comply in all respects with the National Construction Code of Australia. Plans and specifications which reflect these requirements must be submitted to the Shire with the building permit application.
6. In accordance with Department of Fire and Emergency Services Built Environment Branch (BEB) an application must be submitted and approved prior to the commencement of any construction or earthworks on the land.
7. In accordance with Main Roads a Restricted Access Vehicle (RAV) Network an application may be required for access to the industrial area.
8. The noise generated by any activities on-site including machinery motors or vehicles shall not exceed the levels as set out under the Environmental (Noise) Regulations 1997.
9. No construction works shall commence on the land prior to 7 am without the Shire's written approval. No construction works are permitted to be undertaken on Sundays or Public Holidays.
10. Failure to comply with any of the conditions of this development approval constitutes an offence under the provisions of the Planning and Development Act 2005 and the Shire of Wongan Ballidu Local Planning Scheme No. 5 and may result in legal action being initiated by the local government.
11. If the applicant/landowner is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be submitted within 28 days of the determination.

**CARRIED 7/0
RESOLUTION 061220**

9.5 COMMUNITY SERVICES

Nil.

Item 10. QUESTIONS FROM MEMBERS WITHOUT NOTICE

Nil.

Item 11. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING

Nil.

Item 12. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Nil.

Item 13. CLOSURE

There being no further business, the Shire President, Cr Hasson declared the meeting closed at 3.39 pm.

Signed by:
Cr Jon Hasson
SHIRE PRESIDENT