



Shire of
Chapman Valley
Love the Rural Life

ORDINARY COUNCIL MEETING

Notice is hereby given that an Ordinary Meeting
of Council will be held on Wednesday 15 April 2015
at the Council Chambers, Nabawa, commencing at 9:00am.

Maurice Battilana
CHIEF EXECUTIVE OFFICER

UNCONFIRMED MINUTES

15 APRIL 2015

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.

A handwritten signature in black ink, appearing to read 'M. Battilana', written in a cursive style.

Maurice Battilana
CHIEF EXECUTIVE OFFICER

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6.0 DISCLOSURE OF INTEREST

Members should fill in Disclosure of Interest forms for items in which they have a financial, proximity or impartiality interest and forward these to the Presiding Member before the meeting commences.

Section 5.60A:

*"a person has a **financial interest** in a matter if it is reasonable to expect that the matter will, if dealt with by the local government, or an employee or committee of the local government or member of the council of the local government, in a particular way, result in a financial gain, loss, benefit or detriment for the person."*

Section 5.60B:

*"a person has a **proximity interest** in a matter if the matter concerns –*

(a) a proposed change to a planning scheme affecting land that adjoins the person's land; or

(b) a proposed change to the zoning or use of land that adjoins the person's land; or

(c) a proposed development (as defined in section 5.63(5)) of land that adjoins the person's land."

Regulation 34C (Impartiality):

*"**interest** means an interest that could, or could reasonably be perceived to, adversely affect the **impartiality** of the person having the interest and includes an interest arising from kinship, friendship or membership of an association."*

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ORDER OF BUSINESS:

1.0 DECLARATION OF OPENING/ANNOUNCEMENTS OF VISITORS

The Chairman, Cr Collingwood welcomed Elected Members and Staff and declared the meeting open at 9.00am.

2.0 LOYAL TOAST

3.0 RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE (PREVIOUSLY APPROVED)

3.1 Present

a. Councillors

Member	Ward
Cr John Collingwood President	North East Ward
Cr Anthony Farrell	North East Ward
Cr Kirrilee Warr	North East Ward
Cr Trevor Royce	North East Ward
Cr Pauline Forrester	North East Ward
Cr Peter Humphrey	South West Ward
Cr Veronica Wood	South West Ward
Cr Ian Maluish	South West Ward

b. Staff

Officer	Position
Mr Simon Lancaster	Manager of Planning / Acting Chief Executive Officer
Mrs Karen McKay	Executive Assistant (Minute Taker)
Mrs Dianne Raymond	Manager of Finance & Corporate Services (from 9.25am to 11.55am) (from 2.00pm to 2.22pm)
Mrs Kristy Williams	Accountant (from 9.25am to 11.55am)
Mr Esky Kelly	Manager of Works (from 9.55am to 11.15am)
Mr Anthony Abbott	Building Surveyor/Project Officer (from 1.45pm to 2.18pm)

c. Visitors

Name	
Mr Anthony Rogers	Item 9.1.2 Proposed Outbuilding (Greenhouse) (from 9.00am to 9.10am)

3.2 Apologies

Name	
Mr Maurice Battilana	Chief Executive Officer

3.3 Approved Leave of Absence

Nil

4.0 PUBLIC QUESTION TIME

4.1 Questions On Notice

Nil

4.2 Questions Without Notice

Nil

5.0 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6.0 DISCLOSURE OF INTEREST

9.3.2 Cr Maluish and Cr Wood declared an impartiality interest as members of the Parkfalls Residents Association.

7.0 PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil

8.0 CONFIRMATION OF MINUTES FROM PREVIOUS MEETINGS

8.1 Ordinary Meeting of Council held on Wednesday 18 March 2015

COUNCIL RESOLUTION

MOVED: CR FARRELL

SECONDED: CR FORRESTER

That the minutes of the Ordinary Meeting of Council held Wednesday 18 March 2015 be confirmed as a true and accurate record.

Voting 8/0

CARRIED

Minute Reference 04/15-1

9.0 OFFICERS REPORTS

9.1

Manager of Planning

April 2015

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9.1 AGENDA ITEMS

- 9.1.1 Nanson Museum – Additional Building
- 9.1.2 Proposed Outbuilding (Greenhouse)
- 9.1.3 Off-Road Vehicle Areas Feasibility Study

AGENDA ITEM:	9.1.1
SUBJECT:	NANSON MUSEUM – ADDITIONAL BUILDING
PROPONENT:	CHAPMAN VALLEY HISTORICAL SOCIETY
SITE:	RESERVE 13226 EAST TERRACE, NANSON
FILE REFERENCE:	R13226
PREVIOUS REFERENCE:	06/12-4 & 03/14-2
DATE:	7 APRIL 2015
AUTHOR:	SIMON LANCASTER

DISCLOSURE OF INTEREST

Nil

BACKGROUND

The Chapman Valley Historical Society have written to the Shire advising of their support for a site plan for the proposed new display building at the Nanson Museum. This report recommends that Council support the proposed location.

Figure 9.1.1(a) – Aerial Photograph of Reserve 13226 East Terrace, Nanson



COMMENT

Representatives from the Chapman Valley Historical Society met with the Shire's Building Surveyor and Community Development Officer at the Nanson Museum on 5 March 2014 to discuss their requirements for additional display area and potential locations for extension to the Museum.

The Society submitted plans on 7 March 2014 for a 10m x 30m (300m²) shed with a wall height of 4m and a total height of 6.4m and clad in zincalume. The building was proposed to be sited 3m in front of the existing open fronted machinery shed upon a gravel levelled area and would not require the removal of any existing trees.

A copy of the site, elevation and floor plans were presented to Council at the 19 March 2014 meeting where it was resolved:

"The Council advise the Chapman Valley Historical Society of the following:

- 1 *Council supports in principle the construction of an additional building at the Nanson Museum to enable the storage and display of further material.*

- 2 Council will reserve its consideration upon the final scale and location for the proposed additional building pending the Building & Disability Services Committee inspection on 25 March 2014.
- 3 Council will list the proposed additional building at the Nanson Museum as an item for consideration in the draft 2014/2015 budget, however, any commitment towards a level of financial contribution for the project cannot be provided at this time, and will be subject to later deliberation as part of the budget formulation process.
- 4 Instruct the Shire Community Development Officer to work with the Chapman Valley Historical Society to explore funding opportunities.”

Given the proposed building's scale and close proximity to the existing open fronted machinery shed and location to the rear/west of the harbour Council wished to reserve its consideration of this matter pending the Building & Disability Services Committee inspection on 25 March 2014.

Following the Building Committee inspection another site meeting attended by members of the Society and several Councillors and Shire staff was held on 7 May 2014. Councillors discussed the matter further at the 21 May 2014 Forum Session.

Council resolved at its 16 July 2014 meeting as part of the adoption of its 2014/2015 budget to transfer \$20,000 from the Building Reserve to the Muni Account for the proposed Nanson Museum display shed.

A further site meeting with the Society attended by several Councillors and Shire staff was held on 23 July 2014 and general agreement was reached over an alternative location for the new building located along the southern boundary of the museum grounds

Following this site meeting the Shire wrote to the Society on 24 July 2014 as follows:

“The Shire of Chapman Valley writes to thank the Historical Society for organising the meeting at the Nanson Museum on 23 July 2014 to discuss the location for the proposed additional building. It is understood from the meeting that the Historical Society is satisfied with the proposed location along the southern boundary of the Museum grounds as marked on-site.

As discussed on-site the Shire will now provide assistance to the Historical Society by preparing an accurate site plan for this portion of the Museum grounds that indicates the site levels, boundary alignments, and the position of the trees and existing buildings in proximity to the proposed building's location. This information will then be provided to assist the Historical Society in finalising its site plan, and further assist the Society in its discussions with various shed companies.

Once the Society is satisfied with the site plan, and is also satisfied with a shed company quote and design, then the Society will be in a position to lodge the site plan and elevation and floor plans with the Shire. These submitted plans will then be presented to the next available meeting of Council for its formal consideration.

The Shire will shortly provide to you the site information as discussed in this letter, and looks forward to your lodgement of the finalised site, elevation and floor plans in due course for presentation to Council.

In the meantime the outcome of the site meeting held on 23 July 2014 will be related to all Councillors to inform those who were unable to make the site meeting to keep them updated on developments.”

A copy of this correspondence was provided to Council at its 20 August 2014 Forum Session.

The Shire provided the Society with the ground level, existing building and cadastral information to enable it to prepare a site plan on 14 November 2014. The site plan provided by the Shire to the Society illustrated the on-ground length between the pegs placed on the site by the Society and not the dimensions of the shed. The purpose of recording the peg distances on the site plan was simply to advise that the pegs were marginally out and were not the dimensions the shed that was proposed to be built.

The Building & Disability Services Committee held a site inspection at the Nanson Museum on 25 March 2015 and met with a representative from the Society.

The Society wrote to the Shire on 30 March 2015 to advise of their support for the site plan and a copy of this correspondence and further correspondence from the Society on 7 April 2015 is provided as **Attachment 9.1.1(a)** for Council's information.

Figure 9.1.1(b) – Proposed location for additional museum building looking west



Figure 9.1.1(c) – Proposed location for additional museum building looking east



STATUTORY ENVIRONMENT

Reserve 13226 is zoned 'Public Purpose - Museum' under Shire of Chapman Valley Local Planning Scheme No.2. Section 3.4 of the Scheme requires that:

"3.4 Use and Development of Local Reserves

3.4.1 A person must not:

- (a) use a Local Reserve; or*
- (b) commence or carry out development on a Local Reserve, without first having obtained planning approval under Part 9 of the Scheme.*

3.4.2 In determining an application for planning approval the Local Government is to have due regard to:

- (a) the matters set out in clause 10.2; and*
- (b) the ultimate purpose intended for the Reserve.*

3.4.3 In the case of land reserved for the purposes of a public authority, the Local Government is to consult with that authority before determining an application for planning approval."

Reserve 13226 East Terrace, Nanson is a 6,178m² parcel of Crown Land with the assigned purpose of 'Historical and Community' and a management order issued to the Shire of Chapman Valley with the power to sub lease.

POLICY IMPLICATIONS

The Shire of Chapman Valley Policy Manual 2014/2015 contains the following relevant policies:

"4.10 Building and Disability Services Committee

Building inspections in regard to maintenance will be held by March/April each year. Report and recommendations will be presented to Council meeting so that estimates can be included in Budget preparations. Council's Building Surveyor is to be involved in such inspections together with committee members for Council's properties.

Tenants of Council residential buildings will be advised at least 72 hours prior to the time of the impending inspection.

Yuna Hall Committee, Nanson Historical Society, Sporting Clubs, Chapman Valley Agricultural Society Committee and all other relevant users of Council controlled buildings are to be invited to either attend site visits of the building relevant to them or provide Council with items of concern they may have."

"14.140 Chapman Valley Historical Society

Be granted the use of Lot 500 East Terrace, Nanson (Reserve 13226) and the structures upon it."

"5.30 Donations and Grants

Local Nature

Council shall consider requests for donations on their individual merit however, generally will decline appeals for donations –

Of a State or National nature, or

If they are not concerned or connected with the Chapman Valley area.

Exceptions to the above will be -

Disaster or emergency appeals.

The Chief Executive Officer is delegated authority to authorise donations within budget limitations, up to a maximum of \$200 per application. This amount can be either cash or in-kind (e.g. Private Works).

This delegation is to be in accordance with Council's policy in regards to "Local Nature". (See Delegation No 3005)

All other donations in excess of miscellaneous budget allocations are to be brought back to Council for consideration in Accordance with Policy

Applications

Any application made to Council from any Club, or Organisation, seeking the provision of a cash contribution shall be in accordance with, as well as accompanied by, the following information:

- (i) as a general principle, funds for any project will only be considered where maximum Government (State and Federal) funding has been obtained, the Club, or Organisation, is ineligible for Government funding, or Government funding has been refused (in whole or part).*
- (ii) Council will be seeking evidence of procurement of, or attempted procurement of, Government grant monies.*
- (iii) it must be demonstrated that Council funding is necessary to the success of the project.*
- (iv) funds will only be permitted to be used for projects upon land under the care, or control, of Council; unless it otherwise determines.*
- (v) detailed project financial information including budget estimates, quotes etc. accompanied by project drawings and specifications, to a satisfactory standard, must be provided.*
- (vi) detailed financial information about the Club or Organisation will also need to be provided. Such information will need to include financial statements.*
- (vii) Where Council considers the information as provided in accordance with the above to be satisfactory, the provision of any funds will be in accordance with the following;*
- (viii) payment will only be made at the conclusion of the project, and then only in strict accordance with the determination as to amount and conditions as set by Council; unless otherwise agreed upon.*
- (ix) Council reserves the right to approve/decline any application irrespective of previous decisions of a similar nature and no prior decision in any way or manner can be construed as setting a precedent."*

FINANCIAL IMPLICATIONS

The Society have advised of two received quotes for the proposed additional Nanson Museum building from West Steel at \$68,163 (GST ex) and Aussie Sheds at \$67,536 (GST ex), these figures do not include preparatory site works, although this is an in-kind cost the Shire has committed to providing. The quotes do not include provision of power and it is also noted that should the building be insulated this would be at an estimated additional cost of \$5,500 (roof) and \$5,500 (walls).

Council listed an amount of \$20,000 (GST ex) as the Shire's financial contribution to the project in its adopted 2014/2015 budget (Account 3604), noting an overall project cost of \$80,000.

The Shire's financial contribution was referenced in grant applications lodged by the Shire with the Mid West Development Commission and Lotterywest for the project. The Mid West Development Commission advised on 5 January 2015 that it would make a contribution of \$20,000 (GST ex) through the Royalties for Regions Mid West Community Chest Fund. The Shire received advice from Lotterywest on 3 April 2015 that its application for \$12,422 (GST ex) was successful.

The anticipated breakdown for the delivery of the project would therefore need to be as follows, this being based on the Shire agreeing to accept the site preparation works as in-kind costs (all figures GST ex):

Shire of Chapman Valley	\$20,000 (from Municipal Fund)
Mid West Development Commission	\$20,000 (grant application approved)
Lotterywest	\$12,422 (grant application approved)
Chapman Valley Historical Society	Balance amount, in the event that the Aussie Sheds quote was accepted this would be \$15,114, in the event that the West Steel Sheds quote was accepted (the Society's preference) this would be \$15,741.00. It is noted that the Society were originally expected to contribute \$20,000 towards the project, and as the quotes do not include provision of power or insulation to the building these costs should be factored into the Society contribution.

- **Long Term Financial Plan:**

The Shire of Chapman Valley Long Term Financial Plan (2013) was received by Council at its 18 September 2013 meeting. It is not considered that an additional building at Nanson Museum requires specific amendment to the Long Term Financial Plan, rather the building will be included in the Shire's overall asset register that will be used to inform the current review of the Plan.

STRATEGIC IMPLICATIONS

The Shire of Chapman Valley Heritage Inventory (2012) notes that the buildings within the Nanson Museum grounds have considerable historic significance, and their use by the Chapman Valley Historical Society leads to them being highly valued by the local community, as well as contributing greatly to the Nanson streetscape. The proposed building at the Nanson Museum would be clad in zincalume to reflect the heritage qualities of the existing museum buildings and the other historical buildings within the Nanson townsite.

- **Strategic Community Plan/Corporate Business Plan:**

The Shire of Chapman Valley Strategic Community Plan 2013-2023 adopted by Council at its 19 June 2013 meeting lists developing community facilities to provide gathering places as a Community Strategy to achieve the outcome of stronger, inclusive communities across the Shire. The Museum serves as both a community hub for the Society to meet, work and grow but also as a means of recording and telling the community's story,

CONSULTATION

Council and the Society have been in discussion for the last 12 months concerning the proposed siting of a new building at the Nanson Museum and this has included several on-site meetings to allow for an exploration of a number of potential locations and configurations.

RISK ASSESSMENT

Nil

VOTING REQUIREMENTS

Simple majority of Council

COUNCIL RESOLUTION / STAFF RECOMMENDATION

MOVED: CR WARR

SECONDED: CR HUMPHREY

The Council advise the Chapman Valley Historical Society that it supports the construction of an additional building at the Nanson Museum as contained within the site, elevation and floor plans included as Attachment 9.1.1(a).

**Voting 8/0
CARRIED
Minute Reference 04/15-2**



Chapman Valley Historical Society and Museum,
P.O. Box 3355,
Bluff Point WA 6530

Mr Simon Lancaster,
Manager of Planning,
Shire of Chapman Valley,
Nabawa. W.A. 6532

Dear Simon,

Further to your letter (Ref R13226) dated 24th July 2014, regarding the location of the proposed additional building at the Nanson Museum, we wish to advise that the Museum members are satisfied with the site plan. The plan we have was surveyed on the 14th November and I have attached scanned copies.

We look forward to the finalised site information being presented to the next meeting of Council for their approval.

Yours sincerely,

Pam Batten
Secretary

30th March 2015.



Chapman Valley Historical Society and Museum.
P.O. Box 3355,
Bluff Point WA 6530

Mr Anthony Abbott,
Building Surveyor/Project Officer,
Shire of Chapman Valley,
Post Office Box 1,
Nabawa WA 6532

Dear Anthony,

Peter and I have met with Mr Lyall Gray over the Easter break. The following are the Chapman Valley Historical Society and Museum responses to your queries:

- I'm not sure that I returned the correct scanned copy of the 'Site Location Map' to Simon last week. The one you made the necessary changes to on the day of the Building Inspection is attached in the email. This copy has the location of the three roller doors on it also.
- A scanned copy of where the roller doors are to be placed is also attached. We would like to have the 5metre wide by 3.6 metres high roller door on the eastern end of the shed. As the building is now some distance from the main Museum shed it will become the display area for the larger items in the Museum. Positioning the door at the eastern end will provide easier access to the shed. We also believe that with the large roller door open, visitors will move from the Roads Board Building to the displays in the shed.
- The location of the doors on the plan you did email through was a little confusing. We would like the two 3 metre x 3 metre roller doors on the north side of the shed. All of the quotes are for the shed to have 3 roller doors. A scanned image of the Museum's request for the location of the roller doors is attached.
- When the shed is ordered we would like the 6 skylights included at the additional cost of \$1,000.00. The Museum will pay for this extra. We would like them positioned on the south side of the shed roof, which will reduce the solar rays inside the shed.

- Attached also is a scanned image of the latest quote Lyall has received from West Steel Sheds. If the Museum has any input as to which quote is accepted by the Shire, our preference is for West Steel Sheds.
- Re the work on the twisted beam in the south west shed and a day that would be suitable for Museum members to move the machinery from the shed. Over the weekend one of our members excitedly reported that approval of our grant application was listed on the LotteryWest site. Great news! With a number of male members away at the moment and the fact that we now know the new shed will be built, we would like to leave the repair to the twisted beam until all those large Museum items are relocated.

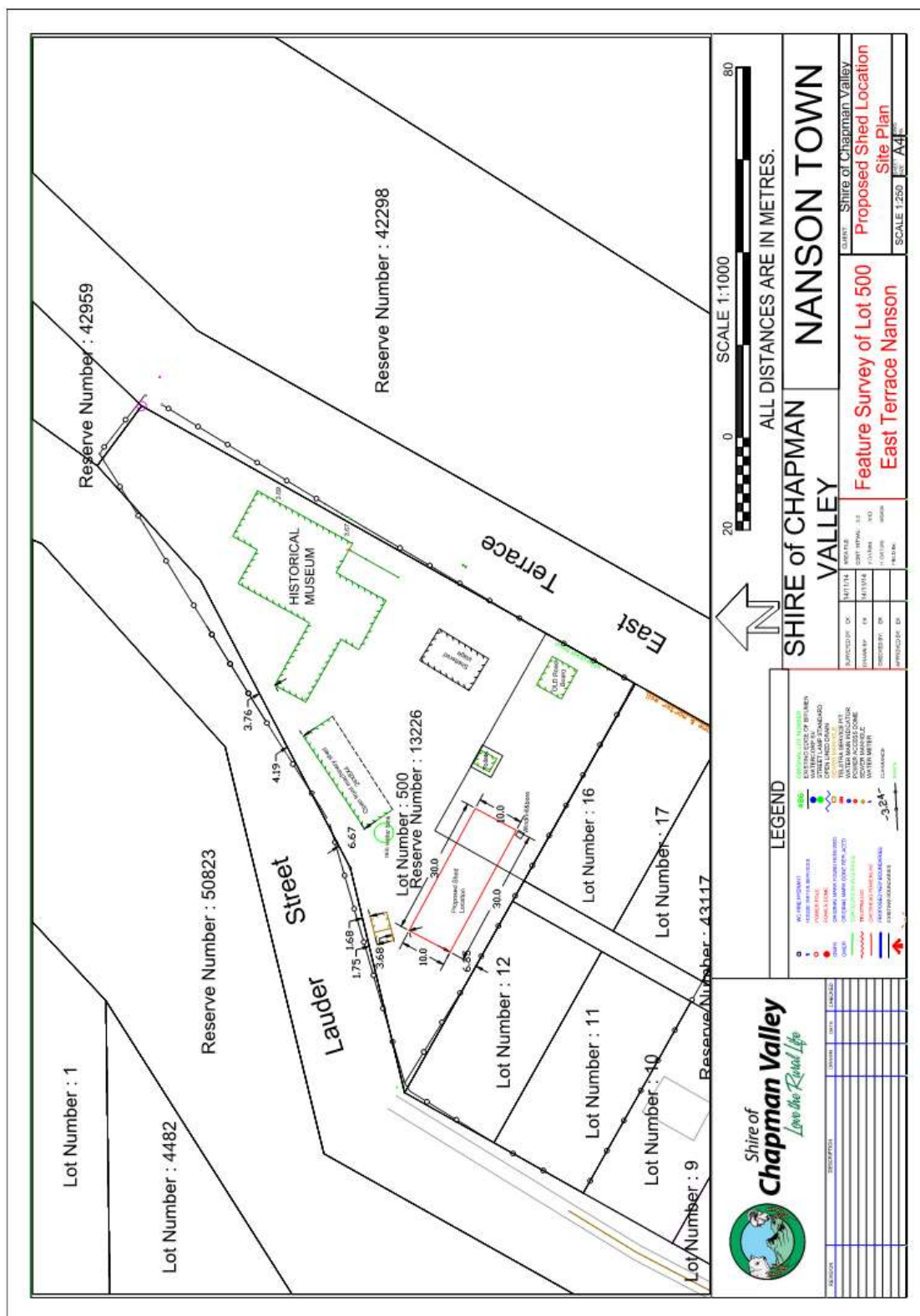
Lyall Gray will be phoning you today. He is off to Perth again tomorrow for more treatment and while he is away he has asked Peter Batten to be the Museum's contact person, should there be any further queries with the shed.

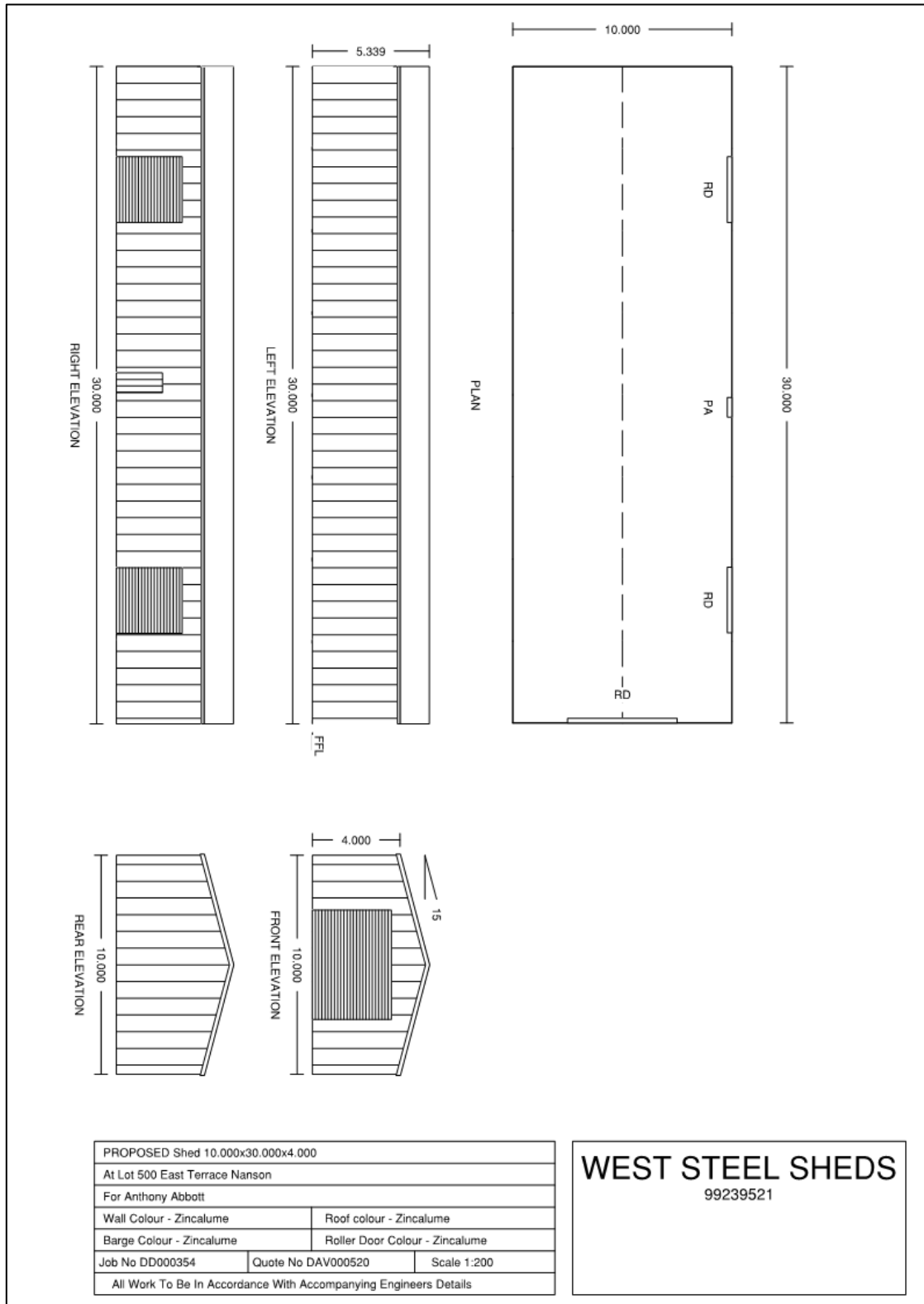
We look forward to working with you over the next few months as our project of many years in the planning, becomes a reality.

Yours sincerely,

A handwritten signature in cursive script that reads "Pam Batten".

Pam Batten
Secretary
7th April 2015.





AGENDA ITEM:	9.1.2
SUBJECT:	PROPOSED OUTBUILDING (GREENHOUSE)
PROPONENT:	A & K ROGERS
SITE:	25 (LOT 3) STIRLING PLACE, WAGGRAKINE
FILE REFERENCE:	A1699
PREVIOUS REFERENCE:	5/11-8
DATE:	7 APRIL 2015
AUTHOR:	SIMON LANCASTER

DISCLOSURE OF INTEREST

Nil

BACKGROUND

Council is in receipt of an application to construct a greenhouse upon 25 (Lot 3) Stirling Place, Waggrakine. The application has been placed before Council as it exceeds the delegation limits of the Shire's 'Outbuildings' Local Planning Policy. This report recommends refusal of the application in accordance with Council's policy requirements, an alternative recommendation is also provided in the event that Council consider that conditional approval should be granted to the application.

COMMENT

Lot 3 is a cleared 1.0107ha oblong shaped property located on the west side of Stirling Place with an 83.2m frontage and 95.95m (southern side boundary) and 110.83m (northern side boundary) depth. The property generally slopes downwards from the 66m contour in the north-eastern corner to the 60m contour in the south-western corner, with cut and fill works previously undertaken to accommodate the construction of a residence and outbuilding upon the property.

Figure 9.1.2(a) – Location Plan for 25 (Lot 3) Stirling Place, Waggrakine



The applicant is seeking approval for a 216m² (12m x 18m) greenhouse with a 3m wall height; the structure would consist of beige shadedcloth over a galvanised steel post and rafter framework.

The greenhouse would be located 4m to the rear/west of an existing 144m² shed and be obscured from Stirling Place by the shed's 5.37m height above natural ground level and further hidden by the site area for the greenhouse being cut into the slope.

The greenhouse would be located 10m from the nearest side (northern) property boundary and 25m from the rear (western) property boundary.

The proposed 216m² greenhouse would in itself exceed the 200m² maximum aggregate area under which Shire staff may approve applications under delegated authority, and when coupled with the existing 144m² outbuilding would create a total outbuilding area of 360m² and has therefore been presented to Council for its consideration.

Figure 9.1.2(b) – Aerial Photograph of 25 (Lot 3) Stirling Place, Waggrakine



A copy of the submitted site, elevation and floor plans have been included as **Attachment 9.1.2(a)** with this report for Council's information, and the site plan illustrates the applicant's intended screening revegetation works about the property boundaries.

Figure 9.1.2(c) – View of Lot 3 looking west from Stirling Place



Figure 9.1.2(d) – View of Lot 3 looking north-east from Dolbys Drive



Figure 9.1.2(e) – View of proposed greenhouse location looking east from neighbouring property to the rear



STATUTORY ENVIRONMENT

25 (Lot 3) Stirling Place, Waggrakine is zoned 'Rural Residential 1' under Shire of Chapman Valley Local Planning Scheme No.2 ('the Scheme').

A greenhouse utilised for growing produce for personal use should not be considered under the definition of 'agriculture-intensive' which is listed as an 'X' (not permitted) use within the 'Rural Residential' zone, and defined under Schedule 1 of the Scheme as follows:

"agriculture – intensive means premises used for trade or commercial purposes, including outbuildings and earthworks, associated with the following:

- (a) the production of grapes, vegetables, flowers, exotic or native plants, or fruit or nuts;*
- (b) the establishment and operation of plant or fruit nurseries;*
- (c) the development of land for irrigated fodder production or irrigated pasture (including turf farms); or*
- (d) aquaculture."*

Providing the greenhouse is utilised for growing produce for personal use then the application should instead be considered as an outbuilding, which is defined under Schedule 1 of the Scheme as follows:

"outbuilding has the same meaning as in the Residential Design Codes of Western Australia."

Appendix 1 of the R-Codes define an outbuilding as follows:

“An enclosed non-habitable structure that is detached from any dwelling, but not a garage.”

The R-Codes define ‘enclosed’ as being:

“An area bound on three or more sides by a permanent wall and covered in a water impermeable material.”

Ordinarily this would exempt a structure enclosed in shade cloth (this being a water permeable material) from consideration as an outbuilding and by association the outbuilding area requirements, however, the provisions of the Shire’s Outbuildings Local Planning Policy define an outbuilding as a structure measured by the total floor area covered by a permeable or semi-permeable roof.

Section 2.2 of the Scheme 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.

Section 4.2.5 of the Scheme lists the objectives of the ‘Rural Residential’ zone as being:

- “(a) Provide for residential development within a low-density environment;*
- (b) Provide for other land-uses compatible with a high level of residential amenity;*
- (c) Prevent the establishment of land-uses more appropriately undertaken in commercial and/or industrial areas; and*
- (d) Protect the environmental and landscape values of the land.”*

Part 4 of Schedule 11 of the Scheme notes the following for the ‘Rural Residential 1’ zone:

“All buildings constructed on the land shall be sympathetic to existing landscape elements, namely landform, vegetation and amenity, in terms of their design, height, location, materials and cladding colours.”

Section 5.8 of the Scheme states:

“5.8 Appearance of Land and Buildings

- 5.8.1 Unless otherwise approved, no person shall erect any building or other structure which by reason of colour or type of materials, architectural style, height or bulk, ornament or general appearance, has an exterior appearance which is out of harmony with existing buildings or the landscape character of the area.*
- 5.8.2 All buildings and land on which they are located within the Scheme area shall be maintained in a manner, which preserves the amenity of the surrounding locality to the satisfaction of the Local Government.*
- 5.8.3 Where in the opinion of the Local Government an activity is being undertaken that results in the appearance of the property having a deleterious effect on the amenity of the area in which it is located, the Local Government shall require the owner or occupier to restore or upgrade the conditions of that property to a standard commensurate with those generally prevailing in the vicinity.”*

Section 10.2 of the Scheme lists the following relevant matters to be considered by Local Government in considering a development application:

- “(f) any Local Planning Policy adopted by the Local Government under clause 2.4, any heritage policy statement for a designated heritage area adopted under clause 7.2.2, and any other plan or guideline adopted by the Local Government under the Scheme;...*
- ...(i) the compatibility of a use or development with its setting;...*
- ...(n) the preservation of the amenity of the locality;*

- (o) *the relationship of the proposal 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 proposal;...*
- ... (v) *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;...*
- (za) *any other planning consideration the Local Government considers relevant."*

POLICY IMPLICATIONS

The proposed greenhouse upon 25 (Lot 3) Stirling Place, Waggrakine is 216m² in area. Shire of Chapman Valley Local Planning Policy 'Outbuildings' lists the maximum total aggregate area for Lot 3 as being 200m². Further the existing 144m² outbuilding would create a total outbuilding area of 360m² and hence this application cannot be determined under delegated authority and is required to be presented to Council for its consideration.

The objectives of the 'Outbuildings' Local Planning Policy are as follows:

- "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."*

The Shire of Chapman Valley 'Outbuildings' Local Planning Policy has the following purpose and scope:

"Purpose

Local Planning Policies are guidelines used to assist the local government in making decisions under the Scheme. The Scheme prevails should there be any conflict between this Policy and the Scheme.

It is not intended that a policy be applied rigidly, but each application be examined on its merits, with the objectives and intent of the policy the key for assessment. However, it should not be assumed that the local government, in exercising its planning discretion, be limited to the policy provisions and that mere compliance will result in an approval. This approach has produced many examples of inappropriate built form that has a long-term impact on the amenity and sustainability of the locality.

The Shire encourages applicants to produce innovative ways of achieving the stated objectives and acknowledges that these may sit outside the more traditional planning and architectural approaches. In these instances the local government is open to considering (and encourages) well-presented cases, during pre-application consultation, having due regard to the outcome of any public consultation undertaken and the orderly and proper planning of the locality.

Scope

A Local Planning Policy is not part of the Scheme and 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 only previous application within the 'Rural Residential 1' zone that Council might consider comparable in its deliberation on this matter was the approval at the 21 November 2000 meeting of a 240m² outbuilding and 2,520m² colorbond roof and mesh wall aviaries for bird (macaws) breeding purposes upon 85 (Lot 60) Eliza Shaw Drive, White Peak. In that instance the 2.904ha property was a battleaxe lot located approximately 10m downhill from Eliza Shaw Drive and abutted the proposed highway realignment to the east and the larger 20ha+ 'Rural Smallholding' zone to the north.

In the event that Council considers the application for a greenhouse should be approved it may consider the following alternative wording appropriate in its determination on the application:

"That Council:

1 Grant formal planning approval for a 216m² outbuilding (greenhouse) upon 25 (Lot 3) Stirling Place, Waggrakine subject to compliance with the following conditions:

1.1 Development shall be in accordance with the approved plans dated 15 April 2015 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.

1.2 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.

1.3 The outbuilding (greenhouse) is required to be externally clad in shadecloth of a colour to the approval of the local government.

1.4 No direct retailing of produce from the property is permitted.

1.5 Landscaping is required to be installed and maintained between the outbuilding (greenhouse) and the property boundaries for the purpose of softening the visual impact of the structure upon the land to the approval of the local government.

1.6 The use hereby permitted shall not cause injury to or prejudicially affect the amenity of the locality by reason of the emission of smoke, dust, fumes, odour, noise, vibration, waste product or otherwise.

1.7 All stormwater is to be disposed of on-site to the approval of the local government.

1.8 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:

(i) 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.

(ii) If the 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.

2 Instruct Shire staff to return the Outbuilding Local Planning Policy to Council upon completion of its current advertising to allow for consideration of a revised definition that makes allowance for outbuildings clad in permeable and semi-permeable materials."

FINANCIAL IMPLICATIONS

On determination of this application (refusal/approval) should the applicant be aggrieved by the determination or conditions of approval they have a right of appeal to the State Administrative Tribunal with a cost likely to be imposed on the Shire through its involvement in the appeal process.

- **Long Term Financial Plan:**

The Shire of Chapman Valley Long Term Financial Plan (2013) was received by Council at its 18 September 2013 meeting. It is not considered that the determination of this application by Council would have impact in relation to the Long Term Financial Plan.

STRATEGIC IMPLICATIONS

- **Strategic Community Plan:**

The Shire of Chapman Valley Strategic Community Plan 2013-2023 was adopted by Council at its 19 June 2013 meeting. It is not considered that the determination of this application by Council would have impact in relation to the Strategic Community Plan.

CONSULTATION

Council may when considering a variation to any part of its Local Planning Policy resolve to undertake consultation with surrounding landowners and giving consideration to any received submissions prior to making its determination at a later meeting of Council.

RISK ASSESSMENT

Not applicable.

VOTING REQUIREMENTS

Simple majority of Council

STAFF RECOMMENDATION

That Council refuse planning approval for a 216m² outbuilding (greenhouse) upon 25 (Lot 3) Stirling Place, Waggrakine Lot 100 Eliza Shaw Drive, White Peak for the following reasons:

- 1 The development proposes an outbuilding in excess of the 200m² total aggregate area as specified under the Shire of Chapman Valley Local Planning Policy 'Outbuildings' for the 'Rural Residential' zone (further noting that the existing 144m² outbuilding upon the property would create a total aggregate area of 360m²).
- 2 The proposed development is not considered consistent with the objectives of the Shire of Chapman Valley Local Planning Policy 'Outbuildings';
- 3 The proposed development is not considered consistent with Section 5.8 'Appearance of Land and Buildings' of the Shire of Chapman Valley Local Planning Scheme No.2;
- 4 Council is not satisfied that sufficient justification has been provided to warrant a concession being granted in this instance; &
- 5 Approval of this application may well set an undesirable precedent for continued variation to the Shire's statutory and policy requirements, which in time could prove to be detrimental to the rural residential amenity and lifestyle opportunities of the locality.

Advice Note:

- (i) If the applicant were to lodge an application for a greenhouse with a floor area of 56m² this would in conjunction with the existing 144m² outbuilding upon the property create a total outbuilding area of 200m² and the application would meet the requirements of the Shire's Outbuildings Local Planning Policy and be able to be assessed under the delegated authority of Shire staff and not require determination by Council.
- (ii) If the 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 FARRELL

SECONDED: CR HUMPHREY

That Council:

- 1 Subject to no objection being received from neighbouring landowners grant formal planning approval for a 216m² outbuilding (greenhouse) upon 25 (Lot 3) Stirling Place, Waggrakine subject to compliance with the following conditions:
 - 1.1 Development shall be in accordance with the approved plans dated 15 April 2015 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.
 - 1.2 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.
 - 1.3 The outbuilding (greenhouse) is required to be externally clad in shade cloth of a colour to the approval of the local government.
 - 1.4 No direct retailing of produce from the property is permitted.
 - 1.5 Landscaping is required to be installed and maintained between the outbuilding (greenhouse) and the property boundaries for the purpose of softening the visual impact of the structure upon the land to the approval of the local government.
 - 1.6 The use hereby permitted shall not cause injury to or prejudicially affect the amenity of the locality by reason of the emission of smoke, dust, fumes, odour, noise, vibration, waste product or otherwise.
 - 1.7 All stormwater is to be disposed of on-site to the approval of the local government.
 - 1.8 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.

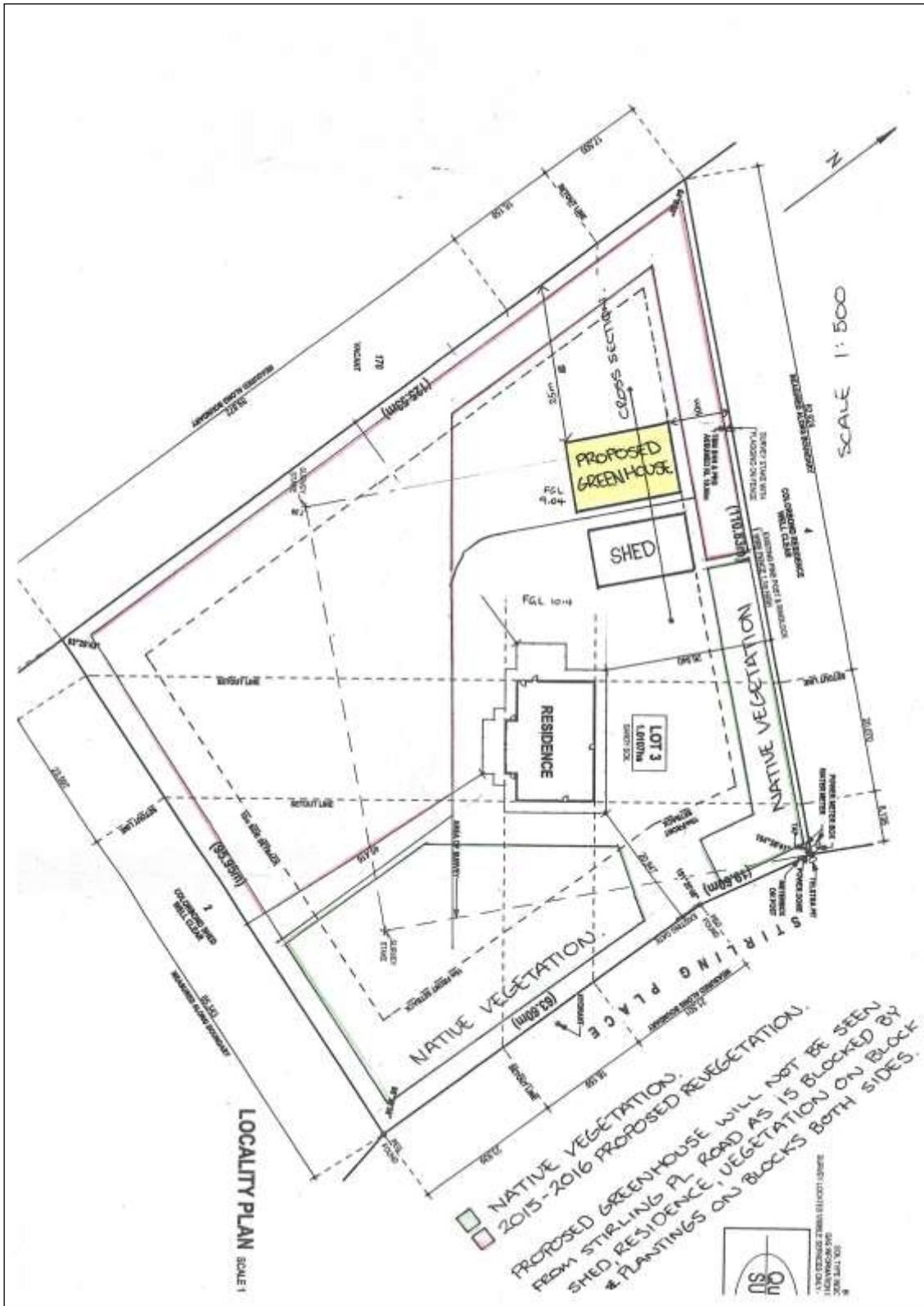
Advice Notes:

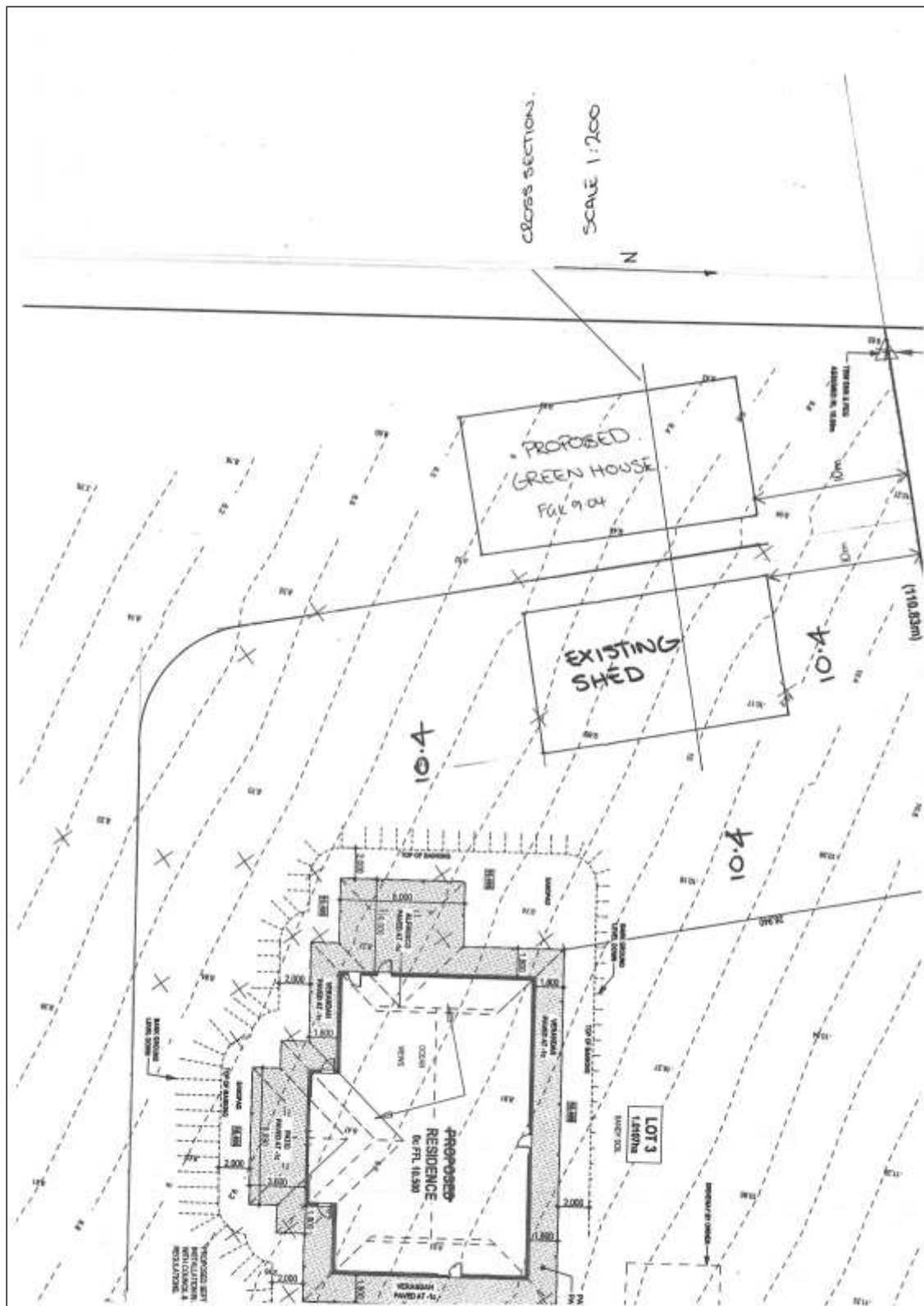
- (i) Where an approval has so lapsed, no development/land use shall be carried out without the further approval of the local government having first been sought and obtained.
 - (ii) If the applicant is aggrieved by this determination there is a right pursuant to the Planning and Development Act 2005 to have the decision reviewed by the State Administrative Tribunal. Such application must be lodged within 28 days from the date of determination.
- 2 Instruct Shire staff to return the Outbuilding Local Planning Policy to Council upon completion of its current advertising to allow for consideration of a revised definition that makes allowance for outbuildings clad in permeable and semi-permeable materials.

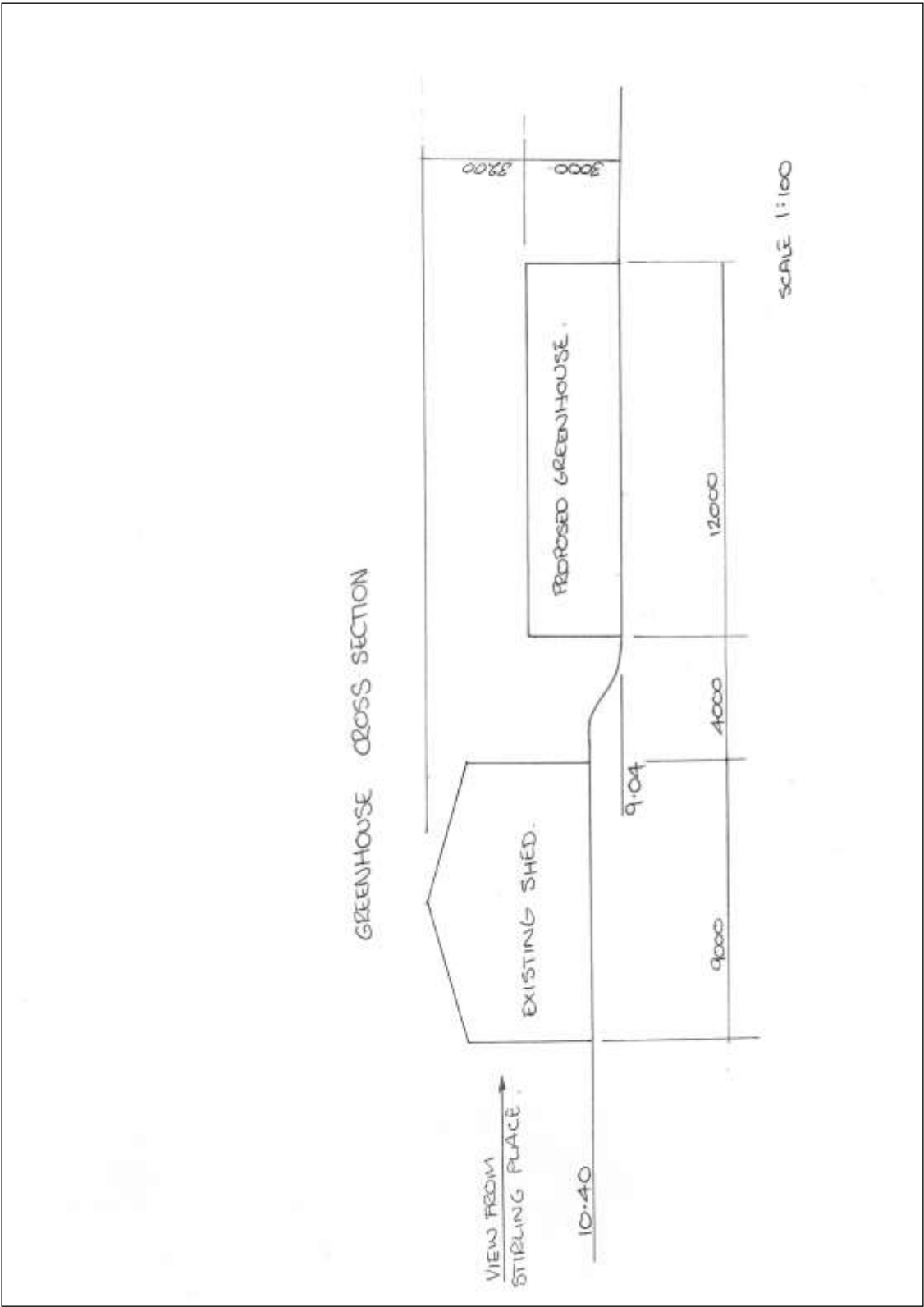
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CARRIED
Minute Reference 04/15-3**

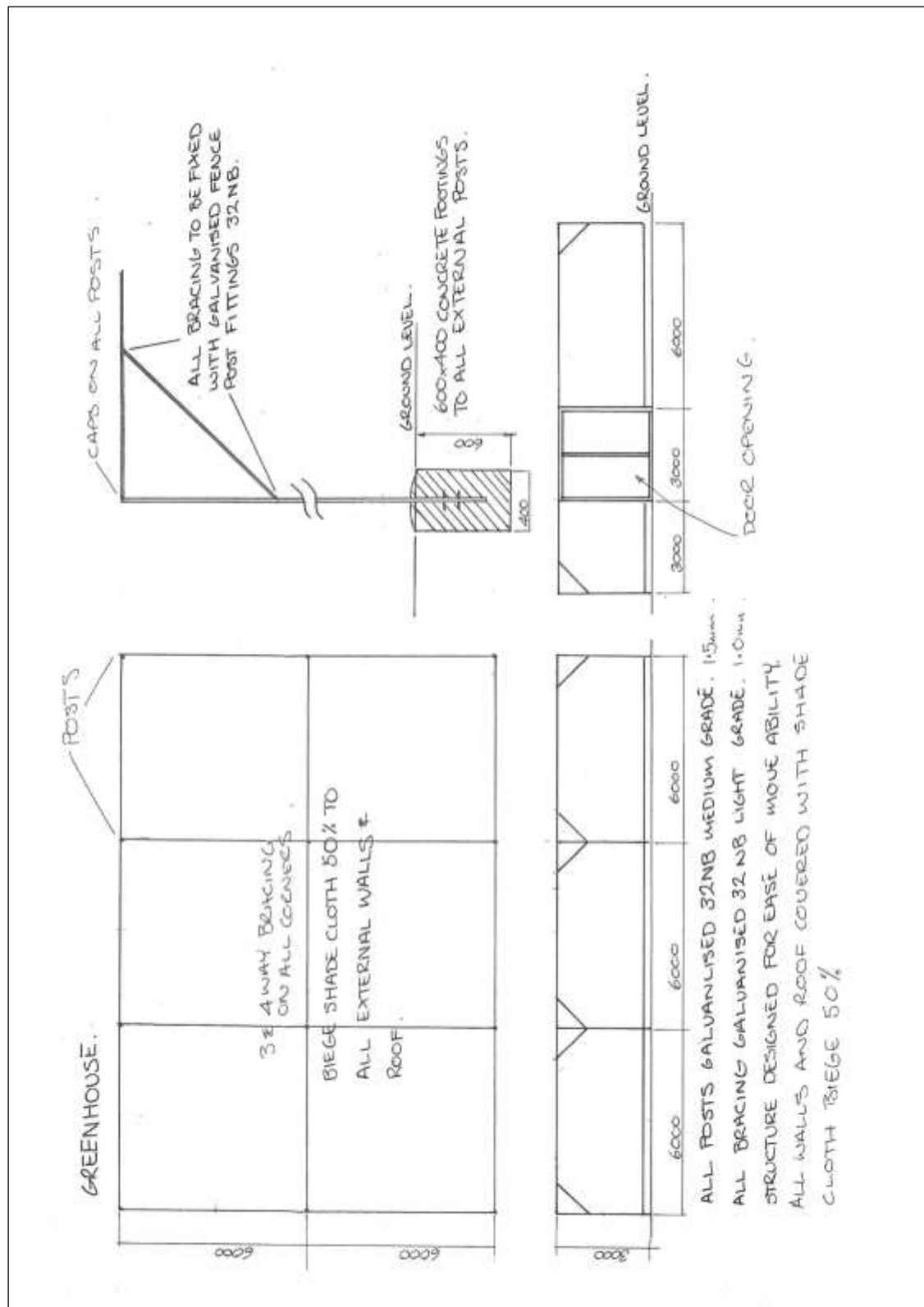
Note: Council chose not to go with the Staff Recommendation but an amended alternative motion as contained in the Staff Report.

Mr Rogers left Chambers at 9.10am









ALL POSTS GALVANISED 32NB MEDIUM GRADE. 15mm.
 ALL BRACING GALVANISED 32NB LIGHT GRADE. 1.0mm.
 STRUCTURE DESIGNED FOR EASE OF MOVE ABILITY.
 ALL WALLS AND ROOF COVERED WITH SHADE CLOTH BIEGE 50%

AGENDA ITEM:	9.1.3
SUBJECT:	OFF-ROAD VEHICLE AREAS FEASIBILITY STUDY
PROPONENT:	NORTHERN AGRICULTURAL CATCHMENTS COUNCIL
SITE:	BULLER RIVERMOUTH
FILE REFERENCE:	203.09 & 204.16.15
PREVIOUS REFERENCE:	02/13-4
DATE:	31 MARCH 2015
AUTHOR:	SIMON LANCASTER

DISCLOSURE OF INTEREST

Nil

BACKGROUND

The Northern Agricultural Catchments Council ('NACC') have released the 'Off Road Vehicle Areas in the Northern Agricultural Region of Western Australia Feasibility Study'. A copy of the document has been provided to Councillors as a separate attachment.

COMMENT

On 19 March 2015 NACC wrote to Shire advising the following:

"I am pleased to announce the release of the ORV Areas in the Northern Agricultural Region of WA – Feasibility Study, please click on the link below to view the report.

<http://narvis.com.au/wp-content/uploads/2015/03/Off-road-Vehicle-Areas-in-the-NAR.pdf>

First up I would like to thank all of you for your involvement in the project, particularly for taking time out from busy schedules to attend the regional workshops and complete surveys. Two areas of special interest have been identified in the report, namely Buller River mouth in the Shire of Chapman Valley and Southgates near the City of Greater Geraldton, and site-specific input from both these LGA's has been included in the report. A third site in Jurien Bay has been identified as an existing ORV Area that is not currently accessible to the public due to a lease agreement, and further details on this lease, as well as input from the Shire of Dandaragan, are being sought to assess the potential for securing public access to this site. In the coming months, we will continue discussions with all stakeholders and also facilitate an on-country site visit by Aboriginal custodians to assess the sites.

In addition to site identification, the report recommends further work to develop a coastal destination trails plan for road-registered ORV's and 4WD's, preferably in conjunction with 4WD clubs and other associations, and also includes interesting results from community and rider surveys. The report is a great first step towards improving management of ORV's in the NAR and I look forward to receiving your feedback on this report and continuing working with you on this issue."

NACC obtained funding from Coastwest to conduct a feasibility study on the establishment of further gazetted Off Road Vehicle ('ORV') areas in the Northern Agricultural Region (the coastline of which spans south of Guilderton to north of Kalbarri).

At present there are only two formal, operating and promoted ORV areas, with both of these being within the Shire of Gingin at the southern end of the Northern Agricultural Region, leaving few legal options for ORV users in the central and northern sections.

The feasibility study has sought input from a broad range of stakeholders, including coastal managers such as the relevant local governments and the Department of Parks & Wildlife, and ORV riders to identify coastal areas that have potential for gazettal as dedicated ORV areas.

The study acknowledges that ORV ownership is increasing, ORV's are increasing in power and diversity and becoming significantly cheaper, that simply restricting ORV use in one area transfers the issue elsewhere and a regional management approach would be beneficial, and unregulated use of ORV's is causing significant damage to sensitive coastal ecosystems, particularly close to regional communities. Coastal managers across the region are required to commit increasing resources to managing ORV's and associated illegal camping and this is an issue that will not go away.

The discussion at workshops has confirmed that ORV use is increasing with the most common theme for local governments and Department of Parks & Wildlife rangers when policing riders over illegal ORV activity being what alternative legal locations are available. Frustration was raised in the discussion at the low level of awareness created by retailers and the Department of Transport's ORV licensing system that was leading to a misconception that riders could ride anywhere.

The discussions also raised concern from local governments over the issue of liability and start-up and ongoing maintenance costs for ORV areas without confirmed financial assistance (not just one-off capital/start-up assistance for items such as fencing and signage but support for the ongoing policing and maintenance). It was acknowledged during the discussion that the feasibility study could not resolve these issues in itself but there was debate over funding models including the diversion of a very small proportion of the fuel excise (given all ORV's use fuel), and a revised ORV licensing system to provide financial support to local governments should they establish ORV areas.

The consultant undertaking the study for NACC met with LandCorp and received a level of preliminary support to further consider the Buller Rivermouth area as a potential ORV area.

Shire staff subsequently met with the consultant to emphasise that the Shire should not automatically be viewed as the appropriate management authority for an ORV area that will be a further expense to the Shire, that will primarily cater for people from outside the Shire and have little realistic ability to be operated under a user-pays/cost-recovery model. The Shire advised whilst it would be willing to continue dialogue regarding the possibility of an ORV area that similar to previous discussions over viewing platforms and day use areas within land under the control of parties other than the Shire along the coast it would be unwilling to take on a responsibility that currently falls to another agency without an arrangement that confirmed ongoing financial support. The Shire also emphasised that it would be receptive to an alternative model whereby the Shire made a financial and/or in-kind contribution along with other relevant agencies (e.g. Mid West Ports Authority, LandCorp, City of Greater Geraldton, Department of Parks & Wildlife, NACC etc.) or provided a fee-for-service and the land was under the ownership of a party other than the Shire.

The Shire also advised of its expectation that the study should not merely identify a site and consider the study complete, and that the study must identify issues that would be required to be resolved for an ORV area to be seriously entertained including management responsibility, access, funding (both capital and operational) and a level of good-practice in relation to running an ORV area (e.g. fencing, signage, level of regular inspection to assess such infrastructure) that would satisfy insurance and liability requirements.

The consultant provided a preliminary draft copy of the study to Shire staff and comments were provided and these have been given due regard in the version of the study now released by NACC.

A copy of the NACC ORV Feasibility Study has been provided to Council for review and it may consider one of the following options as appropriate, or formulate another stance in relation to this document:

- endorse/adopt the ORV Study; or
- receive the study and utilise it as a document of reference in the review of its Coastal Management Strategy, noting that Council is not bound to include the recommendations of the ORV Study within its Strategy; or
- disavow the ORV Study.

Buller Rivermouth

The NACC Study identifies the Buller Rivermouth as a potential site worthy of more detailed investigation for the development of an ORV area, noting that the area has the following attributes:

- is contained within the Oakajee Industrial Estate Buffer;
- is currently used by ORVs;
- is in proximity to the Geraldton urban area;
- is under state government ownership;
- the northern site comprises pasture terrain that could be developed as a facility offering a network of circuits and trails catering to different age groups and styles of riding;
- the southern section comprises dune terrain that could be developed as a network of defined coastal tracks and an exposed dunal area for more free-range riding.

Figure 9.1.3(a) – Extract from NACC ORV Feasibility Study relevant to Buller Rivermouth



The Study notes the Shire's comments that it has no objection to further consideration of the area, but also notes the Shire's comments that

"The Shire of Chapman Valley raised the significant issues of resourcing and management responsibilities that would need to be addressed to progress the exploration of this site. The Shire firmly expressed the view that it would only support the development of an ORVA in this area if it could be guaranteed of the necessary funding to cover:

- 1 All initial planning and development cost*
- 2 All future resourcing, maintenance and management costs, appropriately indexed and quarantined*
- 3 Associated costs such as depreciation costs and road maintenance*
- 4 Any additional insurance costs arising.*

In addition, the Shire of Chapman Valley indicated a strong reluctance to assume the indemnity provisions required by Landcorp, however it expressed a willingness to explore management models with Landcorp and the Mid West Ports Authority whereby the local government was engaged to manage a facility owned by Landcorp or another state government agency or department.

The Shire's preferred position is for Landcorp to retain ultimate ownership and responsibility, and to contract the Shire to manage the facility on its behalf. The Shire would want to retain the right to withdraw from the management of the facility in the event that funding was removed or reduced.

It was beyond the scope of this project to broker a deal between the stakeholders, nor was it within the scope of this project to seek and secure the requisite funding. The feasibility moves forward on the basis that these pre-conditions are noted and would need to be addressed if the project is to progress in this area."

"With a population of only 1,214 people, the Shire of Chapman Valley cannot be expected to foot the bill for a 16 facility that will draw the vast majority of its patronage from outside the Shire. And a specific fear of the Shire, based on too many precedents in local government, is that while external funding may be found for initial development, the Shire will then be expected to pay for management and maintenance into the future. The identification of less obvious costs, such as the increased frequency of road maintenance and the depreciation of any physical assets, is also a legitimate concern. Similarly, it would be an unfair burden on the ratepayers of the Shire if the introduction of an ORVA to the Shire's recreation inventory caused an increase in overall insurance costs.

To realistically expect the Shire's enthusiastic support for the project (and anything less would compromise the success of the project), the Shire must be able to see some ability for full cost recovery, and preferably a net benefit.

Logically, this benefit would be in the form of additional resources, funded for the ORVA but not exclusively used within the ORVA. The employment of a dedicated Coastal Ranger, for example, would provide the Shire with a regular presence to manage the ORVA while having time that can be allocated for coastal management duties further up the coast, with the possible option of a shared arrangement with the adjacent City of Greater Geraldton and Northampton Shire, which share common coastal management issues, as do Landcorp and the Mid West Ports Authority in relation to land under their control.

As for liability, informal advice provided by LGIS for similar ORVA-related projects suggests that the existence of an ORVA should have no automatic impact on a local government's pooled insurance bill, provided that basic risk management plans are in place. Contribution levels could be impacted by claims history.

Where a risk management plan is a pre-condition of acceptable insurability under the LGIS pooled scheme and / or Landcorp's insurance scheme, then both the Shire of Chapman Valley and Landcorp as ultimate lessor should feel adequately protected.

On the basis of the above, and notwithstanding the negotiations that would be required, and assuming the necessary funding can be sourced, we would conclude that it is feasible to reach a position that would satisfy both Landcorp as landowner and the Shire of Chapman Valley as land manager and administrator of the CV(OA)A.

That leaves the question of how this area could be funded. It is acknowledged that the vast majority of visitors to the ORVA would come from outside the Shire of Chapman Valley, with most coming from the City of Greater Geraldton. The City of Greater Geraldton could therefore be expected to make a contribution either in cash or in kind. The majority of the establishment costs would need to be sourced through funding providers such as the Mid West Development Commission, Lotterywest, Department of Sport & Recreation and other parties based on the environmental preservation and active participation objectives outlined earlier.

In accordance with the State Trail Bike Strategy recommendations, the State Government should be a key contributor through the Off-Road Vehicle Account for both capital and recurrent operational costs.

If an agreement in principle can be reached between the above primary stakeholders, other stakeholders including the local community would be consulted as part of the ORVA gazettal process."

The Study makes the following recommendations in relation to further investigation of the Buller Rivermouth site:

- Initiate engagement with traditional landholders to conduct a detailed investigation of Aboriginal heritage registered sites within the Buller Rivermouth precinct and to discuss and negotiate the establishment of an ORVA area at this location.
- If Aboriginal heritage issues can be resolved, seek management agreement (conditional on funding) with Landcorp and Shire of Chapman Valley.
- Establish funding options conditional on development of a Master Plan.
- Seek funding from ORV account to develop Buller Rivermouth Master Plan. The Master Plan will provide full scope of works and cost estimates, including full costing of all anticipated recurrent costs.
- Seek funding for implementation of Buller Rivermouth Master Plan.

STATUTORY ENVIRONMENT

The Buller Rivermouth site recommended by the NACC Study as warranting further investigation into the potential development of an ORV area is under the ownership of LandCorp (Lots 1, 2 & 1039) and as such currently assume occupier's liability risks for the site. The coastal reserve (Reserve 25300) along which ORV's currently access the Buller Rivermouth is under the management of the Mid West Ports Authority. The gravel access track that runs west off the North West Coastal Highway to the north of the Buller River, is situated upon land owned by LandCorp (Lots 3, 180153 & 6990) and is not a public road reserve. The existing access track to the Buller Rivermouth is not open for public use and is sign posted and gated accordingly.

The northern 'pasture' section of the ORV investigation area identified by the NACC Study is zoned 'Oakajee Industrial Area B (Coastal)' under Shire of Chapman Valley Local Planning Scheme No.2. The southern 'dune'

section is zoned 'Rural', both sites are located within the 'Special Control Area 1-Oakajee Industrial Zone Buffer'.

The *Control of Vehicles (Off-Road Areas) Act 1978* allows for the creation of Prohibited Areas, and Permitted Areas where it is legal to ride and drive ORV's without those vehicles or their operators needing to be licenced for the road. The Act also provides for unregistered vehicles to be ridden or driven on private land with the consent of the landowner.

An ORV area can be proposed by the relevant local government or any other interested party to the Department of Lands, and an advisory committee to the Minister for Local Government reviews the application, conducts a public enquiry process to establish community sentiment for the project and then makes a recommendation to the Minister. The Act assigns responsibility to the local government to administer and enforce the provisions of the Act within its district, including but not limited to the areas gazetted as ORV areas, however the Act does not specify the extent to which ORV areas should be actively managed. This leaves the *Occupiers' Liability Act 1985* to resolve questions of duty of care, and some Councils have questioned their required role in cases where an ORV area has been established on land not controlled by the Council e.g. Unallocated Crown Land.

POLICY IMPLICATIONS

The Buller Rivermouth site recommended by the NACC Study as warranting further investigation into the potential development of an ORV area is located within Precinct No.6 – 'Oakajee' of the Shire of Chapman Valley Local Planning Strategy (2008) which notes for this area that:

"Additionally, coastal management and access to specific recreational nodes, such as Buller River, will require serious consideration, extensive community consultation, and a co-ordinated and co-operative approach to addressing coastal issues prior to any significant development occurring within the Oakajee Industrial Estate."

The Local Planning Strategy lists the following community objective 6.1.2 for this precinct:

"Ensure coastal management and access issues are adequately addressed, and key recreational nodes are provided and maintained in a co-ordinated and co-operative approach with key stakeholders."

FINANCIAL IMPLICATIONS

In response to the feedback of local governments asked to make comment the NACC Study notes the following:

"A concern commonly expressed by local government authorities is the risk of litigation in the event of an accident and the potential impact on public liability insurance. The Civil Liabilities Amendment Act 2003 puts the onus on participants where an activity has 'inherent and obvious risks'. Provided an appropriate risk warning is provided (which can be as simple as a prominent sign), and provided the landowner has not been recklessly negligent towards the safety of participants, the risk of successful claim for injury against a council is low."

The local government pooled insurance provider has confirmed that recreation assets are not assessed individually, so having an ORVA will not automatically impact on insurance contributions. A council's claims history and associated legal costs are taken into account, averaged over the preceding four years. There have been no successful claims against a council since the Civil Liabilities Amendment Act 2003 legislation was enacted. The most recent case, in which the Shire of Gingin was initially held partially liable for an injury at Lancelin, related to an incident which occurred prior to 2003. (The case was overturned on appeal ⁵). ⁵ Supreme Court of Western Australia Court of Appeal - Martin CJ, McLure and Miller JJA - 25 May 2009 - [2009] WASCA 92."

In the event that the investigation of the potential development of an ORV area at Buller Rivermouth does not find significant fatal flaws then the Shire may consider that it has some capacity to assist in its development and management. However, it should not be considered that the Shire should automatically accept the liability, maintenance and management responsibilities for an ORV area. Detailed discussions and agreements are required to be reached that establish all parties' roles, responsibilities and financial commitments that are acceptable to the Shire prior to this matter being seriously entertained.

- **Long Term Financial Plan:**

The Shire of Chapman Valley Long Term Financial Plan (2013) was received by Council at its 18 September 2013 meeting. It is considered that a final determination in relation to the establishment of an ORV area is a matter that could have impact in relation to the Long Term Financial Plan.

STRATEGIC IMPLICATIONS

The Buller Rivermouth area is currently accessible only by travelling north from Drummond Cove Road along the beach. The location is popular for ORV activity and camping and has become increasingly subject to anti-social behaviour, littering and fire risk from some users of the area. A series of on-site meetings at the Buller Rivermouth have been held between representatives from the Shire, LandCorp and the Mid West Ports Authority recognising there is a need for a collaborative and proactive approach to access, recreation, rehabilitation and policing of this area.

There has been some previous discussion between the Shire and LandCorp regarding the formalisation of the Buller access from the North West Coastal Highway to the Buller Rivermouth to allow public access. Such an action, whilst increasing the accessibility of the site and pressures upon it, will also increase the potential for surveillance and thereby impact upon the mindset of some users that the location is 'out of sight, out of mind' and a suitable location for lighting of fires, dumping rubbish, vandalism and anti-social behaviour as currently occurs.

The formalisation of the access to the Buller Rivermouth has not yet occurred pending the finalisation of several issues related to the planning of the Oakajee Industrial Estate including the discussions over a potential southern rail access into the port site, the possible southern extent of the port area, and terms of management responsibility.

Irrespective of whether the Buller Rivermouth area is developed as an ORV area, or for other recreational day-uses, the formalisation of the existing access track leading westwards off the North West Coastal Highway is required to occur (ultimately by a road reserve but potentially as a legal access as an interim measure).

The Buller Rivermouth area has been identified in a number of state and local level strategic planning documents as being developed as a coastal access node. Both the Shire and LandCorp have previously supported the vision of opening up Buller Rivermouth for recreational activity and it is reflected in a number of strategic planning documents including the Shire's Coastal Management Strategy and LandCorp's Oakajee Industrial Estate Structure Plan.

This development is identified as a key social-offset in the event of beach access between Buller River and Coronation Beach being closed upon commencement of construction of the Oakajee Port. The development of the area will also manage the current pressures being placed upon the Buller Rivermouth through uncontrolled vehicle access, fire, litter, vandalism and public safety issues.

Figure 9.1.3(b) – Aerial Photograph of Buller Rivermouth to North West Coastal Highway



Figure 9.1.3(c) - Access point onto North West Coastal Highway north of Buller River



Council previously resolved at its 18 February 2013 meeting:

“That Council write to LandCorp and the Geraldton Port Authority expressing its interest in working collaboratively towards the opening of the Buller Rivermouth for public access, and the upgrading of the area for managed recreational day-use.”

Shire staff wrote to LandCorp and the Mid West Ports Authority following the 18 February 2013 Council meeting to formally advise of Council’s position.

LandCorp subsequently prepared a draft lease for the Shire’s consideration and an item in relation to this matter, and a copy of the draft lease was included in the 20 November 2013 Forum Session for Council’s discussion over the advantages/disadvantages of entering into an agreement prior to the Shire formally responding to LandCorp.

The general discussion at the 20 November 2013 Forum Session amongst Councillors was that the legal agreements prepared by Mid West Ports Authority for Coronation Beach (South) and by LandCorp for Buller Rivermouth were not in the Shire’s best interests and that a meeting between all 3 parties should be arranged to discuss management and funding arrangements for the area from Buller Rivermouth to Coronation Beach.

A subsequent item in relation to this matter was included for Councillor discussion in the 16 July 2014 Forum Session.

A further item in relation to the Buller Rivermouth and Off-Road Vehicle Areas was included in the 18 February 2015 Forum Session with a related item also included in the 18 February 2015 Information Reports.

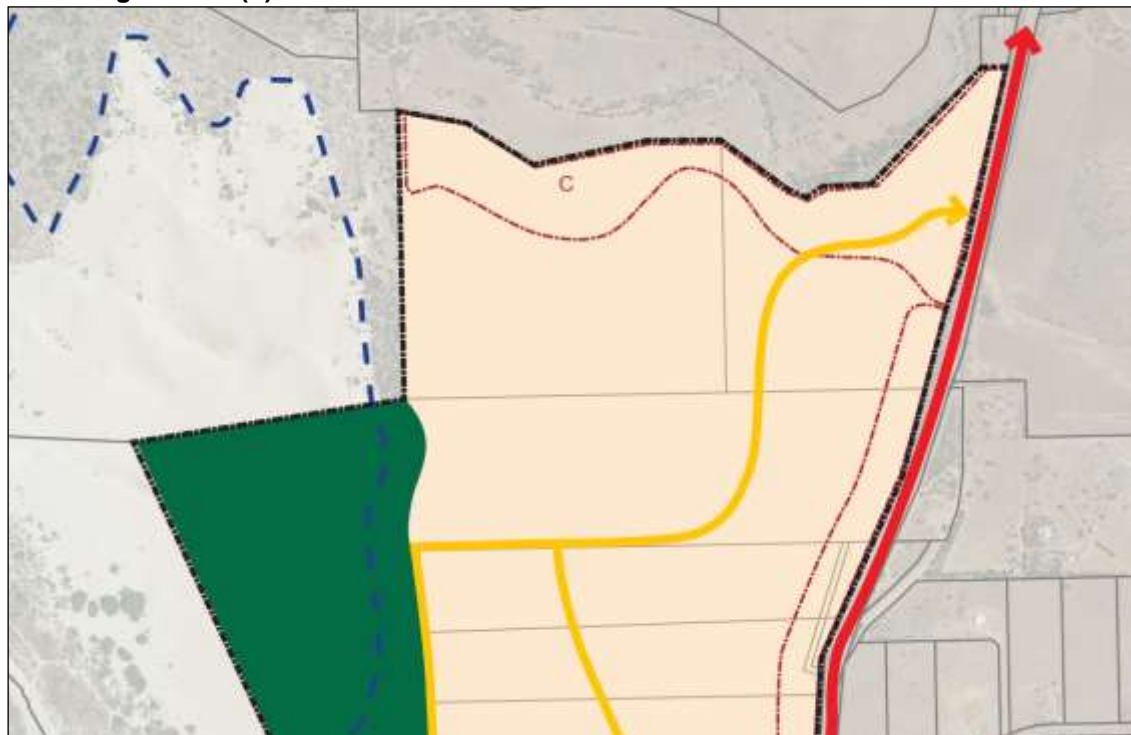
The Shire of Chapman Valley Coastal Management Strategy (2007) undertook a detailed exploration of the issues concerning the Buller Rivermouth and made recommendation that the site be developed as an overnight stay/camping and chalet coastal node. Since the preparation of the Coastal Management Strategy further consideration has been given to the possible development of southern stockpiles at the Oakajee Port site that confirmed that the location of the southern boundary of the Oakajee Industrial Buffer as shown in the Scheme is correct in terms of cumulative emissions and should not be moved further northwards. The retention of the buffer in its current alignment necessitates review of Action CMS 2.1 from the Coastal Strategy, requiring an amended recommendation for the Buller Rivermouth to be for ‘day-use’ activities only and not formally developed for camping.

NACC, LandCorp and the Mid West Ports Authority are all members of the Steering Group undertaking the review of the Shire of Chapman Valley Coastal Management Strategy and the potential development and management of Buller Rivermouth is an issue that will be examined as part of this review and the ORV Study can form part of the informing process in this review, noting that whilst Council may have regard for the ORV

Study it is not bound to accept its recommendations in its final consideration of its Coastal Management Strategy.

Another matter of consideration in any future exploration over recreational uses around the Buller Rivermouth is that Council resolved to advertise the Buller Local Structure Plan at its 18 March 2015 meeting. The Buller Local Structure Plan addresses the northern most extent of the urban growth corridor for the greater Geraldton area and would ultimately allow for the creation of 540-650 lots with a total estimated resident population of 1,404-1,690 persons. The southern ORV area (Area 2) identified by the NACC Study is immediately east and north-east of the Buller Local Structure Plan area and the northern ORV area (Area 1) identified by the NACC Study is 600m north of the Buller Local Structure Plan area at its closest point.

Figure 9.1.3(d) – extract from northern section of Buller Local Structure Plan



- **Strategic Community Plan/Corporate Business Plan:**

The Shire of Chapman Valley Strategic Community Plan 2013-2023 was adopted by Council at its 19 June 2013 meeting. The Strategic Community Plan lists a number of community objectives and the Corporate Business Plan, also adopted by Council at its 19 June 2013 meeting, lists the provision of safe and well maintained roads as a measure by which the success of achieving these community objectives should be measured.

CONSULTATION

The ORV Study was commissioned by NACC with funding from Coastwest as a response to community and environmental concerns about unmanaged ORV use along the Mid West coast. The Study was informed through two workshops held in Jurien Bay on 6 September 2012 and 20 January 2015, attended by representatives from coastal local governments, state government agencies (such as the Department of Parks and Wildlife), resident groups, user groups and coastcare organisations. The NACC Study was also informed through two on-line surveys (community groups and riders).

RISK ASSESSMENT

The landowner or occupier of an ORV area, were it to be established, would assume legal liability. Whilst advice from the Local Government Insurance Scheme suggests that the actual risk may be low, provided that a reasonable risk management strategy is in place, there is still a risk that a local government would have to assume under the *Civil Liability Act 2002* were it to host activities that have an 'obvious and inherent risk'.

Further, even in the event that the Local Government Insurance Scheme provides sufficient cover for local governments in cases of ORV-related litigation, or in cases where the local government is found to not have a case for liability where it has managed the risk in a reasonable manner, there will still be a cost in legal representation that can be a significant drain on Council resources

VOTING REQUIREMENTS

Simple majority of Council

COUNCIL RESOLUTION / STAFF RECOMMENDATION

MOVED: CR FORRESTER

SECONDED: CR WARR

That Council thank the Northern Agricultural Catchments Council for its preparation of the 'Off Road Vehicle Areas in the Northern Agricultural Region of Western Australia Feasibility Study' and receive the study as a document of reference in the review of its Shire of Chapman Valley Coastal Management Strategy.

Voting 8/0

CARRIED

Minute Reference 04/15-4

9.2 Finance April 2015

Contents

9.2 AGENDA ITEMS

- 9.2.1 Financial Reports for March 2015
- 9.2.2 2015/2016 Differential Rates
- 9.2.3 Nabawa Oval Goal Posts - Budget Variation

Mrs Raymond and Mrs Williams entered Chambers at 9.25am

AGENDA ITEM:	9.2.1
SUBJECT:	FINANCIAL REPORTS FOR MARCH 2015
PROPONENT:	SHIRE OF CHAPMAN VALLEY
SITE:	SHIRE OF CHAPMAN VALLEY
FILE REFERENCE:	307.04
PREVIOUS REFERENCE:	N/A
DATE:	15 APRIL 2015
AUTHOR:	KRISTY WILLIAMS & DIANNE RAYMOND

DISCLOSURE OF INTEREST

Nil

BACKGROUND

Financial Regulations require a monthly statement of financial activity report to be presented to Council.

COMMENT

Attached to this report are the monthly financial statements for March 2015 for Council's review.

STATUTORY ENVIRONMENT

Local Government Act 1995 Section 6.4

Local Government (Financial Management) Regulations 1996 Section 34

POLICY IMPLICATIONS

Policy 5.70 Significant Accounting Policies

Extract:

"2. Monthly Reporting

In accordance with Section 6.4 of the Local Government Act 1995 and Regulation 34 of the Financial Management Regulations 1996, monthly reporting will be provided as follows:

- 1. Statement of Financial Activity*
 - 2. Balance Sheet and statement of changes in equity*
 - 3. Schedule of Investments*
 - 4. Operating Schedules 3 – 16*
 - 5. Acquisition of Assets*
 - 6. Trust Account*
 - 7. Reserve Account*
 - 8. Loan Repayments Schedule*
 - 9. Restricted Assets*
 - 10. Disposal of Assets*
- A value of 10 percent is set for reporting of all material variances."*

FINANCIAL IMPLICATIONS

As presented in March 2015 financial statements.

- **Long Term Financial Plan (LTFP):**

No significant affect on the LTFP

STRATEGIC IMPLICATIONS

Nil

- **Strategic Community Plan/Corporate Business Plan:**

Nil

CONSULTATION

Not applicable

RISK ASSESSMENT

The associated risk would be the failure to comply with Local Government Financial Regulations requiring monthly reporting of financial activity.

VOTING REQUIREMENTS

Simple Majority

COUNCIL RESOLUTION / STAFF RECOMMENDATION

MOVED: CR FORRESTER

SECONDED: CR HUMPHREY

That Council receives the financial report supplied under separate attachment for the month of March 2015 comprising the following:

- Summary of Payments
- Summary of Financial Activity,
- Net Current Assets
- Detailed Statement of Financial Activity,
- Details of Cash and Investments,
- Statement of Significant Variations,
- Summary of Outstanding Debts
- Reserve Funds
- Information on Borrowings
- Disposal of Assets
- Acquisition of Assets
- Rating Information
- Trust Fund Reconciliations
- Bank Reconciliation

**Voting 8/0
CARRIED
Minute Reference 04/15-5**

AGENDA ITEM:	9.2.2
SUBJECT:	2015 / 2016 DIFFERENTIAL RATING
PROPONENT:	SHIRE OF CHAPMAN VALLEY
SITE:	SHIRE OF CHAPMAN VALLEY
FILE REFERENCE:	306.08
PREVIOUS REFERENCE:	NIL
DATE:	15 APRIL 2015
AUTHOR:	DIANNE RAYMOND

DISCLOSURE OF INTEREST

Nil

BACKGROUND

General rates may be imposed uniformly or differentially; it is the rate in the dollar imposed that determines whether there is a differential rate category. Local Governments under Section 6.33 of the Local Government Act 1995, have the power to implement differential rating in order to take into account certain characteristics of the rateable land. These characteristics include:

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

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

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

COMMENT

The purpose of this report is to determine if council wish to continue with this rating methodology for the 2015/2016 financial Budget.

The objective of the differential rate on Oakajee Industrial Estate properties is to recover from this sector an equitable share of the rates relating to the land held by Landcorp so that the Shire of Chapman Valley should not be financially disadvantaged due to the acquisition and subsequent development of the land. In order to reduce the impact of the Oakajee development on other ratepayers Council previously sought to introduce a differential rate. The annual review of Unimproved Valuations, although not yet received from Landgate Valuation Services for processing, will see an overall negligible change in value for the next financial year. To enable council to maintain a revenue base which provide its various facilities, services and infrastructure to electors, residents and property owners a differential rate is again proposed for the UV Oakajee Industrial Estate Buffer Zone.

In accordance with the Corporate Business Plan commitment for a sustained 6.5% yearly rate increase the following rate in the dollar and minimum rate is proposed:

UV Oakajee Industrial Estate Buffer Zone: This category includes any property zoned Oakajee Industrial Estate and Buffer within Town Planning Scheme No.1 A rate in the dollar of 1.9313 cents on Unimproved Values with a minimum of \$350 is proposed.

(Note: This affects two (2) rateable assessments with an unimproved valuation totalling \$9,134,000; proposed differential rates to be levied of \$176,404).

The balance of the unimproved valued rating area is the **UV Rural General Rate** defined as: Any other property in the Shire of Chapman Valley zoned Rural within the Shire of Chapman Valley Town Planning Scheme. A rate in the dollar of 0.9656 cents on Unimproved Values with a minimum of \$350 is proposed.

STATUTORY ENVIRONMENT

Local Government Act 1995

- S.6.32 States that a local government, in order to make up the budget deficiency, is to impose a general rate on rateable land that may be imposed uniformly or differentially.
- S6.33 (1) Provides that a local government may impose differential rates based upon characteristic of zoning, predominant land use, whether or not the land is vacant.
- S6.34 States that a local government cannot without the approval of the Minister yield a general rate that exceeds 100% of the budget deficiency or less than 90% of the budget deficiency.
- S6.35 States that a local government may impose on any rateable land in its district a minimum payment which is greater than the general rate which would otherwise be payable on that land.
- S6.35(4) States that a minimum payment is not to be imposed on more than the prescribed percentage of a) the number of separately rated properties in the district; or b) the number of properties in each category.
- FMR 5 s.52 States that the percentage prescribed for the purposes of s6.35 (4) is 50%.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Although a Draft Budget has not been compiled for council at this point, the rating principle of a 6.5% increase will provide the basis for presenting a balanced budget. A rates model (supplied under separate attachment) indicating a 6.5% rate in the dollar increase to all rating categories represents a compliant model in relation to the differential rates levied and proposed minimum rates. Once these have been advertised, Council may impose a lesser percentage increase to the rate in the dollar, with a subsequent explanation provided in the budget notes (and budget brochure for ratepayers) being sufficient for compliance.

- **Long Term Financial Plan (LTFP):**

No significant affect on the LTFP

STRATEGIC IMPLICATIONS

Nil

- **Strategic Community Plan/Corporate Business Plan:**

The proposed rate model is consistent with the rating principles in the Corporate Business Plan

CONSULTATION

To comply with legislative provisions below it is intended to publish notification of the Intent to Levy Differential Rates in the local paper Friday 1st May 2015. It is a requirement to allow 21 days for ratepayers to make submissions and to then consider these, if any, prior to budget adoption.

6.36. Local government to give notice of certain rates

- (1) Before imposing any differential general rates or a minimum payment applying to a differential rate category under section 6.35(6)(c) a local government is to give local public notice of its intention to do so.
- (2) A local government is required to ensure that a notice referred to in subsection (1) is published in sufficient time to allow compliance with the requirements specified in this section and section 6.2(1).
- (3) A notice referred to in subsection (1) —
 - (a) may be published within the period of 2 months preceding the commencement of the financial year to which the proposed rates are to apply on the basis of the local

government's estimate of the budget deficiency; and

(b) is to contain —

- i. details of each rate or minimum payment the local government intends to impose; and*
- ii. an invitation for submissions to be made by an elector or a ratepayer in respect of the proposed rate or minimum payment and any related matters within 21 days (or such longer period as is specified in the notice) of the notice; and*
- iii. any further information in relation to the matters specified in subparagraphs (i) and (ii) which may be prescribed;*

and

(c) is to advise electors and ratepayers of the time and place where a document describing the objects of, and reasons for, each proposed rate and minimum payment may be inspected.

(4) The local government is required to consider any submissions received before imposing the proposed rate or minimum payment with or without modification.

RISK ASSESSMENT

Associated risk would be a failure to comply with the Local Government Act 1995 and relevant Financial Management Regulations requiring local governments to advertise their intent to levy differential rates prior to setting the annual budget.

VOTING REQUIREMENTS

Simple Majority

COUNCIL RESOLUTION / STAFF RECOMMENDATION

MOVED: CR FORRESTER

SECONDED: CR FARRELL

That Council:

- 1 Provides 21 days local public notice, as required by s6.36 (1) of the *Local Government Act* 1995, of its intention to impose differential general rates for the 2015/2016 financial year as listed below.
- 2 Agrees to staff using the following rates in the dollar and minimum rates as the basis for the preparation of the 2014/2015 Draft Annual Budget.

Draft Rate Model 2015/2016						
Rating Category	Basis	Rate in \$ 2014/2015	Minimum 2014/2015	Proposed Rate in \$ 2015/2016	Proposed Minimum 2015/2016	Percentage of Properties on Minimums
GRV	GRV	6.9473	\$ 516.00	7.3989	\$ 525.00	43%
UV Rural	UV	0.9067	\$ 325.00	0.9656	\$ 350.00	5%
UV Oakajee	UV	1.8134	\$ 325.00	1.9313	\$ 350.00	0%

**Voting 7/1
CARRIED
Minute Reference 04/15-6**

AGENDA ITEM:	9.2.3
SUBJECT:	NABAWA OVAL GOAL POST - BUDGET VARIATION
PROPOSER:	PRESIDENT & CHIEF EXECUTIVE OFFICER
SITE:	SHIRE OF CHAPMAN VALLEY
FILE REFERENCE:	306.13
PREVIOUS REFERENCE:	NIL
DATE:	15 APRIL 2015
AUTHOR:	DIANNE RAYMOND

DISCLOSURE OF INTEREST

Nil

BACKGROUND

Council's adopted budget at times will need variations made to reflect changes which occur after the budget has been adopted.

The purpose of this report is to advise Council of the need for the Shire President (based upon advice from the Chief Executive Officer) of the need to invoke an urgent budget variation to replace unsafe goal posts at the Nabawa Oval.

COMMENT

In accordance with legislative requirements of the *Local Government Act, 1995, Section 6.8(1) (b)* Council is required to resolve by **Absolute Majority** to incur expenditure from its municipal fund for an additional purpose that is not identified in the Adopted Budget. However the *Act* also provides for the President to authorise budget variations in advance in the case of an emergency (i.e. Section 6.8(1) (c) *Act*).

It was identified at the recent Building Committee meeting the unsafe nature of the goal posts at the Nabawa Oval. The intention was to present an Agenda item to the April OCM seeking endorsement of a budget variation to replace these posts immediately. However, after discussions with the Chapman Valley Football Club and the Building Surveyor there is concern these post are more dangerous than initially thought. As a result of the latest information the Chapman Valley Football Club cancelled a scratch match scheduled at the oval.

The Chief Executive Officer discussed this matter with the Shire President who has authorised the replacement of the post immediately due to the urgency associated with the unsafe nature of the posts and the possibility of liability/litigation against the Shire in the event of injury/damage to person or property.

I have also instructed the staff to arrange removal of the existing goal post as a matter of urgency to ensure the liability issue for possible damage/injury is removed.

The items listed in the *Financial Implications* section of this report have been identified as requiring variations to the Budget with a nil overall effect on the 2014/2015 Adopted Budget.

The recent Council's Building Committee and annual inspection of buildings, held on Wednesday 25 March 2015, made a recommendation as follows:

COMMITTEE RECOMMENDATION

MOVED: CR HUMPHREY

SECONDED: CR FORRESTER

Recommend an item be presented to Council for budget variation to accommodate urgent works required to replace goal posts in this financial year.

Voting 3/0
CARRIED
Minute Reference BC03/15-3

To accommodate this essential works staff has identified areas of savings in COA GL 2834 - Land & Buildings Capital Expenditure account. The Nabawa Sports Complex works are near completion for a total cost of \$19,074 with a savings of \$5,426. As the adopted budget clearly identified the works that was to be carried out for the expenditure amount of \$24,500 a budget variation is required to utilise these surplus funds for the supply and erection of replacement goal posts at Nabawa Oval. Expenditure in general maintenance of the Nanson Roads Board Building has identified further savings that may be utilised to cover the immediate need for the goal post replacement.

STATUTORY ENVIRONMENT

The Shire President has the authority the CEO to incur expenditure not budgeted for under the LG Act to commence the removal & replacement of the existing post immediately i.e.

6.8. Expenditure from municipal fund not included in annual budget

- (1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —
- (a) is incurred in a financial year before the adoption of the annual budget by the local government; or
 - (b) is authorised in advance by resolution*; or
 - (c) is authorised in advance by the mayor or president in an emergency.**

POLICY IMPLICATIONS

No existing policy affected or relevant.

FINANCIAL IMPLICATIONS

Staff has costed the replacement of the post (approximately \$8,500 - see Table below) using prison labour. So this cost is for materials, freight, painting, concrete footings, etc. The Prison Crew is able to commence this work immediately after Easter.

Budget Variations are detailed below:

COA	COA Description	Original Budget \$	Proposed Revised Budget \$	Budget Impact \$	Comments
2834	Land & Building Capital Expenditure	303,727	298,301	-5,426	
<i>Line Item</i>	<i>Nabawa Sports Complex Works</i>	<i>24,500</i>	<i>17,074</i>	<i>-5,426</i>	<i>Works completed under budget</i>
<i>Line Item</i>	<i>New BBQ Centenary Park</i>	<i>6,500</i>	<i>6,500</i>	<i>0</i>	<i>No Change</i>
<i>Line Item</i>	<i>Bill Hemsley Park - POS - only to be spent in accordance with the conditions set in the "Agreement for the management of Parkfalls recreation site". Refer COA GL 2803</i>	<i>272,727</i>	<i>272,727</i>	<i>0</i>	<i>No Change</i>
3602	Historical Roads Board Building	8,325	5,180	-3,145	Budget allocation is not reflective of actual expenditure required.

1482 Job LSG	Sporting Club Expenses Nabawa Oval	0	8,571	8,571	<i>Nabawa Oval Replacement Goal Posts</i>
	Budget Impact			0.00	

- **Long Term Financial Plan (LTFP):**

No significant affect on the LTFP

STRATEGIC IMPLICATIONS

Nil

- **Strategic Community Plan/Corporate Business Plan:**

All the above mentioned variations are consistent with the Corporate Business Plan.

CONSULTATION

Consultation with relevant staff to determine budget amendments required.

RISK ASSESSMENT

Financially there is insignificance risk as the budget impact is nil. However, due to the potential for serious injury to employees and/or members of the public Compliance, Health and Reputation may pose a major risk should the works not be carried out to rectify the issue. As the hazard has been formally identified the shire would be remiss in its duty of care under the Occupational Safety & Health Act 1984 should it not action immediately to provide a safe work environment.

VOTING REQUIREMENTS

Simple Majority

COUNCIL RESOLUTION / STAFF RECOMMENDATION

MOVED: CR HUMPHREY

SECONDED: CR ROYCE

Council confirm the following urgent budget variations to the 2014/2015 Budget as authorised by the President in accordance with Section 6.8(1)(c)the *Local Government Act*, 1995:

COA	COA Description	Original Budget \$	Proposed Revised Budget \$	Budget Impact \$	Comments
2834	Land & Building Capital Expenditure	303,727	298,301	-5,426	
<i>Line Item</i>	<i>Nabawa Sports Complex Works</i>	<i>24,500</i>	<i>17,074</i>	<i>-5,426</i>	<i>Works completed under budget</i>
<i>Line Item</i>	<i>New BBQ Centenary Park</i>	<i>6,500</i>	<i>6,500</i>	<i>0</i>	<i>No Change</i>
<i>Line Item</i>	<i>Bill Hemsley Park - POS - only to be spent in accordance with the conditions set in the "Agreement for the management of Parkfalls recreation site". Refer COA GL 2803</i>	<i>272,727</i>	<i>272,727</i>	<i>0</i>	<i>No Change</i>

3602	Historical Roads Board Building	8,325	5,180	-3,145	Budget allocation is not reflective of actual expenditure required.
1482 Job LSG	<i>Sporting Club Expenses Nabawa Oval</i>	0	8,571	8,571	<i>Nabawa Oval Replacement Goal Posts</i>
	Budget Impact			0.00	

**Voting 8/0
CARRIED
Minute Reference 04/15-7**

From: John Collingwood <labonita@bigpond.com>
Sent: Thursday, 2 April 2015 1:31 PM
To: Maurice Battilana
Cc: Cr Anthony Farrell; Cr Ian Maluish; Ian Maluish; Cr Kirilee Warr; Cr Pauline Forrester; Cr Peter Humphrey; Cr Trevor Royce; Cr Veronica Wood; John Collingwood; Dianne Raymond; Anthony Abbott
Subject: Re: Nabawa Oval Goal Posts

I have authorised the CEO to replace to goal posts due to unsafe condition as per information provided to me.

As per section 6.8(1) of lg act.

Regards

John Collingwood

President

On 2 Apr 2015, at 8:20, "Maurice Battilana" <ceo@chapmanvalley.wa.gov.au> wrote:

Councillors

It was identified at the recent Building Committee meeting the unsafe nature of the goal posts at the Nabawa Oval.

The intention was to present an Agenda item to the April OCM seeking endorsement of a budget variation to replace these post immediately. However, after discussions wit the CV Football Club there is concern these post are more dangerous than initially thought and they have cancelled a scratch match scheduled at the oval this week.

I have discussed this matter with the Shire President who has authorised the replacement of the post immediately due to the urgency associated with the unsafe nature of the posts and the possibility of liability against the Shire in the event of injury/damage.

The Shire President has the authority the CEO to incur expenditure not budgeted for under the LG Act to commence the removal & replacement of the existing post immediately i.e.

6.8. Expenditure from municipal fund not included in annual budget

- (1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —
 - (a) is incurred in a financial year before the adoption of the annual budget by the local government; or
 - (b) is authorised in advance by resolution*; or
 - (c) is authorised in advance by the mayor or president in an emergency.**

** Absolute majority required.*

Staff have costed the replacement of the post (approximately \$8,500) using prison labour. So this cost is for materials, freight, painting, concrete footings, etc. The Prison Crew are able to commence this work immediately after Easter.

I have also instructed the staff to arrange removal of the existing goal post as a matter of urgency to ensure the liability issue for possible damage/injury is removed.

Please contact me if you have any queries.

John – For our records can you please confirm by a **REPLY ALL** response to this email your formal approval in accordance with Section 6.8 (1) (c) of the LG Act as mentioned above

Maurice Battilana | CHIEF EXECUTIVE OFFICER

<image001.jpg>

Address Lot 7 | Chapman Valley Road | Nabawa | WA | 6532

Mailing Address PO Box 1 | Chapman Valley Road | Nabawa | WA | 6532

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Disclaimer by the Shire of Chapman Valley: -

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Please consider the environment before printing this email.

9.3

Chief Executive Officer

April 2015

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- 9.3.1 Annual Roads Inspection
- 9.3.2 Parkfalls Residents Association Correspondence
- 9.3.3 2015/2016 Budget Requests
- 9.3.4 2015 WALGA Honour Awards
- 9.3.5 Building & Disability Committee Minutes
- 9.3.6 Bushfire Brigades Group Management Advisory Committee Minutes
- 9.3.7 Chapman Valley Agricultural Society Management Licence

AGENDA ITEM:	9.3.1
SUBJECT:	ANNUAL ROADS INSPECTION
PROPONENT:	SHIRE OF CHAPMAN VALLEY
SITE:	SHIRE OF CHAPMAN VALLEY
FILE REFERENCE:	1021.00
PREVIOUS REFERENCE:	NA
DATE:	15 APRIL 2015
AUTHOR:	MAURICE BATTILANA

DISCLOSURE OF INTEREST

Nil

BACKGROUND

The Shire of Chapman Valley Councillors & Staff met on the 16 March 2015 for the Annual Road Inspection followed by a meeting in the Council Chambers, Nabawa, on the same day.

As not all issues could be resolved on the day of the Road Inspection discussions were continued at the March 2015 Forum Session.

The Notes from the inspection and subsequent discussions have been included as **Attachment 1**.

COMMENT

The Notes at **Attachment 1** indicate the discussions held and the Proposed Ten Year Road Works Program for the period 2015/2016 to 2024/2025 is provided at **Attachment 2**. Therefore the following conditions have now been listed at the head of the 2015/2016 Road Works Program:

1. *Priority 1 "Grant Funded" Projects will take precedence over all other road works;*
2. *Priority 2 "Maintenance Works" Projects will take precedence over Priority 3 "Own Resource" Projects (e.g. gravel sheeting);*
3. *"Own Resource" Project listed are indicative only and not guaranteed to be completed in the year they are listed.*
4. *Amounts listed for "Maintenance Works" & "Own Resource" Projects are indicative only and subject to variation.*
5. *"Maintenance Works" amount does not include other recurrent maintenance works (e.g. maintenance grading, spraying, etc)*

STATUTORY ENVIRONMENT

Local Government Act 1995

POLICY IMPLICATIONS

As stated in the Road Inspection Notes the following Policies implicate the process:

- 15.30 Regional Road Group (RRG) Roadworks Grants;
- 15.40 Roads of Regional Significance (RRG)
- 15.50 Standards of Construction
- 15.100 Heavy Haulage Vehicle Permits
- 15.200 Road Hierarchy
- 15.220 Road Works Funding Allocation Process

FINANCIAL IMPLICATIONS

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 maximized.

- **Long Term Financial Plan (LTFP):**

The Proposed Road Works Program has been structured in a way to maintain the Shires Own Resources contribution towards the overall program irrespective of the grants received. This will complement the estimated expenditure allocation in the current LTFP.

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. As previously mentioned, 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.

- **Strategic Community Plan/Corporate Business Plan:**

We need good services to support our development as a Shire	Maintain existing services and facilities	Support improved telecommunications, power, road & water services in the community
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CONSULTATION

Consultation occurred with the Shire Manager Works and Services (Esky Kelly) and the Shire Leading Hand (Marty Elks) when developing the proposed road works program. Both staff also attended the Road Inspection.

RISK ASSESSMENT

The risk associated with not having a basis for allocating limited resources to road works is the roads in most need may not be catered for, hence the reason for the Road Hierarchy and consultation with the road works staff being essential to the integrity of the process and funding allocations. We should not be subject to allocating funds to road as a result of the "*Squeaky Wheel receiving the most oil*".

VOTING REQUIREMENTS

Simple Majority

STAFF RECOMMENDATION

That Council receives the notes of the Roads Inspection and endorse the following recommendations:

1. Council endorse the *10 Year Road Works Program – 2015/2016 to 2024/2025* as presented at **Attachment 1** and this PROGRAM be used as a basis for resource allocation into the Draft 2015/2016 Budget with understanding there will be projects scheduled for 2014/2015, which will need to be carried-over and completed in 2015/2016;
2. List for budget consideration \$150,000 to continue improvements in accordance with the approved Parkfalls Estate Development Plan.
3. Dartmoor Road – Regional Road Group application to continue seal works in preference to gravel sheeting under the condition the traffic volume & type will attract RRG funding for seal extension. If the traffic volume & type does not warrant seal extension then the gravel sheeting program be applied for.

4. Council endorses the *Road Hierarchy* and *Heavy Haulage Vehicle Permit* Policies as presented without change.

Meeting adjourned at 10.24pm

Meeting recommenced at 10.34am

COUNCIL RESOLUTION

MOVED: CR ROYCE

SECONDED: CR FARRELL

That Council receives the notes of the Roads Inspection and endorse the following recommendations:

1. Council endorse the *10 Year Road Works Program – 2015/2016 to 2024/2025* as presented at **Attachment 1** and this PROGRAM be used as a basis for resource allocation into the Draft 2015/2016 Budget with understanding there will be projects scheduled for 2014/2015, which will need to be carried-over and completed in 2015/2016;
2. List for budget consideration \$150,000 to continue improvements in accordance with the approved Parkfalls Estate Development Plan.
3. Dartmoor Road – Regional Road Group application to continue seal works in preference to gravel sheeting under the condition the traffic volume & type will attract RRG funding for seal extension. If the traffic volume & type does not warrant seal extension then the gravel sheeting program be applied for.

Voting 6/2

CARRIED

Minute Reference 04/15-8

Note: Staff Recommendation was carried with the exception of Item 4 which lay on the table to be brought back to the May Council meeting.



Shire of
Chapman Valley
Love the Rural Life

ROADS INSPECTION

**MONDAY 16 MARCH 2015
COUNCIL CHAMBERS NABAWA
7:30AM**

G:\040 Governance\403 Committees\403.03 - Road Inspection\MINUTES & NOTES\2015\Roads Inspection Notes (After March Forum 2015).docx

**ROAD INSPECTION MEETING HELD IN THE COUNCIL CHAMBERS, NABAWA
MONDAY 16 MARCH 2015**

ORDER OF BUSINESS

1.0 Record of Attendance

1.1 Present

Councillors

Member	Ward
Cr John Collingwood President	North East Ward
Cr Anthony Farrell	North East Ward
Cr Kirilee Warr	North East Ward (till 2.20pm)
Cr Trevor Royce	North East Ward
Cr Peter Humphrey	South West Ward (till 4.58pm)
Cr Veronica Wood	South West Ward
Cr Ian Maluish	South West Ward

Staff

Officer	Position
Mr Maurice Battilana	Chief Executive Officer
Mr Esky Kelly	Manager of Services & Works
Mr Marty Elks	Leading Hand
Mr Simon Lancaster	Manager of Planning
Mrs Karen McKay	Executive Assistant (Minute Taker)
Mrs Dianne Raymond	Manager of Finance & Corporate Services (from 4.00pm)

1.2 Apologies

Name	
Cr Pauline Forrester	North East Ward

2.0 Road Inspection

3.0 Discussion Items

3.1 Proposed 2015/2016 and Ten Year Road Works Program

**3.2 Review of Shire Road Hierarchy & Heavy Haulage Vehicle Permit
Roads**

4.0 General Business/Discussions

5.0 Closure

PROPOSED ITINERARY FOR ROAD INSPECTION MONDAY 16TH MARCH 2015

7.30am **Meet at Council Chambers – Brief Discussion on Issues and proposed Route to be taken.**

	Location	Description
1	Nabawa Yetna Rd	Corrugated section
2	Hickety Rd	Gravel Sheeting (Complaint)
3	Coronation Beach Camping Reserve	Altered Access Tracks
4	Olsen Rd/NWCH Junction	Junction location (Complaint)
5	White Peak/NWCH Junction	Junction Location (Complaint)
6	Eliza Shaw Rd	Cr Maluish Request

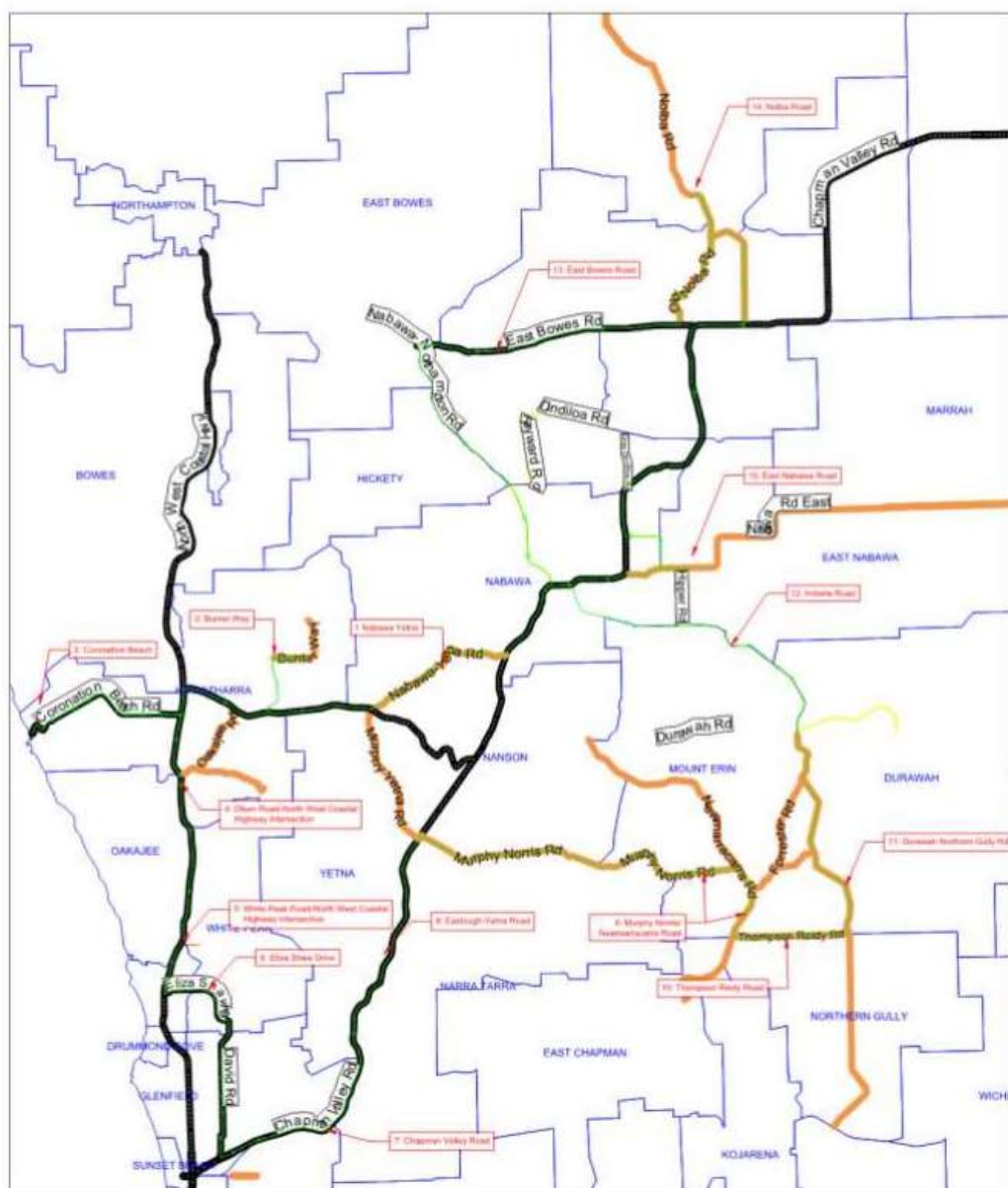
Morning Tea – Location To be Determined

7	Chapman Valley Rd	Shoulder Reconstruction
8	Eastough Yetna Rd	Complaint regarding access
9	Newmarracarra Rd	Gravel Sheeting (Bring Forward)
10	Thompson Reidy Rd	Gravel Sheeting
12	Indialla Rd	Gravel Sheeting (Bring Forward)

Lunch at Council Chambers

13	East Bowes Rd	Inspect Finished Project
14	Nolba Rd/Canon Whelarra Roads	Defer to 15/16 – C Mincherton Seal Request
15	East Nabawa Rd	Inspect current & proposed project

Return to Council Chambers
Deal with Road Inspection Items Listed and discussed on Tour



Shire of Chapman Valley
Road Inspection Tour 2015-2016

DISCUSSION ITEM:	3.1
SUBJECT:	PROPOSED 2015/2016 & TEN YEAR ROAD WORKS PROGRAM
PROponent:	CHIEF EXECUTIVE OFFICER & MANAGER WORKS & SERVICES
SITE:	WHOLE SHIRE
FILE REFERENCE:	1002
PREVIOUS REFERENCE:	NA
DATE:	16 MARCH 2015
AUTHOR:	MAURICE BATTILANA, CHIEF EXECUTIVE OFFICER

BACKGROUND

The purpose of this Item is to present Councillors with a proposed 2015/2016 & Ten Year Road Works Program for consideration.

Determination from the Road Inspection will form a recommendation to Council for consideration and endorsement for allocation of funding and resources to the forthcoming Draft Budget.

COMMENT

Attached to this Item is the:

- **Current** 10 Year Road Works Program – 2014/2015 to 2023/2024; and
- **Proposed** 10 Year Road Works Program – 2015/2016 to 2024/2025.

The Proposed Program has had the recommended amendment to the Current Program highlight in **RED**.

It appears not all road projects scheduled for 2014/2015 will be completed due to slippages in time for completed projects. The following project will be deferred and prioritized for 2015/2016:

Nolba Rd	Gravel Sheetting	C Mincherton has informally approach the Leading Hand enquiring about the Shire sealing a section of the Nolba Rd adjacent to his house to reduce dust issues. This needs to be formally submitted for Council consideration. Past procedures for such request has been that the landowner covers all costs for materials (i.e. bitumen, aggregate & application costs by contractor) and the Shire covers gravel works. It is appropriate to complete the gravel works at the same time as the gravel sheetting is undertaken otherwise costs to return for the seal works alone would be excessive.
Cannon Whellarra Rd	Gravel Sheetting	This is also to be deferred as the intention was to do this work in conjunction with the Nolba Rd gravel sheetting work.
Wandana Rd	Shoulder Upgrades	It is anticipated this work will commence in 14/15 yet may not be completed by 30/6/2015. If not fully completed in 14/15 this project will continue as the first project in 15/16.

The Regional Road Group (RRG) projects have been approved by the Mid West Regional Road Group and formal notification has been received from Main Roads WA advising of the projects which the Shire will be funded for in 2015/2016. Therefore these particular projects cannot be adjusted. These projects have already been endorsed by Council when the RRG grant applications were lodged in August 2014.

Projects applied for from the RRG were:

Road	Works	SLK	Total Project Costs	Shire Resources	RRG Grant Applied for	Approved Y/N
			\$	\$	\$	
Dartmoor	Reform, improve drainage and gravel sheet	4.10 – 8.10	144,000	48,000	96,000	Y
*Valentine	Upgrade from gravel to 7m seal	0.00 – 3.00	392,500	130,833	261,667	Y

Wheeldon Hosking/Naraling East Yuna	Survey, design & land acquisition for junction realignment	0.00	20,000	6,667	13,333	Y
Total Funded RRG Projects			556,500	185,500	371,000	
East Nabawa	Survey, design & land acquisition for future upgrade from gravel to 7m seal	2.00 – 9.00	73,500	24,500	49,000	N
Yuna Tenindewa	Widen from 4m to 7m seal	14.30 – 16.30	263,000	87,667	175,333	N

* Subject to Confirmation of Grant funds being available. State Government reduction in MWRRG funds for 15/16 may result in this project not being funded

Below is a comparison of RRG grants received between 14/15 and 15/16:

- 14/15 - \$573,333 (excluding the carry over grant of \$117,986 for an unfinished 13/14 RRG project)
- 15/16 - \$371,000 (or \$109,333 if the Valentine Rd Project is not funded)

This is a reduction \$202,333 (with Valentine Rd Project funded), which can be offset by the Commonwealth Government's decision to double the Road to Recovery (R2R) grants funds allocated to all local governments in 15/16 only (i.e. an additional \$240,000 as the 15/16 R2R grant will increase from \$240,000 to \$480,000).

In the event the Valentine Rd Project is not funded then the reduction will be \$464,000, which will only partially be offset by the additional \$240,000 R2R grants funds to be received in 15/16 (i.e. overall reduction of \$224,000).

POLICY IMPLICATIONS

Council has adopted its 10 Year Road Works Program, which is a requirement of the RRG funding conditions and is required to be submitted with grant applications made to the RRG.

Council also has the following Policy in place in regards to road works:

15.30 REGIONAL ROAD GROUP (RRG) ROADWORKS GRANTS

- Councillors are to submit suggested specific Roadwork's proposals to the Chief Executive Officer prior to annual road inspection held in March/April each year in order to allow the preparation of estimates, so that the programme can be finalised in time for grants consideration for next financial year.
- All forthcoming construction and maintenance projects are to be costed by contracted Shire Engineer and/or Chief Executive Officer and Works Supervisor and presented to Council at a time determined by the Regional

15.40 ROADS OF REGIONAL SIGNIFICANCE (RRG)

Roads recognised as being of regional significance by the Regional Road Group are: -

Yuna Tenindewa
East Chapman
Balla Whelarra
Dartmoor
Dartmoor Lake Nerramyne
Northampton/Nabawa
Coronation Beach
Nanson Howatharra
East Nabawa
Chapman Valley Road (Morrell Rd to Shire southern boundary)
East Bowes

15.50 STANDARDS OF CONSTRUCTION

All new construction be carried out to Regional Road Group standards, except where otherwise resolved at the discretion of Council.

15.220 ROAD WORK FUNDING ALLOCATION PROCESS

1. Council review existing Road Hierarchy List based upon Councillor(s) submissions and staff recommendation(s).
2. Council review existing Regional Road Group priorities based upon Councillor(s) submissions and staff recommendation(s).
3. Council reviews other grant programs (e.g. Black Spot, R2R) based upon Councillor(s) submissions and staff recommendation(s).
4. Council review existing Heavy Haulage roads based upon Councillor(s) submissions and staff recommendation(s).
5. Council review existing Program of Road Works based Councillor(s) submissions and upon staff recommendation(s).
6. Councilors retain the right to present, and justify, changes to any of the above either via Chief Executive Officer's report or directly to the meeting.
7. No changes to be made to any of the above unless fully endorsed by Council.

FINANCIAL IMPLICATIONS

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 maximized.

• Long Term Financial Plan (LTFP):

The Proposed Road Works Program has been structured in a way to maintain the Shires Own Resources contribution towards the overall program irrespective of the grants received. This will complement the estimated expenditure allocation in the current LTFP.

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 Shires 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

The Road Hierarchy list will be reviewed as part of the Road Inspection and is listed for discussion at Item 3.2.

i. Strategic Community Plan/Corporate Business Plan:

We need good services to support our development as a Shire	Maintain existing services and facilities	Support improved telecommunications, power, <u>road</u> & water services in the community
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VOTING REQUIREMENTS

Simple Majority

Cr Humphrey left the meeting at 4.58pm

ROAD INSPECTION RECOMMENDATION

MOVED: CR ROYCE

SECONDED: CR FARRELL

Council endorse the *10 Year Road Works Program – 2015/2016 to 2024/2025* as presented **and with the following additional amendments** and this Plan be used as a basis for resource allocation into the Draft 2015/2016 Budget with understanding there will be projects scheduled for 2014/2015, which will need to be carried-over add completed in 2015/2016:

- Indialla Road remove gravel sheeting 15/16 & 16/17;
- Insert annual allocation for various maintenance works which would take precedence over own resource gravel sheeting works. Grant funded project will take precedence over all other works;
- Allocate resources - an amount of approximately \$143,000 as matching Shire funds to WANDRRA grant funding received for the 1st March 2015 flood damage;
- Parkfalls & Wokarena Estates – Council allocate funds for betterment works in addition to WANDRRA grant fund allocation to address drainage issues identified during the 1st March 2015 flood event;
- Adjust funding allocation error in proposed program for Parkfalls Gravel Shoulder project;
- Dartmoor Road – Regional Road Group application to continue seal in preference to gravel sheeting under the condition the traffic volume & type will attract RRG funding for seal extension. If the traffic volume & type does not warrant seal extension then the gravel sheeting program be applied for.

Voting 3/2

CARRIED

Note Reference RI03/15-1

This point was discussed at the March 2015 Council Forum Session with the consensus being the following:

- Allocate \$150,000 to continue improvements in accordance with the approved Parkfalls Estate Development Plan.

2015/2016 PROPOSED ROAD WORKS PROGRAM

CONDITIONS:

1. Priority 1 "Grant Funded" Projects will take precedence over all other road works;
2. Priority 2 "Maintenance Works" Projects will take precedence over Priority 3 "Own Resource" Projects (e.g. gravel sheeting);
3. "Own Resource" Project listed are indicative only and not guaranteed to be completed in the year they are listed.
4. Amounts listed for "Maintenance Works" & "Own Resource" Projects are indicative only and subject to variation.
5. "Maintenance Works" amount does not include other recurrent maintenance works (e.g. maintenance grading, spraying, etc)

Grant Projects	Maintenance Works & Own Resource Projects	Type of Works	Length SLK	Estimated Total Project Costs	Funding Sources				
					Shire	RRG?SBS	R2R	Direct	Other
Priority 1 Works									
Dartmoor		Gravel Sheetting	4.00	\$144,000	\$33,000	\$96,000			\$15,000
# Valentine		Upgrade to 7m Seal	3.00	\$392,500	\$130,833	\$261,667			
Yuna Tenindewa		Widen from 4m to 7m Seal	2.00	\$263,000	\$0		\$263,000		
Wheeldon Hosking/East Naraling Rd		Junction Realignment (Design Only)	0.00	\$20,000	\$6,667	\$13,333			
	Anticipated 2014/2015 Project(s) C/Fwd	Anticipated 2014/2015 Project(s) C/Fwd	-	\$242,000	\$25,000		\$217,000		
WANDRAA Flood Damage		WANDRRA Grant Funded	0.00	\$643,000	\$143,000				\$500,000
		Betterment - Fully Shire Funded	0.00	\$25,000	\$25,000				
Priority 2 Works (Amount listed is indicative only and may vary. If additional Maintenance Works required Priority 3 Works will reduce)									
	Maintenance Works - Various Roads	Vegetation Clearance; Drainage Works; Etc)	0.00	\$100,000	\$8,000			\$92,000	
Priority 3 Works (Amounts listed are indicative only and may vary. Works not guaranteed to be completed in this year)									
	Durawah	Gravel Sheetting	4.00	\$184,000	\$184,000				
	Wandana	Gravel Sheetting	4.00	\$184,000	\$184,000				

	Parkfalls Estate	Continuation of improvements in accordance with PEDP	2.00	\$150,000	\$150,000				
	Hickety	Gravel Sheeting	3.60	\$165,600	\$165,600				
	Nabawa Yetna	Minor Gravel Repairs	1.00	\$46,000	\$46,000				
	Indialla	Gravel Sheeting	4.00	\$184,000	\$184,000				
				\$2,743,100	\$1,285,100	\$371,000	\$480,000	\$92,000	\$515,000
			-	Total Grants		\$1,458,000			

Subject to confirmation of grant funds being available. State Government reduction in MWRRG funds for 15/16 may result in this project not being funded

DISCUSSION ITEM:	3.2
SUBJECT:	ROAD HIERARCHY & HEAVY HAULAGE VEHICLE PERMIT ROADS
PROPONENT:	CHIEF EXECUTIVE OFFICER & MANAGE WORKS & SERVICES
SITE:	WHOLE SHIRE
FILE REFERENCE:	1002
PREVIOUS REFERENCE:	NA
DATE:	16 MARCH 2015
AUTHOR:	MAURICE BATTILANA, CHIEF EXECUTIVE OFFICER

BACKGROUND

The purpose of this Item is to present Councillors the current endorsed Road Hierarchy and Heavy Haulage Vehicle Permit Roads for discussion and review.

COMMENT

Attached to this Item is the existing Road Hierarchy (Policy 15.200) which has all the roads within the Shire the local government is responsible for place 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

Also attached is a copy of Council's current Heavy Haulage Vehicle Permit Roads (Policy 15.110). It important to note the Item 3 of *General Conditions* section of this Policy when considering any changes i.e

3. *Procedures For Establishing A New Heavy Haulage Route*
 - *Operator applies to Shire of Chapman Valley.*
 - *Shire staff inspect new route to determine suitability in accordance with basic MRWA criteria.*
 - *Shire staff put recommendation to Council to reject or progress the application.*
 - *If Council resolves to progress the application a request be forwarded to MRWA, Geraldton.*
 - *MRWA regional staff inspect route and make appropriate recommendation to MRWA Heavy Vehicle Officer (HVO).*
 - *MRWA HVO approves or rejects route and advised Shire of Chapman Valley accordingly.*
 - *Once a route has been approved it remains relevant to all operators who then make direct application to MRWA for a permit (not to Council).*

POLICY IMPLICATIONS

In addition to the aforementioned Policies (i.e. 15.110 and 15.200) Council has also adopted the following Policy in regards to the *Road Funding Allocation Process*:

15.220 ROAD WORK FUNDING ALLOCATION PROCESS

1. *Council review existing Road Hierarchy List based upon Councillor(s) submissions and staff recommendation(s).*
2. *Council review existing Regional Road Group priorities based upon Councillor(s) submissions and staff recommendation(s).*
3. *Council reviews other grant programs (e.g. Black Spot, R2R) based upon Councillor(s) submissions and staff recommendation(s).*
4. *Council review existing Heavy Haulage roads based upon Councillor(s) submissions and staff recommendation(s).*
5. *Council review existing Program of Road Works based Councillor(s) submissions and upon staff recommendation(s).*
6. *Councillors retain the right to present, and justify, changes to any of the above either via Chief Executive Officer's report or directly to the meeting.*
7. *No changes to be made to any of the above unless fully endorsed by Council.*

FINANCIAL IMPLICATIONS

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 maximized.

• Long Term Financial Plan (LTFP):

The Proposed Road Works Program has been structured in a way to maintain the Shires Own Resources contribution towards the overall program irrespective of the grants received. This will complement the estimated expenditure allocation in the current LTFP.

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. As previously mentioned, 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.

• Strategic Community Plan/Corporate Business Plan:

We need good services to support our development as a Shire	Maintain existing services and facilities	Support improved telecommunications, power, <u>road</u> & water services in the community
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VOTING REQUIREMENTS

Simple Majority

Cr Wood left Chambers at 5.08pm

ROAD INSPECTION RECOMMENDATION

MOVED: CR FARRELL

SECONDED: CR MALUISH

Council endorses the *Road Hierarchy* and *Heavy Haulage Vehicle Permit* Policies as presented without change.

**Voting 4/0
CARRIED
Note Reference RI03/15-2**

15.200 ROAD HIERARCHY

Following is the agreed road hierarchy for the Shire of Chapman Valley, reviewed annually at the time Council is allocating resources and funding for the forthcoming year to ensure all mitigating circumstances are taken into account and adjustments made accordingly.

<u>ROAD NO.</u>	<u>ROAD NAME</u>	<u>ROAD NO.</u>	<u>ROAD NAME</u>
-----------------	------------------	-----------------	------------------

A - MAIN ARTERIAL ROADS

19	Balla Whelarra	34	Coronation Beach
8	Dartmoor	21	Dartmoor Lake Nerramyne
33	East Chapman	10	Nanson Howatharra
150	Narra Tarra	131	Northampton – Nabawa
132	Yuna – Tenindewa	13	Valentine
16	East Nabawa	12	East Bowes

B - MAIN FEEDER ROADS

1	Durawah		
17	Naraling Yuna		
6	Nolba Road (to Nolba Stock Route Junction)		
51	Nolba Stock Route	14	Station Valentine
4	Wandana	5	Wandin
95	White Peak		

C - MINOR FEEDER ROADS

52	Balaam	98	Baugh
68	Bella Vista	23	Bindoo
133	Calder Place	50	Cannon Whelarra
125	Coffee Pot Drive	47	Coonawa
70	David	18	East Dartmoor
151	Eliza Shaw Drive	135	Green Drive
67	Hickety	11	Indialla Road (Townsite)
37	James	94	Kerr Dartmoor
126	Mills Place	9	Murphy Norris
99	Murphy Yetna	82	Nabawa Yetna
96	Nolba Rockwell	22	North Dartmoor
39	St John	15	Station
114	Tenindewa North	97	Wheeldon Hosking
108	Yuna South		

D – MAJOR ROAD ACCESS

45	Binnu East	44	Brooks
40	Burton Williamson	42	Campbells
46	Dartmoor Harris	27	Dindiloa
31	Durawah Northern Gully	138	Forrester Brooks
100	Indialla Road(outside townsite)	24	Marrah
60	Mt Erin Nabawa	49	Murrays
148	Newmarracarra	69	Oakajee
28	Olsen	55	Parks
121	Richardson	127	Scott
137	South Whelarra	88	Thompson Reidy
53	Urch	41	Valentine Williamson
93	Wandana Exten	128	Wokarena

E – MINOR ACCESS ROADS

30	Ahern Place	75	Angels
115	Badgegong	134	Baston Close
72	Beatty Hasleby	136	Bunter Way
112	Burges	80	Butcher Knife

43	Caratti	147	Carey
113	Cooper St (Nanson)	61	Crabbe
140	Dillistone	143	Dixon Place
20	Dolby Place	149	East Terrace
71	Eastough Yetna	58	Fairview Farm
91	Farrells Back	56	Fong
32	Forrester	124	Goodletts
105	Gould	73	Gray Dindiloa
35	Hackett	36	Hayward
78	Heelan Maloney	79	Heelan Mellish
63	Hipper	86	Hotel
64	Indialla Spur	139	Kennedy
144	Lacy	101	Lauder
89	Lewis	79	Lorimer
122	Marrah Spur	25	McGauran
59	McKay	26	McNaught Mazzuchelli
110	Mills	54	Morcom
111	Murphy	38	Nolba (North of Nolba Stock Road)
11	Norman's Well	89	Norris
65	O'Donnell	84	Old Nabawa Northampton
107	Old Nolba	120	Post Office
66	Prothro	146	Rewell
109	Reynolds	121	Richards
85	Ridley	141	Royce
129	Ryan Place	142	Smith
106	Snell	57	State Farm
117	Warr	145	Wells
62	Whitehurst Tetlow	123	Wicka Homestead
118	Williamson	104	Yarra

Policy Reviewed – Min Ref 12/02-15

15.110 HEAVY HAULAGE VEHICLE PERMITS

TIER ONE (GAZETTED) HEAVY HAULAGE ROUTES	
<p>(Note: Tier 1 Routes can vary between 27.5m or 36.m maximum vehicle length)</p> <p>The following conditions apply to all Tier 1 roads:</p> <ul style="list-style-type: none"> Speed limit is to be 30kmph below the regulated speed limit for shire unsealed roads and 20kph below the regulated speed limit for shire sealed roads, other than townsites. Main Roads WA will determine speed limits within the Yuna & Nabawa townsites. <p>Additional conditions relevant to specific roads all listed hereunder.</p>	
Balla Whelarra Road	Tier 1 - Gazetted (36.5m)
Morrell Road	Tier 1 - Gazetted (36.5m)
Nabawa Northampton Road	Tier 1 - Gazetted (27.5m)
Narra Tarra-Moonyoonooka Road	Tier 1 - Gazetted (36.5m)
East Chapman Road	Tier 1 - Gazetted (36.5m)
East Nabawa Road (Between Valentine & Yuna Tenindewa Road junctions only). See "Conditional Routes for balance of this road.	Tier 1 - Gazetted (27.5m)
Valentine Road	Tier 1 - Gazetted (27.5m)
Yuna Tenindewa Road (0 to 8 slk only)	
TIER TWO (CONDITIONAL) HEAVY HAULAGE ROUTES	
<p>(Note: Tier 2 Routes are for 27.5m vehicles only)</p> <p>The following conditions apply to all Tier 2 roads:</p> <ul style="list-style-type: none"> Speed limit is to be 30kmph below the regulated speed limit for shire unsealed roads and 20kph below the regulated speed limit for shire sealed roads, other than townsites. Main Roads WA will determine speed limits within the Yuna & Nabawa townsites. <p>Additional conditions relevant to specific roads all listed hereunder.</p>	
Cannon Whelarra ((Whole of Road Now Included)	<p>Tier 2 – Conditional</p> <p>School busses operate on this road. Operators must show courtesy to school buses and local traffic and exercise due care on school days</p> <p>Headlights must be switched on in the dipped position at all times.</p>
Coonawa Road	Tier 2 – Conditional
Dartmoor Lake Nerramyne Road	Tier 2 – Conditional
Dartmoor Road	Tier 2 – Conditional
Durawah Road	Tier 2 – Conditional
Durawah Northern Gully Road	Tier 2 – Conditional
East Bowes Road	<p>Tier 2 – Conditional</p> <p>From the Chapman Valley/ East Bowes Roads junction to the</p>

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	7.70slk only.
East Dartmoor Road	Tier 2 – Conditional
East Nabawa Road (See "Gazetted Routes" for eastern section of this road)	Tier 2 – Conditional 60kph speed limit from intersection with Chapman Valley Road and Richardson Road.
Kerr Dartmoor Road	Tier 2 – Conditional
Marrah Road Section between Richardson & Naraling East Yuna Roads only. (See "Seasonal Routes" for balance of this road)	Tier 2 – Conditional
Naraling East Yuna Road	Tier 2 – Conditional
Nolba Road Section between the Chapman Valley Road to Nolba Stock Route junctions only	Tier 2 – Conditional
Nolba Stock Route Road	Tier 2 – Conditional
Richardson Road	Tier 2 – Conditional
St John Road	Tier 2 – Conditional
South Whelarra Road	Tier 2 – Conditional
Station Road	Tier 2 – Conditional
Station-Valentine Road	Tier 2 – Conditional
Tenindewa Road North	Tier 2 – Conditional
Wandana Road	Tier 2 – Conditional
Wandin Road	Tier 2 – Conditional
Wheeldon-Hosking Road	Tier 2 – Conditional
Yuna-Tenindewa Road (8slk to Mullewa Boundary)	Tier 2 – Conditional

TIER THREE (SEASONAL) HEAVY HAULAGE ROUTES
(Note: Tier 3 Routes are for 27.5m vehicles only)

Badgedong	<p>Tier 3 - Seasonal</p> <ul style="list-style-type: none"> • Maximum speed 60km/h. • Daylight hour use only. • If a school bus route, heavy haulage permit vehicles are not allowed on this road at same time as school buses. • This permit and conditions be reviewed annually. • Council reserves the right to withdraw all or any specific permit as a result of adverse conditions. • Any breach of conditions will result in automatic cancellation of permit.
Baugh Road	<p>Tier 3 - Seasonal</p> <ul style="list-style-type: none"> • Maximum speed 60km/h. • Daylight hour use only. • If a school bus route, heavy haulage permit vehicles are not allowed on this road at same time as school buses. • This permit and conditions

	<p>be reviewed annually.</p> <ul style="list-style-type: none"> • Council reserves the right to withdraw all or any specific permit as a result of adverse conditions. • Any breach of conditions will result in automatic cancellation of permit.
Bindoo Road	<p>Tier 3 - Seasonal</p> <ul style="list-style-type: none"> • Maximum speed 60km/h. • Daylight hour use only. • If a school bus route, heavy haulage permit vehicles are not allowed on this road at same time as school buses. • This permit and conditions be reviewed annually. • Council reserves the right to withdraw all or any specific permit as a result of adverse conditions. • Any breach of conditions will result in automatic cancellation of permit.
Brooks Road	<p>Tier 3 - Seasonal</p> <ul style="list-style-type: none"> • Maximum speed 60km/h. • Daylight hour use only. • If a school bus route, heavy haulage permit vehicles are not allowed on this road at same time as school buses. • This permit and conditions be reviewed annually. • Council reserves the right to withdraw all or any specific permit as a result of adverse conditions. • Any breach of conditions will result in automatic cancellation of permit.
<p>Dindiloa Road</p> <p>(Between Hayward Road and McNaught Mazzuchelli Road junctions only)</p>	<p>Tier 3 - Seasonal</p> <ul style="list-style-type: none"> • Maximum speed 60km/h. • Daylight hour use only. • If a school bus route, heavy haulage permit vehicles are not allowed on this road at same time as school buses. • This permit and conditions be reviewed annually. • Council reserves the right to withdraw all or any specific permit as a result of adverse conditions. • Any breach of conditions will result in automatic cancellation of permit.
Grey-Dindiloa Road	<p>Tier 3 - Seasonal</p>

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	<ul style="list-style-type: none"> • Maximum speed 60km/h. • Daylight hour use only. • If a school bus route, heavy haulage permit vehicles are not allowed on this road at same time as school buses. • This permit and conditions be reviewed annually. • Council reserves the right to withdraw all or any specific permit as a result of adverse conditions. • Any breach of conditions will result in automatic cancellation of permit.
Hayward Road	<p>Tier 3 – Seasonal</p> <ul style="list-style-type: none"> • Maximum 30kph speed limit for the 100 metres sections before and after the causeway. • Maximum speed 60km/h for balance of route. • Daylight hour use only. • If a school bus route, heavy haulage permit vehicles are not allowed on this road at same time as school buses. • This permit and conditions be reviewed annually. • Council reserves the right to withdraw all or any specific permit as a result of adverse conditions. • Any breach of conditions will result in automatic cancellation of permit.
McNaught-Mazzuchelli Road	<p>Tier 3 - Seasonal</p> <ul style="list-style-type: none"> • Maximum 30kph speed limit for the 100 metres sections before and after the causeway. • Maximum 50kph for balance of this route • Daylight hour use only. • If a school bus route, heavy haulage permit vehicles are not allowed on this road at same time as school buses. • This permit and conditions be reviewed annually. • Council reserves the right to withdraw all or any specific permit as a result of adverse conditions. • Any breach of conditions will result in automatic cancellation of permit.

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<p>Marrah Road</p> <p>Section from Richardson Rd to Chapman Valley Road. (See "Conditional Routes" for balance of this road).</p>	<p>Tier 3 - Seasonal</p> <ul style="list-style-type: none"> • Maximum speed 60km/h. • Daylight hour use only. • If a school bus route, heavy haulage permit vehicles are not allowed on this road at same time as school buses. • This permit and conditions be reviewed annually. • Council reserves the right to withdraw all or any specific permit as a result of adverse conditions. • Any breach of conditions will result in automatic cancellation of permit.
<p>Norman's Well</p>	<p>Tier 3 - Seasonal</p> <ul style="list-style-type: none"> • Maximum speed 60km/hr. • Daylight hour use only. • If a school bus route, heavy haulage permit vehicles are not allowed on this road at the same time as school buses. • This permit and conditions to be reviewed annually. • Forward Pilot Vehicle at all times. • Council reserves the right to withdraw all, or any, specific permit as a result of adverse conditions. • Any breach of conditions will result in automatic cancellation of permit.
<p>North Dartmoor</p>	<p>Tier 3 - Seasonal</p> <ul style="list-style-type: none"> • Maximum speed 60km/h. • Daylight hour use only. • If a school bus route, heavy haulage permit vehicles are not allowed on this road at same time as school buses. • This permit and conditions be reviewed

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	<p>annually.</p> <ul style="list-style-type: none"> • Council reserves the right to withdraw all or any specific permit as a result of adverse conditions. • Any breach of conditions will result in automatic cancellation of permit.
Nolba Rockwell Road	<p>Tier 3 - Seasonal</p> <ul style="list-style-type: none"> • Maximum speed 60km/h. • Daylight hour use only. • If a school bus route, heavy haulage permit vehicles are not allowed on this road at same time as school buses. • This permit and conditions be reviewed annually. • Council reserves the right to withdraw all or any specific permit as a result of adverse conditions. • Any breach of conditions will result in automatic cancellation of permit.
State Farm Road	<p>Tier 3 - Seasonal</p> <ul style="list-style-type: none"> • Maximum speed 60km/h. • Daylight hour use only. • If a school bus route, heavy haulage permit vehicles are not allowed on this road at same time as school buses. • This permit and conditions be reviewed annually. • Council reserves the right to withdraw all or any specific permit as a result of adverse conditions. • Any breach of conditions will result in automatic cancellation of permit.

GENERAL CONDITIONS - RELEVANT TO ALL APPROVED HEAVY HAULAGE ROUTES

1. Heavy Haulage Stock Transport Vehicles

- Heavy haulage stock transport vehicles will be allowed up to a maximum length of 36.5m on all approved heavy haulage routes only.
- Maximum speed of 75kph, unless otherwise stipulated.
- Daylight hour use only.
- If a school bus route, heavy haulage permit vehicles are not allowed on this road at same time as school buses.

2. Other Conditions

- Council reserves the right to withdraw any specific permit due to adverse road conditions.
- A breach of any condition

4. Procedures For Establishing A New Heavy Haulage Route

- Operator applies to Shire of Chapman Valley.
- Shire staff inspect new route to determine suitability in accordance with basic MRWA criteria.
- Shire staff put recommendation to Council to reject or progress the application.
- If Council resolves to progress the application a request be forwarded to MRWA, Geraldton.
- MRWA regional staff inspect route and make appropriate recommendation to MRWA Heavy Vehicle Officer (HVO).
- MRWA HVO approves or rejects route and advised Shire of Chapman Valley accordingly.
- Once a route has been approved it remains relevant to all operators who then make direct application to MRWA for a permit (not to Council).

Cr Wood re-entered Chambers at 5.13pm

CLOSURE

The Chairman thanked the Elected Members and Staff for their attendance and the meeting was closed at 5.14pm.

10 Year Road Works Program -2015/2016 to 2024/2025										
Year	RRG	Own Resource/Other Funding Sources	Type of work	Length SKM	Estimated Total Project Cost	Funding Sources				
						Shire	RRG/SBS	R2E	Direct	Other
Current	2014/15	Dartmoor	Gravel Sheeting (132/14 Carry-Over)	4.00	\$132,986	\$0	\$117,386			\$15,000
		Dartmoor	Widen from 4m to 7m Seal	4.10	\$460,000	\$150,000	\$300,000			
		Tuna Terehewa	Widen from 4m to 7m Seal	3.00	\$325,000	\$113,667	\$221,333			
		East Nabobs	Culvert Upgrades & Widen from 4m to 7m Seal	0.30	\$75,000	\$25,000	\$50,000			
		East Downs Road	Upgrade to 7m Seal (CUGF/MWDC)	12.20	\$1,075,871	\$108,506				\$967,365
		Valentine Road	Gravel Sheeting	4.40	\$198,333	\$198,333				
		Holba Road	Gravel Sheeting	4.50	\$197,461	\$197,461				
		Cannon Wharfams	Gravel Sheeting	1.60	\$73,747	\$73,747				
		Wandana Road	Shoulder Upgrades	4.34	\$242,000	\$2,000		\$240,000		
		Bella Vista Road	Gravel Sheeting & Minor Realignment	1.50	\$116,129	\$116,129				
		Parkfalls Estate	Gravel Shoulder Improvements	1.00	\$26,694	\$26,694				
		Wheeldon Hosking/East Naring Rd	Junction Realignment	0.00	\$133,026	\$133,026				
		Nansen Showgrounds	Internal Road Upgrades	0.00	\$26,781	\$26,781				
		Richards Road	Upgrade to 7m Seal	0.60	\$94,064	\$94,064				
		Dolbyes Road	Upgrade to 7m Seal	0.60	\$89,713	\$89,713				
									\$31,440	
					\$3,286,808	\$1,353,123	\$691,119	\$240,000	\$92,440	\$982,365
						Total Grants		\$2,005,124		
						% of Grants to Total Program of Works		61%		
		Grant Projects	Maintenance & Own Resource							
		Priority 1 Works								
One	2015/16	Dartmoor	Gravel Sheeting	4.00	\$144,000	\$13,000	\$96,000			\$15,000
		Valentine	Upgrade to 7m Seal	3.00	\$392,500	\$130,433	\$261,667			
		Tuna Terehewa	Widen from 4m to 7m Seal	2.00	\$263,000	\$0		\$263,000		
		Wheeldon Hosking/East Naring Rd	Junction Realignment (Design Only)	0.00	\$20,000	\$6,667	\$13,333			
			Anticipated 2014/2015 Project(s) C/Fwd		\$242,000	\$25,000		\$217,000		
		WANDRRA Flood Damage	WANDRRA Grant Funded	0.00	\$643,000	\$143,000				\$500,000
			Bottomment - Fully Shire Funded	0.00	\$25,000	\$25,000				
		Priority 2 Works (Amount listed is indicative only and may vary. If additional Maintenance Works required Priority 3 Works will reduce)								
		Maintenance Works - Various Roads	Vegetation Clearance; Drainage Works; Etc	0.00	\$100,000	\$8,000			\$92,000	
		Priority 3 Works (Amounts listed are indicative only and may vary. Works not guaranteed to be completed in this year)								
		Durawah	Gravel Sheeting	4.00	\$184,000	\$184,000				
		Wandana	Gravel Sheeting	4.00	\$184,000	\$184,000				
		Parkfalls Estate	Continuation of improvements in accordance with PEDP	2.00	\$150,000	\$150,000				
		Hickety	Gravel Sheeting	3.80	\$185,800	\$185,800				
		Nabobs Yetna	Minor Gravel Repairs	1.00	\$46,000	\$46,000				
		Infalls	Gravel Sheeting	4.00	\$184,000	\$184,000				
					\$2,743,100	\$1,385,100	\$371,000	\$480,000	\$92,000	\$315,000
						Total Grants		\$1,458,000		
						% of Grants to Total Program of Works		53%		
		Grant Projects	Maintenance & Own Resource							

		Priority 1 Works									
Two	2016/17	Dartmoor		Gravel Shunting or Seal Extension (may vary)	4.00	\$184,000	\$46,333	\$122,667			\$15,000
		Valentine		Upgrade to 7m Seal	3.00	\$300,000	\$100,000	\$200,000			
		East Nabawa		Upgrade to 7m Seal	3.00	\$300,000	\$100,000	\$200,000			
		Chapman Valley		Shoulder Reconstruction & Reseal	9.64	\$337,400	\$112,467	\$224,933			
		Priority 2 Works (Amount listed is indicative only and may vary. If additional Maintenance Works required Priority 3 Works will reduce)									
		Maintenance Works - Various Roads		Vegetation Clearance; Drainage Works; Etc	0.00	\$100,000	\$8,000			\$92,000	
		Priority 3 Works (Amounts listed are indicative only and may vary. Works not guaranteed to be completed in this year)									
		Wheldon Hooking/Laird Marling Rd		Junction Realignment (Reconstruction Works)	0.00	\$133,026	\$44,342	\$88,684			
		Wardens		Gravel Shunting	4.00	\$184,000	\$0		\$184,000		
		Murphy Norms		Gravel Shunting	3.40	\$156,400	\$156,400				
		Parkfalls Estate		Gravel Shoulder Improvements	2.00	\$50,000	\$50,000				
		Wardle		Gravel Shunting	4.30	\$197,800	\$141,800		\$56,000		
		Newmanacama		Gravel Shunting	4.00	\$184,000	\$184,000				
		East Nabawa		Gravel Shunting (Worst Area as determined by CEO)	4.00	\$184,000	\$184,000				
						\$2,810,628	\$1,127,342	\$836,284	\$240,000	\$92,000	\$15,000
						Total Grants		\$1,183,284			
						% of Grants to Total Program of Works		51%			
		Grant Projects	Maintenance & Own Resource								
		Priority 1 Works									
Three	2017/18	Dartmoor		Gravel Shunting	4.00	\$184,000	\$46,333	\$122,667			\$15,000
		Valentine		Upgrade to 7m Seal	3.00	\$300,000	\$100,000	\$200,000			
		East Nabawa		Upgrade to 7m Seal	3.00	\$300,000	\$100,000	\$200,000			
		Yuna Terindawa		Reseal	5.00	\$175,000	\$58,333	\$116,667			
		Priority 2 Works (Amount listed is indicative only and may vary. If additional Maintenance Works required Priority 3 Works will reduce)									
		Maintenance Works - Various Roads		Vegetation Clearance; Drainage Works; Etc	0.00	\$100,000	\$8,000			\$92,000	
		Priority 3 Works (Amounts listed are indicative only and may vary. Works not guaranteed to be completed in this year)									
		Wardens		Gravel Shunting	4.00	\$184,000	\$184,000				
		Parkfalls Estate		Gravel Shoulder Improvements	2.00	\$50,000	\$50,000				
		Wardle		Gravel Shunting	4.00	\$184,000	\$23,000		\$161,000		
		Murphy Norms		Gravel Shunting	4.00	\$184,000	\$105,000		\$79,000		
		McNaught Maczuchell		Gravel Shunting	4.30	\$187,800	\$187,800				
		Newmanacama		Gravel Shunting	5.00	\$230,000	\$230,000				
						\$2,088,800	\$1,182,467	\$639,333	\$240,000	\$92,000	\$15,000
						Total Grants		\$986,333			
						% of Grants to Total Program of Works		47%			
		Grant Projects	Maintenance & Own Resource								
		Priority 1 Works									
Four	2018/19	East Nabawa		Upgrade to 7m Seal	3.00	\$300,000	\$100,000	\$200,000			
		Valentine		Upgrade to 7m Seal	3.00	\$300,000	\$100,000	\$200,000			
		Yuna Terindawa		Reseal	5.00	\$175,000	\$58,333	\$116,667			
		Priority 2 Works (Amount listed is indicative only and may vary. If additional Maintenance Works required Priority 3 Works will reduce)									
		Maintenance Works - Various Roads		Vegetation Clearance; Drainage Works; Etc	0.00	\$100,000	\$8,000			\$92,000	
		Priority 3 Works (Amounts listed are indicative only and may vary. Works not guaranteed to be completed in this year)									
		McNaught Maczuchell		Gravel Shunting	4.30	\$187,800	\$187,800				
		Corrales		Gravel Shunting	4.00	\$184,000	\$184,000		\$240,000		
		Northern Gully		Gravel Shunting	4.00	\$184,000	\$184,000				
		Murphy Norms		Gravel Shunting	4.00	\$184,000	\$184,000				
		East Dartmoor		Gravel Shunting	4.00	\$184,000	\$184,000				
		Newmanacama		Gravel Shunting	3.40	\$156,400	\$156,400				
						\$1,965,200	\$1,356,583	\$518,667	\$240,000	\$92,000	\$0
						Total Grants		\$848,667			
						% of Grants to Total Program of Works		43%			
		Grant Projects	Maintenance & Own Resource								

		Priority 1 Works									
Five	2019/20	East Nabawa		Upgrade to 7m Seal	3.00	\$300,000	\$100,000	\$200,000			
		Valentine		Upgrade to 7m Seal	3.00	\$300,000	\$100,000	\$200,000			
		Bulla Wheelara		Reseal	6.50	\$117,500	\$75,833	\$111,667			
		Priority 2 Works (Amount listed is indicative only and may vary. If additional Maintenance Works required Priority 3 Works will reduce)									
		Maintenance Works - Various Roads		Vegetation Clearance, Drainage Works, Etc	0.00	\$100,000	\$8,000			\$92,000	
		Priority 3 Works (Amounts listed are indicative only and may vary. Works not guaranteed to be completed in this year)									
			Old Northampton Road/Way	Reseal Roadway	0.00	\$40,000	\$40,000				
			Durawah Northern Gully	Gravel Sheding	4.00	\$184,000	\$184,000				
			Bella Vista	Gravel Sheding	2.90	\$119,400	\$119,400				
			Station Valentine	Gravel Sheding	4.50	\$207,000	\$207,000				
	East Nabawa	Gravel Sheding	4.00	\$184,000	\$184,000						
						\$1,675,900	\$1,082,215	\$551,667	\$0	\$92,000	\$0
Grant Projects						Total Grants		\$643,667			
Maintenance & Own Resource						% of Grants to Total Program of Works		38%			
		Priority 1 Works									
Six	2020/21	East Nabawa		Upgrade to 7m Seal	3.00	\$300,000	\$100,000	\$200,000			
		Valentine		Upgrade to 7m Seal	3.00	\$300,000	\$100,000	\$200,000			
		Bulla Wheelara		Reseal	6.50	\$117,500	\$75,833	\$111,667			
		Priority 2 Works (Amount listed is indicative only and may vary. If additional Maintenance Works required Priority 3 Works will reduce)									
		Maintenance Works - Various Roads		Vegetation Clearance, Drainage Works, Etc	0.00	\$100,000	\$8,000			\$92,000	
		Priority 3 Works (Amounts listed are indicative only and may vary. Works not guaranteed to be completed in this year)									
			Durawah Northern Gully	Gravel Sheding	2.00	\$92,000	\$92,000				
			Coombas	Gravel Sheding	4.00	\$184,000	\$184,000				
			Norba Stock Route	Gravel Sheding	4.00	\$184,000	\$184,000				
			Murphy Yetha	Gravel Sheding	3.20	\$147,200	\$147,200				
	Nabawa Yetha	Gravel Sheding	3.20	\$147,200	\$147,200						
	Station Valentine	Gravel Sheding	4.50	\$207,000	\$167,000			\$40,000			
	Wendana	Reseal		200000	\$0			\$200,000			
	East Nabawa	Gravel Sheding	4.00	\$184,000	\$184,000						
						\$2,272,900	\$1,389,215	\$551,667	\$240,000	\$92,000	\$0
Grant Projects						Total Grants		\$883,667			
Maintenance & Own Resource						% of Grants to Total Program of Works		39%			
		Priority 1 Works									
Seven	2021/22	East Nabawa		Upgrade to 7m Seal	3.00	\$300,000	\$100,000	\$200,000			
		Valentine		Upgrade to 7m Seal	3.00	\$300,000	\$100,000	\$200,000			
		Northampton Nabawa		Reseal	6.50	\$117,500	\$75,833	\$111,667			
		Priority 2 Works (Amount listed is indicative only and may vary. If additional Maintenance Works required Priority 3 Works will reduce)									
		Maintenance Works - Various Roads		Vegetation Clearance, Drainage Works, Etc	0.00	\$100,000	\$8,000			\$92,000	
		Priority 3 Works (Amounts listed are indicative only and may vary. Works not guaranteed to be completed in this year)									
			Murphy Yetha	Gravel Sheding	3.20	\$147,200	\$147,200				
			Nabawa Yetha	Gravel Sheding	3.80	\$174,800	\$174,800				
			Norba Stock Route	Gravel Sheding	4.00	\$184,000	\$0			\$184,000	
			Cannon Whellara	Gravel Sheding	4.00	\$184,000	\$184,000				
	Station Valentine	Gravel Sheding	4.50	\$207,000	\$207,000						
	St Johns Road	Gravel Sheding	5.10	\$234,600	\$178,600			\$156,000			
	Durawah Northern Gully	Gravel Sheding	3.75	\$172,500	\$172,500						
						\$2,231,600	\$1,347,911	\$551,667	\$240,000	\$0	\$0
Grant Projects						Total Grants		\$883,667			
Maintenance & Own Resource						% of Grants to Total Program of Works		40%			

Eight	2022/23		Priority 1 Works									
	East Nabawa		Upgrade to 7m Seal	4.50	\$450,000	\$150,000	\$300,000					
	Valentine		Upgrade to 7m Seal	3.00	\$300,000	\$100,000	\$200,000					
	Northampton Nabawa		Reseal	6.50	\$227,500	\$75,833	\$151,667					
	Priority 2 Works (Amount listed is indicative only and may vary. If additional Maintenance Works required Priority 3 Works will reduce)											
	Maintenance Works - Various Roads		Vegetation Clearance; Drainage Works; Etc)	0.00	\$100,000	\$8,000			\$92,000			
	Priority 3 Works (Amounts listed are indicative only and may vary. Works not guaranteed to be completed in this year)											
	White Peak		Upgrade to 7m Seal (Last Section)	3.50	\$350,000	\$750,000						
	Nolva Stock Route		Gravel Sheeting	1.50	\$69,000	\$69,000						
	Cannon Whelara		Gravel Sheeting	3.00	\$138,000	\$46,000			\$184,000			
St Johns		Gravel Sheeting	5.10	\$234,600	\$178,600			\$56,000				
Newmantara		Gravel Sheeting	4.40	\$202,400	\$202,400							
Nanking East Yuna		Gravel Sheeting	3.00	\$300,000	\$300,000							
						\$2,371,500	\$1,387,833	\$651,667	\$240,000	\$92,000	\$0	
						Total Grants		\$983,667				
Grant Projects						% of Grants to Total Program of Works		43%				
Maintenance & Own Resource												
Priority 1 Works												
Valentine		Upgrade to 7m Seal	4.35	\$300,000	\$200,000	\$200,000						
East Chapman & Namatara		Reseal	4.60	\$161,000	\$53,667	\$107,333						
Priority 2 Works (Amount listed is indicative only and may vary. If additional Maintenance Works required Priority 3 Works will reduce)												
Maintenance Works - Various Roads		Vegetation Clearance; Drainage Works; Etc)	0.00	\$100,000	\$8,000				\$92,000			
Priority 3 Works (Amounts listed are indicative only and may vary. Works not guaranteed to be completed in this year)												
Cannon Whelara		Gravel Sheeting	4.00	\$184,000	\$184,000							
St Johns		Gravel Sheeting	0.00	\$0	\$0							
Newmantara		Gravel Sheeting	4.40	\$202,400	\$202,400							
Uch Road		Gravel Sheeting	6.00	\$184,000	\$184,000							
Post Office Lane / River Road		Reconstruct to 7m seal standard	0.62	\$51,244	\$51,144							
East Terrace Nansen		Reseal	0.25	\$7,500	\$7,500							
Dunawuh		Reseal	9.22	\$258,160	\$18,160				\$240,000			
Nanking East Yuna		Gravel Sheeting	4.00	\$184,000	\$184,000							
Thompson Road		Gravel Sheeting	3.00	\$230,000	\$230,000							
						\$1,862,204	\$1,322,873	\$307,333	\$240,000	\$92,000	\$0	
						Total Grants		\$639,333				
Grant Projects						% of Grants to Total Program of Works		34%				
Maintenance & Own Resource												
Priority 1 Works												
Coronation Reach		Reseal	7.80	\$273,000	\$81,000	\$182,000						
Namatara		Reseal	3.00	\$105,000	\$35,000	\$70,000						
Priority 2 Works (Amount listed is indicative only and may vary. If additional Maintenance Works required Priority 3 Works will reduce)												
Maintenance Works - Various Roads		Vegetation Clearance; Drainage Works; Etc)	0.00	\$100,000	\$8,000				\$92,000			
Priority 3 Works (Amounts listed are indicative only and may vary. Works not guaranteed to be completed in this year)												
Newmantara		Gravel Sheeting	4.60	\$211,600	\$211,600							
Uch Road		Gravel Sheeting	5.50	\$214,000	\$13,000				\$240,000			
Nanking East Yuna		Gravel Sheeting	11.38	\$510,600	\$510,600							
Pomoter Brook		Gravel Sheeting	3.00	\$122,000	\$122,000							
						\$1,775,200	\$1,181,200	\$252,000	\$240,000	\$92,000	\$0	
						Total Grants		\$584,000				
						% of Grants to Total Program of Works		33%				
Ten Year Projected Total Amounts						\$21,297,030	\$12,442,746	\$5,229,284	\$2,400,000	\$920,000	\$545,000	
Average per Year for 10 Year Program of Works						\$2,129,703	\$1,244,275	\$522,928	\$240,000	\$92,000	\$54,500	

AGENDA ITEM:	9.3.2
SUBJECT:	SHIRE GOVERNANCE
PROPONENT:	PARKFALLS RESIDENTS ASSOCIATION (PRA)
SITE:	PARKFALLS ESTATE & SHIRE
FILE REFERENCE:	205.02.09
PREVIOUS REFERENCE:	NIL
DATE:	23 MARCH 2015
AUTHOR:	MAURICE BATTILANA

DISCLOSURE OF INTEREST

Nil

BACKGROUND

Correspondence has been received from the Parkfalls Residents Association (PRA) (see Attachments 1 & 2) regarding:

1. Shire governance; &
2. Road issues in the Parkfalls Estate

Item 2 above is operational and has been responded to (see Attachment 3).

Item 1 above questions the Shire governance and therefore has been presented to Council for consideration prior to responding.

COMMENT

The correspondence date 17 March 2015 from the PRA reflects a resolution from the PRA's Annual General Meeting held in February 2015 i.e.

"That the Parkfalls Residents Association (Inc) ask the Shire of Chapman Valley to enter into discussions with the City of Greater Geraldton and the Shire of Northampton with a view to appointing an independent committee to provide detailed up to date data that would enable both Council and Ratepayers to make an informed about the possible options for the provisions of governance into the future."

STATUTORY ENVIRONMENT

Not Applicable

POLICY IMPLICATIONS

No existing Policy affected.

FINANCIAL IMPLICATIONS

Though the PRA query is focused on the *Governance* of the Shire there is a financial aspect associated with governance and it is considered appropriate to advise the PRA of:

- The stringent legislative requirements placed on a local government authority to ensure transparent and accountable procedures are in place to govern and control financial activities;
- The independent financial audits, undertaken twice per annum, and the process of the Auditor meeting with the Shire's Finance & Audit Committee (which includes Elected Members and Senior Staff) ensure transparency and open discussions on the Shires management & financial procedures & position;
- Audits are presented to Full Council before being endorsed for inclusion into the Annuals Report. The Annual Report is then presented to the constituents as part of the Annual Electors Meeting;
- Audit reports have not highlighted any management or financial concerns;
- The questions regularly asked of the Auditors by the Finance & Audit Committee Members on the financial viability and management procedures of the Shire have indicated the Shire is not in financial difficulty and the ratios used to track a LGAs financial performance are heading in the right

direction. This information was stressed with the Committee Members to dispel the myth of the Shire “going broke”;

- **Long Term Financial Plan (LTFP):**

It appears the PRA resolution may have been based upon a misunderstanding of a specific comment on Page 14 of the LTFP:

“8.3 Long Term Financial Plan Summary

In summary Council has been able to maintain its financial liquidity (cash position) and balance the budget over the first 7 years of the LTFP.”

If this is the basis of the PRA resolution then it is incorrect to interpret the Shire’s viability on this one comment alone.

The LTFP is the Shire’s first attempt at developing long term Integrated Planning and Reporting documents and at the time they were adopted by Council it was with a clear understanding there was still much more work to be undertake to make these more robust and practicable. This review process has commence.

STRATEGIC IMPLICATIONS

I maintain the debate and discussion on the Shire’s long term planning and viability is refreshing as it is a quantum move away from the historical year-by-year approach to planning and budgeting. The introduction of legislative requirement placed on LGAs to have Integrated Planning and Reporting in place and active is strategically important, though will place additional resource requirements on governance.

- **Strategic Community Plan/Corporate Business Plan:**

We want a representation and governance model that reflects our community’s unique attributes	The President and Councillors to be representative of the community and provide strong leadership	Community confidence and trust in council
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CONSULTATION

The Shire Finance & Audit Committee meets with the independent auditors (UHY Haines Norton) annually at which time there was debate and discussion on the governance (i.e. management) and financial situation of the Shire (current and long term).

All Committee Members were privy to the discussions and invited to ask questions of the Auditor at these meeting.

Nothing has come out of the consultation with the Shire auditors which suggests any issues of management or financial concerns in regards to the Shire’s operations.

The Shire has been active in working with other local government authorities within the Midwest to determine opportunities to share resources and embrace cross-boundary activities for the Shire’s operations. The Northern Country Zone (NCZ) of WALGA has taken a lead role in promoting regional service delivery and a copy of the Workshop held on this is at Attachment 4 for information.

Since this Workshop the Shire of Chapman Valley has introduced the following:

- Participated in a Regional Waste Management tender process for the delivery of this services to the shires of Chapman Valley, Irwin & Northampton and the City of Greater Geraldton (CGG);
- Working with all NCZ and the CGG to investigate savings in the delivery of Information & Communication Technology services to LGAs;
- Continue the Planning service delivery to the Shire of Coorow;
- Continue using the Shire of Northampton’s Environmental Health Services;
- Continue using the services of the CGG for high end Payroll Services

RISK ASSESSMENT

No risk envisaged

VOTING REQUIREMENTS

Simple Majority

COUNCIL RESOLUTION / STAFF RECOMMENDATION

MOVED: CR FARRELL

SECONDED: CR ROYCE

Council responds to the Parkfalls Residents Association thanking them for their correspondence and advising:

1. The Shire will continue to work with any local government interested in resource sharing and cross-boundary cooperation to improve the Shire's governance and operational activities;
2. There is no evidence of the Shire's current and future governance activities being unviable or flawed; and
3. The Shire will continue to review its Integrated Planning & Reporting strategies in accordance with legislation and as part of the Shire's desire to improve the governance and management of the organisation.

Voting 6/2

CARRIED

Minute Reference 04/15-9



PARKFALLS RESIDENTS ASSOCIATION Inc.

President: Brooke Bennett 0412 318 013

Secretary/Treasurer: Lisa Cole 0438 751 762

17th March 2015

CEO
Shire of Chapman Valley
PO Box 1
Nabawa WA 6532

Dear Maurice,

As you are aware, at our February AGM a member's motion was proposed and passed as follows:

"That the Parkfalls Residents Association (Inc) ask the Shire of Chapman Valley to enter into discussions with the City of Greater Geraldton and the Shire of Northampton with a view to appointing an independent committee to provide detailed up to date data that would enable both Council and Ratepayers to make an informed about the possible options for the provisions of governance into the future."

We therefore make the above request on behalf of our members to the Council.

Yours Sincerely

Brooke Bennett
President
Parkfalls Residents Association
PO Box 3195
BLUFF POINT WA 6530
Email: parkfallsresidents@gmail.com
ARBN A1014372G



PARKFALLS RESIDENTS ASSOCIATION Inc.

President: Brooke Bennett 0412 318 013

Secretary/Treasurer: Lisa Cole 0438 751 762

15th March 2015

CEO
Shire of Chapman Valley
PO Box 1
Nabawa WA 6532

Dear Maurice,

As you are aware, at our February AGM a number of concerns were raised in relation to the safety of our roads within the Estate. We would appreciate it if you could request that the following concerns be addressed (either by Council or Main Roads, which ever applies).

Speed Limit

A request was made to consider reducing the speed limit within the Estate to 60kms/hr. We now have a large number of children within the Estate, in fact 2 school busses are now needed to service our area. The Parkfalls community feel that the current speed limit of 70km/hr is too fast given our increasing population, housing and high numbers of children in the area.

Speed Arresting Devices

Members have also requested that consideration be given to installing additional speed arresting measures along Eliza Shaw Drive along the straight stretch of road from the s bends from the highway past the proposed park. The current measures are not effective and that particular portion of road sees motorists speeding excessively creating a danger for residents and other road users in the area.

Caution Horses

A further request has been made that "Caution Horses" signs be erected within the estate where the bridle trails exit onto the road. Horse owners have stated that it is currently very dangerous for them when exiting the bridle trails due to the speeds drivers are driving on our roads. At a minimum we should possibly at least have them at the entrance at each end of the estate.

Road Islands –Parmelia Bvd/Eliza Shaw Drive intersection

A number of residents have now commented that the way the traffic islands are designed at this point, actually seems to have the effect of directing vehicles onto the wrong side of the

road. Residents have reported on various occasions vehicles unfamiliar with the area ending up on the wrong side of the traffic islands. It would be appreciated if the road markings and design of these could be looked at to try and reduce the hazard here. I am assuming what they are referring to is that when driving down Parmelia towards Eliza Shaw, the absence of signage or lines on the road combined with the traffic island placement means some people unfamiliar with the area don't realise there's an intersection there and continue around the corner on the wrong side of the traffic island without giving way.

Road Markings

The road widening at the corner where Eliza Shaw Drive becomes David Road has really helped cut down on incidents at this corner. It was our original request that centre double lines be continued from where they end on David Rd around to the traffic islands at Parmelia Boulevard to reduce the problems with drivers cutting the corner and running others on the road. As I recall the road needed to be widened because in its original state it was not wide enough to allow double lines to be added. We would request that this now be attended to as those measures have really helped with safety where they were implemented further along David Rd at the S bends.

If there's anything additional we can provide or do to support these requests please don't hesitate to let me know.

Yours Sincerely

Brooke Bennett
President
Parkfalls Residents Association
PO Box 3195
BLUFF POINT WA 6530
Email: parkfallsresidents@gmail.com
ARBN A1014372G



**Shire of
Chapman Valley**
Love the Rural Life

Our Ref: 205.02.09
Enquiries: Maurice Battilana

Date: 24th March 2015

Brooke Bennett
President
Parkfalls Residents Association
PO Box 3195
BLUFF POINT WA 6532

Dear Brooke

Estate Issues

In response to the issues raised in your correspondence dated 15th March 2015 I advise the following:

1. Issue Raised - Speed Limit

A request was made to consider reducing the speed limit within the Estate to 60kms/hr. We now have a large number of children within the Estate; in fact 2 school busses are now needed to service our area. The Parkfalls community feel that the current speed limit of 70km/hr is too fast given our increasing population, housing and high numbers of children in the area.

Response

Main Roads WA control regulatory speed limits on all road (including local government roads). This is a matter which has been presented to Main Roads WA in the past with the result being they are not prepared to alter the current speed limits within the Parkfalls Estate.

This will again be raised with Main Roads WA.

2. Issue raised - Speed Arresting Devices

Members have also requested that consideration be given to installing additional speed arresting measures along Eliza Shaw Drive along the straight stretch of road from the s-bends from the highway past the proposed park. The current measures are not effective and that particular portion of road sees motorists speeding excessively creating a danger for residents and other road users in the area.



PO Box 1 Nabawa WA 6532 | Lot 7 Chapman Valley Road Nabawa WA | Ph: (08) 9920 5011 | Fax: (08) 9920 5155 | www.chapmanvalley.wa.gov.au

Response

As per item 1 above, the speed limit will determine any traffic calming devices Council may consider appropriate within the Estate.

There are no plans to introduce any additional traffic calming devices in the Estate area.

Motorist travelling at speeds in excess of the regulated speed limits for the roads is not an issue the Shire can deal with, other than to continue to bring this to the attention of the Police

3. Issue Raised - Caution Horses

A further request has been made that "Caution Horses" signs be erected within the estate where the bridle trails exit onto the road. Horse owners have stated that it is currently very dangerous for them when exiting the bridle trails due to the speeds drivers are driving on our roads. At a minimum we should possibly at least have them at the entrance at each end of the estate.

Response

Council will consider a budget item to install bollard structure and gates at the entrance to some of the bridle paths entry/exits. This will provide a better visual delineation between the bridle paths and road (if funding improved).

I am not aware of any previous request for "Caution Horses" signs to be installed. However, will look at this as an option to improve public awareness

4. Road Islands –Parmelia Bvd/Eliza Shaw Drive intersection

A number of residents have now commented that the way the traffic islands are designed at this point, actually seems to have the effect of directing vehicles onto the wrong side of the road. Residents have reported on various occasions vehicles unfamiliar with the area ending up on the wrong side of the traffic islands. It would be appreciated if the road markings and design of these could be looked at to try and reduce the hazard here. I am assuming what they are referring to is that when driving down Parmelia towards Eliza Shaw, the absence of signage or lines on the road combined with the traffic island placement means some people unfamiliar with the area don't realise there's an intersection there and continue around the corner on the wrong side of the traffic island without giving way.

Response

This matter will be brought to the attention of the Shire Engineer and if required a plan will be developed to improve the alignment of any islands requiring this work.



PO Box 1 Nabawa WA 6532 | Lot 7 Chapman Valley Road Nabawa WA | Ph: (08) 9920 5011 | Fax: (08) 9920 5155 | www.chapmanvalley.wa.gov.au

5. Road Markings

The road widening at the corner where Eliza Shaw Drive becomes David Road has really helped cut down on incidents at this corner. It was our original request that centre double lines be continued from where they end on David Rd around to the traffic islands at Parmelia Boulevard to reduce the problems with drivers cutting the corner and running others on the road. As I recall the road needed to be widened because in its original state it was not wide enough to allow double lines to be added. We would request that this now be attended to as those measures have really helped with safety where they were implemented further along David Rd at the S bends.

Response

The Shire is in continual contact with Main Roads WA who controls the White Line Marking contractors and has requested this work be undertaken as soon as possible.

If you have any queries relating to this matter please do not hesitate to contact this office on (08) 9920 5011.

Yours faithfully,



Maurice Battilana
CHIEF EXECUTIVE OFFICER



PO Box 1 Nabawa WA 6532 | Lot 7 Chapman Valley Road Nabawa WA | **Ph:** (08) 9920 5011 | **Fax:** (08) 9920 5155 | www.chapmanvalley.wa.gov.au

Northern Country Zone

Regional Service Delivery Workshop

10 April 2014



BLUE BANNER HEADLINE

ATTENDEES

Northampton	Cr Gordon Wilson	President
	Garry Keeffe	CEO
Chapman Valley	Cr John Collingwood	President
	Maurice Battilana	CEO
Greater Geraldton	Ken Diehm	CEO
Morawa	Cr Karen Chappel	President
	Sean Fletcher	Acting CEO
Irwin	Darren Simmons	CEO
Perenjori	Cr Chris King	President
	Ali Mills	CEO
Mingenew	Mike Sully	CEO
	Cr Peter Gledhill	Deputy President
Three Springs	Cr Annie Treloar	President
	Sylvia Yandle	CEO
Carnamah	Bill Atkinson	CEO
	Cr Merle Isbister	President
Coorow	Darren Friend	CEO
Erin Greaves	Shire of Irwin	
Tony Brown	WALGA	
Joanne Burges	WALGA	

APOLOGIES

Mayor Ian Carpenter	City of Greater Geraldton
Cr Stuart Chandler	Shire of Irwin
Cr Michelle Bagley	Shire of Mingeneew

PRESENTER

Peter Marklew	Technical and Sales Manager, Geraldton Data Centre
Darren Lee	Managing Director, Market Creations

Cr Karen Chappel, President, Northern Country Zone of WALGA welcomed all those present, and introduced Joanne Burges to facilitate proceedings for the day.

After outlining and gaining consensus on the process for the day, the following Ground Rules were agreed to:

- Respect – everyone’s opinion
- Openness – be honest in what you’re thinking
- Participate – be part of the process
- Experience – help people from your own learning
- Share – the air – give others a go too

Mid-West Regional Council

As the Mid-West Regional Council had recently dissolved it was deemed appropriate to determine what lessons could be learned from the experience.

As Maurice Battilana had been CEO in the early stages of the MWRC he was asked to give some opening comments.

Negatives

- Compliance requirements made it difficult
- Turnover CEO's in early days
- Strategic Plan – Identifies a goal of considering reducing CEO's in the district as the positions came up. This was not embraced by all. Mingenew/ Three Springs had a go by trying a joint CEO
- Looked at sharing services, although it was often dependant on the will and drive of the CEO of one of the Local Governments
- Elected Members found it difficult to separate commitments from their own Council to their role representing the Regional Council
- The intent was good but the regional council model was too cumbersome
- Critical mass was not sufficient in the 7 LGs

Lesson Learned

Going forward better off looking at regional service delivery model for specific services.

As the President in the final stages of the MWRC Chris King was asked for his observations.

- It fell over as it did not act as a Council; all decisions were going back to member Councils for ratification
- Need to be very clear about what you want to do. If it resource sharing, then set up specific agreement and get on with it
- Amalgamation debate detracted from the MWRC goals and created distrust
- Continuity of corporate memory had an effect. The turnover CEO's had an effect and at times the individual LG CEOs were not committed enough.
- By not carrying out services it became our compliance cost

Lesson Learned

Shared Services require a legally binding Agreement

A group discussion followed including the following comments:

- Mid-West Regional Council was originally (2006) known as Wildflower Regional Council however a change of name was required as there was confusion around whether it was a tourism entity
- Critical mass was not always enough with certain services
- Coorow was in for a few years and they were the first LG to leave. Carnamah followed
- Was there a need for a longer time commitment?

- The reduction of CEO strategy may have had an impact on CEO egos and fears for their jobs
- Segregation of CEO's from their Councillors was often a problem i.e. at times only Councillors sat at the decision making table while CEO's were made to sit at the back of the room
- Why a regional Council not an Association?
 - WALGA's research has found that there are issues around membership numbers
- Need to identify what the organisation wants to achieve
 - Nothing was firm in the early days
- Compliance duplication was ridiculous
- Changes to the Local Government Act would have assisted E.g. Regional Subsidiaries
- Lack of knowledge transfer from Regional Council to individual Local Governments. Some Elected members had different levels of respect for the organisation
- Needed more 'bang for their buck'
- Meetings were rotated
- Strategic Plan did not get played out in reality
- Established against the backdrop of the SSS i.e. delivery of regional services
 - The original SSS had a hierarchy of delivery E.g. Regional Roadwork's; this was seen as a red flag and was subsequently removed from the document
 - This may have led to disquiet in the Regional Council

Lesson Learned

Need for a grievance process

Benefits

- Shared EHO
- Main Roads ISA Contract (included City of Greater Geraldton)
- Climate Change Adaption Plan
- Dry Seasons Reference Group
- Organisation of Regional Training (WELL Funding)
- Common IT platforms
- Strategic Waste Management Plan
- Emergency Management

Lesson Learned

Be clear on the reason for forming an organisation
It would appear that the MWRC was formed on a concept, not actually identifying what services were to be delivered and then identifying the appropriate delivery mechanism

The group then had a presentation from Peter Marklew on Information Systems:

The group were then requested to identify what resource sharing arrangements were currently in place:

Collaborative Arrangement

- ISA with Main Roads
 - Coorow, Three Springs, Morawa, Mullewa, Perenjori & Greater Geraldton

Resource Sharing

Carnamah

- EHO} Coorow
- Ranger} Coorow
- Surveyor} Coorow
- Community Emergency Services Management (CESM) Coorow / Irwin
- Peer Support

Mingenew

- Ranger} Irwin
- CESM} Mingeneew, Three Springs, Perenjori & Morawa (MWRC)
- Building, Planning, Health,
- Financial Services / Administration on an as needs basis

Chapman Valley

- Planning services provided to other LGs
- EHO Building with Coorow

Irwin

- CESM
- Meeting Facilities

Coorow

- Planning - provided by Chapman Valley
- Club Development Officer} Gingin, Dandaragan & Dept Sport and Recreation

Three Springs

- Contractor Ranger services with Coorow
- Contractor EHO, Building
- CESM (MWRC)
- Legal issues shared with Perenjori / Mingeneew

Morawa

- CESM (MWRC)
- Contract Ranger
- Medical Service with Perenjori
- Regional Waste Management with Perenjori

Greater Geraldton

- Planning Building and Health with Perenjori
- Regional Library services to all of the region
- Regional Waste Management Facility with Chapman Valley and Northampton

Perenjori

- CESM (MWRC)
- Ranger
- Wild Dog services i.e. Biosecurity
- Building, Health & Planning from Greater Geraldton
- Club Development Officer with Three Springs, Morawa & Perenjori
- Mental health service with Morawa
- Administer a School welfare program for Morawa
- Contribute to Mental Health with Morawa

Northampton

- Supply Health, Building service to Chapman Valley & Shark Bay
- Obtain Planning service from Chapman Valley
- Regional Waste facility with Chapman Valley & Mingenew

The group were then asked to identify the Needs / Opportunities for Resource Sharing

- Regional Waste
 - Collection
 - Disposal
- Engineering Services
- Coastal strip - rangers services, with Port Authority, City of Greater Geraldton, Northampton (recreational uses requiring control - off road vehicles)
 - Need a partnership with the State Government - tourism issue/opportunity
- Regional Landcare Officer - currently with NACC, however funding is drying up.
 - Chapman Valley involved
- Building Surveyors/Planning/ Health
- Asset Management - fair value
- Risk Management Reg 17 audit regs
- IT Services
- Payroll
- Rates

Barriers

- Discussion on legally binding arrangements
- Government resistance

How to go forward?

- What is the vehicle?
- Is it the emerging stuff?
 - IT services
 - Asset Management

Is it time to do an audit?

- Approach needs to start with a stocktake of current IT situation.
- The same approach with employees; take stocktake, audit of current positions.
There may be gaps in a couple of years

Employee information could come from Workforce Plans.
A coordinated approach is required.

NEXT STEPS

1. Audit – Building, Health, Planners (all areas that could be shared and could include possible expansion of current services)
 - a. CEO's (Ken, Ali, Darren Simmons, Maurice) to meet to prepare a template (perhaps by the end of April) with the view to receive information back within 21 days
 - b. Consider contributing funds for a consultant to have a look at it

Outcome: Better Understanding for a Regional Workforce Plan

Scope of Audit: to include:

- Confidence in the ability to attract particular skill sets
 - Numbers of future employees
 - Hours
 - Capabilities e.g. CAD
 - Age / Potential Retirement
 - What you've got / What you need
 - What you pay
 - What you contract
2. The City of Greater Geraldton is investigating the next step in IT and is happy to share the outcomes with the Zone Local Governments. Initially looking at removal of servers and outsourcing that to an external provider e.g. CLOUD
 - a) The Next step would be to look at systems e.g. rates, payroll etc.
 - b) CEO's to meet at the end of May
 - c) Ken Diehm to update the Zone in June / July
 3. Regional Waste Management
 - a. coordinate through WALGA –
 - b. Dale Chapman to attend the July Zone meeting
 4. WALGA to provide an outline and information on Regional Models e.g. Incorporated Association model, Regional Subsidiaries and CCO's including limitations / benefits

AGENDA ITEM:	9.3.3
SUBJECT:	2015/2016 BUDGET REQUESTS
PROPONENT:	CRS MALUISH & WARR
SITE:	SHIRE OF CHAPMAN VALLEY
FILE REFERENCE:	306.00
PREVIOUS REFERENCE:	NIL
DATE:	2 APRIL 2015
AUTHOR:	MAURICE BATTILANA

DISCLOSURE OF INTEREST

Nil

BACKGROUND

Councillors are requested to submit any budget requests for the forthcoming budget by the 1st April.

COMMENT

Crs Maluish and Warr may wish to speak to add their comments to this report.

At the time of writing this Agenda Report there were three 2015/2016 Budget request, two received from Cr Maluish and one from Cr Warr i.e.

Item	Estimated Costs	Staff Comments
Cr Maluish		
Full Time Gardener	\$80,000	Council currently has two part time gardeners, which equates to 1.1 FTE. The request is to increase the current gardener staff levels to 2.0 full time gardeners. The estimated costs listed would cover wages and overheads for this increase in staff.
Bill Hemsley Park – Cash from “Building Reserve Fund” or combination of cash & in-kind.	\$100,000	<p>The current purpose of the Building Reserve Fund is:</p> <p><i>“To be used for the construction of Shire buildings or capital upgrades of existing shire buildings”</i></p> <p>The use of these funds would be restricted to “<i>buildings</i>” as per the purpose and not for the establishment of gardens, footpaths, etc. Therefore the current purpose may restrict what the funds can be spent on items listed in the Concept Plan (once this Plan has been finalised and adopted by Council).</p> <p>Council can change the purpose of a Reserve in accordance with Section 6.11 of the Local Government Act.</p> <p>The process to change the purpose of a Reserve is not required if the change is endorsed and disclosed in the Annual Budget.</p>
Cr Warr		
Yuna Community Centre – Furnishings & Fittings	\$20,000	The request is based upon a total expenditure of \$20,000 with an income being received from other source(s) (e.g. CABY, YFIG) of \$10,000 as a community contribution towards the acquisition of the required items.

		Therefore, the request net cost to Council is \$10,000. Furnishing and fittings include items such as: TV, tables, chairs, bar stools, fridges, freezer(s), trolley, pin board, cupboard, desk & chairs, plus other minor item (e.g. bins, mats, dispensers, etc.)
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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.

POLICY IMPLICATIONS

No policy affected

FINANCIAL IMPLICATIONS

As previously mentioned, the Building Reserve Fund has a specific purpose, which may accommodate some, yet not all aspect of the Bill Hemsley Park Concept Plan. At the time of writing the Concept Plan was still being developed.

The Yuna Community Centre items can be derived from the Community Growth Fund if Council consider this appropriate (i.e. encourage Yuna community group to apply for funds when this is advertised) or from a direct allocation from the Municipal Fund as specific expenditure & income items.

• Long Term Financial Plan (LTFP):

Council's existing LTFP has an amount of \$300,000 listed as a project for the Bill Hemsley Park, which appears to be the developers funding contribution only. There does not appear to be any funding contribution within the LTFP from Council' own resources (e.g. Municipal or Reserve Funds) or other sources (e.g. grants, community).

The LTFP is in the process of review so this could be addressed within this process.

STRATEGIC IMPLICATIONS

There is an increased demand for gardening services within the Shire and traditional practice of gardening service being focused predominantly on the townsites is changing with the developments within the western regions of the Shire. Therefore, allocation of additional gardener resources, complemented by external contractors, is considered necessary.

Establishment of items in the Bill Hemsley Park will not be known until the Concept Plan has been finalised and endorsed by Council. Even upon endorsement of the Concept Plan there will be no guarantees all the aspects of the plan will automatically be implemented as this will obviously be subject to funding availability. However, it is considered necessary to provide some capital upgrades to the Park to at least utilise funds provided by the Developer (and hopefully leverage additional funding).

It is important the Yuna Community Centre if supplied with at least the basic furnishings & fittings to make it functional. However, if not all items can be catered for in the first year then perhaps the items are acquired over a number of financial years with the a priority list being established. There may also be funds remaining after the building has been completed to acquire some of the items required, yet this will not be known until the project has been completed and all grants acquitted.

• Strategic Community Plan/Corporate Business Plan:

We need good services to support our development as a Shire	Maintain existing services and facilities	Provide and maintain community buildings and facilities, including roads
---	---	--

CONSULTATION

The Budget process includes Committee meetings (e.g. Building, Roads) and consultation with Elected Members & Staff to establish a Draft Budget for Council consideration.

The Budget process also needs to consider the Integrated Reporting & Reporting documents to ensure the draft presents identifies existing items and any alteration to the long term planning for the Shire.

RISK ASSESSMENT

The risk identified is the LTFP not having a shire contribution listed for developments at the Bill Hemsley Park.

VOTING REQUIREMENTS

Simple majority

STAFF RECOMMENDATION

Council allocates the following items into the Draft 2015/2016 Budget for further consideration:

Item	Estimated Costs
Increase Gardening Staff level to 2.0 FTE	\$80,000
Bill Hemsley Park – Cash from “Building Reserve Fund” or combination of cash & in-kind from Council Own Resources.	\$100,000
Yuna Community Centre – Furnishings & Fittings (Expenditure)	\$20,000
Yuna Community Centre – Furnishings & Fittings (Income – Contribution from Community Group(s))	\$10,000

COUNCIL RESOLUTION

Moved: CR FARRELL

Seconded: CR ROYCE

That the items be dealt with separately.

**Voting 8/0
CARRIED
Minute Reference 04/15-10**

COUNCIL RESOLUTION

Moved: CR WOOD Seconded: CR FORRESTER

Council allocate the following item into the Draft 2015/2016 Budget for further consideration:

Increase Gardening Staff level to 2.0 FTE \$80,000

**Voting 7/1
CARRIED
Minute Reference 04/15-11**

COUNCIL RESOLUTION

Moved: CR MALUISH

Seconded: CR WOOD

That Council support in principal a commitment of \$100,000 towards a future grant application for the Bill Hemsley Park.

**Voting 7/1
CARRIED
Minute Reference 04/15-12**

Votes recorded at the request of Cr Wood

For: Cr Collingwood, Cr Royce, Cr Warr, Cr Forrester, Cr Farrell, Cr Wood and Cr Maluish

Against – Cr Humphrey

Mr Kelly left Chambers at 11.15am

COUNCIL RESOLUTION

MOVED: CR HUMPHREY

SECONDED: CR FORRESTER

Council allocate the following item into the Draft 2015/2016 Budget for further consideration:

Yuna Community Centre – Furnishings & Fittings (Expenditure) \$20,000 (comprising \$10,000 Shire contribution and \$10,000 external contribution)

**Voting 7/1
CARRIED
Minute Reference 04/15-13**

AGENDA ITEM:	9.3.4
SUBJECT:	HONOUR AWARDS
PROPONENT:	CHIEF EXECUTIVE OFFICE & WESTERN AUSTRALIA LOCAL GOVERNMENT ASSOCIATION
SITE:	SHIRE OF CHAPMAN VALLEY
FILE REFERENCE:	401.10
PREVIOUS REFERENCE:	N/A
DATE:	2 APRIL 2015
AUTHOR:	MAURICE BATTILANA

DISCLOSURE OF INTEREST

Nil

BACKGROUND

Correspondence was received from the Western Australian Local Government Association (WALGA) regarding the Associations 2015 Honours Awards (**Attachment 1**).

It is also a requirement, in accordance with Council's *Honour Awards Policy* for the Chief Executive Officer to present an Agenda Item to Council to the June OCM for Council to consider honour awards in accordance with this Policy. Due to the timing of the WALGA Awards I have brought this item forward for Council consideration.

COMMENT

WALGA Awards

Nominations for the 2015 WA Local Government Association Honours program opened on 16th March 2015 and close on 15th May 2015. Member Local Governments and State Councillors are invited to submit nominations.

The Honours program is a significant public recognition and celebration of the outstanding achievements and lasting contributions made by Elected Members and Officers to their respective Councils.

Awards given as part of the Honours program will be presented to recipients at an awards ceremony held during the 2015 Local Government Convention at the Perth Convention Centre.

The six categories of awards within the 2015 Honours program are as follows:

- **Local Government Medal** – recognises outstanding achievement and significant contribution by elected members and officers to the Association and/or to Local Government. *(Available for nomination by State Councillors and Local Government with a co-signature from a State Councillor)*
- **Life Membership** – recognises the long and outstanding service of Elected Members and Officers to the Association and/or to Local Government *(Available for nomination by State Councillors and Local Governments)*
- **Eminent Service Award** – recognises personal commitment, eminent service and contribution to Local Government or the Association *(Available for nomination by State Councillors and Local Government)*
- **Long and Loyal Service Award** – this Honour recognises elected members who have provided long service of a high degree as an executive member of the Association for 8 or more years or as an elected member for 12 or more years. *(Available for nomination by State Councillors and Local Governments)*
- **Local Government Officers Award** – this is a new Award category that has been included to recognise Local Government officers or employees of Agencies of the sector to reward their achievements.
- **Merit Award** (previously Distinguished Service Award) – recognises elected members who have provided distinguished service to the community through their Local Government. *(Available for nomination by State Councillors and Local Governments)*

Please Note:

Nominations by Member Local Governments require the support of the nominator (who must be an Elected Member) plus two other Elected Members and the nomination must be forwarded through the CEO of the Local Government for sign-off prior to submission to the Association.

There are no automatic WALGA Awards to be nominated this year.

The Staff Recommendation requests council consider nominations for the following awards in accordance with Policy:

- i. Freeman of the Shire; and
- ii. Certificate of Appreciation

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Below is a copy of the existing Honour Awards Policy.

9.120 HONOUR AWARDS POLICY

The Chief Executive Officer is to present an Agenda item at the appropriate time each year requesting Council consideration for awards to be presented in accordance with this policy.

Citizenship Ceremonies –

Citizenship ceremony be conducted one hour before commencement of Ordinary Meeting of Council meetings with morning tea being provided and a native plant be given to the recipients.

Shire of Chapman Valley - Freeman of Shire

For outstanding achievement and contribution to the Shire of Chapman Valley. Including Elected Members, Community Members and Staff.

As determined by Council.

Annual Agenda Item to discuss suitable nominations.

Determined by Council only and not put to community for nominations.

Shire of Chapman Valley - lapel badge indicating "Freeman" status.

Automatic invitation to Shire Annual dinner and any other function considered appropriate by Council (e.g. Governors visit).

WALGA Honour Awards

As detailed by the WALGA Awards Guidelines

Elected Members eligible due to length of service are to be automatically nominated by the Chief Executive Office.

All other award types are to be determined by Council.

Shire of Chapman Valley - Certificate of Appreciation

For personal commitment, eminent service and contribution to the Shire of Chapman Valley as an Elected Members, Community Members or Staff Member.

Automatically given to Elected Members who have retired from Council or are the recipient of a Department of Local Government Certificate of Recognition.

All others as determined by Council.

Annual Agenda Item to discuss suitable nominations.

Elected Members:

Presented at Annual Council Dinner/Function

Community Members:

Certificate of Appreciation issued at an Annual Council Dinner/Function.

Recipient & partner invited to attend.

Shire of Chapman Valley Citizen of the Year Award

For personal commitment, service and contribution to the community of the Shire of Chapman Valley

Nominations called in October and close in November (or as determined by the Australia Day Council).

Determined by appointed committee, with delegation to make decision of award recipient

Morning tea ceremony held on Australia Day.

Dept. Local Government & Community Services Awards

As detailed by the Department's Awards Guidelines

Elected Members eligible due to length of service are to be automatically nominated by the Chief Executive Office.

All other award types are to be determined by Council.

(Note: All other Awards such as Australia Day Citizen of Year, Bushfire Brigade Service, etc., will only be dealt with by Council if nomination is initiated from within the community or by a Council resolution).

FINANCIAL IMPLICATIONS

No impact.

- **Long Term Financial Plan (LTFP):**

No impact

STRATEGIC IMPLICATIONS

Not applicable

- **Strategic Community Plan/Corporate Business Plan:**

No impact

VOTING REQUIREMENTS

Simple Majority

STAFF RECOMMENDATION

Council consideration recipient(s) for bestowing the following Awards as per Policy 9.120:

- Freeman of the Shire; and
- Certificate of Appreciation

COUNCIL RESOLUTION

MOVED: CR FORRESTER

SECONDED: CR ROYCE

That Mr Maurice Battilana be nominated for the Local Government Distinguished Officers Award.

**Voting 6/2
CARRIED
Minute Reference 04/15-14**

COUNCIL RESOLUTION

MOVED: CR WARR

SECONDED: CR WOOD

That Mr Earl O'Donnell be nominated for the Local Government Distinguished Officers Award.

Voting 8/0

CARRIED

Minute Reference 04/15-15

401.00
Record No CR159784

RECEIVED
19 MAR 2015



16 March 2015

Our Ref: 01-006-04-0001 AF

Mr Maurice Battilana
Chief Executive Officer
Shire of Chapman Valley
(DX 69246) PO Box 1
NABAWA WA 6532

Dear Maurice

2015 ASSOCIATION HONOURS

Nominations for the 2015 WA Local Government Association Honours program opens today, 16 March 2015 and closes Friday 15 May 2015. Member Local Governments and State Councillors are invited to submit nominations.

The Honours program is a significant public recognition and celebration of the outstanding achievements and lasting contributions made by Elected Members and Officers to their respective Councils, to Local Government as a sector and to the wider community. Awards given as part of the Honours program will be presented to recipients at an awards ceremony held during the 2015 Local Government Convention at the Perth Convention Centre.

WALGA recognises recipients of Awards by celebrating their achievements with their peers at the Local Government Convention in August and in producing a colour brochure which lists the award and achievements of each recipient. The Brochure is distributed widely throughout Local Government in Western Australia. A copy of the 2014 Honours brochure is attached for your reference and as an indication of the type of information required from Local Governments for each candidate nominated.

The six categories of awards within the 2015 Honours program are as follows:

- **Local Government Medal** – recognises outstanding achievement and significant contribution by elected members and officers to the Association and/or to Local Government. *Available for nomination by State Councillors and Local Government with a co-signature from a State Councillor.*
- **Life Membership** – recognises the long and outstanding service of Elected Members and officers to the Association and/or to Local Government. *Available for nomination by State Councillors and Local Governments.*
- **Eminent Service Award** (previously Certificate of Appreciation) – recognises personal commitment, eminent service and contribution to Local Government or the Association. *Available for nomination by State Councillors and Local Government.*

ONE70
LV1, 170 Railway Parade, West Leederville, WA 6007
PO Box 1544, West Perth, WA 6872
T: (08) 9213 2000 F: (08) 9213 2077 info@walga.asn.au
www.walga.asn.au

- **Long and Loyal Service Award** – this Honour recognises elected members who have provided long service of a high degree as an executive member of the Association for 8 or more years, or as an elected member for 12 or more years. *Available for nomination by State Councillors and Local Governments.*
- **Local Government Distinguished Officer Award** – this is a new Award category that has been included to recognise Local Government officers or employees of Agencies of the sector, to reward their achievements.
- **Merit Award** (previously Distinguished Service Award) – recognises elected members who have provided distinguished service to the community through their Local Government. *Available for nomination by State Councillors and Local Governments.*

Please note:

Nominations by Member Local Governments require the support of the nominator (who must be an Elected Member) plus two other Elected Members and the nomination must be forwarded through the Chief Executive Officer of the Local Government for sign-off prior to submission to the Association.

Enclosed is a **Nominations Pack**, which includes the Policy governing the Honours process and the 2015 nomination forms that must be used in making nominations. You will notice that this year they have been updated to include subheadings under the *Nominee's Service Details* and *Reasons for Nomination* sections. This is to encourage nominators to provide as much relevant supporting information to demonstrate to the panel that the Nominee addresses the Award criteria. In the case of the Local Government Medal and Life Membership Award, supporting documents are desired to be provided in the form of references, previous awards, etc.

Nominations for the 2015 Honours program will close at **5pm on Friday, 15 May 2015**. As in previous years, no late nominations will be accepted.

Additional nomination forms can be obtained by visiting the WALGA Website by using the link <http://www.walga.asn.au> and following the prompts.

Queries should be directed to Ana Fernandez, Executive Officer Governance and Strategy on (08) 9213 2013 or by e-mail at afernandez@walga.asn.au.

Yours sincerely



Wayne Scheggia
Acting Chief Executive Officer

Enclosures:

- 2015 Nomination Forms
- 2015 Honours Policy and Terms of Reference
- Honours Brochure 2014



Honours Panel Terms of Reference 2015

BACKGROUND/RATIONALE

The WALGA Honours Panel was established by the State Council as an independent group to provide a fair, unbiased and depoliticised process for the administration of the WALGA Honours Program.

PURPOSE

The purpose of the Honours Panel includes:

- *Overseeing WALGA's annual Honours Program with delegated power from the State Council during the entire process.*
- *Adjudicating in the selection of recipients for WALGA Honours and the Local Government Medal, annually.*
- *Recommending, where appropriate, the conferral of alternative WALGA Honours where it is concluded that a nominated candidate is better suited to a different award category than the one they were originally nominated for.*
- *Overseeing the annual budget set for the WALGA's Honours Program.*
- *Encouraging, educating, promoting and raising the profile of all honours available to people in Local Government and all Western Australians.*
- *Reviewing the Honours Policies and supporting documentation as deemed necessary.*

Membership to the Honours Panel includes:

- *Two State Councillors representing the country and metropolitan constituencies and two non-executive members representing country and metropolitan interests, to be appointed by the WALGA President and Deputy President;*
- *A representative of the Department of Local Government; and*
- *The WALGA Chief Executive Officer or a representative of the CEO.*

TERMS OF REFERENCE

The Panel acknowledges that whilst it has delegated authority to undertake the special function of Honours and all that it implies, it is a committee responsible to the WALGA State Council. The President of the Association is the final and ultimate authority.

State Council has delegated the responsibility for determining the membership of the Honours Panel to the President/Deputy President and CEO of the Association.

The term of panel membership will generally be two years with the expirations being staggered to ensure continuity of knowledge in the Honours process.

The Panel will have the freedom and flexibility to meet as many times as considered necessary, however, it will ensure that it meets not less than two times per annum.

The Chairman will ensure that minutes are kept of the Panel's deliberations and decisions and that these minutes are made available to the State Council for adoption as required.

The Panel acknowledges its obligation to consider the eligibility of nominations in a fair and unbiased manner, ensuring that confidentiality of members' personal information is maintained.

The Panel will oversee the Secretariat and ensure that adequate administrative resources are provided to enable the carrying out of the function.

The Panel will seek nominations from worthy individuals for various awards as follows by seeking names from members of WALGA for the following awards:

- Association Honours
- Australian Honours
- Western Australian Honours

OPERATIONAL PROCEDURES

The Panel will ensure that full discussion takes place to enable amendments and proposals for new honours to take place.

The Panel will review the eligibility of nominations received for the various Association Honours and undertake to adjudicate in the selection of recipients.

The Chairman of the Panel will ensure that an agenda is developed and minutes kept of each meeting.

The Panel will discuss and make recommendations on the way in which presentations of Honours are to be undertaken.

The Chairman of the Panel will ensure that requests for referee's report on Western Australian nominations under the Australian System of Honours are addressed. As a guide, the Chairman will endeavour to meet requests for referee's reports by generally seeking at least three referees to support a nomination of a Local Government member for this Award. The nomination will require the endorsement of the Panel.

The Panel will oversee the annual Honours processes, to ensure that the deadlines and timelines set by the Association are met.

The Panel will approve the Honours budget proposed by Secretariat staff, for recommendation to the Finance and Services Committee and the State Council.

The Panel will undertake to recommend special Honours award recipients to the Association President and the State Council.

The Panel will provide a central point and act as a 'go-between' in linking worthy candidates for various Honours (the WA Local Government Association, Australian, Western Australian honours) and those wishing to nominate these individuals.

The Panel will undertake to raise the profile of the Honours by encouraging the nomination of worthy individuals for the various Honours.

The Panel will undertake a liaison role with individuals & groups involved in Honours such as the WA Member of the Order of Australia Council and the Order of Australia Association to encourage and progress the successful nomination of Western Australians for Australian and Western Australian honours.

FURTHER ENQUIRIES

Ms Ana Fernandez
Executive Officer Governance and Strategy
WALGA
Phone: 9213 2013
Fax: 9213 2077
E-mail: afernandez@walga.asn.au

Nomination forms can be downloaded from the WALGA website by visiting:

<http://www.councils.wa.gov.au/directory/walga/index.html/statecouncil/honours/>



WALGA

Honours Policy 2015

WALGA recognises service to Local Government by the award of the following Honours:

- Local Government Medal
- Life Membership
- Eminent Service Award (previously Certificate of Appreciation)
- Long and Loyal Service Award
- Merit Award (previously Distinguished Service Award)
- Local Government Distinguished Officers Award

WALGA HONOURS

LOCAL GOVERNMENT MEDAL

FOR OUTSTANDING ACHIEVEMENT AND CONTRIBUTION TO LOCAL GOVERNMENT/ WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION

ELIGIBILITY:

- President of the Association
- As a State Councillor
- As an Elected Member

PRESENTED IN RECOGNITION OF:

- Exceptional service which advances the goals of WALGA and / or Local Government
- The personal contribution given in pursuit of benefits for the community within the concept of Local Government
- Outstanding achievements and/or significant contributions, both professionally and personally, in the advancement of the position and value of the Western Australian Local Government Association and/or Local Government within the wider community. These key factors form the basis for the selection of recipients and will be applied in the nomination and selection process.

PRIVILEGES

- Local Government Medal, Certificate and Lapel Pin
- Complimentary registration at Association Conferences, but not including travelling, accommodation, meals or functions
- Automatic nomination for Australian Honours/Western Australia Week Awards

LIFE MEMBERSHIP

FOR LONG AND OUTSTANDING SERVICE TO THE ASSOCIATION AND TO LOCAL GOVERNMENT

ELIGIBILITY:

- As a State Councillor
- Years of service to the Association and to Local Government for a minimum of two election terms (i.e. 8 years).
- As a Serving Officer of the Association or a Member Local Government for a minimum of 15 years.

PRESENTED IN RECOGNITION OF:

- For long and outstanding service to the Association and to Local Government
- For significant achievement and/or active involvement in intergovernmental relations as a State Councillor

PRIVILEGES

- Certificate of Life Membership and Lapel Pin
- Complimentary registration at Association Conference, but not including travelling, accommodation, meals or functions
- Complimentary subscription to Local Government News and Western Councillor.

EMINENT SERVICE AWARD

FOR PERSONAL COMMITMENT, EMINENT SERVICE AND CONTRIBUTION TO LOCAL GOVERNMENT OR THE ASSOCIATION:

ELIGIBILITY:

- As a President or Mayor
- As a State Councillor
- As an Elected Member or Serving Officer of the Association
- As an Officer of a Government Agency

PRESENTED IN RECOGNITION OF:

- Notable contribution to the Association and/or Local Government

PRIVILEGES

- Eminent Service Award - certificate

LONG AND LOYAL SERVICE AWARD

FOR LONG SERVICE OF A HIGH DEGREE TO LOCAL GOVERNMENT OR THE ASSOCIATION:

ELIGIBILITY:

- As a State Councillor for 8 or more years
- As an Elected Member for 12 or more years

PRESENTED IN RECOGNITION OF:

- Outstanding long and loyal service to the Association and/or Local Government

NB: *This award is for outstanding long and loyal service from Elected Members that have at least served 12 years.*

PRIVILEGES

- Long and Loyal Service Award – certificate

MERIT AWARD

FOR DISTINGUISHED SERVICE TO THE COMMUNITY THROUGH THE LOCAL GOVERNMENT OF THE CITY/SHIRE/TOWN OF _____

ELIGIBILITY:

- As an Elected Member
- Must have served for 4 years or more

PRESENTED IN RECOGNITION OF:

- Committed and dedicated to the pursuit of achievement for the community of a Local Government.

PRIVILEGES

- Local Government Merit Award – certificate

LOCAL GOVERNMENT DISTINGUISHED OFFICER AWARD

FOR OUTSTANDING CONTRIBUTIONS MADE BY SERVING OFFICERS OF MEMBER LOCAL GOVERNMENTS TO THE LOCAL GOVERNMENT SECTOR:

PRESENTED IN RECOGNITION OF:

- Demonstrating outstanding contributions to the Local Government sector.
- Leading by example, sustainable performance and highlights best practice operations for the sector
- Outstanding achievements, both professionally and personally, in the advancement of the Local Government sector.

PRIVILEGES

- Local Government Officer Award - Certificate

State Councillors, Zones and Member Local Governments are eligible to nominate officers for this category.

WHO CAN NOMINATE FOR AWARDS?

Nominations for awards within the WALGA Honours program can be made by the following nominators:

- **Local Government Medal** - Available for nomination by State Council Members and Member Local Governments with a co-sign by a State Councillor.
- **Life Membership** - Available for nomination by State Council Members and Member Local Governments
- **Eminent Service Award** - Available for nomination by State Council Members and Member Local Governments
- **Long and Loyal Service Award** - Available for nomination by State Council Members and Member Local Governments
- **Merit Award** - Available for nomination by State Council Members and Member Local Governments
- **Local Government Officer Award** - Available for nomination by State Council Members and Member Local Governments

PLEASE NOTE:

State Council Members are those individuals elected to the State Council of WALGA and that nominations submitted by State Council Members do not require supporting signatures.

Eligibility to nominate persons for Honours varies between award categories. Reference should be made to the nominating authority section of the 2015 nomination form to ensure that an eligible nominator has been identified to support the nomination.

Nominations by Member Local Governments require that the Local Government is a Member of the WA Local Government Association (WALGA). The support of the nominator (who must be an Elected Member) plus two other Elected Members is required and the nomination must be forwarded through the Chief Executive Officer of the Local Government for sign-off prior to submission to the Association.

NOMINATION PROCESS

Nominations will be invited during February/March and will close in May/June of each year.

Additional copies of Nomination forms are available by visiting: <http://www.walga.asn.au>

The Nomination form, and any attachments, should be submitted to the Association's Secretariat either by hand, post, email or facsimile. **EMAILED NOMINATIONS MUST BE DATED AND DIGITALLY SIGNED.**

The WA Local Government Association Honours Panel will meet after the closing date for nominations and undertake to adjudicate in the selection of recipients.

Successful Honours nominees will be notified of their nomination, and arrangements will be made as appropriate in respect of the award presentation.

Nominating bodies will be advised of any unsuccessful nominations in due course.

FURTHER ENQUIRIES

Ms Ana Fernandez

Executive Officer Governance and Strategy

WALGA

Phone: 9213 2013

Fax: 9213 2077

E-mail: afernandez@walga.asn.au

EXTERNAL HONOURS

AUSTRALIAN SYSTEM OF HONOURS

The levels of the Order of Australia include:

- **Companion – AC** – for eminent achievement and merit of the highest degree in service to Australia or to humanity at large
- **Officer – AO** – for distinguished service of a high degree to Australia or to humanity at large
- **Member – AM** – for service in a particular locality or field of activity or to a particular group.
- **Medal – OAM** – for service worthy of particular recognition
- **Public Service Medal** - awarded to persons who have provided outstanding public service, either through, with an authority of, or in an office or position remunerated by or on behalf of, the Commonwealth, a State or a Local Government.

These are awarded by the Governor General of Australia, on recommendation by the Order of Australia Council, on Australia Day and the Queen's Birthday each year. Any person or organisation may submit a nomination for an award to the Order of Australia Council. Nominations are open throughout the year, and the process can be lengthy at times (ranging from 12 to 18 months).

The WALGA Honours Panel is happy to facilitate nominations for the Public Service Medal for Local Governments wishing to nominate Serving Officers for this award. Applications should be submitted via the Association's Secretariat, marked for the attention of the Honours Panel.

Nominations for this award may be submitted throughout the year.

WESTERN AUSTRALIAN CITIZEN OF THE YEAR AWARDS

The Western Australian Citizen of the Year Awards are administered by Celebrate WA. The following categories of awards are available:

- **Arts, Culture & Entertainment** – for significant contribution to the development and promotion of the arts, culture and entertainment in WA
- **Community Service** – for selfless commitment to serving the needs and enhancing the life of others in the community
- **Industry & Commerce** – for the achievement of success and demonstration of outstanding commitment to the fields of industry and commerce
- **Sport** – for outstanding contribution to the advancement, development, promotion and administration of sport in WA
- **Youth** – for contribution in a significant way to the betterment of life in WA (young people aged between 17 and 25 years are eligible)

NOMINATIONS PROCESS

Nominations will be invited throughout the year for the Australian System of Honours. Nomination forms for the Australian System of Honours can be obtained by contacting the Honours Secretariat, Government House, Canberra, ACT, 2600 or via freecall 1800 552 275.

Completed nomination forms should provide details about the person being nominated, information about their achievements and expertise and the names of referees who know the person and are able to support the nomination.

The Honours Secretariat will conduct research and verify the nominee's service to the community. Following this, the nomination will be forwarded to the Council for the Order of Australia for consideration. The level of award is determined by the Council of the Order of Australia.

With regards to the WA Citizen of the Year Awards, further information and nomination forms can be obtained by contacting Celebrate WA, Ground Floor, 16 St Georges Terrace, Perth or by telephoning 9220 1808.

Nominations should remain confidential throughout the whole process.

AGENDA ITEM:	9.3.5
SUBJECT:	BUILDING & DISABILITY SERVICES COMMITTEE MINUTES
PROPONENT:	SHIRE OF CHAPMAN VALLEY
SITE:	N/A
FILE REFERENCE:	801.00
PREVIOUS REFERENCE:	NIL
DATE:	2 APRIL 2015
AUTHOR:	MAURICE BATTILANA

DISCLOSURE OF INTEREST

Nil

BACKGROUND

The Shire of Chapman Valley Building & Disability Services Committee met on the 25th March 2015 for the Annual Inspection of Councils buildings followed by the Committee meeting in the Council Chambers Nabawa. The minutes of the meeting have been included as **Attachment 1**.

COMMENT

The minutes and recommendations from the Building & Disability Services Committee meeting are presented for Council consideration.

The Committee requested the CEO investigate obligations of the Shire and Department of Education (DoE) in accordance with the current lease agreement for the shire owned building which the DoE use as a Pre-Primary facility.

The lease agreement states the following:

Maintenance

To keep and maintain and be responsible for routine maintenance of the Leased Premises and every part thereof and any additional thereto in a clean and sanitary condition (removing all rubbish and refuse therefrom) and well cleansed and drained and to keep the same and any addition thereto in good and substantial repair and condition (reasonable wear and tear accepted) AND TO YIELD AND DELIVER UP the Leased premises in good and substantial repair, order and condition at the expiration of the Term or sooner determination of this lease PROVIDED that nothing contained in this lease shall impose on the Lessee any duty to maintain the Leased Premises in any better condition than that existing at the commencement of the Term

In light of the above lease term I would suggest the following items identified in the inspection and/or highlight by the tenant would fall under the areas of responsibility:

Shire (Lessor)

- i. Repair ceiling (leaks during rain)
- ii. Section of gutter on patio
- iii. Repair concrete
- iv. Repair cracked windows (vandalism)

Department of Education (Lessee)

- v. Replace battery in smoke alarm
- vi. Replace washer in large basin
- vii. Investigate removal of screens for cleaning
- viii. Replace mirrors
- ix. Replace power point near phone
- x. Quote to repaint walls in wet area

I have amended the Committee Recommendation presented to Council to reflect the above responsibility areas

STATUTORY ENVIRONMENT

Local Government Act 1995

POLICY IMPLICATIONS

The following Policies/procedures affect buildings under the management and control of the Shire:

4.10 Building and Disability Services Committee

Building inspections in regard to maintenance will be held by March/April each year. Report and recommendations will be presented to Council meeting so that estimates can be included in Budget preparations. Council's Building Surveyor is to be involved in such inspections together with committee members for Council's properties.

Tenants of Council residential buildings will be advised at least 72 hours prior to the time of the impending inspection.

Yuna Hall Committee, Nanson Historical Society, Sporting Clubs, Chapman Valley Agricultural Society Committee and all other relevant users of Council controlled buildings are to be invited to either attend site visits of the building relevant to them or provide Council with items of concern they may have.

4.20 Nabawa and Yuna Tennis Club

CARE, CONTROL AND MANAGEMENT

- (a) Tennis Club to be responsible for care and maintenance of the playing surface and surrounding fences.*
- (b) Tennis Club to be responsible for nets, poles and the painting of lines etc.*
- (c) The Tennis Club to have first call on the use of the courts at all times.*
- (d) School children are allowed to use the courts, free of charge, during school hours whilst under proper supervision when courts are not required for the Tennis Club.*
- (e) The residents of the Shire are able to use the courts when not required by the Tennis Club Members.*
- (f) Club may charge hire for the use of its own equipment to local organisations but not for the use of the courts.*
- (g) Anybody outside the district wishing to hire the courts must apply to the Shire.*
- (h) Tennis Club is responsible for the cleaning of club house, viewing areas, etc.*

4.30 Community Centre Crockery

The Community Centre crockery is not available for hire or use other than for functions held at the Community Centre, except where the Chief Executive Officer has granted approval for such hire.

4.40 Community Centre / Sporting Complex / Nabawa Hall Hire Conditions

- 1. All hire charges must be paid at the Shire Office before keys will be issued.*
- 2. Keys issued under the Non-Cut Key System to Clubs or community organisations will require a bond to be paid prior to issue. Bond will be an amount equivalent to the cost to replace/adjust locks and cut new key(s) in the event of loss. If a key(s) is lost, the relevant lock(s) will have to be renewed and the actual cost of this replacement will be the responsibility of the hirer.*
Keys issued to Clubs or community organisations must be returned to the Shire Office at the end of their season.
- 3. It is the responsibility of the hirer to ensure the conduct of the persons present at the time of their function is orderly.*
- 4. It is illegal to consume liquor on any part of the building and grounds without the prior written approval of the Council. An additional licence must be obtained from the Police for the sale of liquor.*
- 5. The cleaning of all facilities used is the responsibility of the hirer, however if the premises have been left in an untidy state and Council is required to clean them, costs involved in such cleaning will be payable by the hirer.*

If any items used (e.g.: barbecues, etc.) are left in an unsatisfactory condition, the Hirer will be requested to carry out the necessary cleaning or repairs to such items to the satisfaction of the Chief Executive Officer.

If in the event that any specific Hirer refuses to undertake the necessary cleaning and/or repairs required as specified, then Council Staff will carry out this work and an appropriate charge specified by the Chief Executive Officer will be forwarded to the Hirer.

Any future use of such items by the specific Hirer will require a bond to be deposited with Council prior to use.

This bond will be set by Council at the time fees and charges are set annually and will not be refunded until the items have been returned in a satisfactory condition.

6. *Ensure all lights, including lights on the oval, are turned off after function. Penalty may be imposed if lights left on.*

7. *No spiked shoes or boots or the like to be worn in any part of the building except the two main change rooms and public toilets.*

8. Crockery and Cutlery Hire

Breakages and losses - the cost of all replacements is the responsibility of the hirer.

9. Furniture

Tables or chairs are not to be removed from the building unless with the prior approval of the CEO. All tables and chairs must be stacked in an orderly manner and not left out after the event.

Furniture must not be dragged across floors.

10. *The building must be left locked up and with all lights switched off.*

11. *Exemption to hall hire charge*

The Chapman Valley Parents and Citizens Association is exempt from paying hall hire charges at the Nabawa Community Centre for the following events: -

- Annual Christmas Tree*
- Annual quiz night*
- School Presentation night.*

Footnote – Community Newspaper Group “Valley Vibes” are exempt from paying hire charges for the “clinic” room at the Community Centre.

12. *When alcohol is to be consumed on the premises, a refundable bond, in accordance with that set annually by Council, is to be collected from hirers of this facility. The Chief Executive Officer has the authority to impose or waive this charge on any hirer, regardless of whether alcohol is consumed or not.*

4.50 Nabawa Oval Arena Fence

The Football Club is responsible for maintaining the Nabawa oval arena fence as they receive the revenue from the arena advertising.

4.60 Community Centre Furniture

Council hires its tables and chairs to local organisations on the understanding that the hirer will be responsible for loss or breakages.

Hall hirers to have precedence for the use of the tables and chairs.

The Chief Executive Officer has the discretionary power to approve or disallow any such relocation of Council owned tables and chairs.

4.70 Nanson Show Grounds – Annual Chapman Valley Agricultural Show

The following procedure is to be followed for the preparation of the Nanson Show Grounds for the Annual Chapman Valley Agricultural Show:

TIME FRAME	PROCEDURE		OFFICER RESPONSIBLE
1 month prior to show	1.	Spray winter weeds along road verge and on the grounds for star thistle, roly poly and walkaway bur	Senior Ranger
2 weeks prior to show	2.	Check all buildings for maintenance to be completed	Building Surveyor
	3.	Mow surrounds, car parks and whipper snipper around buildings and fences	Works Supervisor
	4.	Assist with the hosing out of the Hall – 2 weeks before the Show.	Building Surveyor / Senior Ranger
	5.	Grade firebreaks around Nanson Show Grounds – September.	Works Supervisor
1 week prior to show	6.	Contact show secretary and offer council staff for setting up the show – Monday before the show.	Works Supervisor
	7.	Cartage of 100 chairs from the Community Centre to the dining room – Tuesday before the show	Works Supervisor
	8.	Grade and water roads, parking areas, walkways and entrances into Nanson Show Grounds – Tuesday before the show.	Works Supervisor
	9.	Check the toilets and tanks for maintenance – Wednesday before the show and 1 week prior to Merino Stud Breeders Show.	Building Surveyor
	10.	Deliver rubbish bins, rubbish crate and recycling bins to Nanson Show Grounds – Friday before the show.	Works Supervisor
	11.	Fire truck – Ensure available with volunteer on the show day – wet down dusty areas.	Building Surveyor / Senior Ranger
	12.	Contact the cleaners to have the toilets cleaned twice throughout the show day & ensure enough hand towels, toilet rolls etc.	Admin Manager
	13.	Create 'No Parking' signs day before show and post along Chapman Valley Road on the day of the show.	Works Supervisor
2 days prior to show	14.	Mow surrounds, car parks and whipper snipper around buildings and fences – 2 weeks prior and 2 days prior to the show	Works Supervisor
	15.	Grade McCagh Road to Mt Erin-Nabawa Road	Works Supervisor

4.80 Change Rooms – Chapman Valley Football Club

1. Club to be responsible for any damage to the premises, which may occur when being used by them.
2. Approval must be granted by Council before any structural alterations take place to the building.
3. Club will be permitted to lock up the clubrooms for their own use and be responsible for their cleanliness etc. Other organisations to be permitted the use of the room by agreement subject to them paying for any damage and leaving the premises clean.
4. Club to be responsible for leaving the change rooms, kitchen, upstairs function room, toilets, viewing area etc.; clean after every use by them, including training nights. Rubbish

caused by everyday use to be their responsibility. Internal litterbins must be emptied into outside bins or trailer after use.

5. *Council to hand over buildings in a clean and tidy state at the start of the season and must be returned the same way.*
6. *Ensure all building and oval lights are turned off after function. Penalty may be imposed if lights left on.*

4.90 Sports Ground

The area defined for the sports oval be used solely for the purpose of pedestrian team sports.

4.100 Council Housing / Buildings

Bond

A bond is to be imposed upon all new tenants renting Council houses with the amount being that as set by the current year's budget. The bond amounts are to be set for both Council employees and private tenants and reviewed annually. This bond is to be forwarded to the appropriate organisation to be held in trust in accordance with legislative requirements.

Council employee tenants are to be given the option of paying the bond amount by instalment deductions from their fortnightly pay.

Residential Tenancies Act 1987

Council adopts the "Standard Residential Tenancy Agreement" guidelines for all future tenants with the following additional conditions:

- (i) *The tenant will be in breach of a term of his Agreement if his/her employment with the Chapman Valley Shire Council ceases for any reason.*
- (ii) *All persons occupying Council owned houses are to complete and sign tenancy agreements.*
- (iii) *Houses may be allocated to various staff positions.*
- (iv) *It is the responsibility of the tenant to ensure the gardens, yard and house surrounds are kept in a neat and tidy condition and lawns and gardens not be let to die or deteriorate.*
- (v) *If applicable it is the responsibility of the tenant to maintain the swimming pool located at the premises and ensure all isolation fencing complies with legislation.*

4.140 Chapman Valley Historical Society

Be granted the use of Lot 500 East Terrace, Nanson (Reserve 13226) and the structures upon it.

FINANCIAL IMPLICATIONS

Recommendations coming out of the Committee meeting will be presented to Council for consideration for allocation into the forthcoming and future draft budgets.

• Long Term Financial Plan (LTFP):

The *Five Year Building Program* will also have an effect on the Shire's Integrated Planning and Reporting, which sets Councils future long term direction and planning.

STRATEGIC IMPLICATIONS

It is important for Council to have a strategic approach to managing all its assets, which included buildings.

• Strategic Community Plan/Corporate Business Plan:

We want to strengthen our community's position for the future	Maintain a resilient and independent Shire	Provide and maintain offices, housing and other buildings and facilities for the operation of the Shire
---	--	---

VOTING REQUIREMENTS

Simple Majority

BUILDING COMMITTEE RECOMMENDATION

Council receives the minutes of the Building & Disability Services Committee meeting of 25 March 2015 and endorses the recommendations within i.e.

- 1) Council donate surplus Yuna Tennis Pavilion structure to YFIG for the storage of YFIG bus or any other use they consider appropriate;
- 2) An item be presented to Council for budget variation to accommodate urgent works required to replace goal posts at the Nabawa Oval in this financial year;
- 3) Council adopt the new format for the Five Year Capital and Operating Maintenance Building Works Program with the following amendments and list the following items in the draft 15/16 budget for consideration:

Proposed Amendments to the Capital Works Program

- Clarify the Bill Hemsley Park development funding sources are to be derived from developer contributions, grants and other sources.
- Defer the new CEO house to 2016/2017 budget and clarify this funding is for land and house to be built in the Western Regions of the Shire;

Capital Works 2015/2016

- New Electronic Scoreboard at Nabawa Oval
- Bill Hemsley Park developments (subject to finalisation of Concept Plan)

Specific Operating Maintenance 2015/2016

- **Yuna Hall / Library**
Remove and replace ceiling to right of stage
Paint and putty windows
Paint all small rooms
Replace air conditioner in library
General Maintenance to include:
 - * Repair manhole cover, Repair blind
 - * Remove broken fridge
- **Yuna Tennis Club**
Rabbit Baiting program for grass area
- **Yuna Depot**
Repair gutters
Trim trees
- **Lot 23 Chapman Valley Road, Yuna – Shirley MacLeod**
Run rainwater drain over fence
Remove iron posts, stone, tree stump, railway iron
Fix light on back verandah
Replace range hood
- **Nabawa Community Centre**
Replace guttering
Replace 4 x windows and flywire door in Lesser Hall and kitchen
Paint internal and external doors
Install Banners in Main Hall

Pre School

Shire (Lessor) Responsibility Only

- i. Repair ceiling (leaks during rain)
- ii. Section of gutter on patio
- iii. Repair concrete
- iv. Repair cracked windows (vandalism)

Department of Education is advised of identified maintenance items which are their responsibility.

- **Naraling Hall**
Replace external batten
Paint externals doors & windows
- **Nabawa Recreation Centre**
Extend playpen area
Fix lighting to Commentators box area and repair phone plug
Overhead power point to kitchen centre bench
Investigate removing of centre bench wall under arch
Extractor fans in toilets
Prefabrication of step on balcony
Hole in basketball stadium N/W corner
Power point to be installed on internal balcony
Replace shelving in kitchen
- **Nabawa Tennis Club**
Gate near tennis club (entrance to oval area) to be repaired and made lockable
- **Nabawa Shire Depot**
Various OSH items (Works Manager to determine costs)
Water to Gardeners Shed
- **Nabawa Shire Office**
Continue painting if required
Replace carpet in Chambers from doorway with vinyl
Replace carpet in main office
Continue with plans for extended storage area (rear verandah)
- **Lot 19 Chapman Valley Road, Nabawa – Nic & Christine Philippa**
Consideration of sale subject to when tenants move out
Adjust float valve on aircon
Repair verandah post
Repair leach drain
- **Centenary Park**
Repaint gazebo
Replace cover over water fountain
- **Cemetery**
Plan Board
- **Nanson Showground**
Power to proposed bore subject to grant funding forthcoming for water source at reserve
- **Nanson Historical Museum**
No items listed.
- **Coronation Beach Camp Ground**
Repair fishing table by removing corroded top cover

- 4) Council lists an amount of \$40,000 in the 2016/2017 Capital Building Works Program for Nabawa Sports pavilion and stadium for a chair lift facility.
- 5) Council accept the Disability Access Inclusion Plan as presented without amendment.

AMENDMENT TO MOTION

MOVED: CR COLLINGWOOD

SECONDED: CR MALUISH

That the electronic scoreboard at Nabawa Oval be removed.

**Voting 8/0
CARRIED**

Minute Reference 04/15-16

COMMITTEE RECOMMENDATION

MOVED: CR FORRESTER

SECONDED: CR WARR

Council receives the minutes of the Building & Disability Services Committee meeting of 25 March 2015 and endorses the recommendations within i.e.

1. Council donate surplus Yuna Tennis Pavilion structure to YFIG for the storage of YFIG bus or any other use they consider appropriate;
2. An item be presented to Council for budget variation to accommodate urgent works required to replace goal posts at the Nabawa Oval in this financial year;
3. Council adopt the new format for the Five Year Capital and Operating Maintenance Building Works Program with the following amendments and list the following items in the draft 15/16 budget for consideration:

Proposed Amendments to the Capital Works Program

- Clarify the Bill Hemsley Park development funding sources are to be derived from developer contributions, grants and other sources.
- Defer the new CEO house to 2016/2017 budget and clarify this funding is for land and house to be built in the Western Regions of the Shire;

Capital Works 2015/2016

- Bill Hemsley Park developments (subject to finalisation of Concept Plan)

Specific Operating Maintenance 2015/2016

- **Yuna Hall / Library**
Remove and replace ceiling to right of stage
Paint and putty windows
Paint all small rooms
Replace air conditioner in library
General Maintenance to include:
 - * Repair manhole cover, Repair blind
 - * Remove broken fridge
- **Yuna Tennis Club**
Rabbit Baiting program for grass area
- **Yuna Depot**
Repair gutters
Trim trees

- **Lot 23 Chapman Valley Road, Yuna – Shirley MacLeod**
Run rainwater drain over fence
Remove iron posts, stone, tree stump, railway iron
Fix light on back verandah
Replace range hood
- **Nabawa Community Centre**
Replace guttering
Replace 4 x windows and flywire door in Lesser Hall and kitchen
Paint internal and external doors
Install Banners in Main Hall

Pre School

Shire (Lessor) Responsibility Only

- Repair ceiling (leaks during rain)
- Section of gutter on patio
- Repair concrete
- Repair cracked windows (vandalism)

Department of Education is advised of identified maintenance items which are their responsibility.

- **Naraling Hall**
Replace external batten
Paint externals doors & windows
- **Nabawa Recreation Centre**
Extend playpen area
Fix lighting to Commentators box area and repair phone plug
Overhead power point to kitchen centre bench
Investigate removing of centre bench wall under arch
Extractor fans in toilets
Prefabrication of step on balcony
Hole in basketball stadium N/W corner
Power point to be installed on internal balcony
Replace shelving in kitchen
- **Nabawa Tennis Club**
Gate near tennis club (entrance to oval area) to be repaired and made lockable
- **Nabawa Shire Depot**
Various OSH items (Works Manager to determine costs)
Water to Gardeners Shed
- **Nabawa Shire Office**
Continue painting if required
Replace carpet in Chambers from doorway with vinyl
Replace carpet in main office
Continue with plans for extended storage area (rear verandah)
- **Lot 19 Chapman Valley Road, Nabawa – Nic & Christine Philippa**
Consideration of sale subject to when tenants move out
Adjust float valve on aircon
Repair verandah post
Repair leach drain
- **Centenary Park**
Repaint gazebo
Replace cover over water fountain

- **Cemetery**
Plan Board
- **Nanson Showground**
Power to proposed bore subject to grant funding forthcoming for water source at reserve
- **Nanson Historical Museum**
No items listed.
- **Coronation Beach Camp Ground**
Repair fishing table by removing corroded top cover

4. Council lists an amount of \$40,000 in the 2016/2017 Capital Building Works Program for Nabawa Sports pavilion and stadium for a chair lift facility.

**Voting 8/0
CARRIED
Minute Reference 04/15-17**

AMENDMENT TO MOTION

MOVED: CR FARRELL

SECONDED: CR MALUISH

That item 5 the Disability Access Inclusion Plan be bought back to the May Council meeting.

**Voting 8/0
CARRIED
Minute Reference 04/15-18**



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Chapman Valley
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UNCONFIRMED MINUTES

**BUILDING AND DISABILITY COMMITTEE
 WEDNESDAY 25 MARCH 2015
 COUNCIL CHAMBERS NABAWA
 3.00PM**

The Building and Disability Committee is comprised of:-

Cr Anthony Farrell
 Cr Pauline Forrester
 Cr Peter Humphrey
 Cr Kirrilee Warr

Mr Maurice Battilana	Chief Executive Officer	(Observer)
Mr Anthony Abbott	Building/Project Officer	(Observer)
Mrs Karen McKay	Executive Assistant	(Minute Taker)

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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.



Maurice Battilana
CHIEF EXECUTIVE OFFICER



UNCONFIRMED MINUTES OF BUILDING COMMITTEE MEETING HELD IN THE COUNCIL CHAMBERS NABAWA ON WEDNESDAY 25 MARCH 2015

1.0 Welcome

The Chairman, Cr Humphrey welcomed Councillors and staff and declared the meeting open at 2.35pm.

2.0 Record of Attendance / Apologies

Present: Cr Peter Humphrey (Presiding Member)
Cr Anthony Farrell
Cr Pauline Forrester
Cr Kirrilee Warr (until 2.43pm)

Mr Maurice Battilana	Chief Executive Officer
Mr Anthony Abbott	Building Surveyor / Project Officer
Mrs Karen McKay	Executive Assistant (Minute Taker)
Mrs Di Raymond	Manager of Finance & Corporate Services

Apologies: Nil

3.0 Disclosure of Interest

Members should fill in Disclosure of Interest forms for items in which they have a financial, proximity or impartiality interest and forward these to the Presiding Member before the meeting commences.

Section 5.60A:

"a person has a **financial interest** in a matter if it is reasonable to expect that the matter will, if dealt with by the local government, or an employee or committee of the local government or member of the council of the local government, in a particular way, result in a financial gain, loss, benefit or detriment for the person."

Section 5.60B:

"a person has a **proximity interest** in a matter if the matter concerns –
(a) a proposed change to a planning scheme affecting land that adjoins the person's land; or
(b) a proposed change to the zoning or use of land that adjoins the person's land; or
(c) a proposed development (as defined in section 5.63(5)) of land that adjoins the person's land."

Regulation 34C (Impartiality):

"**interest** means an interest that could, or could reasonably be perceived to, adversely affect the **impartiality** of the person having the interest and includes an interest arising from kinship, friendship or membership of an association."

Nil

4.0 Confirmation of Previous Minutes

MOVED: CR FORRESTER

SECONDED: CR FARRELL

That the minutes of the Building & Disability Committee of the Shire of Chapman Valley held on 25 March 2014 be confirmed as a true and accurate record of proceedings. (Attachment 1)

Voting 4/0

CARRIED

Minute Reference BC03/15-1

Cr Warr left the meeting at 2.43pm

5.0 Business Arising

COMMITTEE RECOMMENDATION

MOVED: CR FORRESTER

SECONDED: CR HUMPHREY

Recommend Council donate surplus Yuna Tennis Pavilion structure to YFIG for the storage of YFIG bus or any other use they consider appropriate.

Voting 3/0

CARRIED

Minute Reference BC03/15-2

COMMITTEE RECOMMENDATION

MOVED: CR HUMPHREY

SECONDED: CR FORRESTER

Recommend an item be presented to Council for budget variation to accommodate urgent works required to replace goal posts in this financial year.

Voting 3/0

CARRIED

Minute Reference BC03/15-3

General Business

- Five (5) Year Building Program (Attachment 2)

Five (5) Year Building Program

COMMITTEE RECOMMENDATION

MOVED: CR FORRESTER

SECONDED: CR FARRELL

Recommend Council adopt the new format for the Five Year Capital and Operating Maintenance Building Works Program with the following amendments and listed the following items in the draft 15/16 budget for consideration:

Proposed Amendments to the Capital Works Program

- Clarify the Bill Hemsley Park development funding sources are to be derived from developer contributions, grants and other sources.
- Defer the new CEO house to 2016/2017 budget and clarify this funding is for land and house to be built in the Western Regions of the Shire;

Capital Works 2015/2016

- New Electronic Scoreboard at Nabawa Oval
- Bill Hemsley Park developments (subject to finalisation of Concept Plan)

Operating Maintenance 2015/2016

- **Yuna Hall / Library**
Remove and replace ceiling to right of stage
Paint and putty windows
Paint all small rooms
Replace air conditioner in library
General Maintenance to include:
 - * Repair manhole cover, Repair blind
 - * Remove broken fridge
- **Yuna Tennis Club**
Rabbit Baiting program for grass area
- **Yuna Depot**
Repair gutters
Trim trees
- **Lot 23 Chapman Valley Road, Yuna – Shirley MacLeod**
Run rainwater drain over fence
Remove iron posts, stone, tree stump, railway iron
Fix light on back verandah
Replace range hood
- **Nabawa Community Centre**
Replace guttering
Replace 4 x windows and flywire door in Lesser Hall and kitchen
Paint internal and external doors
Install Banners in Main Hall
- **Pre School**
CEO to check agreement with Education Department
Repair cracked windows
Replace battery in smoke alarm
Replace washer in large basin
Repair ceiling (leaks during rain)
Section of gutter on patio
Investigate removal of screens for cleaning
Replace mirrors
Replace power point near phone
Quote to repaint walls in wet area
Repair concrete
- **Naraling Hall**
Replace external batten
Paint external doors & windows
- **Nabawa Recreation Centre**
Extend playpen area

Fix lighting to Commentators box area and repair phone plug
Overhead power point to kitchen centre bench
Investigate removing of centre bench wall under arch
Extractor fans in toilets
Prefabrication of step on balcony
Hole in basketball stadium N/W corner
Power point to be installed on internal balcony
Replace shelving in kitchen

- **Nabawa Tennis Club**
Gate near tennis club (entrance to oval area) to be repaired and made lockable.
- **Nabawa Shire Depot**
Various OSH items (Works Manager to determine costs)
Water to Gardeners Shed
- **Nabawa Shire Office**
Continue painting if required
Replace carpet in Chambers from doorway with vinyl
Replace carpet in main office
Continue with plans for extended storage area (rear verandah)
- **Lot 19 Chapman Valley Road, Nabawa – Nic & Christine Philippa**
Consideration of sale subject to when tenants move out
Adjust float valve on aircon
Repair verandah post
Repair leach drain
- **Centenary Park**
Repaint gazebo
Replace cover over water fountain
- **Cemetery**
Plan Board
- **Nanson Showground**
Power to proposed bore subject to grant funding forthcoming for water source at reserve.
- **Nanson Historical Museum**
No items listed.
- **Coronation Beach Camp Ground**
Repair fishing table by removing corroded top cover.

**Voting 3/0
CARRIED
Minute Reference BC03/15-4**

COMMITTEE RECOMMENDATION

MOVED: CR FARRELL

SECONDED: CR FORRESTER

Recommend Council lists an amount of \$40,000 in the 2016/2017 Capital Building Works Program for Nabawa Sports pavilion and stadium for a chair lift facility.

**Voting 3/0
CARRIED
Minute Reference BC03/15-5**

COMMITTEE RECOMMENDATION

MOVED: CR FARRELL

SECONDED: CR FORRESTER

Recommend Council accept the Disability Access Inclusion Plan as presented without amendment.

**Voting 3/0
CARRIED
Minute Reference BC03/15-6**

Next Meeting & Closure

The chairman thanked the Committee members and staff for their attendance and declared the meeting closed at 4.40pm.

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Chapman Valley
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UNCONFIRMED MINUTES

**BUILDING AND DISABILITY SERVICES COMMITTEE
TUESDAY 25 MARCH 2014
COUNCIL CHAMBERS NABAWA
3.30PM**

The Building and Disability Committee is comprised of:-

Cr Peter Humphrey (Presiding Member)
Cr Anthony Farrell
Cr Pauline Forrester
Cr Kirrilee Warr

Mr Maurice Battilana	Chief Executive Officer	(Observer)
Mr Anthony Abbott	Building/Project Officer	(Observer)
Mrs Karen McKay	Executive Assistant	(Minute Taker)

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WRITTEN CONFIRMATION

Of the outcome of the application or request of the decision made by the Shire of Chapman Valley.



Maurice Battilana
CHIEF EXECUTIVE OFFICER



**UNCONFIRMED MINUTES FOR THE BUILDING & DISABILITY SERVICES COMMITTEE
MEETING HELD IN THE COUNCIL CHAMBERS NABAWA ON TUESDAY 25 MARCH 2014
COMMENCING AT 4.05PM**

1.0 Welcome

The Chief Executive Officer, Mr Maurice Battilana welcomed Councillors and staff and declared the meeting open at 4.05pm.

2.0 Election of Presiding and Deputy Presiding Member (if required)

Mr Battilana called for the Election of Presiding Member and Deputy Presiding Member of Shire of Chapman Valley Building & Disability Committee (*S5.12 Local Government Act*).

Cr Forrester nominated Cr Humphrey as Presiding Member there being no further nominations Cr Humphrey's accepted the nomination and was declared Presiding Member and took the Chair.

Cr Humphrey called for nominations of Deputy Presiding Member.

Cr Warr nominated Cr Forrester as Deputy Presiding Member there being no further nominations, Cr Forrester accepted the nomination and was declared Deputy Presiding Member.

3.0 Record of Attendance / Apologies / Leave of Absence

Present:

Cr Peter Humphrey (Presiding Member)
Cr Anthony Farrell
Cr Pauline Forrester
Cr Kirrilee Warr

Mr Maurice Battilana Chief Executive Officer
Mr Anthony Abbott Building Surveyor / Project Officer
Mrs Karen McKay Executive Assistant (Minute Taker)

Apologies: Nil

4.0 Confirmation of Previous Minutes

COMMITTEE DECISION

MOVED: CR FARRELL

SECONDED: FORRESTER

That the minutes of the Building & Disability Services Committee of the Shire of Chapman Valley held on 27 March 2013 be confirmed as a true and accurate record of proceedings.

**CARRIED
Voting 4/0**

5.0 Business Arising

Notes from Inspection of Council Buildings

Yuna Hall / Library

- Budget to replace two windows in hall 2014/15 with aluminium
- Upgrade power boards
- Remove installation of two air conditioners \$20,000 from 5 year Building Program

Yuna Tennis Club

- Remove Yuna Tennis Club from 5 year Building Program (Building to be demolished to make way for new Community Centre)
- No Action
- Look at soil to top dress grassed area and look at baiting program for rabbits

Yuna Depot

- Power and land tenure situation to be investigated (currently accessing power from Lot 23)

Lot 27 Chapman Valley Road, Yuna – Vacant

- Culvert to be repaired at crossover
- Repair cracked tile and grout
- Gutters to be emptied
- Recommend to Council to advertise property for sale

Lot 23 Chapman Valley Road, Yuna – Graeme Garraway

- Tap on vanity to be repaired
- Power point in lounge to be repaired
- Recommend to Council to advertise property for sale

Naraling Hall

- Secure and decommission front doors
- Investigate land tenure for possible sale
- Remove Naraling Hall restoration and drop toilets from 5 year Building Program

Nabawa Community Centre

- Disabled access ramp to front entrance
- Replace guttering high south side – push out to 2015/16
- Remove bus shelter / bike rack from 5 Year Building Program

Pre-School

- Paint slip surface in wet area (if paint available and Education staff willing to undertake work arrange for this to be asap)
- Arrange for removal of trees and repair playground fence. Discuss commitment from Lessee (Dept. of Education to contribute)
- Water pressure to be investigated
- Replace power board
- Replace two flyscreen security door

Nabawa Recreation Centre

- Paint interior of Disabled Toilets
- Repair doorframe to umpires room
- Repair exit door panic bars
- Paint rendered wall upstairs and include blackboard section near child's playpen
- Investigate options to repair or upgrade balcony surface
- Upgrade power board
- Repair concrete area outside home change rooms
- Various general maintenance

Cost of new r shed to accommodate turf wicket roller – to be located southern end of oval

Nabawa Tennis Club

- General maintenance

Lot 6 (9) Indialla Rd, Nabawa – Vacant (For Sale)

- No action

Nabawa Shire Depot

- Cat Management Facility – Defer installation as per 13/14 Budget and utilise adjoining local government facilities
- Mobile evaporative air-conditioning unit
- Whirly birds on shed to be replaced
- Remove trees in yard

Nabawa Shire Office

- Remove genset from 5 year Building Program
- Quote to install existing mobile genset shed adjacent to meter box
- Quote to connect existing mobile genset to mains power
- Quote for painting worst sections of office
- Push out extensions to office to end of 5 year Building Program

Lot 19 Chapman Valley Road, Nabawa - Nic & Christine Philippa

- Repair barges and tiles
- Consideration of sale subject when tenants moved out

Centenary Park

- Investigate replacing gas BBQ with electric

Cemetery

- Additional parking requirement

Nanson Showground

- Convene meeting with Showground committee to determine responsibility for buildings, infrastructure, etc.
- Repair timbers to verandah Exhibition Pavilion within 13/14 constraints

Nanson Historical Museum

- Repair fibreglass sheeting in Clarrie Milne shed
- Gravel around Clarrie Milne shed
- Install two missing downpipes
- Committee not comfortable with current size and location of proposed new shed continue dialogue and discussion with Historical Society
- Committee recommend Council donate the sea container to the Historical Society
- Budget to reinforce existing steel beam in Clarrie Milne Shed

Coronation Beach Camp Ground

- Signage to be moved and repaired
- Dig out sand out of soak wells
- Fill potholes on roads and level sites
- Move sea container to Shire Depot
- Investigate more camp sites
- Remove water tank and spider treatments from 5 year building program

6.0 General Business

Five (5) Year Building Program

COMMITTEE RECOMMENDATION

MOVED: CR FORRESTER

SECONDED: CR FARRELL

That the amended draft five (5) year building program as follows and presented to Council for budget consideration:

Nabawa Oval

- Remove lights for \$300,000 and Skate Park

Lot 19 Chapman Valley Rd

- Remove Lot 19 Chapman Valley Rd - house for sale no major work to be carried out

Yuna Hall

- Remove Yuna Hall – installation of lighting

Bill Hemsley Park

- Amend to read subject to Bill Hemsley Park Committee recommended and Council endorsed upgrades

Howatharra Reserve

- Bush Fire Shed- defer to 14/15

Yuna Tennis Club

- Remove Yuna Tennis Club from 5 year Building Program (Building to be demolished to make way for new Community Centre)

Nabawa Community Ctr

- Remove bus shelter/bike rack from.

Nabawa Administration Office

- Push out extensions to Nabawa Admin Office to end of 5 year Building Program
- Remove genset from Nabawa Admin Office

Coronation Beach

- Remove water tank and spider treatments from 5 year building program

Naraling Hall

- Remove Naraling Hall restoration and drop toilets from 5 year Building Program

**CARRIED
Voting 4/0**

7.0 Closure

The chairman thanked the Committee members and staff for their attendance and declared the meeting closed at 6.00pm.

SHIRE OF CHAPMAN VALLEY PROPOSED - FIVE YEAR CAPITAL BUILDING WORKS PROGRAM																
PROPERTY ISSUED	LOCATION	CONSTRUCTION			CURRENT YEAR		2015/2016		2016/2017		2017/2018		2018/2019		2019/2020	
		Roofs	Roof	Other	Cost	Description	Cost	Description	Cost	Description	Cost	Description	Cost	Description	Cost	Description
Camping and Recreation Reserve - Gatebo x 4	Coronation	Timber	Iron													
Camping and Recreation Reserve - Shelter x 3	Coronation	Timber	Iron													
Camping and Recreation Reserve - Seating	Coronation			Timber												
Camping and Recreation Reserve - Picnic table	Coronation			Timber/Concrete												
Camping and Recreation Reserve - Fencing	Coronation			Post & Wire												
Camping and Recreation Reserve - Platform	Coronation			Timber												
HOWATHARA																
Bush Fire Two Bay Shed	Lot 125 Nanson Howathara Rd	Iron	Iron		\$200,000	Built Completed										
HAVALING																
Northing Hall	Chapman Valley Road	Brick	Iron													
WESTERN REGIONS																
Partide Estate - Bill Hamley Park Developments	Funding sourced from developer, grants and other sources.	To be Determined					\$300,000	To be Determined	\$300,000	To be Determined						
YETNA																
Figtree Crossing Campground - Toilet Block	Chapman Valley Road, Yetna	Timber	Iron													
Figtree Crossing Campground - Dump Station	Chapman Valley Road, Yetna	Timber	Iron													
Figtree Crossing Campground - Shelter x 3	Chapman Valley Road, Yetna	Timber	Iron													
Figtree Crossing Campground - BBQ	Chapman Valley Road, Yetna			Steel												
Figtree Crossing Campground - Picnic Table	Chapman Valley Road, Yetna			Concrete												
Figtree Crossing Campground - Fencing	Chapman Valley Road, Yetna			Pine Bullards												
MISCELLANEOUS																
Radio Mast, Repeater & Shed Base Set, 2 Way																
TOTALS					\$1,244,000		\$528,000	<i>(Note: Excludes New CEO House)</i>	\$780,000		\$100,000		\$400,000		\$0	

SHIRE OF CHAPMAN VALLEY																
PROPOSED - FIVE YEAR OPERATING MAINTENANCE BUILDING WORKS PROGRAM																
PROPERTY ISSUED	LOCATION	CONSTRUCTION			CURRENT YEAR		2015/2016		2016/2017		2017/2018		2018/2019		2019/2020	
		Walls	Roof	Other	Cost	Description	Cost	Description	Cost	Description	Cost	Description	Cost	Description	Cost	Description
Camping and Recreation Reserve - Snoddy	Cornwall			Timber			\$1,000	General Mntce		\$1,000	General Mntce	\$1,000	General Mntce		\$1,000	General Mntce
Camping and Recreation Reserve - Prince Hele	Cornwall			Timber/Concrete												
Camping and Recreation Reserve - Fencing	Cornwall			Post & Wire												
Camping and Recreation Reserve - Platform	Cornwall			Timber												
HOWATHARRA																
Swan Fire Van Bay Shed	Lot 120 Hanson Howatharra Rd	Iron	Iron						\$250	General Mntce	\$250	General Mntce	\$250	General Mntce	\$250	General Mntce
NARALING																
Naraling Hall	Chapman Valley Road	Block	Iron		\$950	General Mntce/Front Doors	\$950	General Mntce	\$950	General Mntce	\$950	General Mntce	\$950	General Mntce	\$950	General Mntce
WESTERN REGIONS																
Portfels Estate - Bill Hemmley Park Developments	As determined by Endorsed Plan & Pending			To be Determined												
YETHA																
Figtree Crossing Campground - Toilet Block	Chapman Valley Road, Yetha	Timber	Iron													
Figtree Crossing Campground - Dump Station	Chapman Valley Road, Yetha	Timber	Iron													
Figtree Crossing Campground - Shelter x 3	Chapman Valley Road, Yetha	Timber	Iron													
Figtree Crossing Campground - BBQ	Chapman Valley Road, Yetha			Steel			\$500	General Mntce	\$500	General Mntce	\$500	General Mntce	\$500	General Mntce	\$500	General Mntce
Figtree Crossing Campground - Picnic Table	Chapman Valley Road, Yetha			Concrete												
Figtree Crossing Campground - Fencing	Chapman Valley Road, Yetha			Pine Bollards												
MISCELLANEOUS																
Radio Mast, Repeater & Shed Base Set, 2 Way																

Meeting adjourned for lunch at 11.55am

Meeting recommenced at 1.00pm without Cr Forrester, Mrs Williams and Mrs Raymond

AGENDA ITEM:	9.3.6
SUBJECT:	CHAPMAN VALLEY BUSHFIRE BRIGADES GROUP MANAGEMENT ADVISORY COMMITTEE MEETING
PROPONENT:	SHIRE OF CHAPMAN VALLEY
SITE:	SHIRE OF CHAPMAN VALLEY
FILE REFERENCE:	601.08
PREVIOUS REFERENCE:	NA
DATE:	2 APRIL 2015
AUTHOR:	MAURICE BATTILANA

DISCLOSURE OF INTEREST

Nil

BACKGROUND

The Chapman Valley Bushfire Brigades Group Management Advisory Committee met at the Shire of Chapman Valley Council Chambers on the 1st April 2015.

COMMENT

The minutes and recommendations from the Chapman Valley Bushfire Brigades Group Management Advisory Committee meeting are presented for Council consideration as **Attachment 1** and the bushfire notice as **Attachment 2**.

STATUTORY ENVIRONMENT

- *Local Government Act 1995 & associated Regulations;*
- *Bushfire Act, 1954*

POLICY IMPLICATIONS

Council's Fire Notice is a legally enforceable position of the Shire

FINANCIAL IMPLICATIONS

No foreseen affect on Council's general finances.

- **Long Term Financial Plan:**

No foreseen affect on Council Long Term Financial Plan.

STRATEGIC IMPLICATIONS

Objective	Strategy	Outcome
We need good services to support our development as a Shire	Maintain existing services and facilities	Essential services help us to grow and prosper as a community

VOTING REQUIREMENTS

Simple Majority

COMMITTEE RECOMMENDATION

Council:

1. Receives the minutes of the Chapman Valley Bushfire Brigades Group Management Advisory Committee meeting of 1 April 2015 and endorse the recommendation within; and
2. Adopts the 2015/2016 Firebreak notice as presented.

COUNCIL RESOLUTION

MOVED: CR ROYCE

SECONDED: CR FARRELL

Council:

1. Receives the minutes of the Chapman Valley Bushfire Brigades Group Management Advisory Committee meeting of 1 April 2015 and endorse the recommendation within; and
2. That the 2015/2016 firebreak notice be reviewed by the CBFCO Andrew Vlahov, Cr Royce, CEO and Senior Ranger and returned to Council.

**Voting 7/0
CARRIED
Minute Reference 04/15-19**



**ANNUAL GENERAL MEETING OF THE CHAPMAN VALLEY BUSHFIRE BRIGADES
GROUP MANAGEMENT ADVISORY COMMITTEE
THE COUNCIL CHAMBERS, NABAWA
WEDNESDAY 1 APRIL 2014 AT 5.35PM**

UNCONFIRMED MINUTES

1.0 ATTENDANCE & APOLOGIES

ATTENDANCE

Cr John Collingwood	President - Shire of Chapman Valley
Cr Pauline Forrester	Councillor
Andrew Vlahov	Chief Bushfire Control Officer (CBFCO)
Maurice Battilana	CEO – Shire of Chapman Valley
Earl O'Donnell	Senior Ranger – Shire of Chapman Valley
Forbes Spillman	Yetna Brigade
Neil Kupsch	Nabawa Brigade
Daryl Burton	Durawah/Valentine Brigade (arrived at 5.52pm)
Ian Thompson	Department Fire & Emergency Services (DFES)
Dave Atkins	Department of Parks & Wildlife (DPaW)
Ben Thorn	Department of Parks & Wildlife (DPaW)

APOLOGIES

Gerard Williamson	Yuna Brigade
Craig Mincherton	Naraling Brigade

2.0 OPENING ADDRESS

The Chairman, Cr Collingwood welcomed Members and Staff, declared the meeting open and expressed his appreciation to all volunteer brigade members and shire staff.

3.0 DECLARATION OF INTEREST

Nil

4.0 CONFIRMATION OF MINUTES

- 4.1 Confirmation of Minutes of the Annual General Meeting held 7 April 2014
(Attachment 1)

MOVED: F SPILLMAN SECONDED: A VLAHOV

That the minutes of the Annual General Meeting of the Chapman Valley Bushfire Brigades Group Management Advisory Committee held on 7 April 2014 be confirmed as a true and accurate record.

**Carried
Voting 9/0
Minute Ref: BFB 4/15-01**

4.2 Business Arising from Minutes.

Nil

5.0 CORRESPONDENCE

Nil

6.0 ELECTION OF OFFICERS FOR COUNCIL APPROVAL – ALL ONE YEAR TERMS

MOVED: E O'Donnell

SECONDED: F Spillman

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

(Note: All terms of office will commence upon endorsement by Council.)

Carried

Voting 9/0

Minute Ref: BFB 4/15-02

(Note: D Burton entered the meeting at 5.52pm)

7.0 FIRE BREAK NOTICE

7.1 Review of current Bush Fire Notice (*Attachment 2*)

MOVED: F SPILLMAN

SECONDED: A VLAHOV

The Committee recommend Council endorse the existing Bush Fire Notice as presented without change

Carried

Voting 10/0

Minute Ref: BFB 4/15-03

7.2 Annual Inspections

MOVED: A VLAHOV

SECONDED: E O'DONNELL

It is recommended to Council the Annual Inspection procedures remain the same.

Carried

Voting 10/0

Minute Ref: BFB 4/15-04

8.0 REPORTS – ANNUAL REPORT FOR THE PERIOD APRIL 2013 TO APRIL 2014

8.1 Chief Bush Fire Control Officer (CBFCO) - Mr Andrew Vlahov

- Thanked F Spillman for his assistance as DCBFCO;
- Thanked Council and staff for their assistance;
- Stated it was a reasonably quiet fire season;
- Stated though he was impressed with the new 4.4 Tanker there was concern with the wheel and tyre configuration.

8.2 Department of Fire and Emergency Services (DFES) – Mr Ian Thompson

- Introduced himself as Steve McDonald's replacement and his history with DFES;
- Stated it was a quiet fire season;
- Advised the Burn-Over Blankets need to be placed in the fast attack vehicle even though he understands the difficulty in storing these in the vehicle cabin;
- Thanked the Shire and the volunteers for attending a fire in the south of the State with the 4.4 Tanker.

8.3 Department of Environment and Conservation - Mr Dave Atkins

- Introduced Ben Thorn who will be working with him for a couple of years;
- Stated DPAW had a quiet fire season;
- Thanked Andrew Vlahov and shire staff for the assistance provided;
- Advised control burning will continue in the Wandana Reserve with anticipated commencement being after Easter and going through to Sept/Oct;
- Firebreaks program will also be continued.

8.4 Fire Prevention Officer/Training Officer – Mr Earl O'Donnell

Vehicles

Two new fire fighting vehicles were delivered to the Shire in the past 12 months;

1st – Isuzu 4.4 truck based in Nabawa, 4 wheel drive and 4000 litres of water
This vehicle was in place of the 2.4 which was exchanged.

2nd – Toyota fast attach went to the Naraling Brigade and was again in exchange for the older Naraling unit

Service

All vehicles obtained through DFES are serviced at least every 12 months.

WAERN Radios

These radios are doing a good job and everyone is encouraged to become familiar with their numerous features.

Training

A training afternoon was arranged at the Shire yard before Steve MacDonald left for Albany and was attended by a good number. The main purpose was to become familiar with the new 4.4 unit.

The current DFES training calendar has been forwarded to various brigades with two (2) dates for Introduction to Fire fighting and Fire fighting scheduled in Geraldton. All new volunteers should be trained for their own and the Shire's protection.

Water Points

Water tanks are being maintained full or nearly full and standpipes are operating.

9.0 CAPITAL REPLACEMENT PROGRAMME

9.1 2.4 Tanker – Howatharra Brigade (2015/2016 Application)

Ian Thompson advised the Howatharra 2.4 Tanker has been scheduled for build in 2015/16

MOVED: N KUPSCH

SECONDED: E O'DONNELL

The Committee recommend Council promote with DFES the endorsement of the following wheel & tyre configuration for the 4.4 Broadacre Tankers:

- Front Rim 22.1/8.5 Fitted with 385/65R22.5 Triangle TR687 Tyres
- Rear Rim 22.5/8.25 Fitted with 295/80/R22.5 Goodyear Tyres

**Carried
Voting 10/0
Minute Ref: BFB 4/15-05**

10.0 FUTURE CONTROL BURNING OF RESERVES

10.1 Department of Parks and Wildlife – D Atkins

Dealt with at Reports

11.0 GENERAL BUSINESS

11.1 4.4 Tanker – Tyre & Rim configuration

Discussion took place on the 4.4 Broadacre Tanker wheel and tyre configuration with a copy of the Warradarge exercise presented to the meeting for information and discussion.

11.2 Training and Education – Refresher Courses for Fire Officers

E O'Donnell to coordinate required training with DFES

11.3 Full Face Respirators

MOVED: A VLAHOV

SECONDED: F SPILLMAN

Recommend Council trial four of the respirators to be placed in the 4.4 Broadacre Tanker

**Carried
Voting 10/0
Minute Ref: BFB 4/15-06**

11.4 Western Power – Total Fire Bans

Ian Thompson explained the conditions placed upon Western Power during Total Fire Ban periods.

Western Power has produced brochures on this matter. Ian will send these to the Shire for distribution to Brigades for information.

11.5 Fire Hydrant – Inspections

The CEO expressed his concerns with the situation of Water Corporation and DFES expecting the volunteer brigade members inspect fire hydrants ever 18 months and to report any maintenance issues to Water Corporation for their attention and action.

Question being asked is who takes over this task if the volunteer brigade members cannot undertake this task.

12.0 NOMINATIONS FOR PRESENTATION OF LONG SERVICE MEDALS

Nil

13.0 MEETING CLOSURE

The Chairman thanked Members for their attendance and declared the meeting closed at 6.35pm.

AGENDA ITEM:	9.3.7
SUBJECT:	MANAGEMENT LICENCE – NANSON SHOWGROUNDS
PROPONENT:	CHAPMAN VALLEY AGRICULTURAL SOCIETY
SITE:	NANSON SHOWGROUNDS (RESERVE 7953)
FILE REFERENCE:	803.06 & R7953
PREVIOUS REFERENCE:	FORUM SESSION – JULY 2014
DATE:	2 APRIL 2015
AUTHOR:	MAURICE BATTILANA

DISCLOSURE OF INTEREST

Nil

BACKGROUND

The Shire has been working on a Management Licence for the multiuser facility at the Nanson Showground's (Reserve 7953) for a number of years.

The initial draft presented to the Chapman Valley Agricultural Society (CVAS) in 2012/2013 was considered too detailed and cumbersome for both parties. Therefore a revised draft was developed in consultation with McLeod's Barristers & Solicitors, which was less detailed, yet met the needs of both the Shire and CVAS.

A copy of the Draft Management Licence was presented to the July 2014 Council Forum seeking feedback on the draft and template i.e.

2.4 Chapman Valley Agricultural Society Lease

Attached to this report is a copy of the Draft Management Licence for the Chapman Valley Agricultural Society (CVAS) for the use of the Nanson Showgrounds.

The basis of this Licence is to establish a multi-user facility and eventually setting up a Management Committee to control the operations of the Reserve. If this concept is acceptable to Council the intention is to use this draft as a template for groups, clubs and organisations using other land under the control of Council (e.g. Nabawa Recreation Centre).

This is a draft only at this stage and has not been sent out to the CVAS for comment as I considered it appropriate for Councillors to read the document and provide feedback in the first instance. The Draft Management Licence was sent out to all councillors on the 1st July 2014 to allow as much time as possible for the document to be absorbed and comments provided.

Once Council is comfortable with the Draft Management Licence a copy will be sent to the CVAS for their comments and then be brought back to Council for formal adoption and introduction in accordance with legislative requirements to lease/licence a Crown Reserve.

The consensus at this Forum Session was the Template was suitable and the Shire Elected Member representatives on the CVAS Committee and staff meet with the CVAS to progress the draft then bring this back to Council for consideration.

Crs Collingwood and Forrester along with Shire Staff met with CVAS representatives on the 22nd September 2014 to discuss the Draft Management Licence, which has resulted in the latest draft being agreed to by the CVAS and now presented to Council for consideration. The reason for delay in bringing this item back to Council is a combination of harvest, Christmas/New Year period and minor communication issue between the CVAS and CEO.

The basis of this draft is for it to be used as a template for all the users of Shire owned/controlled facilities. The Men's Shed and Yuna Multipurpose Community Centre building have already commenced using the template to develop Draft Management Licences for the use of both these building, which will also be brought back to Council for consideration before finalisation.

There will no doubt be minor changes to individual Management Licences to accommodate for the intricate differences of each building/property and user requirement. However, the basis of the template should be retained.

The intention is the eventually bring all users of Council owned/controlled facilities into line with a standard Management Licence Template for such use - Something which has been lacking in the past.

COMMENT

The Draft Management Licence is presented with this report (**Attachment 1**) which has the areas highlighted in **RED** to indicate additions or requested amendments as discussed between the Shire and CVAS representatives at the meeting held on the 22nd September 2015.

At the time of the discussions the Shire representatives had no concerns with the amendments and the Staff Recommendation advocates accepting the draft with these amendments to finalise the process.

STATUTORY ENVIRONMENT

The Management Licence will be a legally binding document, which both parties will be required to adhere to.

The Management Licence will also cover the Shire's legal obligation under the Local Government Act for the disposition of property, which includes lease, licence and sale of property under the control/ownership of the local government authority.

POLICY IMPLICATIONS

Council has a number of Policies/Procedures which deal with specific conditions associated with the use of properties under the control/ownership of the Shire. It is anticipated the development of Management Licences will incorporate some of these Policies/Procedures and remove these from policy.

FINANCIAL IMPLICATIONS

The intention of the Draft Management Licence is for the CVAS to be no worse off financially. Hence the *Licence Fee* set at *Schedule (Item 5)* being linked to *Outgoings*.

Outgoings are clarified under *Clause 1 (Definitions)* of the Draft Agreement and means:

- (a) *local government rubbish collection charges for the Reserve (only if applicable);*
- (b) *water, drainage and sewerage rates, charges for disposal of stormwater, meter rent and excess water charges (only if applicable);*
- (c) *telephone, electricity, gas and other power and light charges including but not limited to meter rents and the cost of installation of any meter, wiring or telephone connection;*
- (d) *premiums and other costs arising from the insurance obtained by the Lessor pursuant to clause 5.1 (only if applicable). For the avoidance of doubt, the parties agree such insurance will include insurance for the full replacement value of the buildings constructed on the Reserve; and*
- (e) *any other consumption charge or cost, statutory impost or other obligation incurred or payable by the Shire in respect of the Reserve, yet does not include equipment.*

Items (a) and (b) above are not applicable and items (c) (d) & (e) are costs already being paid for by the CVAS. Therefore the Annual Licence Fee will be linked to costs the CVAS is paying now, yet will be transferred to the Shire once the Agreement is finalised. The Shire will then be reimbursed for these Outgoings as part of an Annual Licence Fee.

- **Long Term Financial Plan (LTFP):**

The LTFP will not be affected by the Draft Management Licence.

The Draft Management Licence is also explicit on how capital upgrades and/or replacements are to be dealt with i.e.

4.6 No alterations Capital Upgrades and/or Replacement

- (1) *The Shire is not obliged to make any alterations to the Licensed Area or Other Amenities or install any fixtures or fittings that are additional to those installed at the Commencement Date.*

- ~~(2) The Association must not make any alterations to the Licensed Area or Other Amenities or install any fixtures, fittings, signs or advertisements without the prior written permission of the Shire, which may be withheld at the absolute discretion of the Shire.~~
- ~~(3) To apply for the Shire's permission to do any of the things referred to in paragraph (2) above, the Association must submit an application in writing to the Shire at least one month prior to when the Association wishes to commence any work to effect the alteration or installation.~~
- ~~(4) The Association must not commence any work to effect a proposed alteration or installation until it has received the Shire's written permission to do the work and, if such permission is granted, the Association must comply with any conditions specified in the permission.~~
- (2) Any alteration, capital upgrades/replacements or installation effected by the Association will be at the sole cost of the Association. (see Clause 5.4 for financial assistance). All alterations must fully comply with all building codes, planning and other relevant legislation (e.g. building permits, planning approvals, demolition licences).
- (3) The Association agrees that if it effects any alteration or installation in a manner that does not meet the Shire's standards, the Shire may, at the Association's cost, take any action the Shire considers necessary to remove or rectify the alteration or installation, and the cost of doing so will be a liquidated debt payable by the Association on demand and recoverable in a Court of competent jurisdiction.

STRATEGIC IMPLICATIONS

It is important Council has set Management Licences/Agreements established for the use of facilities controlled/owned by the Shire.

• Strategic Community Plan/Corporate Business Plan:

Objective	Strategy	Actions
We need good services to support our development as a Shire	Maintain existing services and facilities	Provide and maintain community buildings and facilities, including roads

CONSULTATION

The establishment of a Management Licence for the Nanson Showground's has been through a lengthy consultation period over a number of years with members of the CVAS, Elected Members and Shire Staff. In addition there has been significant consultation with Council's legal advisors (McLeod's Barristers & Solicitors) to develop a Management Licence Template to use as a basis for establishing other Licences with users of other Shire controlled/owned facilities.

RISK ASSESSMENT

Ineffective Management of facilities/Venues

Failure to effectively manage the day to day operations of facilities and / or venues - This includes:

- Inadequate procedures in place to manage the quality or availability.
- Ineffective signage
- Booking issues
- Financial interactions with hirers / users
- Oversight / provision of peripheral services (eg. cleaning / maintenance)

VOTING REQUIREMENTS

Simple Majority

Cr Farrell left Chambers at 1.24pm

Cr Farrell re-entered Chambers at 1.27pm

STAFF RECOMMENDATION

That Council endorse the “*Management Licence for the use of portions of Nanson Showground’s*” at Reserve 7953 as presented and authorise the Chief Executive Officer authority to finalise the Licence and implement the conditions to be effective from the 1st July 2015.

COUNCIL RESOLUTION

MOVED: CR FARRELL

SECONDED: CR HUMPHREY

That Council forward the “*Management Licence for the use of portions of Nanson Showground’s*” to the Chapman Valley Agricultural Society and delegate to the Chief Executive Officer authority to finalise the Licence and implement the conditions to be effective from the 1st July 2015.

Voting 7/0

CARRIED

Minute Reference 04/15-20

Note: The Staff Recommendation was not adopted as Council wished to present to the Chapman Valley Agricultural Society for further review.

Amended Draft
22nd September 2014

Management Licence for use of portions of Nanson Showgrounds

Shire of Chapman Valley

Chapman Valley Agricultural Society
Incorporated



McLEODS

Barristers & Solicitors

Stirling Law Chambers | 220-222 Stirling Highway | XXXXX WA 6010

Tel: (08) 9383 3133 | Fax: (08) 9383 4935

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Ref: TF:CHAP 33687.1

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DRAFT

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Details

Parties

Shire of Chapman Valley

of PO Box 1, Nabawa, Western Australia, 6535
(Shire)

Chapman Valley Agricultural Society Incorporated

of PO Box 394, Geraldton, Western Australia, 6531
(Registration Number 136 143 256)
(Association)

Background

- A The Shire is the management body of the Reserve, known as Nanson Showgrounds (Reserve).
- B The Shire has agreed to grant to the Association a licence to use that part of the Reserve, described in **Item 1** of the schedule (**Licensed Area**), together with any additional rights that are specified in this Licence.
- C In addition, the Shire and the Association have agreed to form the Management Committee, with other users of the Reserve, to deal with the day to day management of the Reserve.
- D The Shire and the Association enter into this agreement to set out the terms and conditions of their agreement.

Agreed terms

1. Definitions

In this Licence, unless otherwise required by the context or subject matter:

Agreed Hours means the hours agreed in advance with the Shire from time to time and specified in **Item 8** of the Schedule;

Association means the Association or club to which this licence is granted;

CEO means the Chief Executive Officer of the Shire;

Commencement Date means the date that the Licence commences;

CPI means the Consumer Price Index (All Groups) Perth number published from time to time by the Australian Bureau of Statistics;

Good Repair means good and substantial tenantable repair and in clean, good working order and condition;

Licence means this deed as supplemented, amended or varied from time to time;

Licensed Area means those parts of the Reserve that the Association is permitted to use in accordance with the terms of this Licence, as specified in **Item 1** of the Schedule;

Licence Fee means the fee stipulated in **Item 5** of the Schedule;

Management Committee means the management committee established pursuant to **clause 6** of this Agreement;

Minister for Lands means the Minister for Lands in her or his capacity as the body corporate continued under section 7 of the *Land Administration Act 1997*;

Other Amenities means any part of the Reserve or its surrounds that the Association is permitted to use in conjunction with the other users of the Reserve, as specified in **Item 1 4** of the Schedule;

Outgoings means

- (a) local government rubbish collection charges for the Reserve (only if applicable);
- (b) water, drainage and sewerage rates, charges for disposal of stormwater, meter rent and excess water charges (only if applicable);
- (c) telephone, electricity, gas and other power and light charges including but not limited to meter rents and the cost of installation of any meter, wiring or telephone connection;
- (d) premiums and other costs arising from the insurance obtained by the Lessor pursuant to **clause 5.1** (only if applicable). For the avoidance of doubt, the parties agree such insurance will include insurance for the full replacement value of the buildings constructed on the Reserve; and
- (e) any other consumption charge or cost, statutory impost or other obligation incurred or payable by the Shire in respect of the Reserve, **yet does not include equipment**.

Reserve means Reserve 7953;

Schedule means the schedule to this Licence;

Shire means the Shire of Chapman Valley and its employees and agents; **and any other local government authority of the district which may at any time in the future replace the Shire of Chapman Valley**

Term means the period of time for which the Licence is granted.

2. Licence condition upon Minister for Lands' consent

This Licence is subject to and conditional on the approval of the Minister for Lands under the *Land Administration Act 1997*.

3. Grant of Licence

3.1 Licence of Licensed Areas

The Shire grants a licence to the Association to use, under the terms and conditions provided for in this agreement, the Licensed Area for the Term.

3.2 Use of Other Amenities

The Licence includes the right to use the Other Amenities ~~for the Agreed Hours.~~

3.3 Agreed Hours

- (1) The Association is to use the Licensed Area and the Other Amenities only on days and during the Agreed Hours.
- (2) The Association must advise the Shire in writing of their preferred hours for the following calendar year by 1 December in each year of the Term for use of the Licensed Area, Other Amenities and the Reserve.

3.4 Common Use Areas

All areas not listed as Licensed Areas or Other Amenities are to be considered common use areas available to all user.

4. Association's Obligations

4.1 Licence Fee for Licensed Areas

- (1) The Association must pay annually in advance the Licence Fee for the Licensed Area.
- (2) Unless otherwise agreed by the Shire, the Licence Fee will be reviewed on the dates specified in **Item 7** of the Schedule by CPI. A rent review based on CPI may (at the Shire's discretion) increase the amount of Rent payable during the immediately preceding period by the percentage of any increase in CPI having regard to the quarterly CPI published immediately prior to the later of the Commencement Date or the last Rent Review Date as the case may be and the quarterly CPI published immediately prior to the relevant Rent Review Date. If there is a decrease in CPI having regard to the relevant CPI publications the Rent payable from the relevant Rent Review Date will be the same as the Rent payable during the immediately preceding period.
- (3) If any GST is payable on the Licence Fee or any other supply made as a result of this Licence, the Association must pay that GST.

4.2 Fees for Other Amenities

The parties acknowledge that additional fees may be charged, in accordance with the Shire's standard fees and charges, for use of the Other Amenities.

4.3 Permitted Purpose of Licensed Area

- (1) The Association agrees to ensure that the use of the Licensed Area and the Reserve is at all times consistent with the Permitted Purpose.

- (2) The Association agrees that it must not permit the Licensed Area or Reserve to be used as a residence or sleeping place, unless otherwise approved by the Shire.

4.4 Condition of Reserve and Licensed Area

The Licensed Area and the Other Amenities are made available to the Association in the condition that they are in at the Commencement Date.

4.5 Compliance with Legislation

The Association agrees to comply with all laws, local laws and regulations including (but not limited to) restrictions and obligations imposed by the *Liquor Licensing Act 1988*, the *Food Act 2008* and *Health Act 1911* in respect of the Association's use of any part of the Reserve.

4.6 No alterations Capital Upgrades and/or Replacement

- (1) The Shire is not obliged to make any alterations to the Licensed Area or Other Amenities or install any fixtures or fittings that are additional to those installed at the Commencement Date.
- ~~(2) The Association must not make any alterations to the Licensed Area or Other Amenities or install any fixtures, fittings, signs or advertisements without the prior written permission of the Shire, which may be withheld at the absolute discretion of the Shire.~~
- ~~(3) To apply for the Shire's permission to do any of the things referred to in paragraph (2) above, the Association must submit an application in writing to the Shire at least one month prior to when the Association wishes to commence any work to effect the alteration or installation.~~
- ~~(4) The Association must not commence any work to effect a proposed alteration or installation until it has received the Shire's written permission to do the work and, if such permission is granted, the Association must comply with any conditions specified in the permission.~~
- (2) Any alteration, capital upgrades/replacements or installation effected by the Association will be at the sole cost of the Association. (see Clause 5.4 for financial assistance). All alterations must fully comply with all building codes, planning and other relevant legislation (e.g. building permits, planning approvals, demolition licences).
- (3) The Association agrees that if it effects any alteration or installation in a manner that does not meet the Shire's standards, the Shire may, at the Association's cost, take any action the Shire considers necessary to remove or rectify the alteration or installation, and the cost of doing so will be a liquidated debt payable by the Association on demand and recoverable in a Court of competent jurisdiction.

4.7 Security of Licensed Area and its contents

The Association agrees to ensure at all times that the Licensed Area is kept secure and that proper care is taken for the security of fixtures, fittings, plant and equipment owned by the Shire within the Licensed Area.

4.8 Indemnity

- (1) The Association agrees to indemnify the Shire and the Minister for Lands from and against all claims, demands, writs, actions and suits of any kind which may be brought or made against the Shire and/or the Minister for Lands as a result of the Association's use of the Licensed Area, Other Amenities or its access to the Reserve.

- (2) The Association agrees that the Shire or the Minister for Lands will not be responsible for, or liable in any way in regard to, any property of the Association, or its members, that might be brought onto the Reserve as a result of the Association's use of the Licensed Area and Other Amenities.

4.9 Insurance

- (1) The Association must take out and maintain for the Term, a public liability insurance policy with an insurer approved by the Shire.
- (2) The insurance policy identified in paragraph (1) above must cover both the Shire and the Association for any public liability claim that arises out of, or is connected in any way with, the Association's use of the Licensed Area, Other Amenities or the Reserve generally.
- (3) The amount of the cover given by the insurance policy identified in paragraph (1) above must be a minimum of \$10,000,000 for any one claim or such greater amount as the Shire may reasonably require from time to time.
- (4) The Association must not do anything in the Licensed Area, Other Amenities or the Reserve generally that may affect any insurance taken out by the Shire, or render any such insurance void.

4.10 Entry and Inspection

The Association must permit the Shire to enter the Licensed Area at any reasonable time to inspect and view the area, to carry out any maintenance work or to rectify any breach of the conditions of this Licence.

4.11 Outgoings

- (1) The Shire will be responsible to pay all Outgoings for the Reserve provided that the Licence Fee and other fees collected from other users of the Reserve exceed the Outgoings incurred by the Shire for the Reserve.
- (2) In the event the Licence Fee and other fees collected from other users of the Reserve does not exceed the Outgoings incurred by the Shire, the Shire will be entitled to invoice and recover any shortfall amount from users of the Reserve, including the Association.
- (3) In respect of the recovery of any costs pursuant to paragraph (2) above, the parties agree as follows:
 - (a) the Shire will seek to recover such costs from user groups of the Reserve (including the Association) on the basis of an appropriate apportionment determined by the Shire acting reasonably;
 - (b) where an outgoing is incurred due to a user group's specific use of the Reserve, the Shire will seek (where appropriate) for that user group to pay that outgoing; and
 - (c) the Association must pay any invoice issued by the Shire pursuant to paragraph (2) within 28 days of receipt.

4.12 Maintenance and Cleaning

- (1) The Association agrees during the Term to maintain, replace, repair, clean and keep the Licensed Area clean and in Good Repair.

- (2) The Association must keep the Licensed Area clean, tidy and free from rubbish.
- (3) The Association in common with other users of the Reserve must keep the Other Amenities clean, tidy and free from rubbish.
- (4) The Association must leave the Licensed Area and Other Amenities at the end of each period of use in the condition those areas were in at the beginning of the period of use.
- (5) The Shire will take all reasonable steps to ensure that any third party leaves the Licensed Area and Other Amenities at the end of each period of use in the condition those areas were in at the beginning of the period of use.

4.13 Subletting, Assignment or Hire

- ~~(4)~~ The Association may ~~only~~ assign or sublet the Licensed Area. ~~with the prior written consent of the Shire.~~
- (2) The Association may ~~only~~ hire the Licensed Area. ~~with the prior written consent of the Shire.~~

4.14 Association's equipment and possessions

The Association acknowledges that it is responsible to obtain all relevant insurances to cover any damage and/or theft to its property. The Shire does not take any responsibility for the loss or damage of the Association's property.

5. Shire's Obligations

5.1 Building Insurance to be Effected by Shire

The Shire shall effect and keep effected policies of insurance in relation to any risk relating to the Shire's ownership or interest in the Reserve and buildings located on the Reserve including, without limitation, insurance for buildings comprising the Licensed Area.

5.2 Shire responsible for Other Amenities

- (1) The Shire will maintain the Reserve (excluding the Licensed Area) and the Other Amenities in accordance with the Shire's maintenance standards.
- (2) Maintenance for the purposes of paragraph (1) above covers:
 - (a) all structural maintenance;
 - (b) general building repairs; and
 - (c) the ongoing repair and replacement of fixtures and fittings.
- (3) The standard of the maintenance and the frequency of the repairs and replacements identified in paragraph (2) above will be dependent on the Shire's general building maintenance program and budgetary considerations and may vary from time to time.

5.3 Shire responsible for Outgoings

Subject to **clause 4.11**, the Shire agrees to be responsible for the Outgoings for the Reserve.

5.4 Consider request for financial assistance

The Shire agrees to consider requests from the Association for financial assistance to assist the Association in the upgrade, repair, structural maintenance and replacement of the Licensed Area.

6. Management Committee

6.1 Establishment

The parties must establish a Management Committee to advise and assist the Shire in the management of the Reserve.

6.2 Role of Committee

The parties acknowledge and agree that the role of the Management Committee is to make recommendations to the Shire in respect of the:

- (a) day-to-day management of the Reserve;
- (b) development of the Reserve;
- (c) the use of the Reserve, including the grant of leases, licences and management agreements over parts of the Reserve; and
- (d) rules and regulations in relation hire of the Licensed Area, the Reserve and the Other Amenities.

6.3 Representatives

- (1) The parties agree that the Management Committee will be comprised of the following representatives:
 - (a) two councillors of the Shire, appointed by the Council of the Shire;
 - (b) two representatives from the Association appointed annually by the Association at its annual general meeting;
 - (c) two representatives of the Greenough Western Riding Club Inc appointed annually by the Greenough Western Riding Club Inc at its annual general meeting; and
 - (d) any other representative(s) from user groups appointed pursuant to **clause 6.4**.
- (2) A Party may change its nominated Committee Member by written notice to the other Parties.
- (3) The Chairperson of the Management Committee meetings will be one of the Shire's representatives.
- (4) The CEO (or a senior Shire officer as his or her proxy in the event they are unable to attend) will attend the meeting and perform the function of minute taker and advisor to the meeting.

6.4 Additional user groups

- (1) The parties acknowledge and agree that the Management Committee may from time to time by written notice to the other parties, appoint additional community groups to be a member of the Management Committee.
- (2) Upon a community group being appointed by the Management Committee pursuant to paragraph (1), that community group will be entitled to nominate up to two Committee Members.

6.5 Voting

Each Committee Member will have one vote.

6.6 Timing of Meeting

- (1) Meetings of the Management Committee must be held at least once every six months, unless otherwise agreed by the Management Committee.
- (2) The Chairperson in consultation with the CEO will schedule and call meetings of the Management Committee.

6.7 Attendance

Each Party must use all reasonable endeavours to ensure that its Committee Member attends all meetings of the Management Committee.

6.8 Chairperson's obligations

The Chairperson is responsible for:

- (a) ensuring that minutes of all meetings of the Management Committee are kept;
- (b) arranging and co-ordinating minutes of the meetings;
- (c) providing notice of meetings to Committee Members; and
- (d) ensuring that reports are provided to the Shire after each meeting.

6.9 Notice of meetings

A notice of meeting of the Management Committee:

- (a) must be given to each Committee Member of the parties at least 5 Business Days prior to the meeting;
- (b) must describe the business to be conducted at the meeting; and
- (c) In the case of an emergency (as determined by the Chairperson) the Chairperson may call an urgent meeting with prior notice being less than stipulated in clause 6.9(a).

6.10 Reporting

The Management Committee must report any decisions made by it to the Shire.

6.11 Decisions not binding on Shire

The parties acknowledge and agree that the decisions and recommendations of the Management Committee are advisory only, and are not binding on the Shire or the Shire's Council.

7. Default

- (1) This Licence is granted subject to the terms and conditions in this agreement and any failure by the Association to comply with any of those terms or conditions may result in the termination of the Licence by the Shire.
- (2) To terminate the Licence the Shire must give the Association a written notice stipulating the default and requiring the Association to remedy the default within one month of the service of the notice.
- (3) If the default is not remedied to the satisfaction of the Shire within one month of the service of a notice under paragraph (2) above the Licence will be terminated on the date of the expiration of the notice without prejudice to any rights the Shire may have under this agreement.
- (4) A notice under paragraph (2) above is to be sent by prepaid post to the Association at the address given in this agreement and will be deemed to have been served on the date it would have been delivered in the ordinary course of the post.

8. Dispute Resolution

- (1) Any dispute between the Association and the Shire in regard to anything arising from the Licence or this agreement is to be addressed in the first instance by a meeting between representatives of the Association, appointed for that purpose, and the officer of the Shire responsible for administering the Reserve.
- (2) If the dispute cannot be resolved, in a manner that is satisfactory to both parties through such a meeting, the Association agrees that the CEO of the Shire will have the power to make a final determination in resolution of the dispute, but only after giving due consideration to all of the matters discussed at the meeting referred to in paragraph (1) above and setting out in writing the reasons for his or her decision.

9. Acknowledgements

The Association acknowledges and agrees that:

- (a) it only has use of the Reserve, the Licensed Area and Other Amenities during the Agreed Hours and that other users of the Reserve may be permitted to use the Reserve (including the Licensed Areas and Other Amenities) at other times;
- (b) the Association must book in advance its use of the Licensed Area, Reserve and Other Amenities through the Shire's booking system;

- (c) the Agreed Hours may be modified from time to time provided any proposed modification is agreed in advance with the Shire and recorded in the Shire's booking system;
- (d) this Licence will automatically terminate if the management order that the Shire holds the Reserve under is revoked;
- (e) if the Licence is terminated in accordance pursuant to paragraph (d) above the Association will not be entitled to any form of compensation or damages as a result of the termination; and
- (f) the Association must not obstruct any person or other organisation from using the Licensed Area and the Reserve outside the Agreed Hours.

10. General Provisions

10.1 Acts by Agents

All acts and things which the Shire is required to do under this Licence may be done by the Shire, the CEO, an officer or the agent, solicitor, contractor or employee of the Shire.

10.2 Governing Law

This Licence is governed by and is to be interpreted in accordance with the laws of Western Australia and, where applicable, the laws of the Commonwealth of Australia.

10.3 Severance

If any part of this Licence is or becomes void or unenforceable, that part is or will be severed from this Licence to the intent that all parts that are not or do not become void or unenforceable remain in full force and effect and are unaffected by that severance.

10.4 Variation

This Licence may be varied only by deed executed by the parties subject to such consents as are required by this Licence or at law.

10.5 Moratorium

The provisions of a statute which would but for this clause extend or postpone the date of payment of money, reduce the rate of interest or abrogate, nullify, postpone or otherwise affect the terms of this Licence do not, to the fullest extent permitted by law, apply to limit the terms of this Licence.

10.6 Further Assurance

The Parties must execute and do all acts and things necessary or desirable to implement and give full effect to the terms of this Licence.

10.7 Interpretation

- (1) In this Licence, unless expressed to the contrary -
 - (a) words importing -

- (i) the singular includes the plural and vice versa; and
 - (ii) a gender or genders include each other gender;
- (b) if a word or phrase is assigned a particular meaning, other grammatical forms of that word or phrase have a corresponding meaning;
- (c) a reference to -
 - (i) a natural person includes a body corporate or local government;
 - (ii) a body corporate or local government includes a natural person;
 - (iii) a professional body includes a successor to or substitute for that body;
 - (iv) a Party includes its legal personal representatives, successors and assigns and if a Party comprises two or more persons, the legal personal representatives, successors and assigns of each of those persons;
 - (v) a statute, includes an ordinance, code, regulation, award, town planning scheme, regulation, local law, by-law, requisition, order or other statutory instruments made under any of them and a reference to any of them, whether or not by name, includes any amendments to, re-enactments of or replacements of any of them from time to time in force;
 - (vi) a right includes a benefit, remedy, discretion, authority or power;
 - (vii) an obligation includes a warranty or representation and a reference to a failure to observe or perform an obligation includes a breach of warranty or representation;
 - (viii) this Licence or provisions of this Licence or any other deed, agreement, instrument or contract includes a reference to -
 - (A) both express and implied provisions; and
 - (B) that other deed, agreement, instrument or contract as varied, supplemented, replaced or amended;
 - (ix) writing includes any mode of representing or reproducing words in tangible and permanently visible form and includes facsimile transmissions;
 - (x) any thing (including, without limitation, any amount) is a reference to the whole or any part of it and a reference to a Association of things or persons is a reference to any one or more of them; and
 - (xi) a subparagraph, paragraph, subclause, clause, Item, Schedule or Annexure is a reference to, respectively, a subparagraph, paragraph, subclause, clause, Item, Schedule or Annexure of this Licence;
- (d) the covenants and obligations on the part of the Association not to do or omit to do any act or thing include -
 - (i) covenants not to permit that act or thing to be done or omitted to be done by an person authorised by the Association; and

- (ii) a covenant to take all reasonable steps to ensure that that act or thing is not done or omitted to be done;
 - (e) the meaning of general words or phrases is not limited by specific examples introduced by 'including', 'for example' or similar expressions; and
 - (f) if a Party comprises two or more persons, the covenants and agreements on their part bind them and must be observed and performed by them jointly and each of them severally, and may be enforced against any one or more of them.
- (2) Except in the Schedule, headings do not affect the interpretation of this Licence.

Schedule

Item 1 Licensed Area

- (i) Dining Hall;
- (ii) Craft Hall;
- (iii) Exhibition Hall & Office; and
- (iv) Stock Display/Sales Sheds

located on the Reserve and generally labelled on the sketch annexed hereto as **Annexure 1.**

Item 2 Commencement Date

1 July 2014

Item 3 Term

20 years commencing on 1 July 2014 and expiring on 30 June 2034.

Item 4 Other Amenities

- (i) Toilets;
- (ii) Trade Display Area; and
- (iii) Bar

located on the Reserve and generally labelled on the sketch annexed hereto as **Annexure 1.**

Item 5 Licence Fee

An amount set by the Shire to cover annual outgoings (see *Clause 1 Definitions – Outgoings*) payable annually in advance with the first payment due on the Commencement Date.

Item 6 Permitted purpose

Agricultural and recreation purposes and uses reasonably ancillary thereto.

Item 7 Licence Fee Review Dates

Each anniversary of the Commencement Date.

Item 8 Agreed Hours

The Association may use the Licensed Area, Other Amenities and the Reserve at times agreed by the Shire in writing.

The Association may use the Other Amenities, in common with other members of the public at times when the Other Amenities are open to the public.

DRAFT

Signing page

EXECUTED

2014

THE COMMON SEAL of the **Shire of Chapman Valley** was affixed by authority of a resolution of the Council in the presence of -

President

Chief Executive Officer

THE COMMON SEAL of **Chapman Valley Agricultural Society Incorporated** was hereunto affixed pursuant to the constitution of the Chapman Valley Agricultural Society Incorporated in the presence of each of the undersigned each of whom hereby declares by the execution of this document that he or she holds the office in the Chapman Valley Agricultural Society Incorporated indicated under his or her name-

Office Holder Sign

Office Holder Sign

Name:

Name:

Address:

Address:

Office Held:

Office Held:

Minister for Lands Consent

Annexure 1 – Sketch of Licensed Area & Other Amenities



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G:\040 Governance\411 Council Documents\Agendas\Ordinary Meetings of Council\2015\4 - April 2015\CEO\7 - Attach 1 - CVAS Management Licence
(Draft Sept 2014).doc

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11.0 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

11.1 Elected Member Reports

Mr Abbott entered Chambers at 1.42pm

12.0 URGENT BUSINESS APPROVED BY THE PRESIDING MEMBER OR BY A DECISION OF THE COUNCIL

COUNCIL RESOLUTION

MOVED: CR WOOD

SECONDED: CR HUMPHREY

That the issue of Western Regions maintenance be raised for discussion.

Voting 7/0

CARRIED

Minute Reference 04/15-21

COUNCIL RESOLUTION

MOVED: CR WARR

SECONDED: CR HUMPHREY

That an update be presented at the May meeting on mowing and spraying of verges and bridle paths in the Western Regions and Nanson townsite.

Voting 7/0

CARRIED

Minute Reference 04/15-22

Mrs Raymond entered Chambers from 2.00pm

COUNCIL RESOLUTION

MOVED: CR FARRELL

SECONDED: CR WARR

That the issue of additional expenditure at the Nanson Museum be raised for discussion.

Voting 7/0

CARRIED

Minute Reference 04/15-23

MOVED: CR FARRELL

SECONDED: CR WARR

That Council authorise the Nanson Museum shed to include roof and wall insulation and this variation to be sourced from the community growth account (account 3222) and/or Nanson Museum maintenance account (account 3602) and/or Building Reserve (account 7385) conditional upon the Historical Society depositing their \$20,000 financial contribution with the Shire.

Voting 7/0

CARRIED

Minute Reference 04/15-24

Mr Abbott left Chambers at 2.18pm.

13.0 MATTERS FOR WHICH MEETING TO BE CLOSED TO MEMBERS OF THE PUBLIC

Nil

14.0 CLOSURE

The Chairman thanked the Elected Members and Staff for their attendance and the meeting was closed at 2.22pm.