



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 18 April 2018  
at the Lesser Hall, Nabawa Community Centre, Nabawa  
commencing at 9:00am.

Maurice Battilana  
CHIEF EXECUTIVE OFFICER

# AGENDA

## APRIL 2018

## 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.



Maurice Battilana  
**CHIEF EXECUTIVE OFFICER**

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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."*

Item No.	Member/Officers	Type of Interest	Nature of Interest

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### **1.0 DECLARATION OF OPENING/ANNOUNCEMENTS OF VISITORS**

### **2.0 ANNOUNCEMENTS FROM THE PRESIDING MEMBER**

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

#### **3.1 Apologies**

#### **3.2 Previously Approved Leave of Absence**

Cr Warr for the May Ordinary Council Meeting.

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#### **7.1 Petitions**

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### **8.0 CONFIRMATION OF MINUTES FROM PREVIOUS MEETINGS**

#### **8.1 Ordinary Meeting of Council held on Wednesday 21 March 2018**

That the minutes of the Ordinary Meeting of Council held Wednesday 21 March 2018 be confirmed as a true and accurate record.

### **9.0 ITEMS TO BE DEALT WITH EN BLOC**

### **10.0 OFFICERS REPORTS**

# **10.1**

## **Manager of Planning**

### **April 2018**

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10.1.1 Proposed Rezoning 337 (Lot 7550) Hickety Road, Howatharra

10.1.2 Proposed Rezoning Lot 1455 Chapman Valley Road, Waggrakine

10.1.3 Nabawa Siding Master Plan

<b>AGENDA ITEM:</b>	<b>10.1.1</b>
<b>SUBJECT:</b>	<b>PROPOSED REZONING</b>
<b>PROPONENT:</b>	<b>LANDWEST FOR E. WHYATT</b>
<b>SITE:</b>	<b>337 (LOT 7550) HICKETY ROAD, HOWATHARRA</b>
<b>FILE REFERENCE:</b>	<b>204.04.02 &amp; A455</b>
<b>PREVIOUS REFERENCE:</b>	<b>12/17-2</b>
<b>DATE:</b>	<b>8 APRIL 2018</b>
<b>AUTHOR:</b>	<b>SIMON LANCASTER</b>

#### **SUPPORTING DOCUMENT:**

<b>Ref</b>	<b>Title</b>	<b>Attached to Report</b>	<b>Under Separate Cover</b>
10.1.1(a)	Scheme Amendment No.2 document		✓
10.1.1(b)	Lot 7550 indicative subdivision layout	✓	
10.1.1(c)	Scheme Amendment No.2 Schedule of Submissions	✓	

#### **DISCLOSURE OF INTEREST**

Nil.

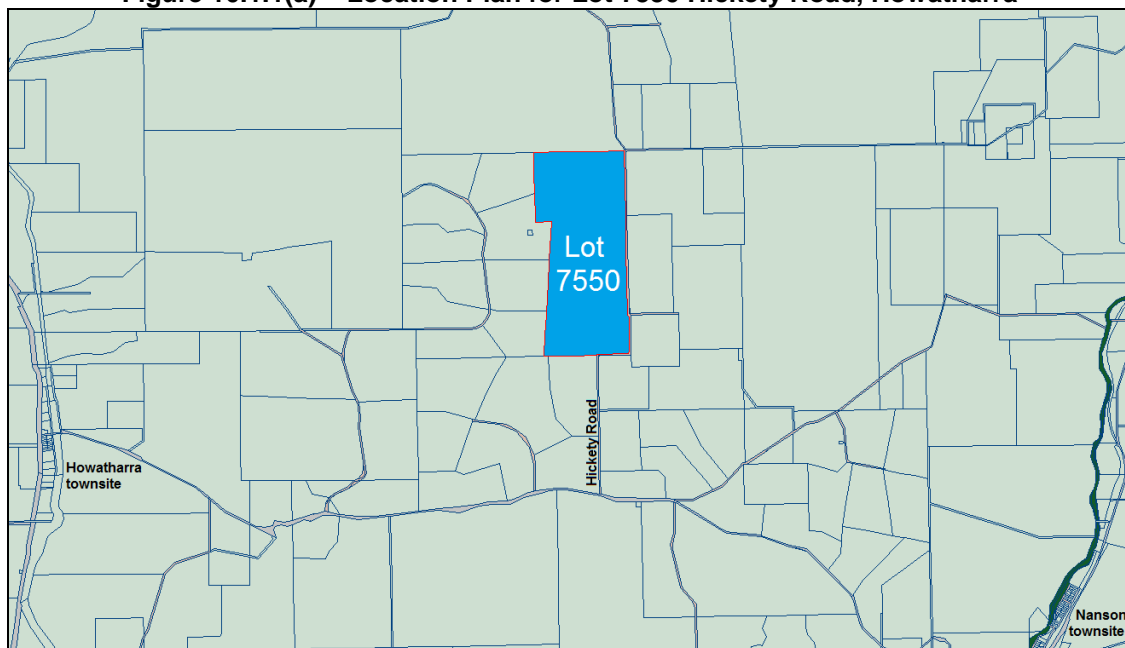
#### **BACKGROUND**

Council resolved at its 13 December 2017 meeting to initiate Scheme Amendment No.2 to rezone Lot 7550 Hickety Road, Howatharra from the 'General Farming' zone to the 'Rural Smallholding' zone. The required advertising has now been concluded and this report recommends Council's adoption of Scheme Amendment No.2.

#### **COMMENT**

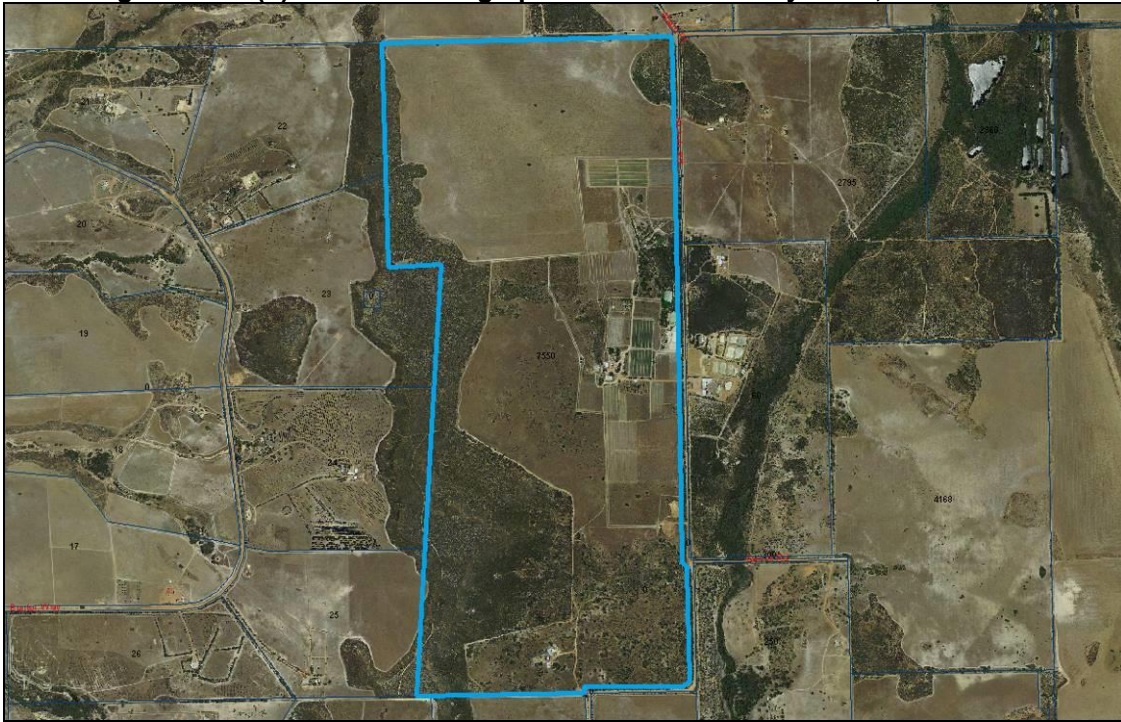
Lot 7550 is a 265.2ha property, with its eastern boundary fronting the unsealed Hickety Road. The property is approximately 7km east of the Howatharra townsite, 7km north-west of the Nanson townsite and 8km south-west of the Nabawa townsite.

**Figure 10.1.1(a) – Location Plan for Lot 7550 Hickety Road, Howatharra**



Lot 7550 is largely cleared and used for farming and horticultural (market gardening) purposes, there is some remnant vegetation along the western boundary of the property where the property rises.

**Figure 10.1.1(b) – Aerial Photograph of Lot 7550 Hickety Road, Howatharra**



A copy of the submitted Scheme Amendment documentation was provided to Councillors with the 13 December 2017 Council Agenda and is provided again as **separate Attachment 10.1.1(a)**. The Scheme Amendment documentation contains site analysis, justification and an indicative subdivision guide plan. The indicative subdivision guide plan proposes that Lot 7550 be subdivided into 3 lots and a copy is also provided as **Attachment 10.1.1(b)**.

**Figure 10.1.1(c) – View across Lot 7550 looking south-west from Hickety Road**



Council resolved at its 13 December 2017 meeting to support the landowner of Lot 7550 in their application to rezone their property based upon the following:

- The rezoning of the subject property presents no environmental constraints.
- The rezoning of the subject property presents no heritage constraints.
- The rezoning of the subject property, and subsequent subdivision with application of building envelopes, and adherence to standard bushfire requirements at time of future development presents no bushfire hazard constraints.
- The rezoning of the property will allow for the subdivision/creation of lots that are consistent with those already existing in the surrounding area.

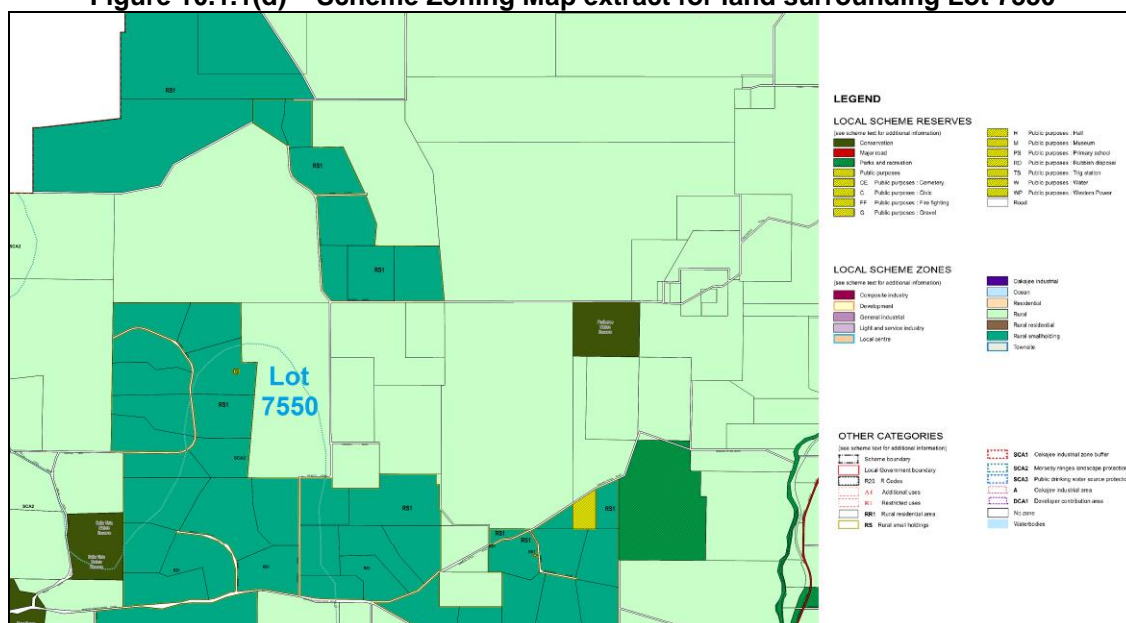


- The 3km road frontage provides opportunity for additional vehicle access points to be located with good visibility and sight lines.
- The rezoning and subdivision would not prevent the current horticultural land use from continuing.
- The property contains two residences and the rezoning would enable the subsequent subdivision of Lot 7550 to create them upon separate lots.
- The rezoning process would provide formal opportunity to the Environmental Protection Authority ('EPA'), the Department of Fire & Emergency Services, the Department of Primary Industries and Regional Development, the Department of Water and Environmental Regulation, service authorities and neighbouring landowners (amongst others) to make comment upon the proposed Scheme Amendment and the accompanying indicative subdivision guide plan;
- The application is consistent with the objectives of the Western Australian Planning Commission's ('WAPC') State Planning Policy 2.5 Land Use Planning in Rural Areas.
- The rezoning application accords with Council's strategic planning direction as laid out in the WAPC endorsed Shire of Chapman Valley Local Planning Strategy.

## STATUTORY ENVIRONMENT

Lot 7550 Hickety Road, Howatharra is zoned 'Rural' under the Scheme and is set amidst land already zoned 'Rural Smallholding' including the immediately adjoining Bunter Way subdivision to the west, the Ahern Place subdivision to the north, and the Nanson-Howatharra subdivision to the south.

**Figure 10.1.1(d) – Scheme Zoning Map extract for land surrounding Lot 7550**



Section 4.2.5 of the Scheme lists the objectives for the 'Rural Smallholding' zone as being:

- Provide for residential development within a low density environment and integrated with a variety of agricultural/rural activities, including agricultural/rural activities undertaken on a commercial basis;*
- Provide for other land-uses compatible with the predominant use of the land;*
- Prevent the establishment of land-uses more appropriately undertaken in commercial and/or industrial areas; and*
- Protect the environmental and landscape values of the land."*

Schedule 12 of the Scheme lists the following conditions relevant to the 'Rural Smallholding 1' zone:

- Subdivision**  
*Subdivision and land use shall generally be in accordance with the Structure Plan adopted by the Local Government and endorsed by the Western Australian Planning Commission.*
- Building**  
*All dwellings shall be sited in accordance with the setback requirements specified in the Scheme for the Rural Smallholding Zone, except where for specific lots, building envelopes are shown on the Structure Plan. Where building envelopes are shown then all dwellings, associated structures and effluent disposal systems must be located within that envelope.*

3 *Applications for Planning Consent*

*In addition to the requirements of Part 9 of the Scheme all applications for planning consent are required to be accompanied by relevant plans and information that:*

- (a) propose appropriate land management techniques to the satisfaction of the responsible authority to make good areas of degradation identified as such;*
- (b) delineate areas of significant remnant vegetation, surface water and other water bodies and significant topographical features;*
- (c) delineate areas of stock grazing and proposed stock numbers;*
- (d) delineate the proposed location of building envelopes;*
- (e) delineate the location of existing and proposed effluent disposal systems;*
- (f) delineate location of existing tracks and fences and proposed location of fences and driveways; and*
- (g) describe materials and colour of external cladding of all proposed buildings.*

4 *Land use*

- (a) When considering applications for development approval (planning consent), the local authority may refer the application to the Department of Environment and Conservation, the Department of Agriculture and Food, the Department of Water and any other responsible authority and relevant Government agency for comment and approval where appropriate;*
- (b) Piggeries, feedlots, poultry farms and extractive industry are prohibited; and*
- (c) The subdividing owner of the land shall make arrangements satisfactory to the local authority to ensure that prospective purchasers are advised that preliminary advice should be sought from the Department of Agriculture and Food regarding the establishment within the subject land any proposed use that falls under the use class 'intensive agriculture' as defined in Schedule 1.*

5 *Stocking Rates*

- (a) With the objective of maintaining sustainable landuse practices, and preventing land degradation through wind and water erosion, the keeping of animals is permitted in accordance with the following or such density as approved by the Local Government following consultation with the Department of Agriculture and Food, with conditions if appropriate:  
2.5 dry sheep equivalent / 1 hectare  
1 horse / 2 hectares  
1 pony / 1.6 hectares  
1 milking cow / 4 hectares  
1 heifer / 1.6 hectares  
1 dairy goat / 0.5 hectares  
5 cashmere goats / 1 hectare  
1 deer / 0.3 hectares  
Only one stock option will be permitted or a combination equivalent to one option is permitted.*
- (b) Notwithstanding the above, the Local Government may reduce or vary the limit on stocking or place any other conditions in light of prevailing seasonal conditions to prevent overstocking, erosion, or other practices detrimental to the environment or amenity of the neighbouring properties from those rates described in Clause 5(a) above.*

6 *Water Resources*

- (a) Where scheme water supply is unavailable a minimum 92,000L rainwater storage facility for each residence or evidence from the proponent which is satisfactory to the local authority than an adequate on-site potable water source exists shall be provided;*
- (b) A licence from the Department of Water is required to draw groundwater from a well, bore, dam or any naturally occurring surface water body or watercourse;*
- (c) Where the area has not been surveyed for hydrological resources, the prior advice of the Department of Water should be sought regarding the provision of a water supply for any proposed 'intensive agriculture' use and development;*
- (d) All storm water from structures or paved surfaces is to be contained within each lot;*
- (e) No development or land use activity shall impede in any way the natural water flow along any creek line or water course;*

- 7 *Clearing of Land*  
*No removal of any remnant native vegetation (including any tree) is permitted without the prior approval of the local authority outside the building envelope;*
- 8 *Location, siting and appearance of buildings*  
(a) *All residential and ancillary buildings shall be located and constructed within an approved building envelope for each proposed lot;*  
(b) *Notwithstanding (a) above, where by reason of the nature of material to be stored in a building it is considered that it would be undesirable that the buildings be clustered, the buildings may be separated by such distance as determined by the local authority;*  
(c) *No building shall be constructed in such a manner or of such materials that it would in the opinion of the local authority, have a detrimental impact on the local amenity.*
- 9 *Effluent Disposal*  
(a) *No dwelling shall be constructed or approved for construction unless an approved method of on-site effluent disposal suitable for long-term usage has been incorporated into the approved plans, and is in a location, to the satisfaction of the local government in consultation with the Health Department of WA.*  
(b) *In considering applications for planning consent the Local Government shall ensure that the development proposed will not result in any net export of nutrients from the land to any wetland, watercourse or underground aquifer.*
- 10 *Fencing*  
*Prior to any stocking of land, all areas of remnant native vegetation, including vegetation along streamlines, shall be fenced with stock proof fencing to the specification and satisfaction of the local authority. All fences are to be maintained in a stock proof condition by the landowner to the satisfaction of the local authority.*
- 11 *Landscaping*  
(a) *All buildings and structures within any lot shall be suitably screened to the satisfaction of the local authority;*  
(b) *Prior to the commencement of any development on any lot, the local authority will require the preparation of a tree planting and maintenance program with the intent of rehabilitating and revegetating any areas of degraded land so identified but without restricting the operation of approved rural activities.*
- 12 *Fire Management*  
*At the time of subdivision the following fire management controls will be imposed:*  
(a) *A strategic fire break for each lot will be installed in a manner acceptable to the local authority in consultation with FESA.*  
(b) *Provision of a suitable permanent water supply for fire-fighting purposes to be established in consultation with the local authority and FESA.*
- 13 *Advice to purchasers of lots*  
*As a condition of any subdivision approval granted, the subdividing owner of the land is to advise, to the specifications and requirements of the Local Government, prospective purchasers of any lot created within this location of all of the provisions contained herein."*

The south-west portion of Lot 7550 is also located within the overlying 'Special Control Area 2 - Moresby Range Landscape Protection' zone. Section 6.3 of the Scheme notes the following for the 'Moresby Range Landscape Protection' zone:

*"6.3.2 The purpose of Special Control Area 2 is the protection of the Moresby Ranges and associated valleys from development and/or subdivision that will detrimentally affect the landscape values of the area, including preventing development that may lead to problems of erosion. In determining any application for planning approval on land within Special Control Area 2, the Local Government shall give consideration to the purpose of the Special Control Area.*

*6.3.3 Within Special Control Area 2 no clearing or destruction of any remnant native vegetation or re-vegetation shall be permitted except for:*

- (a) Clearing to comply with the requirements of the Bush Fires Act 1954 (as amended), the Local Government's Bush Fire Notice and/or any fire management plan endorsed by the Local Government;
- (b) Clearing as may reasonably be required to accommodate an approved building and curtilage, or vehicular access to an approved building or other land use approved by the Local Government; and/or
- (c) Clearing as may be allowed under the Department of Environment and Conservation Land Clearing Regulations;
- (d) Trees that are diseased or dangerous.

6.3.4 In the determination of any application for planning approval within Special Control Area 2 the Local Government may, having regard to the purpose of the Special Control Area set out in Clause 6.3.2 and the assessment criteria detailed in the Moresby Ranges Management Strategy, require modification of development proposals, or impose conditions of approval regarding:

- (a) The siting of the proposed development;
- (b) The design and layout of the proposed development;
- (c) The materials and finishes to be used in the proposed development;
- (d) The protection of remnant native vegetation or re-vegetation located on the site;
- (e) The installation and maintenance of vegetation to provide for the visual screening of proposed development; and/or
- (f) The installation and maintenance of vegetation, retaining walls or other works to prevent erosion."

Part 5 of the *Planning & Development Act 2005* provides for the amendment of a Scheme.

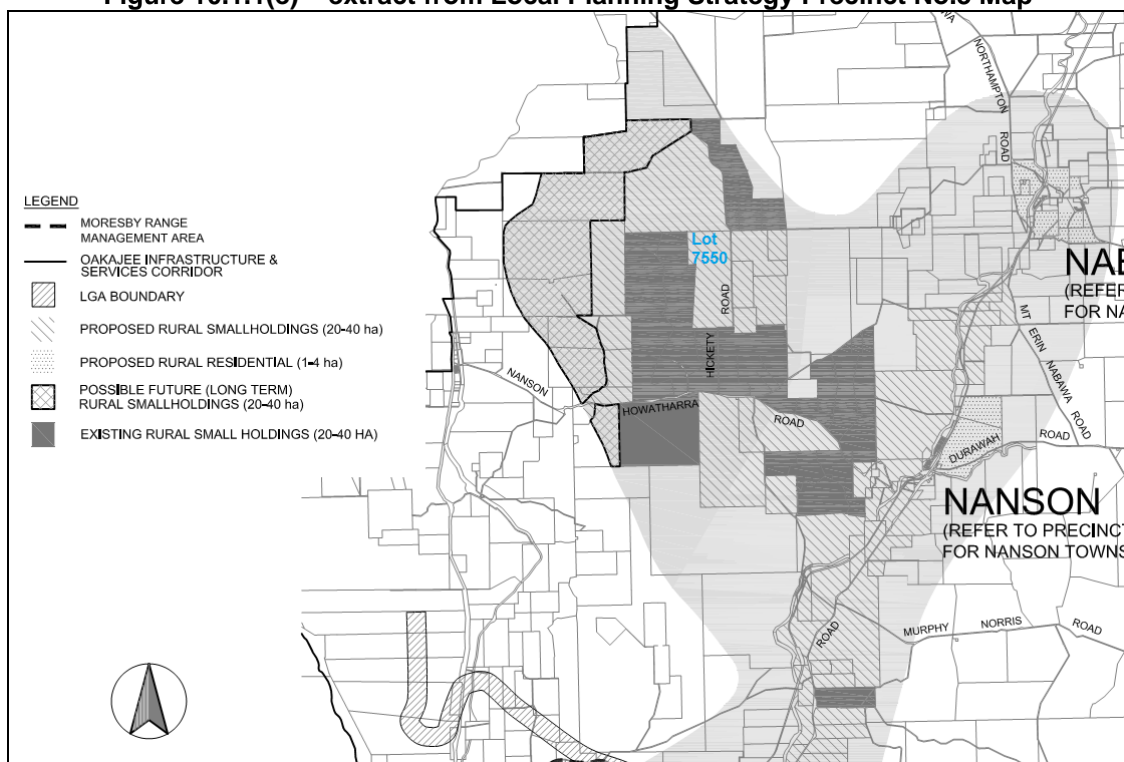
## POLICY IMPLICATIONS

Lot 7550 Hickety Road, Howatharra is located within Precinct No.3 – Chapman Valley of the Shire of Chapman Valley Local Planning Strategy (2008) the vision for which is:

*"a diverse range of rural pursuits and incidental tourist developments that complement the sustainable use of agricultural resources."*

Figure 7 of the Local Planning Strategy identifies Lot 7550 as 'Proposed Rural Smallholdings (20-40ha)' and the rezoning application therefore accords with Council's strategic planning direction for this area.

**Figure 10.1.1(e) – extract from Local Planning Strategy Precinct No.3 Map**



The rezoning application is consistent with the following community objectives for Precinct 3 of the Local Planning Strategy:

*“3.1.1 Ensure that the rezoning and subdivision of rural land into Rural Smallholdings maximises and reflects the agricultural potential of the land, and can accommodate a range of agricultural pursuits coupled with lifestyle opportunity.”*

*“3.1.3 Encourage the rezoning and subdivision of land into Rural Smallholdings and Rural Residential lots in accordance with Section 3.5 and Figure 3.”*

## **FINANCIAL IMPLICATIONS**

The applicant has been charged the \$4,023 (GST inclusive) fee for a request to Council for the initiation of a (minor) Scheme Amendment under the Shire of Chapman Valley 2017/2018 Planning Service Fees.

- **Long Term Financial Plan:**

The Shire of Chapman Valley Long Term Financial Plan was endorsed by Council at its 19 July 2017 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**

The Geraldton Region Plan was released in 1999 by the WAPC to provide a framework for the future management, protection and coordination of regional planning. The Region Plan incorporates the Greater Geraldton Structure Plan that was updated in 2011 by the WAPC to account for a number of strategic planning directions. Lot 7550 is located north of the structure plan area and Section 3.2.2 of the 2011 report notes that rural land to the north of the study area has been identified for rural living purposes in the endorsed Shire of Chapman Valley Local Planning Strategy, and are beyond the scope of the Greater Geraldton Structure Plan and are to be considered through wider regional planning.

Lot 7550 is located within the study area for the WAPC's Moresby Range Management Strategy (2009). The Strategy identifies that the south-west corner of Lot 7550 forms part of the Moresby Range sideslopes and the southern portion forms part of the footslope, but does not identify the lot as being within a visually sensitive area. It is considered that the existing Scheme provisions are capable of implementing the recommendations of the Moresby Range Management Strategy relevant to Lot 7550.

- **Strategic Community Plan:**

The Shire of Chapman Valley Strategic Community Plan was endorsed by Council at its 15 November 2017 meeting, and the rezoning application is in accordance with its objectives.

## **CONSULTATION**

Scheme Amendment No.2 was referred to the EPA on 19 December 2017 for its assessment as per Section 81 of the *Planning & Development Act 2005*. The EPA advised on 15 January 2018 that the Amendment did not warrant assessment under Part IV Division 3 of the *Environmental Protection Act 1986*.

The WAPC were advised of the EPA determination on 2 February 2018 and Scheme Amendment No.2 was advertised in accordance with the provisions of the *Planning & Development Act 2005* from 7 February 2018 until 23 March 2018 inclusive of the following actions:

- newspaper notice placed in the Mid West Times on 7 February 2018;
- sign placed on-site,
- copy of the Scheme Amendment No.2 documentation made available for viewing at the Shire office/library;
- copy of the Scheme Amendment No.2 documentation made available for viewing on the Shire website;
- letters being sent to the 12 surrounding landowners inviting comment;
- letters being sent to the Aboriginal Heritage Directorate, Alinta Energy, Department of Biodiversity Conservation and Attractions, Department of Fire & Emergency Services, Department of Health, Department of Primary Industries and Regional Development, Department of Water and Environment Regulation, Telstra, Water Corporation, Western Power and Westnet Energy inviting comment.

At the conclusion of the advertising period 5 submissions had been received, all from government agencies, and all offering either support or technical comment to the proposed rezoning, and no objections were received.

A copy of the Scheme Amendment No.2 Schedule of Submissions that is required to be forwarded to the WAPC is included as **Attachment 10.1.1(c)**. The Schedule of Submissions identifies the respondents, the nature of their submissions, and provides individual comment upon any raised issues. Copies of the received submissions can be provided to Councillors upon request.

## **RISK ASSESSMENT**

Rating 1 (Insignificant) Measures of Consequence – Risk Assessment and Acceptance Criteria

## **VOTING REQUIREMENTS**

Simple majority of Council.

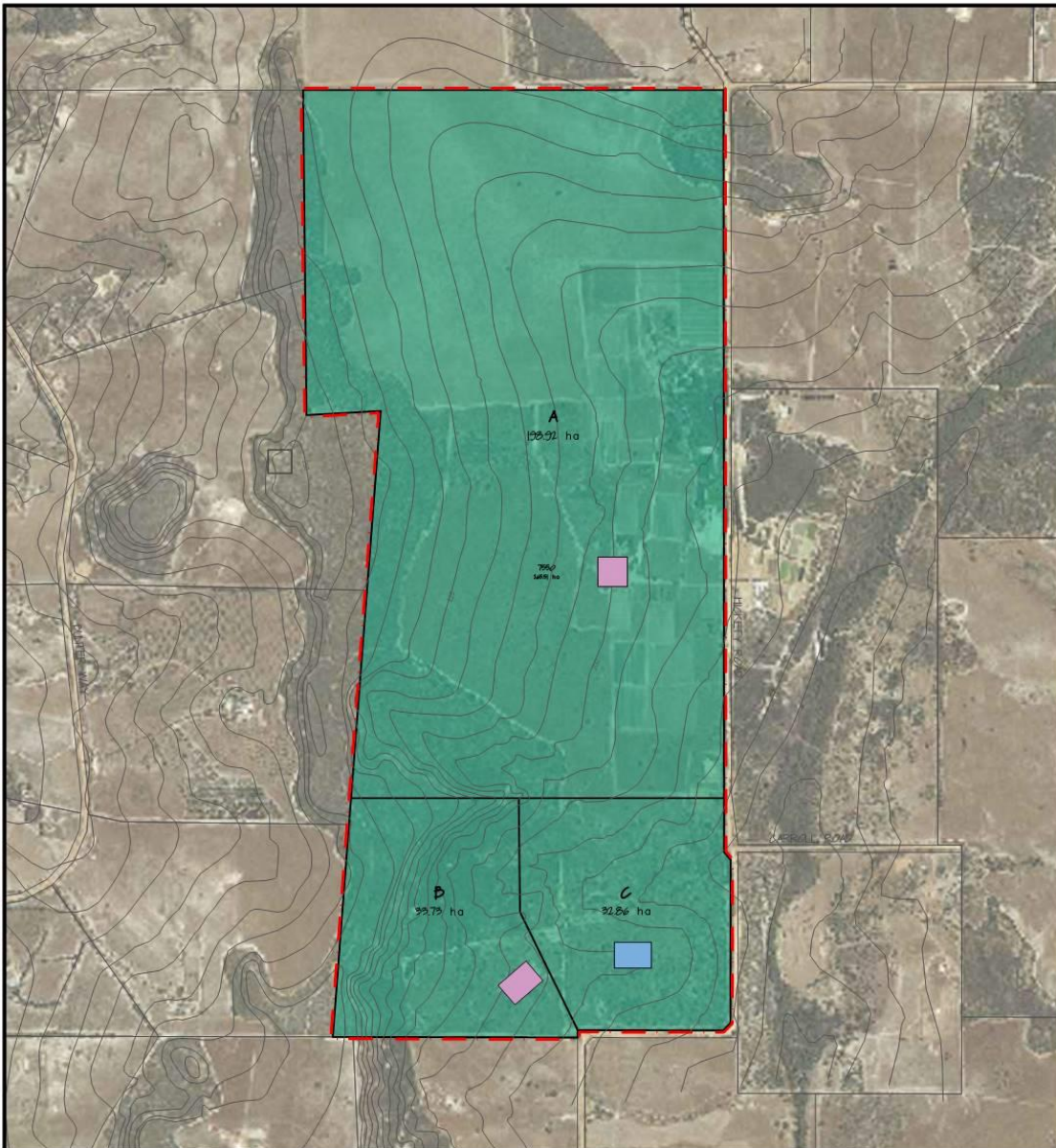
## **STAFF RECOMMENDATION**

That Council:

- 1 Receive the submissions as outlined in the Schedule of Submissions included as Attachment 10.1.1(c).
- 2 Adopt for final approval Scheme Amendment No.2 to Shire of Chapman Valley Local Planning Scheme No.2, pursuant to Part 5 of the *Planning and Development Act 2005*, by rezoning Lot 7550 Hickety Road, Howatharra from 'Rural' to 'Rural Smallholding' (RS1) and modifying the Scheme Map accordingly.
- 3 Seek final approval of Scheme Amendment No.2 from the Minister for Planning.



# ATTACHMENT 10.1.1(b)



## NOTES:

1. LOT SIZES APPROXIMATE ONLY. SUBJECT TO DETAILED DESIGN AT STRUCTURE PLAN STAGE.
2. INDICATIVE ONLY. SUBJECT TO DETAILED DESIGN AND SURVEY.
3. PROPOSED BUILDING ENVELOPE LOCATION AND SIZE AS PER WA PLANNING AND LOGISTICS BAL PLAN DATED \_\_\_\_\_.
4. EXISTING BUILDING ENVELOPE LOCATIONS SUBJECT TO SURVEY.

- |  |               |  |                              |
|--|---------------|--|------------------------------|
|  | SUBJECT LAND  |  | EXISTING BUILDING ENVELOPE   |
|  | PROPOSED LOTS |  | INDICATIVE BUILDING ENVELOPE |

<p>8 Anzac Terrace Geraldton WA 6530 PO BOX 1597 Geraldton WA 6531 Email : info@landwest.net.au Phone : (08) 9965 0550</p>	<p>CLIENT: EB WYATT</p> <p>TITLE: INDICATIVE SUBDIVISION GUIDE PLAN LOT 7550 ON PLAN 149573 HICKETY ROAD HOWATHARRA</p>	<p>REV. DATE DETAILS</p> <p>APPROVED: _____</p> <p>BY: APPROVED: _____</p>	<p>PLAN: APPENDIX 4</p>
	<p>CERTIFICATE OF TITLE: 1884 / 999</p> <p>DATE LAST MODIFIED: 01/12/2017</p>		

\* This plan remains the property of Landwest and must not be used for any purpose other than which it was prepared for. In relation to the land duly described, Landwest accepts no responsibility for any losses or damages caused to any persons who may use the information for a purpose for which it was not intended.

Shire of Chapman Valley Local Planning Scheme No.2 - Scheme Amendment No.2 Schedule of Submissions				
Submission No. & Date Rec'd	Respondent	Nature of Submission	Comment	Recommendation
1 (16/2/18)	ATCO Gas	No objection ATCO does not have gas distribution assets or infrastructure within the Shire.	No additional comment	Note submission
2 (20/2/18)	Aboriginal Heritage Directorate	No objection Lot 7550 does not intersect with the boundary of any Aboriginal heritage sites or places as administered by the AHD.  Therefore based on information held by the AHD and the data provided by the Shire no further approvals are required under the <i>Aboriginal Heritage Act 1972</i> .  The AHD recommends that proponents refer to the State's Aboriginal Heritage Due Diligence Guidelines. The guidelines allow proponents to undertake their own risk assessment regarding a proposal's potential impact on Aboriginal heritage.	Section 3.7 'Aboriginal Heritage' of the Scheme Amendment No.2 report notes that:  "In the preparation of the Moresby Range Management Strategy, consultation with representatives from local indigenous groups identified several areas of interest to local indigenous people (shown on Map 6 of the Strategy). None of these were located on or near the land subject of this Amendment.  A review of the Department of Planning, Lands and Heritage (Aboriginal Affairs) Heritage Inquiry System shows no Registered Aboriginal Sites on the subject land."	Note submission.
3 (12/3/18)	Department of Health	No objection DoH has no objection to the proposed amendment provided future holdings: - have access to a sufficient supply of potable water that is of the quality specified under the Australian Drinking Water Quality Guidelines 2004 - Comply with the provisions of the draft Country Sewerage Policy with all on-site wastewater disposal systems being in accordance with the DoH publications.	Section 5.4 'Infrastructure and Servicing of the Scheme Amendment No.2 report notes that:  "Existing water sources and capacity will be maintained for proposed lots A & B. Lot C will be required to demonstrate suitable capacity for potable water storage at time of development."  Section 7.1 of the Bushfire Management Plan (included as Appendix 3 to the Scheme Amendment No.2 documentation) further notes that:  "For lots A & B a minimum a 100,000 litre rainwater storage facility (or equivalent) shall be provided, with the necessary roof catchment capacity, or alternatively, evidence shall be provided to the satisfaction of the Local Government that an adequate on-site potable water source is present and will be coupled with a minimum water storage facility of 10,000 litres to serve the same purpose.  At a minimum the water storage facility is required to: • Have a 50mm outlet located at the base of the facility with gate valve and male coupling, or an alternative	Note submission



Shire of Chapman Valley Local Planning Scheme No.2 - Scheme Amendment No.2 Schedule of Submissions				
Submission No. & Date Rec'd	Respondent	Nature of Submission	Comment	Recommendation
4 (14/3/18)	Department of Biodiversity, Conservation & Attractions	<p>No objection</p> <p>DBCA has no objection to the plans to rezone this area and strongly supports the proposed siting of building envelopes and asset protection zones within previously cleared areas.</p> <p>DBCA notes that the indicative subdivision guide plan identifies 3 new lots and that the associated Bushfire Management Plan identifies fire breaks aligned along the proposed lot boundaries. Some of these proposed firebreaks pass through remnant vegetation areas.</p> <p>Remnant vegetation within Lot 7550 is mapped as Beards Vegetation Association 408 (scrub-heath on coastal association, yellow sandplain) and 675 (shrublands; mixed ticket (melaleuca and hakea). In areas nearby these vegetation associations have been known to contain Declared Rare Flora species <i>Caladenia hoffmani</i>.</p>	<p>to the satisfaction of the Local Government,</p> <ul style="list-style-type: none"> <li>Install signage that clearly marks the 50mm outlet as "Fire Brigade Connection Point" for firefighting use where the need arises to protect habitable development."</li> </ul> <p>"At the time of construction of a habitable structure upon proposed Lot C a minimum 100,000 litre rainwater storage facility (or equivalent) shall be provided, with the necessary roof catchment capacity, or alternatively, evidence shall be provided to the satisfaction of the Local Government that an adequate on-site potable water source is present and will be coupled with a minimum water storage facility of 10,000 litres to serve the same purpose.</p> <p>At a minimum the water storage facility is required to:</p> <ul style="list-style-type: none"> <li>Have a 50mm outlet located at the base of the facility with gate valve and male coupling, or an alternative to the satisfaction of the Local Government.</li> <li>Install signage that clearly marks the 50mm outlet as "Fire Brigade Connection Point" for firefighting use where the need arises to protect habitable development."</li> </ul>	<p>The Shire provide a copy of the DBCA's advice to the proponent and request that they give consideration to the modification of their Bushfire Management Plan (included as Appendix 3 to the Scheme Amendment No.2 documentation) with regard for the DCBA's comments as part of a subsequent</p>

Shire of Chapman Valley Local Planning Scheme No.2 - Scheme Amendment No.2 Schedule of Submissions				
Submission No. & Date Rec'd	Respondent	Nature of Submission	Comment	Recommendation
5 (27/5318)	Department of Primary Industries & Regional Development	<p><i>Drummondita ericoides</i>, <i>Grevillea bracteosa</i> subsp. <i>Howatharra</i>, <i>Eucalyptus cuprea</i> and <i>Leucopogon marginatus</i>. DRF are protected in WA as outlined in Section 23F of the <i>Wildlife Conservation Act 1950</i>.</p> <p>In order to protect remnant vegetation within Lot 7550 including potential occurrence of DRF species DBCA recommend that the proponent consider amending the BMP to align firebreaks for the 3 new lots along the existing remnant vegetation boundaries rather than along proposed lot boundaries.</p>	<p><i>Authority:</i> It is suggested that at such time as the proponent seeks to lodge a subdivision application that it would be appropriate for the Shire to request the imposition of this condition.</p> <p>The Shire has provided a copy of the DBCA's advice to the proponent who have advised as follows:  <i>"Thank you for opportunity to review submissions. We note that the finalisation of a structure plan will enable a number of issues to be addressed in more detail, particularly around the lot configuration, vegetation and bushfire management. The structure plan will be developed further once the scheme amendment is progressed further."</i></p> <p>Council may consider it reasonable to request that the proponent give consideration to the modification of their Bushfire Management Plan with regard for the DCBA's comments prior to finalisation of a future subdivision process.</p>	subdivision process.
		<p><i>No objection</i> DPIRD conducted a property and lot size analysis for all Shires in 2010 which showed at that time the Shire of Chapman Valley had:  - almost 40% of all properties were smaller than 100ha;  - 60% of all individual lots were smaller than 100ha;  - within the locality of Howatharra where Lot 7550 is located, the median lot size was 41ha (the average lot size is 86ha).</p> <p>This shows that there are already a large number of small lots in the shire. DPIRD is not aware of any evidence to support the proposition that agricultural development and diversification is being impeded by a shortage of small lots in the shire. Therefore we do not agree with the argument for rezoning of lots for subdivision to facilitate agriculture, as stated in Section 3.4 of the Scheme Amendment Report. There is ample evidence to show that subdivision of rural</p>	<p>It is noted that DPIRD's submission concludes that it raises no objection to the proposed rezoning.</p> <p>DPIRD's submission acknowledges that Lot 7550 is contained within an area identified for Rural Smallholdings in the Shire of Chapman Valley Local Planning Strategy.</p> <p>It is noted that Lot 7550 immediately adjoins land already zoned and subdivided for 'Rural Smallholding' to the west, to the north, and to the south, and it adjoins land to the east that is identified for 'Rural Smallholding' zoning that is already at lot sizes more appropriate to a Rural Smallholding zone.</p> <p>The rezoning of the property will allow for the subdivision and creation of lots that are consistent with those already existing in the surrounding area.</p>	Note submission.

Shire of Chapman Valley Local Planning Scheme No.2 - Scheme Amendment No.2				
Schedule of Submissions				
Submission No. & Date Rec'd	Respondent	Nature of Submission	Comment	Recommendation
		<p>land does not facilitate agriculture. One immediate impact of the rezoning on agricultural diversity is stated in Section 3.5.2 of the Scheme Amendment Report, where establishment of intensive agriculture, such as poultry or piggeries would be prohibited under the conditions of the Rural Smallholding zone. Small lots reduce the versatility for agricultural activity and it potentially increases land use conflict from the lost capacity to invoke appropriate buffers to separate sensitive land uses.</p> <p>This proposed rezoning and subdivision facilitates low density residential development on rural lifestyle blocks, and does not support agricultural diversification or commercial scale agricultural intensification.</p> <p>As subject land has already been identified in the Shire of Chapman Valley Local Planning Strategy for residential development on rural smallholding in the future, DPIRD does not object.</p>	<p>The rezoning and subdivision would not prevent the current horticultural land use from continuing, but would preclude uses that are able to be approved in the 'Rural' zone from being entertained in an area that due to surrounding settlement patterns are inappropriate.</p>	

<b>AGENDA ITEM:</b>	<b>10.1.2</b>
<b>SUBJECT:</b>	<b>PROPOSED REZONING</b>
<b>PROPONENT:</b>	<b>LANDWEST FOR FRANK TOMASI NOMINEES PTY LTD</b>
<b>SITE:</b>	<b>LOT 1455 CHAPMAN VALLEY ROAD, WAGGRAKINE</b>
<b>FILE REFERENCE:</b>	<b>204.04.05 &amp; A108</b>
<b>PREVIOUS REFERENCE:</b>	<b>12/02-13, 03/05-13, 08/06-5 &amp; 12/17-2</b>
<b>DATE:</b>	<b>8 APRIL 2018</b>
<b>AUTHOR:</b>	<b>SIMON LANCASTER</b>

#### SUPPORTING DOCUMENT:

Ref	Title	Attached to Report	Under Separate Cover
10.1.2(a)	Scheme Amendment No.5 document & Shire of Chapman Valley Heritage Inventory extract (Place Number 1 - Coffee Pot & Waggrakine Well)		√
10.1.2(b)	Lot 1455 indicative subdivision layout (1983)	√	
10.1.2(c)	Lot 1455 indicative subdivision layout (2009)	√	
10.1.2(d)	Lot 1455 indicative subdivision layout (2017)	√	
10.1.2(e)	Scheme Amendment No.5 Schedule of Submissions	√	

#### DISCLOSURE OF INTEREST

Nil.

#### BACKGROUND

Council resolved at its 13 December 2017 meeting to initiate Scheme Amendment No.5 to amend the Shire of Chapman Valley Local Planning Scheme No.2 ('the Scheme') text provisions relating to Lot 1455 Chapman Valley Road, Waggrakine. The amendment would allow for the preparation of a Structure Plan (for Council's later consideration) with improved consideration for drainage and the subdivisional road network, and the Coffee Pot cottage ruin and Waggrakine Well to be potentially subdivided into a conservation lot. The required advertising has now been concluded and this report recommends Council's adoption of Scheme Amendment No.5.

#### COMMENT

Lot 1455 is a 40.33ha rectangular property, located immediately east of the Coffee Pot Drive subdivision, that is largely cleared excepting some remnant vegetation along the Ego Creek tributary lines that run through the property, and the steeper sections of the Moresby Range.

The property straddles the Chapman Valley Road, and the rezoning application relates to the 37.14ha portion on the northern side of Chapman Valley Road.

Lot 1455 was the site of an experimental coffee plantation established in 1870 that had failed by 1873 due to strong winds and lack of rainfall. The property still contains the Coffee Pot cottage ruin and Waggrakine Well towards the northern end of the lot, setback approximately 720m from Chapman Valley Road, which is listed in the Shire of Chapman Valley Heritage Inventory.

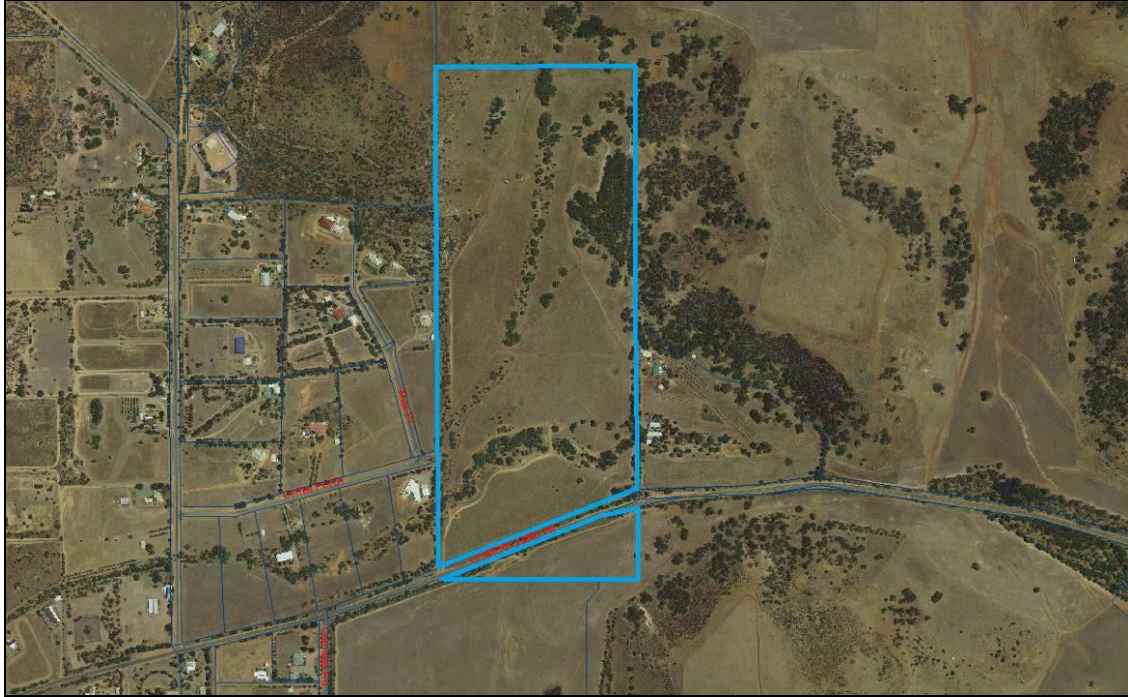
A copy of the submitted Scheme Amendment documentation and the relevant entry from the Shire's Heritage Inventory was provided to Councillors with the 13 December 2017 Council Agenda and is provided again as **separate Attachment 10.1.2(a)**. The Scheme Amendment documentation contains site analysis, a Conservation Plan for the historic buildings upon Lot 1455 and an indicative subdivision guide plan.

The development history for Lot 1455 is as follows:

21 April 1985	Minister approves Scheme Amendment No.1 to Town Planning Scheme No.1 that rezones Lot 1455 (and adjoining Lot 2649 to the west) from 'General Farming' to 'Special Rural'. A copy of the original subdivision guide plan that accompanied the rezoning is provided as <b>Attachment 10.1.2(b)</b> .
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17 December 2002	Council supports the entry of the Coffee Pot and Waggrakine Well onto the State Register of Heritage Places.
20 July 2004	Gazettal notice for permanent entry of the Coffee Pot and Waggrakine Well onto the State Register of Heritage Places.
28 January 2009	Minister approves Scheme Amendment No.40 to Town Planning Scheme No.1 that reduces minimum lot size to 2ha and amends text provisions.
25 August 2009	WAPC approves 13 lot subdivision application of Lot 1455 (not proceeded with) and the approved subdivision plan is provided as <b>Attachment 10.1.2(c)</b> .

**Figure 10.1.2(a) – Location Plan for Lot 1455 Chapman Valley Road, Waggrakine**



**Figure 10.1.2(b) – View looking north across Lot 1455 Chapman Valley Road**



It is considered that the current scheme provisions that relate to Lot 1455 are unduly restrictive and should be modified to enable exploration of an improved subdivision layout for the next stage of the Coffee Pot subdivision.

A summary of the proposed modifications to the Scheme text are as follows:

Delete Schedule 12 RR2 Condition 16 “At the time of subdivision the site that includes the historic Coffee Pot and Waggrakine Well as shown of the Subdivision Guide Plan shall be set aside as the Public Open Space to be transferred to the local authority.”



The current Scheme text requires that at time of subdivision of Lot 1455 that the Coffee Pot and Waggrakine Well be created in an area of public open space under the management of the Shire.

The Shire has no identified purpose for the Coffee Pot site and the building's limited floor area and proximity to the existing Waggrakine Hall are not conducive to a future community use. Further to this the site's location at the end of a quiet cul-de-sac road, is not suited for activities that might generate significant traffic associated with a commercial or community use.

It is suggested that public ownership of the building is not the ideal means to ensure that the historic site is maintained, as an infrequently visited and underutilised building can be subject to neglect, whereas if the building is privately owned and regularly made use of, it is more likely to be maintained.

Council would still have the ability to ensure the heritage aspects of the site are conserved and enhanced through the private ownership model. There is the option for the Coffee Pot building to be subdivided onto a lot that has attached legal requirements, including conservation/restoration works to be undertaken as a condition of subdivision and ongoing protections through means of notifications upon title/restrictive covenants. The ongoing protections can also establish requirements for development elsewhere upon the lot, for example, setting conditions relating to setback distances, building materials/style, etc. and guide the appropriate use of the site. It is considered that a private ownership model provides greater potential for activation, with possible uses (that can be undertaken in association with a sensitively sited and designed main residence) including bed and breakfast, art studio, coffee themed business, appointment business, home office etc.

Delete Schedule 12 RR2 Condition 17 *"The subdivider is to contribute to the upgrade and maintenance of the historic Coffee Pot and Waggrakine Well at the time of subdivision."*

The above Scheme text provision was based on the assumption that the site would be transferred to the ownership of the Shire. It is now considered that the future management of the Coffee Pot and Waggrakine Well become an issue that Council and the developer should have the ability to discuss rather than pursue the previously entertained prescriptive model of placing the site in a park and transferring it to the Shire. There are other examples of buildings being restored by subdividers and then transferred to the local government and then due to their location and/or limited floor area, and the reactive, legislated nature of the public ownership model, becoming underutilised and the deletion of conditions 16 & 17 provides the flexibility for Council and the developer to consider alternative models that might better protect and promote the site.

**Figure 10.1.2(c) – Coffee Pot cottage ruin upon Lot 1455 Chapman Valley Road**



It should be emphasised that the initiation of this rezoning application does not remove Council's ability to give this matter further consideration, as the rezoning application must be returned to Council again following the consultation period. Council would also at a later date be required to give consideration to a structure plan for Lot 1455. The Shire would also be requested to comment and provide suggested conditions to be applied to the future subdivision application over the land, and provide clearance of those conditions prior to release of the subdivided lots.

Delete Schedule 12 RR2 Condition 18 *"The creation of lots adjoining Chapman Valley Road will not be permitted without a trafficable alternative access being provided to the subject land, and direct access onto Chapman Valley Road will not be permitted"* and replace with the following *"Any new subdivisional or service road intersection(s) with Chapman Valley Road subject to the approval of the Local Government. Direct vehicular access from lots onto Chapman Valley Road shall not be permitted."*

Lot 1455 fronts an approximately 430m long section of Chapman Valley Road and the subdivision planning for this property dates back to a period in the early 1980's when the road was being considered for upgrade for harvest haulage to the Geraldton Port. On this basis the original subdivision layout, provided as **Attachment 10.1.2(b)**, was designed to access Chapman Valley Road exclusively via Hackett Road.

Subsequent planning has re-directed harvest traffic via Morrell Road, and Chapman Valley Road west of Morrell Road is now under the management of the Shire and is approved only for vehicles to a maximum length of 20m.

Council may wish to provide itself with greater flexibility in its consideration of a future subdivision layout, that could provide some lots with access to Chapman Valley Road via an alternative to Coffee Pot Drive/Hackett Road, for example a one-way slip road similar to that developed further west on Chapman Valley Road (near Sutcliffe Road), or a subdivisional road intersection in a safe location may be two solutions for consideration.

**Figure 10.1.2(d) – view along Lot 1455 Chapman Valley Road frontage looking east/west**



Lot 1455 also contains a number of watercourses and greater flexibility in the subdivision design would provide the means to better address drainage and remnant vegetation protection.

The Scheme Amendment documentation includes an indicative subdivision layout, provided as **Attachment 10.1.2(d)**, that illustrates how the subdivision could be improved upon to achieve a more effective environmental outcome. However, it is emphasised that this is a concept plan only and Council would be provided with a number of opportunities to consider a more detailed subdivision plan at a later stage as part of the structure plan process, and this would include more detailed regard for engineering, environmental and heritage aspects of the plan.

## **STATUTORY ENVIRONMENT**

Lot 1455 Chapman Valley Road, Waggrakine is zoned 'Rural Residential 2' under the Scheme, and also lies within the 'Special Control Area 2-Moresby Range Landscape Protection' zone. The Scheme Amendment proposes no alteration to this zoning.

Section 4.2.4 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 2' zone:

- “1 Subdivision and land use shall be generally in accordance with a Structure Plan adopted by the Local Government and endorsed by the Western Australian Planning Commission.*
- 2 All dwellings shall be sited in accordance with the setback requirements specified in the Scheme for the Rural Residential Zone, except where for specific lots, building envelopes are shown on the Structure Plan. Where building envelopes are shown then all dwellings, associated structures and effluent disposal systems must be located within that envelope.*

- 3 *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.*
- 4 *All stormwater and runoff from buildings and other impervious surfaces shall be disposed of within each lot so as to avoid scouring and erosion.*
- 5 *With the objective of maintaining sustainable land use practices, and preventing land degradation through wind and water erosion, the keeping of animals is permitted in accordance with the following or such density as approved by the local government following consultation with the Department of Agriculture and Food, with conditions if appropriate:*  
  
*5 sheep / 1ha of agistment area*  
*1 horse / 2ha of agistment area*  
*1.6 pony / 2ha of agistment area*  
*1 milking cow / 2ha of agistment area*  
*1.6 heifer / 2ha of agistment area*  
*5 goats / 1ha of agistment area*  
  
*Only one stock option as specified above will be permitted or a combination equivalent of one option.*
- 6 *Notwithstanding the above, the Local Government may reduce or vary the limit on stocking or place any other conditions in light of prevailing seasonal conditions to prevent overstocking, erosion, or other practices detrimental to the environment or amenity of the neighbouring properties from those rates described in Clause (5) above.*
- 7 *No remnant vegetation or tree shall be destroyed or removed except where the landowner obtains the prior consent in writing of the Local Government, or where such vegetation is dead or diseased, or where the clearing is required for the purpose of firebreak, development within a building envelope and access to the envelope, for an outbuilding or fence or for development of a water source.*
- 8 *Prior to the commencement of any development on any new lot, the Local Government will require each lot owner to prepare a tree planting and maintenance program with the intention of screening building structures and rehabilitating and revegetating the land without restricting approved activities/operations.*
- 9 *Construction of a dam or soak or land use activity that may impede in any way the natural flow along any water course shall be subject to formal planning consent being granted by the local government, following consultation with the Department of Water.*
- 10 *No dwelling shall be constructed or approved for construction unless an approved method of on-site effluent disposal suitable for long-term usage has been incorporated into the approved plans, and is in a location, to the satisfaction of the local government in consultation with the Health Department of WA.*
- 11 *At the time of subdivision the preparation of a fire protection plan may need to be established in consultation with and to the satisfaction of the Local Government and FESA.*
- 12 *The Local Government shall recommend to the Western Australian Planning Commission that as part of any approval to subdivide the land that an Urban Water Management Plan and Watercourse Management Plan shall be prepared and implemented to the satisfaction of the Local Government and the Department of Water by the subdivider at the subdivider's cost.*
- 13 *At subdivision, the development setback from either side of any creek line is to be confirmed in conjunction with the Department of Water.*
- 14 *No building shall be erected above the 140metre A.H.D. contour.*



- 15
  - a) *At the time of subdivision suitable arrangements are to be made with the Water Corporation for the adequate provision of a reticulated water supply to service lots above the RL 112 AD line. This shall include the transfer of freehold land (free of cost) and any infrastructure works (at the subdividers expense) as indicated on the Structure Plan.*
  - b) *In regards to the proposed water tank site, an overhead tank erected on a stand is not permitted.*
  - c) *The infrastructure (tank and associated buildings/infrastructure) shall be of a colour complementary to the existing landform and landscape elements, to the satisfaction of the local government. Zincalume or a galvanised corrugated iron finish or similar is not permitted;*
  - d) *The Water Corporation or Developer will be required at the time of installing a water storage tank to submit a landscaping plan for screening purposes to be endorsed by the local government, with this plan to be implemented within 12 months from the date of approval unless otherwise approved by the Local Government.*
- 16 *At the time of subdivision the site that includes the historic Coffee Pot and Waggrakine Well as shown on the Structure Plan shall be set aside as the Public Open Space to be transferred to the local authority.*
- 17 *The subdivider is to contribute to the upgrade and maintenance of the historic Coffee Pot and Waggrakine Well at the time of subdivision.*
- 18 *The creation of lots adjoining Chapman Valley Road will not be permitted without a trafficable alternative access being provided to the subject land, and direct access onto Chapman Valley Road will not be permitted."*

The applicant is seeking the deletion of conditions 16 & 17 and the requested revision of condition 18 to instead state that *"Any new subdivisional or service road intersection(s) with Chapman Valley Road subject to the approval of the Local Government. Direct vehicular access from lots onto Chapman Valley Road shall not be permitted."*

Part 5 of the *Planning & Development Act 2005* provides for the amendment of a Scheme.

The *Heritage of Western Australia Act 1990* enabled the creation of the State Register that lists places of state heritage significance, and the Coffee Pot is included on the State Register. Listing requires that planning, building, demolition and other applications affecting a place on the State Register are referred by the relevant decision making authority (usually a local government) to the Heritage Council for advice.

The Heritage Council of WA were written to directly by the Shire during the advertising period for this rezoning application and they were supportive of the proposed private ownership model. The Shire would also seek the advice of the Heritage Council in the preparation of a Heritage Agreement, which is a legally binding contract with the subdivider/ongoing landowner that sets out a framework for the long-term conservation and maintenance of a place, in the event that the Coffee Pot cottage ruin was to be created upon a private lot through subdivision.

## **POLICY IMPLICATIONS**

Lot 1455 Chapman Valley Road, Waggrakine is located within Precinct No.7 – South-West of the Shire of Chapman Valley Local Planning Strategy (2008) the vision for which is:

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

Figure 11 of the Local Planning Strategy identifies Lot 1455 as 'Existing Rural Residential' and the rezoning application therefore accords with the strategic direction of the Shire's Local Planning Strategy.

The rezoning application is seeking to provide greater flexibility to Council in its future discussions with the developer of the Coffee Pot Estate to better meet the following community objective for Precinct 7 of the Local Planning Strategy:

*"7.1.4 Encourage the protection and restoration of places and buildings of heritage/historical significance."*

It is suggested that past models of requiring subdividers to restore a building and it then sit as an unused shell for decades on public land is not always the best means to maintain or promote a building, and that there should be the ability for Council to consider other alternatives. This could include the creation of a lot with legal provisions that protect the place's heritage significance whilst also enabling the more responsive and innovative exploration of opportunities that the private sector can provide.

The rezoning application would provide an improved means to meet with the following economic objectives for Precinct 7 of the Local Planning Strategy:

- "7.2.1 Accommodate urban growth sympathetic to rural lifestyle based on appropriate structure planning.*
- 7.2.2 Promote tourist related uses/development and encourage agricultural diversification in appropriate areas where there will be no detrimental impact to the surrounding land and existing uses."*

The rezoning application has the potential to better meet the following environmental objectives for Precinct 7 of the Local Planning Strategy through conditions attached to the subsequent subdivision of Lot 1455 that would follow the rezoning:

- "7.3.1 Encourage re-vegetation and retention of existing vegetation in order to minimise soil erosion and to stabilise existing landforms along the coast and the western portion of the Moresby Ranges.*
- 7.3.2 Protect and enhance the visual amenity in areas of visual prominence.*
- 7.3.3 Ensure that land use and development adjacent to and in proximity to coastal and river areas incorporate appropriate environmental protection based on natural resource management measures.*
- 7.3.4 Ensure that land use conflicts (i.e. noise, dust, odour, spray drift, vermin etc) are avoided through appropriate environmental controls.*
- 7.3.5 Ensure fire prevention measures are implemented and maintained in accordance with statutory requirements as a minimum."*

The rezoning application can be considered to accord with the following infrastructure objectives for Precinct 7 of the Local Planning Strategy:

- "7.4.2 Ensure adequate levels of servicing and infrastructure, as determined by Council, exist or will be provided when supporting proposals for a change in land use, development or subdivision, to avoid burden (financial or otherwise) on the Council's resources.*
- 7.4.3 Identify, support and facilitate the efficient and coordinated use of existing road linkages."*

## **FINANCIAL IMPLICATIONS**

The applicant has been charged the \$4,023 (GST inclusive) fee for a request to Council for the initiation of a (minor) Scheme Amendment under the Shire of Chapman Valley 2017/2018 Planning Service Fees.

### **• Long Term Financial Plan:**

In addition to the issue of whether the Coffee Pot might be better served by being under (controlled) private rather than public ownership in terms of site activation and ongoing maintenance, Council also needs to consider, as it would with any asset, what is the purpose of Council holding the asset and what is the financial model for the maintenance of the asset.

The Shire of Chapman Valley Long Term Financial Plan was endorsed by Council at its 19 July 2017 meeting and Section 5.1 'Long Tern Financial Sustainability' notes the following:

*"A financially sustainable council is described as one with the ability to fund ongoing service delivery, and the renewal and replacement of assets without imposing excessive debt or rate increases on future generations. This definition has been translated into four key financial sustainability principles:*

- Council should aspire to achieve a fully funded operating position reflecting the collection enough revenue from rate revenue, "as of right" FAGs and normal, continuing operations, to fund all operational expenditure.*
- Council should aspire to maintain sufficient cash reserves to ensure it can meet its short-term working capital requirements.*

- *Council should aspire to have a fully funded capital program, where the source of funding is identified and secured for both capital renewal and new capital works.*
- *Council should aspire to maintain its asset base, by renewing ageing infrastructure, which are identified or envisaged.*

*It is important to note while these principles represent financial sustainability, in the current environment, most councils will find it difficult to obtain this level of sustainability as:*

- *Funding the life cycle of assets is a major issue for all levels of Government.*
- *The backlog in asset renewal is a direct result of councils in WA not being able to cash fund the Fair Value replacement cost of assets (represented by the annual depreciation charge). Current asset renewal funding is based on the actual renewals program and this is often modified to fit within budgetary restraints. This means as assets are consumed funds are generally not being put aside to replace the asset at the end of its useful life. This is not a result of poor management; councils simply cannot afford to fund asset renewal without compromising existing levels of service."*

## **STRATEGIC IMPLICATIONS**

The Geraldton Region Plan was released in 1999 by the WAPC to provide a framework for the future management, protection and coordination of regional planning. The Region Plan incorporates the 2011 Structure Plan for the Greater Geraldton area which identifies Lot 1455 as 'Rural Living'.

The Moresby Range Management Plan (2010) was prepared jointly by the Shire of Chapman Valley and City of Greater Geraldton to address the section of the Moresby Range immediately south of White Peak Road and east of Geraldton. It is this section that is under the most immediate pressure from a range of demands including urban and rural-residential development from the west, infrastructure corridor alignments to the east and north, recreational demands from the community, economic interest from renewable venture proponents and tourism possibilities.

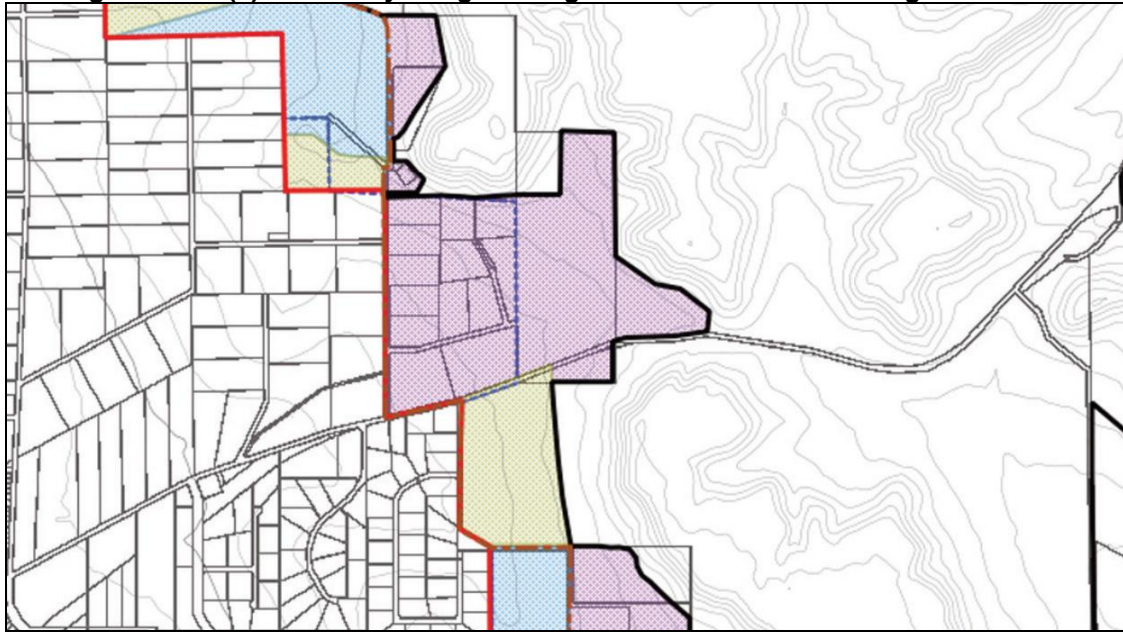
The preparation of the Plan was strongly informed by extensive community consultation that asked the people of the Mid West 'what future did they want to see for the Range and how did they want to engage with the Range into the future?' The major finding was that the community wanted the Range to be turned into a unique and iconic park that would become an asset and a resource for the regional, Western Australian and international communities. The Plan has recognised this concept but also that the majority of the land in the Range is privately owned at present and that the realisation of this vision must be done in partnership with landowners and will be a long term project with a nominal 20 year time frame for its creation, although the Plan also recognises that this process may take longer and that the final outcome may differ from what is proposed.

The Plan defines a 'Range Precinct' as the area that includes the flat tops and major slopes of a section of the Moresby Range but excludes the flatter areas of land that surrounds the Range. The Plan has the vision for a community park that would ultimately turn the Range Precinct into an iconic regional resource. The Plan identifies the community park not as a formal planning description, rather a statement of aspiration and intent, ideally, when a park eventuates it will be formally recognised under an appropriate planning framework.

The boundary of the Range Precinct was selected according to a number of criteria including topography, cadastral boundaries, biogeographical and biodiversity features, and existing developments. The Plan makes recommendations for land uses around the Range Precinct, particularly on the western side of the Range that is under the most immediate pressure. Here the objective is to allow limited urban development to occur in the foothills, subject to development conditions, that will create smooth and gradual visual transitions from the obviously urban centre of the City to the vegetated and green appearance of the Range.

The 'Range Precinct' boundary as it relates to Lot 1455 follows the subdivision layout as previously approved by the WAPC. The opportunity to review the structure plan/subdivision layout for Lot 1455, that this rezoning application will facilitate, will enable further consideration to be given to realigning the 'Range Precinct' boundary with contours and the visual landscape as viewed from Chapman Valley Road, rather than an arbitrary rectangular cadastral line.

**Figure 10.1.2(e) – Moresby Range Management Plan extract relating to Lot 1455**



- **Strategic Community Plan:**

The Shire of Chapman Valley Strategic Community Plan was endorsed by Council at its 15 November 2017 meeting. It may be considered that support for this rezoning application, and the subsequent further consideration of a structure plan and subdivision application by Council that this would allow, would assist in addressing the following as outlined by the Shire's Strategic Community Plan.

*"Our Aim*

*To maintain and build population while ensuring financial and asset management is robust to allow for effective service delivery as an independent shire participating in the growth of the region.*

*Our Shire and Community will:*

- *Value our past and embrace our future*
- *Experience a safe and peaceful place to work, live or visit*
- *Enhance the Valley lifestyle with an area specific approach to community development*
- *Ensure ongoing sustainability through affordable development and informed decision making*
- *Welcome local tourism activities and encourage participation in regional tourism strategies"*

## **CONSULTATION**

Scheme Amendment No.5 was referred to the Environmental Protection Authority ('EPA') on 19 December 2017 for its assessment as per Section 81 of the *Planning & Development Act 2005*. The EPA advised on 8 January 2018 that the Amendment did not warrant assessment under Part IV Division 3 of the *Environmental Protection Act 1986*.

The WAPC were advised of the EPA determination on 2 February 2018 and Scheme Amendment No.5 was advertised in accordance with the provisions of the *Planning & Development Act 2005* from 7 February 2018 until 23 March 2018 inclusive of the following:

- newspaper notice placed in the Mid West Times on 7 February 2018;
- sign placed on-site,
- copy of the Scheme Amendment No.5 documentation made available for viewing at the Shire office/library;
- copy of the Scheme Amendment No.5 documentation made available for viewing on the Shire website;
- letters being sent to the 11 surrounding landowners inviting comment;
- letters being sent to the Aboriginal Heritage Directorate, Alinta Energy, City of Greater Geraldton, Department of Fire & Emergency Services, Department of Health, Department of Water and Environment Regulation, Main Roads WA, State Heritage Office, Telstra, Water Corporation, Western Power and Westnet Energy inviting comment.

At the conclusion of the advertising period 9 submissions had been received, 7 from government agencies, all offering either support or technical comment to the proposed rezoning, and 2 from adjoining residents, again offering either support or comment, no objections were received.

A copy of the Scheme Amendment No.5 Schedule of Submissions that is required to be forwarded to the WAPC is included as **Attachment 10.1.2(e)**. The Schedule of Submissions identifies the respondents, the nature of their submissions, and provides individual comment upon any raised issues. Copies of the received submissions can be provided to Councillors upon request.

## **RISK ASSESMENT**

Rating 1 (Insignificant) Measures of Consequence – Risk Assessment and Acceptance Criteria

## **VOTING REQUIREMENTS**

Simple majority of Council.

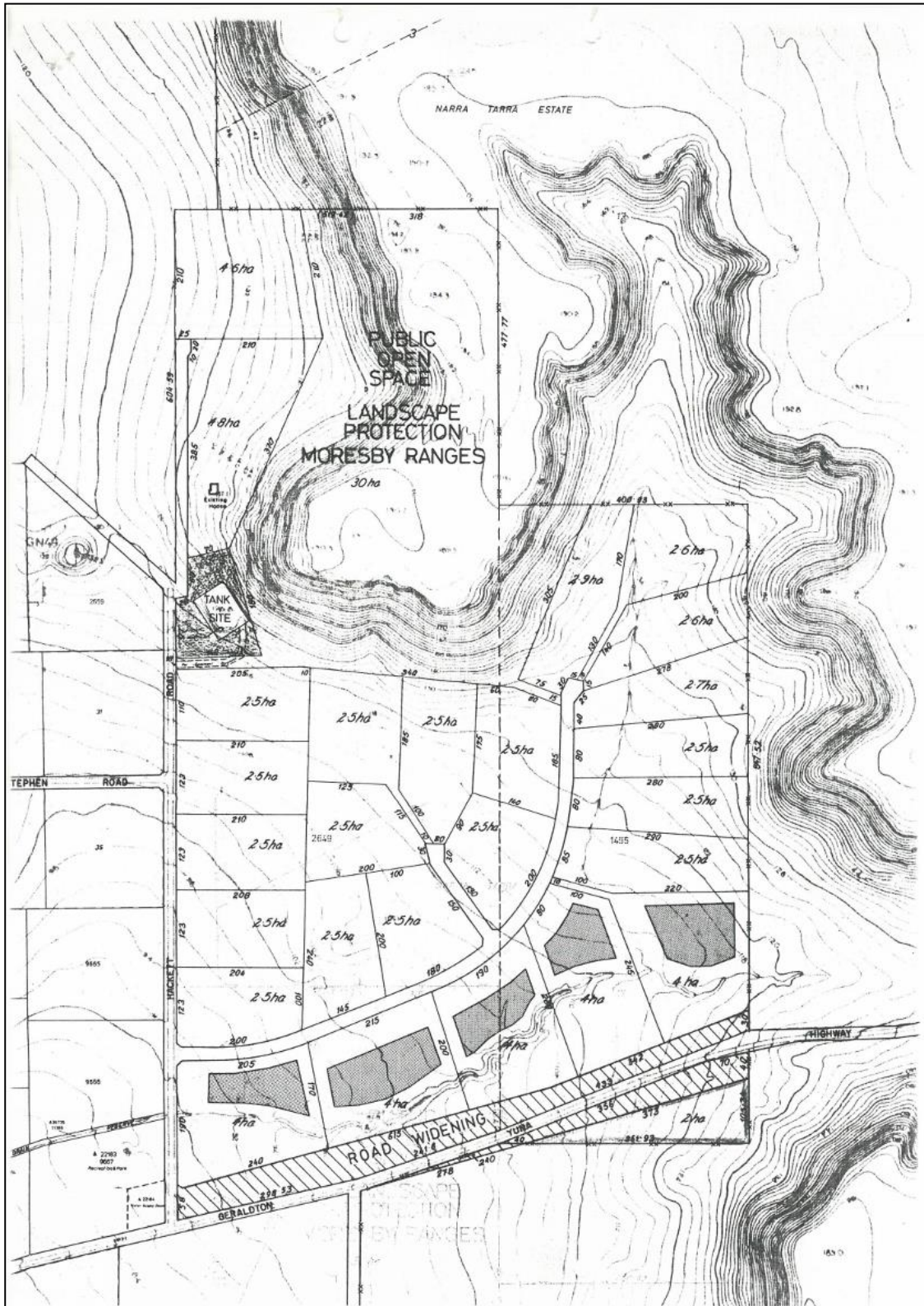
## **STAFF RECOMMENDATION**

That Council:

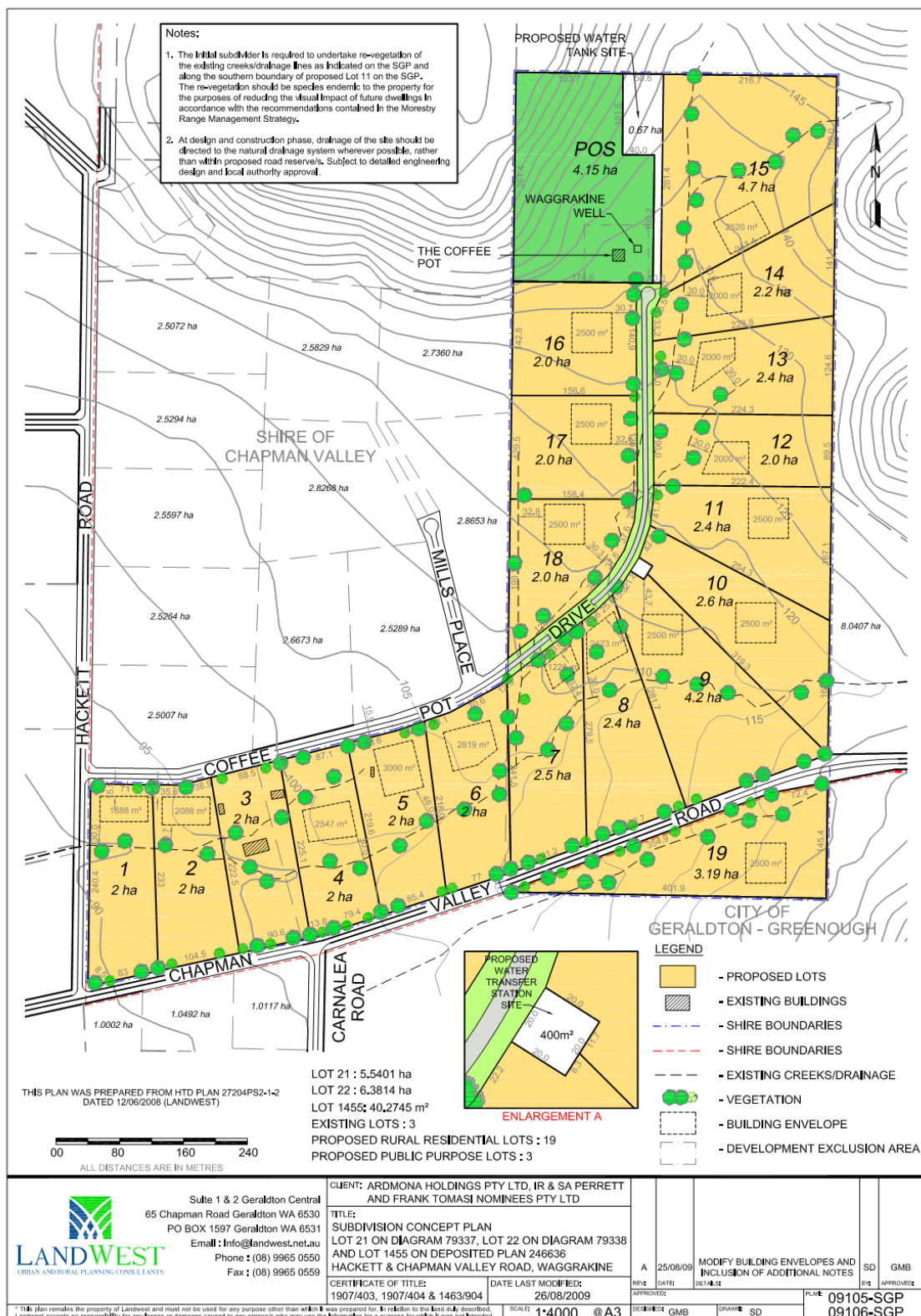
- 1 Receive the submissions as outlined in the Schedule of Submissions included as Attachment 10.1.2(e).
- 2 Adopt for final approval Scheme Amendment No.5 to Shire of Chapman Valley Local Planning Scheme No.2, pursuant to Part 5 of the *Planning and Development Act 2005*, by modifying the conditions column for the 'Rural Residential 2' (RR2) zone in Schedule 11 by:
  - (a) Deleting Conditions 16, 17 and 18.
  - (b) Inserting the following new Condition 16:

"Any new subdivisional or service road intersection(s) with Chapman Valley Road shall be subject to the approval of the Local Government. Direct vehicular access from lots onto Chapman Valley Road shall not be permitted."
- 3 Seek final approval of Scheme Amendment No.5 from the Minister for Planning.



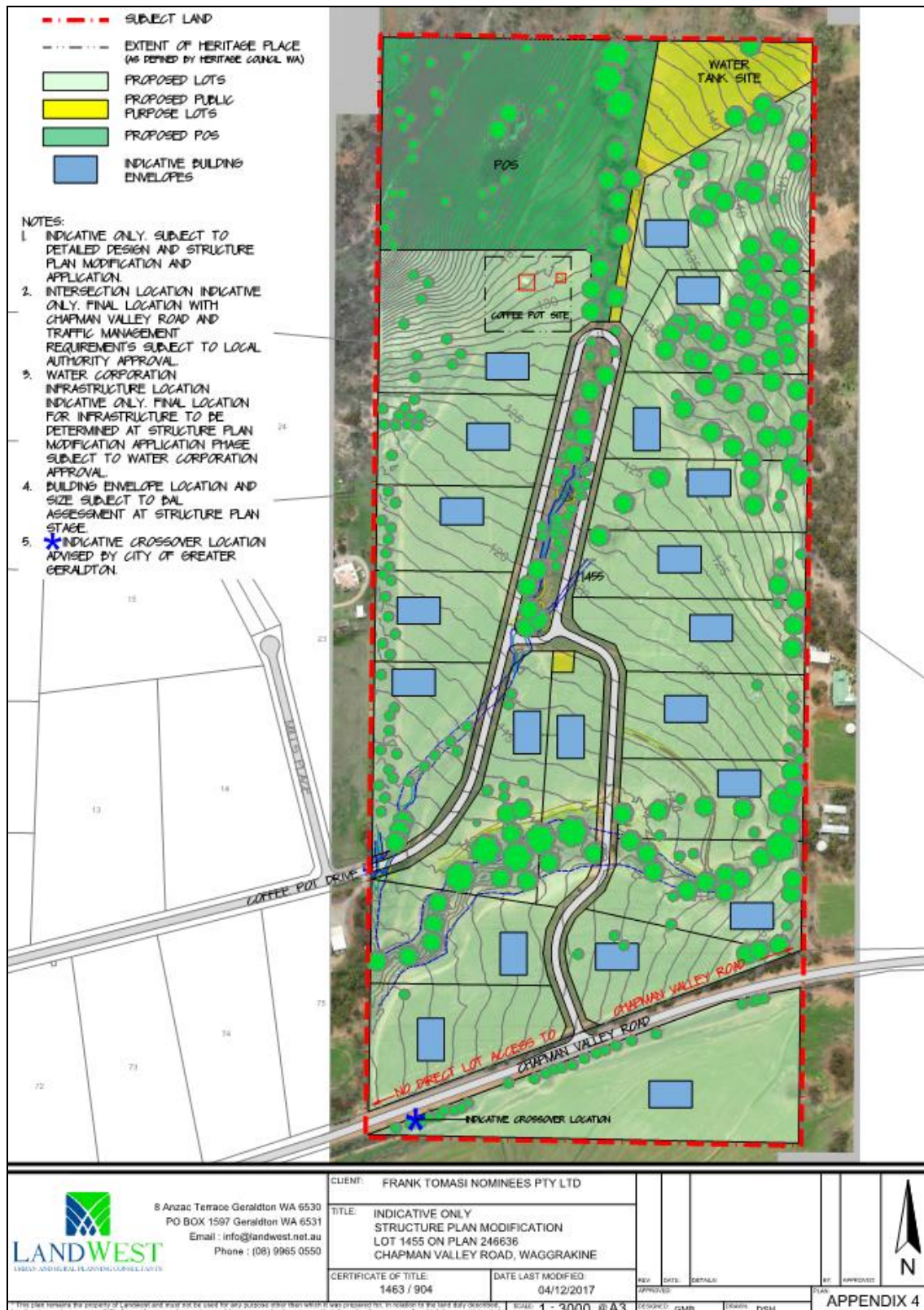


# ATTACHMENT 10.1.2(c)





# ATTACHMENT 10.1.2(d)





Shire of Chapman Valley Local Planning Scheme No.2 - Scheme Amendment No.5				
Schedule of Submissions				
Submission No. & Date Rec'd	Respondent	Nature of Submission	Comment	Recommendation
1 (9/2/18)	Western Power	<p><i>No objection</i></p> <p>A danger zone, registered easement, restriction zone or minimum approach distance represent areas of high risk when working near the Western Power network. Before commencing any work it is essential that you complete a Dial Before You Dig enquiry to obtain the location and voltage of the Western Power network.</p> <p>Areas of high risk include:</p> <ul style="list-style-type: none"> <li>- Danger Zone – Defined by regulation 3.64 of the <i>Occupational Safety and Health Regulations 1996</i>;</li> <li>- Registered Easement - Western Power easements are registered on the Certificate of Title for the property. Easements and conditions are available from Landgate;</li> <li>- Restriction Zone – These are applied in the absence of a registered easement and are calculated in line with the Australian Standard for overhead line design (AS/NZS 7000:2010);</li> <li>- Minimum approach distance.</li> </ul> <p>It is recommended that persons planning to build or undertake works in high risk areas near transmission or communication assets (including those listed above) act in a safe manner at all times and in accordance with all applicable legal and safety requirements (including the 'duty of care' under the laws of negligence, Worksafe requirements and guidelines, Australian Standards and Western Power policies and procedures).</p> <p>Western Power provides services that may assist persons planning to build or work within high risk areas near transmission or communication assets (refer to your Dial Before You Dig enquiry for location and voltage). These services can be found by visiting the transmission and communication assets section of the Western Power website.</p> <p><i>Support</i></p> <p>In full agreement with all proposed changes.</p>	<p>The issues raised concern the power servicing of lots and this would be a matter to be addressed at a future subdivision stage (were the rezoning to be approved).</p> <p>It is also noted that Western Power would be written to directly by the WAPC at time of subdivision application and provided with the opportunity to make comment and request the imposition of conditions of subdivision approval.</p> <p>Section 2.8 'Servicing' of the Scheme Amendment No.5 document notes:</p> <p><i>"The lot is not currently serviced with reticulated services. However, Western Power infrastructure traverses the property, Coffee Pot Drive is a sealed local authority road to the west of the property. Chapman Valley Road is a sealed local authority jurisdiction road at the southern extent of the subject land, and the property derives its main crossover to Chapman Valley Road at the south west corner of the lot."</i></p>	Note submission.
2 (9/2/18)	I Perrett		<p>The respondent is a resident of Coffee Pot Drive and the previous subdivider of the adjoining now subdivided land to the west.</p>	Note submission

Shire of Chapman Valley Local Planning Scheme No.2 - Scheme Amendment No.5				
Schedule of Submissions				
Submission No. & Date Rec'd	Respondent	Nature of Submission	Comment	Recommendation
3 (14/2/18)	ATCO Gas	<p>ATCO Gas Australia does not own or operate any gas distribution assets or gas infrastructure within the Shire of Chapman Valley.</p> <p>ATCO Gas owns and operates the WA gas distribution network, however this is predominantly in the metropolitan region and the regional centres of Geraldton, Bunbury, Busselton, Albany and Kalgoorlie.</p> <p><i>No objection</i></p> <p>The subject area contains the State Registered Coffee Pot and Waggrakine Well.</p> <p>There is no objection to the deletion of condition 16 requiring that at time of subdivision the Coffee Pot and Waggrakine Well be included in an area of public open space under the management of the Shire.</p> <p>This change will allow for the retention in private ownership and will facilitate the conservation of the place. In any future subdivision proposal it is likely that the Heritage Council will require the landowner to enter into a Heritage Agreement that provides for the conservation and maintenance of the place. This would be a legal agreement that is binding on the owner and would be recorded as a memorial of the Certificate of Title and be transferrable to a new owner.</p> <p>It is noted that a revised structure plan would be required following approval of the scheme amendment. This includes the Coffee Pot curtilage being included in a development lot with suitable separation to any new building and provision for appropriate dwelling design. A revised structure plan affecting a registered place would be a referral under Section 11 of the <i>Heritage Act 1990</i>.</p> <p>Any subsequent development that may affect the cultural significance of the place would also require referral under Section 11 of the Heritage Act.</p>	No additional comment.	Note Submission
4 (20/2/18)	State Heritage Office	<p><i>No objection</i></p> <p>The subject area contains the State Registered Coffee Pot and Waggrakine Well.</p> <p>There is no objection to the deletion of condition 16 requiring that at time of subdivision the Coffee Pot and Waggrakine Well be included in an area of public open space under the management of the Shire.</p> <p>This change will allow for the retention in private ownership and will facilitate the conservation of the place. In any future subdivision proposal it is likely that the Heritage Council will require the landowner to enter into a Heritage Agreement that provides for the conservation and maintenance of the place. This would be a legal agreement that is binding on the owner and would be recorded as a memorial of the Certificate of Title and be transferrable to a new owner.</p> <p>It is noted that a revised structure plan would be required following approval of the scheme amendment. This includes the Coffee Pot curtilage being included in a development lot with suitable separation to any new building and provision for appropriate dwelling design. A revised structure plan affecting a registered place would be a referral under Section 11 of the <i>Heritage Act 1990</i>.</p> <p>Any subsequent development that may affect the cultural significance of the place would also require referral under Section 11 of the Heritage Act.</p>	<p>Council supported the entry of the Coffee Pot and Waggrakine Well onto the State Register of Heritage Places at its 17 December 2002 meeting.</p> <p>The current Scheme text requires that at time of subdivision of Lot 1455 that the Coffee Pot and Waggrakine Well be created in an area of public open space under the management of the Shire.</p> <p>The Shire has no identified purpose for the Coffee Pot site and the building's limited floor area and proximity to the existing Waggrakine Hall are not conducive to a future community use. Further to this the site's location at the end of a quiet cul-de-sac road, is not suited for activities that might generate significant traffic associated with a commercial or community use.</p> <p>It is considered that public ownership of the building is not the ideal means to ensure that the historic site is maintained, as an infrequently visited and underutilised building can be subject to neglect, whereas if the building is privately owned and regularly made use of, it is more likely to be maintained.</p> <p>As evidence in the State Heritage Office submission there will still be ability to ensure the heritage aspects of the site are conserved and enhanced through a private ownership model. There is the option for the Coffee Pot building to be subdivided onto a lot that has attached legal requirements, including conservation/restoration works to be undertaken as a condition of subdivision and ongoing protections through means of notifications upon title/restrictive covenants. The ongoing protections can also establish requirements for development elsewhere upon the lot, for example, setting</p>	Note submission.

Shire of Chapman Valley Local Planning Scheme No.2 - Scheme Amendment No.5				
Schedule of Submissions				
Submission No & Date Rec'd	Respondent	Nature of Submission	Comment	Recommendation
			<p>conditions relating to setback distances, building materials/style, etc. and guide the appropriate use of the site. It is considered that a private ownership model provides greater potential for activation, with possible uses (that can be undertaken in association with a sensitively sited and designed main residence) including bed and breakfast, art studio, coffee themed business, appointment business, home office etc.</p> <p>There are other examples of buildings being restored by subdividers and then transferred to the local government and then due to their location and/or limited floor area, and the reactive, legislated nature of the public ownership model, becoming underutilised and the deletion of conditions 16 &amp; 17 as proposed by the scheme amendment provides the flexibility for the State Heritage Office/Shire and the proponent/subdivider to consider alternative models that might better protect and promote the site.</p> <p>It is noted that this scheme amendment does not remove the State Heritage Office/Shire's ability to give this matter further consideration during the preparation of the a structure plan for Lot 1455. The State Heritage Office and Shire would also be requested to comment and provide suggested conditions to be applied to the future subdivision application over the land, and provide clearance of those conditions prior to release of the subdivided lots.</p>	
5 (20/2/18)	Aboriginal Heritage Directorate	<p><i>No objection</i> Lot 1455 does not intersect with the boundary of any Aboriginal heritage sites or places as administered by the AHD.</p> <p>Therefore based on information held by the AHD and the data provided by the Shire no further approvals are required under the <i>Aboriginal Heritage Act 1972</i>.</p> <p>The AHD recommends that proponents refer to the State's Aboriginal Heritage Due Diligence Guidelines. The guidelines allow proponents to undertake their own risk assessment regarding a proposal's potential impact on Aboriginal heritage.</p>	<p>Section 2.9 'Aboriginal Heritage' of the Scheme Amendment No.5 report notes that:</p> <p><i>"In the preparation of the Moresby Range Management Strategy, consultation with representatives from local indigenous groups identified several areas of interest to local indigenous people (shown on Map 6 of the Strategy). None of these were located on or near the land subject of this Amendment.</i></p> <p><i>A review of the Department of Planning, Lands and Heritage (Aboriginal Affairs) Heritage Inquiry System shows no Registered Aboriginal Sites on the subject land."</i></p>	Note submission.

Shire of Chapman Valley Local Planning Scheme No.2 - Scheme Amendment No.5 Schedule of Submissions				
Submission No. & Date Rec'd	Respondent	Nature of Submission	Comment	Recommendation
6 (20/2/18)	Main Roads WA	<p><i>No objection</i></p> <p>The proposal could facilitate the preparation of a revised subdivision layout for Lot 1455 with improved consideration for drainage, the subdivisional road network and historical ruins.</p> <p>Lot 1455 and the RR2 zone have frontage onto Chapman Valley Road. Given this section of road is under local government control it is considered unlikely that any future subdivision or development would have a significant detrimental impact on the level of service, amenity or safety of users of the MWRA network.</p> <p>Accordingly MRWA has no objection.</p>	<p>Lot 1455 fronts an approximately 430m long section of Chapman Valley Road and the subdivision planning for this property dates back to a period in the early 1980's when the road was being considered for upgrade for harvest haulage to the Geraldton Port. On this basis the original subdivision layout was designed to access Chapman Valley Road exclusively via Hackett Road.</p> <p>Subsequent planning has re-directed harvest traffic via Morrell Road, and Chapman Valley Road west of Morrell Road is now under the management of the Shire and is approved only for vehicles to a maximum length of 20m.</p> <p>The Scheme Amendment proposes to delete Schedule 12 RR2 Condition 18 <i>"The creation of lots adjoining Chapman Valley Road will not be permitted without a trafficable alternative access being provided to the subject land, and direct access onto Chapman Valley Road will not be permitted"</i> and replace with the following <i>"Any new subdivisional or service road intersection(s) with Chapman Valley Road subject to the approval of the Local Government. Direct vehicular access from lots onto Chapman Valley Road shall not be permitted."</i></p> <p>This measure will provide greater flexibility for consideration of a future subdivision layout, that could provide some lots with access to Chapman Valley Road via an alternative to Coffee Pot Drive/Hackett Road, for example a one-way slip road similar to that developed further west on Chapman Valley Road (near Sutcliffe Road), or a subdivisional road intersection in a safe location may be two solutions for consideration.</p>	Note submission.
7 (12/3/18)	Department of Water & Environmental Regulation	<p><i>No objection</i></p> <p>Regulatory Services (Water) has no objections to the proposed scheme amendment.</p> <p>The indicative subdivision layout provided in the documentation has not been reviewed due to it being a concept plan only.</p> <p>Regulatory Services (Water) request further consultation</p>	<p>The issues raised concern water management and this would be a matter to be addressed at a future structure planning or subdivision stage (were the rezoning to be approved).</p> <p>It is also noted that the Department of Water would be written to directly by the WAPC at time of subdivision application and provided with the opportunity to make comment and request the imposition of conditions of subdivision approval.</p>	<p>The Shire advise the proponent that it will request a condition at time of future subdivision requiring the preparation of an Urban Water Management Plan</p>

Shire of Chapman Valley Local Planning Scheme No.2 - Scheme Amendment No.5				
Schedule of Submissions				
Submission No. & Date Rec'd	Respondent	Nature of Submission	Comment	Recommendation
		from the proponent on the new subdivision layout once determined with an accompanying Urban Water Management Plan to be developed in accordance with the principles outlined in Better Urban Water Management (WAPC, 2008).	<p>The WAPC lists in its Model Subdivision Conditions Schedule the following standard condition that can be applied where either the local government or the Department of Water and Environmental Regulation consider it appropriate:</p> <p>"Prior to the commencement of subdivisional works, an urban water management plan is to be prepared and approved, in consultation with the Department of Water, consistent with any approved Local Water Management Strategy/Drainage and Water Management Plan."</p> <p>Engineering drawings and specifications are to be submitted and approved, and works undertaken in accordance with the approved engineering drawings and specifications and approved plan of subdivision, for the filling and/or draining of the land, including ensuring that stormwater is contained on-site, or appropriately treated and connected to the local drainage system. Engineering drawings and specifications are to be in accordance with an approved Urban Water Management Plan for the site, or where no UWMP exists, to the satisfaction of the WAPC."</p> <p>The applicant's Scheme Amendment No.5 report makes reference to the structure plan that is in place for Lot 1455 that dates back to 2009, and Section 2.11 'Structure Plan' notes that:</p> <p>"The Structure Plan proposed a cul-de-sac extension of Coffee Pot Drive on an alignment which traversed the water courses on a number of occasions and avoided Western Power infrastructure wherever possible.</p> <p>The result is a road alignment which is largely unresponsive to the topography, water courses and vegetation and did not incorporate efficient storm water management planning. The cul-de-sac configuration was unavoidable however did not promote connectivity or address emergency access.</p> <p>At the time of the previous rezoning of the landholding and preparation of the structure plan, Chapman Valley Road adjoining the subject land was under the jurisdiction of Main</p>	and the undertaking of works by the subdivider in accordance with this plan.

Shire of Chapman Valley Local Planning Scheme No.2 - Scheme Amendment No.5				
Schedule of Submissions				
Submission No. & Date Rec'd	Respondent	Nature of Submission	Comment	Recommendation
			<p>Roads WA, and additional road intersection or lot access to Chapman Valley Road could not be contemplated.</p> <p>As a result of the limited scope for road alignment, lot shape and size across the subdivision were irregular and inconsistent, and resulted in numerous lots being traversed by water course/s. The (then) Department of Water did not support access across water courses to building envelopes and as such many of the building envelopes were similarly irregular in shape and did not adequately address separation distance to water courses. The congestion associated with road reserve and building envelopes particularly in the south west corner of the development area may have resulted in detrimental impact on the water course/s by loss of vegetation, impediment to flow and additional unregulated crossing points."</p> <p>The applicant's Scheme Amendment No.5 report includes an indicative subdivision concept plan that would supersede the 2009 structure plan and Section 4.3 'Revision to Structure Plan' of the applicant's Scheme Amendment No.5 report notes that it incorporates the following elements:</p> <p>"Road reserve to more adequately address contours, water courses and resultant crossing points, vegetation and most importantly facilitate improved connectivity for the development area as a whole.</p> <p>This may be achieved by a loop road in the northern section of the landholding, so that the road reserve/s mirror the alignment of the water course and they are included wherever possible within the overall road reserve and the water courses themselves form a more integral part of the storm water drainage design for the development. It will also assist with improved management of potential sheet flow from the Range in a significant weather event, which can be more adequately captured in the natural drainage system, and minimise impact on individual lots.</p> <p>Enables the water course to be retained largely in its current state (with some potential minor works identified by the</p>	

Shire of Chapman Valley Local Planning Scheme No.2 - Scheme Amendment No.5 Schedule of Submissions				
Submission No. & Date Rec'd	Respondent	Nature of Submission	Comment	Recommendation
8 (14/3/18)	W Horo	<p><i>Indifferent</i> If any development occurs please have in place as many trees to stay as possible.</p> <p>Also before any development is approved an inspection of Coffee Pot Creek would be good as the owner of the land is using the creek as a rubbish site for old car bodies and general rubbish.</p>	<p>Department of Water and Environmental Regulation).</p> <p>Although road and individual lot crossings of the water courses cannot be eliminated completely they can however be minimised and better located where established informal crossings already exist where the water courses are wider and less incised. This will ensure crossings are more suitably designed and constructed, which will minimise impediments to flow and reduce vegetation removal."</p> <p>The respondent is a resident of Coffee Pot Drive and owns the land immediately adjoining to the west.</p> <p>The WAPC lists in its Model Subdivision Conditions Schedule the following standard condition that can be applied where either the local government or the Department of Water and Environmental Regulation seek the preparation of an Urban Water Management Plan:</p> <p>"Prior to the commencement of subdivisional works, an urban water management plan is to be prepared and approved, in consultation with the Department of Water, consistent with any approved Local Water Management Strategy/Drainage and Water Management Plan."</p> <p>It is suggested that at such time as the proponent seeks to lodge a subdivision application that it would be appropriate for the Shire to request the imposition of this condition and that the Urban Water Management Plan require the subdivider to remove rubbish, car bodies and other items from the watercourse prior to the Shire and/or the Department of Water and Environment Regulation being satisfied and willing to clear the subdivision condition.</p>	<p>The Shire advise the proponent that it will request a condition at time of future subdivision requiring the preparation of an Urban Water Management Plan and the undertaking of works by the subdivider in accordance with this plan, and that the plan will be required to address amongst other items the removal of rubbish, car bodies and other items from the watercourse.</p>
9 (12/3/18)	Department of Health	No objection DoH has no objection to the proposed amendment.	No additional comment.	Note submission





Council resolved at its 19 July 2017 meeting as follows:

*“That Council:*

- 1 *Engage the services of a surveyor to mark out on-site the former rail infrastructure/improvements upon Reserve 31509 Chapman Valley Road, Nabawa (former Nabawa railway siding) and prepare a site survey of the site to inform the master plan process.*
- 2 *Engage the services of a draftsman/landscape architect to prepare a draft concept master plan for the site drawing upon community input, for the later consideration of Council on means to develop the site as an asset to the community and visitors. The master plan is to give consideration to items including the location and style of interpretative signage to promote the site’s heritage value, location and type of potential heritage improvements, location of potential planting areas, location and style of potential supporting features such as a gazebo, seating and information board (about the site and other natural/heritage/tourism attractions in Chapman Valley), management of vehicle access, and the realignment of the fencing further west to enable visitor access to the heritage features whilst still enabling stock access between the separate parcels of Reserve 43025.*
- 3 *Advise the applicant that they may wish to consider preparing an application for Council’s Community Growth Funding round for the development of interpretative signage upon Reserve 31509, noting that under the guidelines for the funding round an application is required to be received from a non-profit organisation.”*

**Figure 10.1.1(b) – Aerial Drone Photo of Reserve 31509 and surrounds**



The western portion of Reserve 31509 is currently fenced off to enable stock to move between the two portions of Reserve 43025, which is the 11.5521ha property located north and south of Reserve 31509 which is leased for the purposes of grazing and has been formally leased to the current lessee since 1994, and prior to this lease there was an unofficial arrangement made between the lessee and the Shire for the use and maintenance

of this land that dates back to the 1970's. Council resolved at its 17 February 2016 meeting to extend the lease for Reserve 43025 for a further 5 years and the current lease agreement is due to expire on 30 June 2021.

The masterplan proposes a range of interpretative works at the former Nabawa railway siding to develop the site as a point of interest and raise awareness of its history.

The Department of Lands have some information relating to the railway infrastructure and improvements that used to exist upon Reserve 31509, however, to accurately locate on-ground the site of each of these former structures the services of a licensed surveyor were utilised to prepare a site survey and aerial drone photo of the former Nabawa Railway Siding site to inform the masterplan process.

The identification on-ground of the former Nabawa railway siding elements was then able to inform the appointed landscape architect in their preparation of the draft masterplan.

A copy of the draft Nabawa Siding Masterplan is provided as **Attachment 10.1.3(a)** that illustrates the suggested works that could be undertaken at the site including:

- the realignment of the stock fence to ensure that the former siding is to the east of the fence and accessible to visitors whilst still providing means for stock to travel north/south between the portions of reserve that are leased for keeping of stock;
- gate to be installed at the existing southern vehicle entrance to the siding as this is located close to a bend that offers poor visibility looking south along Chapman Valley Road;
- the existing northern vehicle entrance to be designated as in-only;
- a new vehicle entrance to be created further north that would be designated as out-only;
- clearing of vegetation at the northern end of the reserve to create an unsealed car parking area (7 bays);
- introduction of contrasting material on-ground to designate where railway tracks once ran (e.g. gravel alignment to contrast with existing blue metal material);
- introduction of contrasting material on-ground to designate where railway platforms were once located (e.g. 200-500mm gravel raised areas to contrast with existing blue metal material);
- restore weighbridge and hut;
- installation of seating and picnic furniture (e.g. gazebo/table);
- installation of signage provide information on elements of the siding's infrastructure and operations that are no longer present on-site.

It should be emphasised that this a draft and Council is encouraged to review and discuss the masterplan and should it require modification, this feedback can be provided to the consultant prior to further action being taken.

In previous Council discussions at Concept Forums and on-site it was considered that the Nabawa Siding site is more suited to an interpretative approach to create an understanding of the site rather than attempting to develop it with re-creations of the past use e.g. re-laying railway line, re-building platforms, re-installing loading infrastructure and rail carriages/trucks etc.

The view was taken that rebuilding structures that are no longer present and for which photographic evidence does not exist creates a likelihood that the structures would be unrepresentative of how the site once looked and operated, and would be inauthentic and inaccurate facsimiles. For this reason, and also out of consideration for the capital and maintenance cost and public liability, the masterplan has taken a more interpretative approach with the aim of informing visitors on the past layout and uses through signage.

This approach can lend itself to the increasing digital access of information with on-site signs potentially being expanded at a future stage to allow for QR codes to be placed upon them that allows visitors to download information (e.g. text, illustrations, maps, video, applications etc.) pertaining to each site element, the site itself, and also the site in context with other sidings along the former rail alignment and the railway and district's wider story.

A copy of the draft Nabawa Siding Signage/Interpretation Plan is provided as **Attachment 10.1.3(b)** that would accompany the masterplan to provide guidance on the location and style for signage at the site.

The masterplan process has identified that this project provides an opportunity to not just tell the railway history of the site but also provide information on the Aboriginal history of the area, and also background to the flora and fauna local to this area.

The signage at the Nabawa Siding site would have the ability to inform visitors on the history and attributes of the site but also provide information on where people can learn more (e.g. Chapman Valley Museum, future Naaguja cultural centre etc.).

A copy of the draft Nabawa Siding Overview Plan is provided as **Attachment 10.1.3(c)** that sets the context for the Nabawa Siding Masterplan and suggests that a walk trail could ultimately be created along the former rail alignment to link back to Post Office Lane and the former Protheroe Rail Stop. This is in keeping with the Nabawa Townsite Revitalisation Plan that was adopted by Council at its 19 October 2016 meeting. The Revitalisation Plan recognised that Nabawa's current built form and land use pattern tends to 'turn its back' on the Chapman River and that the development of recreational linkages connecting the town to the river would ultimately benefit residents and visitors alike.

This strategic direction is shown on an Overview Plan, separate to the Nabawa Siding Masterplan, recognising that at this time works within the siding reserve itself should be viewed as more short-medium term aspirations, and that the linking trail to the north is a longer term concept, with the reserve to the north of the siding having a grazing lease that does not expire until 30 June 2021 at which point the Council of the day may vote to extend the lease with the current lessee, offer the lease to another party, or cease leasing the reserve.

The Overview Plan also illustrates some potential to create a walk trail to the south to link to the Naaguja Warangkarri Aboriginal Corporation land should this landowner choose to progress their concept plans to create a cultural centre accessible to the public.

## **STATUTORY ENVIRONMENT**

Reserve 31509 is zoned 'Recreation' under the Shire of Chapman Valley Local Planning Scheme No.2, and has a management order issued to Council for the purpose of 'Weighbridge Site'.

## **POLICY IMPLICATIONS**

Nil

## **FINANCIAL IMPLICATIONS**

The cost of engaging a surveyor to undertake the site survey and aerial drone photography was accommodated within Account 7052 – Surveying & Land Expenses.

The cost of engaging a landscape architect to produce a draft masterplan was accommodated within Account 1992 – Planning Consultancy Expenses.

The development of on-ground works, as identified in the masterplan, could be undertaken in partnership with the community and the Greenough Regional Prison. Community groups may wish to apply for consideration through Council's Community Growth Funding round to leverage their in-kind works and other financial contributions.

It is noted that the Chapman Valley Historical Society applied for funding to the 2016 round of the Community Growth Fund for 3 historical interpretative signs at the Nanson Rail Bridge, Nanson Weighbridge and Nabawa Weighbridge. The Community Growth Fund Advisory Group, and subsequently Council at its 19 October 2016 meeting, approved funding for the 2 Nanson sites, noting that the 2016 round had been oversubscribed and that not all proposals could be funded, but that the Nabawa site could be considered when access was improved. It might be considered that with the community's undertaking of some site clean-up, and a masterplan being undertaken to guide works and vehicle access, that this previously identified shortcoming could be addressed.

It is generally considered that the masterplan proposes works that are within the Shire's capabilities (e.g. clearing, vehicle entrances, car park, depositing of gravel and blue metal etc.) and other works shown on the masterplan could be achieved in partnership with other parties such as the Greenough Regional Prison Crew and Chapman Valley Men's Shed (e.g. fencing, picnic shelters, planting, signage etc.).

Were Council to endorse a masterplan for the site then Shire staff would prepare costings for its delivery, and these could be included for consideration in future draft budgets across a number of years to achieve staged realisation.

Council and potentially any partners in the project could also lodge grant applications in accordance with a masterplan to source external funding for aspects of the project.

- **Long Term Financial Plan:**

The Shire of Chapman Valley Long Term Financial Plan was endorsed by Council at its 19 July 2017 meeting, and notes that there is an increasing demand on Council for services, community expectations must be managed within a confined fiscal envelope, and that Council will continue to explore ways to improve its capacity to fund its recurrent operations and renew critical infrastructure.

## **STRATEGIC IMPLICATIONS**

The Nabawa Railway Siding site is listed in Shire of Chapman Valley Heritage Inventory. The Heritage Inventory also notes the following in relation to the railway more generally:

*“One of the most important developments for the Chapman Valley district was the construction of the Wokarena Naraling branch line in 1910 and the extension of the line to Yuna in 1913. Not only did it encourage further settlement but it also eased the burdens of isolation for many. It had a significant impact on the mining industry, alleviating the time consuming cartage of ore to the port. Contractors for the construction of the railway were Messrs Hill and Rennie. The travelling ganger was Frank O'Meara while John Maher, who had been associated with the Kalgoorlie water scheme, was in charge of the bridge building (Geraldton Guardian, March 8, 1969).*

*The line was officially opened at Naraling on 8 October 1910 by the State Governor Sir Gerald Strickland. A special train with a large crowd on board ran from Geraldton to Naraling, which was at the time, ‘the head of the line’. Flags of all types and colours were flown along the train's route for the celebrations. The running of the first train was not without incident with an aggrieved farmer, Mr Drew, attempting to hold up the train with a shotgun (Palmer, E.S. 1986, p2).*

*The line branched from the Geraldton-Northampton line eight miles north of Geraldton at the Wokarena junction siding near White Peak. It passed through Yetna, Nanson, Nabawa, and Naraling and was eventually extended to Yuna in 1913. The extension of the line to Yuna further encouraged the opening up of country around and beyond the rail head.*

*Two trains a week ran on the line carrying passengers and goods with the train arriving in Yuna in the afternoon before returning to Geraldton the following morning. After passengers had completed their business in town the train would leave Geraldton at 5:00pm for their return trip. There was a railway refreshment room at Nabawa which was removed some years ago.*

*There were problems associated with both lines, including trains colliding with cattle that had wandered onto the line as well as occasional derailments. In addition, there was the danger of bushfires caused by emissions from the locomotives, especially during the summer months. For example, in January 1880 a major fire burnt out a large area of pasture and threatened farm buildings near the 17 mile peg of the Northampton line (D. Whiteford, 1979, "The Northern Railway - the first six months", Western Rails, Vol 3, No 1, Winter, pp13-14).*

*With the advent of the railway the small townsites along the route including Nanson, Naraling and Yuna, expanded and developed. The town of Nanson especially thrived after the opening of the railway with shops, banks and schools opening to serve the increased population.*

*The extension of the railway from Naraling to Yuna resulted in the development of a townsite at the end of the rail head. It also provided for much easier and quicker transportation of crops to the port in Geraldton and facilitated convenient delivery of goods to local residents.” (pages 20-21)*

*“The branch railway line from the Wokarena Junction to Yuna was closed in 1956. There was considerable anger and resentment from within the Chapman Valley community over this decision, especially given that only a year before the closure much money had been spent on upgrading the line. At the time the trains were running three times a week providing the locals with a very valuable service which was especially felt by those north of Naraling where there were no bitumen roads, only rough gravel tracks. Locals feared that these roads would be unable to cope with the heavy traffic that would result from the closure of the railway and the Government promised to improve the road service when the railway service was suspended (Geraldton Guardian - See 1956 issues).*

*Local farmers bought the iron rails for 11 pounds per tonne and the wooden sleepers for 1 shilling each. There are still some visible signs of the railway, including bridges (Place 13), a weigh bridge,*



*railway sidings (Places 24, 37 & 67) and the raised mounds along which the line ran. These mounds are especially evident near the Yuna townsite (Source: Mr and Mrs Cant, Yuna).*

*The following year the Geraldton-Ajana Railway was also closed amid much controversy and local resentment with the sleepers and rails similarly sold off to farmers. With the closure of both railway lines came the end of an era in transportation throughout the region. The Chapman Valley population, already suffering the effects of mechanisation, was further impacted upon, with some residents leaving the area for good.” (pages 24-25)*

The Nabawa Townsite Revitalisation Plan identifies Reserve 31509 for the development of historical signage and as a point of interest on a larger term strategic vision of a walking-riding trail along the former railway line between the Moresby Range and Yuna.

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

The Shire of Chapman Valley Strategic Community Plan was endorsed by Council at its 15 November 2017 meeting, and the development of Reserve 31509 with historical signage has the ability to meet the following goals of the Strategic Community Plan:

- Community and Lifestyle - Nurture the sense of community.
- Economic Development and Business Attraction – Welcome local tourism and regional strategy.

Expenditure on this project must also be weighted against the following goals of the Strategic Community Plan:

- Governance and Accountability - Make informed decisions within resources and areas of responsibility.
- Governance and Accountability – Ensure robust processes and guidelines for development.

## **CONSULTATION**

A workshop was held at the Shire on 11 October 2017 to gather ideas to assist in the masterplan's preparation.

A second meeting of interested parties was held at the Shire on 23 November 2017 to provide further feedback to the masterplan consultant. The meeting, at which various parties expressed their ideas and timeframes, demonstrated that, without a masterplan to coordinate parties, ad-hoc and disjointed works would result often at cross-purposes to one another.

The Shire has consistently maintained a stated position that no works should be undertaken on-site until a masterplan had been prepared and subsequently presented to, and endorsed by Council.

The initial draft of the masterplan was viewed by Council at the 21 February 2018 and 21 March 2018 Concept Forum Session. Council also visited the site on the 2 March 2018 Shire Tour to gain a greater understanding of the project.

Chapman Valley Road is under the management of Main Roads WA and the draft masterplan should therefore also be referred for their consideration. It is noted the draft masterplan proposes that a gate be installed at the existing southern entrance to prevent vehicles using this crossover as it offers poor visibility looking south along Chapman Valley Road towards the bend. The draft masterplan also proposes that the existing northern vehicle entrance be designated as in-only, and the creation of a new vehicle entrance in a safer location further north that would be designated as out-only.

## **RISK ASSESMENT**

Rating 3 (Moderate) Measures of Consequence – Risk Assessment and Acceptance Criteria

## **VOTING REQUIREMENTS**

Simple Majority required.



## STAFF RECOMMENDATION

That Council:

- 1 Receive the drafts of the Nabawa Siding Masterplan, Nabawa Siding Signage/Interpretation Plan and Nabawa Siding Overview Plan.
- 2 Contact local community groups (e.g. Chapman Valley Men's Shed, Chapman Valley Historical Society, Naaguja Warangkarri Aboriginal Corporation etc.) and local representatives (e.g. Esther Hall, Heather Conroy, John Sharpham etc.) inviting comment upon the draft plans and seeking feedback on whether there are aspects of the masterplan that they would be interested in working upon (e.g. researching sign content, delivering components on-ground etc.)
- 3 Refer the draft masterplan to Main Roads for comment.
- 4 Instruct Shire staff to prepare costings for the masterplan's delivery for inclusion for Council's consideration in future draft budgets across a number of years to achieve staged realisation.
- 5 Advise interested local community groups that they may wish to consider preparing an application for Council's Community Growth Funding round for the implementation of aspects of the masterplan, noting that under the guidelines for the funding round an application is required to be received from a non-profit organisation.

# **10.2**

## **Finance**

### **April 2018**

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### **10.2 AGENDA ITEMS**

10.2.1 Financial Reports for March 2018

<b>AGENDA ITEM:</b>	<b>10.2.1</b>
<b>SUBJECT:</b>	<b>FINANCIAL REPORTS FOR MARCH 2018</b>
<b>PROPONENT:</b>	<b>SHIRE OF CHAPMAN VALLEY</b>
<b>SITE:</b>	<b>SHIRE OF CHAPMAN VALLEY</b>
<b>FILE REFERENCE:</b>	<b>307.04</b>
<b>PREVIOUS REFERENCE:</b>	<b>N/A</b>
<b>DATE:</b>	<b>18 APRIL 2018</b>
<b>AUTHOR:</b>	<b>DIANNE RAYMOND, MANAGER FINANCE &amp; CORPORATE SERVICES</b>

**SUPPORTING DOCUMENTS:**

<b>Ref</b>	<b>Title</b>	<b>Attached to Report</b>	<b>Under Separate Cover</b>
10.2.1	Merged Financial Reports		✓

**DISCLOSURE OF INTEREST**

Nil

**BACKGROUND**

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

**COMMENT**

The monthly financial statements for March 2018 have been provided as a **separate attachment** for Council's review.

**STATUTORY ENVIRONMENT**

*Local Government Act 1995 Section 6.4*

*Local Government (Financial Management) Regulations 1996 Section 34*

**POLICY IMPLICATIONS**

There are no policy implications

**FINANCIAL IMPLICATIONS**

As presented in March 2018 financial statements.

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

No significant effect 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. The Risk Rating is Level 1 Insignificant.

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Insignificant (1)	Negligible injuries	Less than \$1,000	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, low impact, low profile or 'no news' item	Inconsequential or no damage.	Contained, reversible impact managed by on site response

## VOTING REQUIREMENTS

Simple Majority

## STAFF RECOMMENDATION

That Council receives the financial report supplied under separate attachment for the month of March 2018 comprising the following:

- Statement of Financial Activities with notes
- Note 1 – Significant Accounting Policies
- Note 2 – Explanation of Material Variances
- Note 3 – Net Current Funding Position
- Note 4 – Cash & Investments
- Note 5 – Budget Amendments
- Note 6 – Receivables
- Note 7 – Cash Backed Reserves
- Note 8 – Capital Disposals
- Note 9 – Rating Information
- Note 10 – Information on Borrowings
- Note 11 – Grants & Contributions
- Note 12 – Trust
- Note 13 – Capital Acquisitions
- Appendix A – Budget by Program
- Summary of Payments
- Bank Reconciliation
- Credit Card Statement

# **10.3**

## **Chief Executive Officer**

### **April 2018**

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## **Contents**

### **10.3 AGENDA ITEMS**

- 10.3.1 2018/2019 Budget Requests
- 10.3.2 Chapman Valley Bushfire Brigades Group Management Advisory Committee Meeting
- 10.3.3 Local Government Elected Members Allowances
- 10.3.4 Yuna Tennis Club Grants Requests



<b>AGENDA ITEM:</b>	<b>10.3.1</b>
<b>SUBJECT:</b>	<b>2018/2019 BUDGET REQUESTS</b>
<b>PROPONENT:</b>	<b>ELECTED MEMBERS</b>
<b>SITE:</b>	<b>SHIRE OF CHAPMAN VALLEY</b>
<b>FILE REFERENCE:</b>	<b>306.00</b>
<b>PREVIOUS REFERENCE:</b>	<b>NIL</b>
<b>DATE:</b>	<b>18<sup>th</sup> APRIL 2018</b>
<b>AUTHOR:</b>	<b>MAURICE BATTILANA, CHIEF EXECUTIVE OFFICER</b>

#### SUPPORTING DOCUMENTS:

Ref	Title	Attached to Report	Under Separate Cover
	NIL		

#### DISCLOSURE OF INTEREST

Nil

#### BACKGROUND

Councillors were requested to submit any budget requests for the forthcoming budget by the 1<sup>st</sup> April each year. Also, users of Shire owned/controlled facilities were encouraged to put items forward for the Building & Disability Services Committee to consider, which have subsequently been recommended to Council at the March 2018 OCM for budget consideration.

#### COMMENT

Below is a summary of the budget request received which have not been before any relevant Committee to date:

Applicant	Location	Item	Estimated Costs	Comments/Recommendations
Cr Maluish	Bill Hemsley Park	Gardener's Shed	-	To be incorporated with DoW Water Grant as a shed is itemised in this project.
		Mower & Catcher	-	Defer for 18/19 and allow time to determine need. Revisit in 19/20 Budget
		Edger	\$2,000	Increase P&G Tools budget in 18/19
		Whipper Snipper		
		20L Back Pack Sprayer		
		Blower/Vac		
		Shovels, rakes, broom, tools, etc.	TBD	Include into 18/19 BHP Maintenance Budget.
		Employ Cleaner for BHPCC (including Public Toilets).		
		Additional P&G Staff time for BHPCC gardens & surrounds and the more regular mowing of whole Reserve area, Bridle Paths, Dolby Creek, etc.	TBD	Additional funds to be allocated for Tox Free collection service.
		Rubbish Collection from BHPCC		

		River Sand in Playground	\$3,000 Estimate only. More accurate cost to be obtained	Allocation made to place river sand into all the Nature Playground area
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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/PROCEDURE IMPLICATIONS

No policy or procedure affected

## FINANCIAL IMPLICATIONS

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

No effect on the LTFP.

## STRATEGIC IMPLICATIONS

No significant implications on the Shire's plans for the future.

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

Ref	Objective	Strategy	Action
4.1	Develop, manage and maintain built infrastructure	Asset Management Plan	Review Asset Management Plan regularly and maintain integration with other Strategic Plans within the Shire

## CONSULTATION

The Budget process includes Committee meetings (e.g. Buildings, Roads) and consultation with Elected Members, users of Shire owned/controlled facilities & staff to establish a Draft Budget for Council consideration.

The Budget process also needs to consider the Integrated Planning & Reporting (IPR) documents to ensure the draft presented identifies existing items and any alteration to the long-term planning for the Shire.

## RISK ASSESSMENT

Based on the value alone of the Budget request(s) received I believe the risk in this instance **Minor** i.e.

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Minor (2)	First aid injuries	\$1,001 - \$10,000	Short term temporary interruption – backlog cleared < 1 day	Some temporary non compliances	Substantiated, low impact, low news item	Localised damage rectified by routine internal procedures	Contained, reversible impact managed by internal response

## VOTING REQUIREMENTS

Simple majority

## STAFF RECOMMENDATION

Council endorse the inclusion of the following items in the Draft 2018/2019 Budget for further consideration:

Item	Location	Item	
1	Bill Hemsley Park	Additional P7G Tools & Equipment	\$2,000
2		Employ Cleaner for BHPCC (including Public Toilets).	Increase Salary & Wages &/or contract Budget (Amounts to be determined by CEO)
3		Additional P&G Staff time for BHPCC gardens & surrounds and the more regular mowing of whole Reserve area, Bridle Paths, Dolby Creek, etc.	
4		Rubbish Collection from BHPCC	
5		River Sand in Playground	\$3,000

<b>AGENDA ITEM:</b>	<b>10.3.2</b>
<b>SUBJECT:</b>	<b>CHAPMAN VALLEY BUSHFIRE BRIGADES GROUP MANAGEMENT ADVISORY COMMITTEE MEETING</b>
<b>PROPONENT:</b>	<b>SHIRE OF CHAPMAN VALLEY</b>
<b>SITE:</b>	<b>SHIRE OF CHAPMAN VALLEY</b>
<b>FILE REFERENCE:</b>	<b>601.08</b>
<b>PREVIOUS REFERENCE:</b>	<b>NA</b>
<b>DATE:</b>	<b>18<sup>th</sup> APRIL 2018</b>
<b>AUTHOR:</b>	<b>MAURICE BATTILANA</b>

#### **SUPPORTING DOCUMENTS:**

<b>Ref</b>	<b>Title</b>	<b>Attached to Report</b>	<b>Under Separate Cover</b>
Minutes	BFAC Minutes – 9 <sup>th</sup> April 2018		√

#### **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 9<sup>th</sup> April 2018.

#### **COMMENT**

The minutes and recommendations from the Chapman Valley Bushfire Brigades Group Management Advisory Committee meeting are provided under separate cover for Council reference and information.

#### **STATUTORY ENVIRONMENT**

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

#### **POLICY IMPLICATIONS**

Council's Fire Break Notice & Information Newsletter (EMP-001) is a legally enforceable position of the Shire. The Notice is included within the Advisory Group Minutes.

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

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

#### **OBJECTIVES:**

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

1. To ensure that a person has the relevant qualifications necessary to hold the position of Bush Fire Control Officer (BFCO); and

2. To ensure that these qualifications are maintained by the appointed Bush Fire Control Officer (BFCO).

#### MANAGEMENT PROCEDURE STATEMENT/S:

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

#### ADDITIONAL EXPLANATORY NOTES:

#### FINANCIAL IMPLICATIONS

No foreseen effect on Council's general finances.

- **Long Term Financial Plan:**

No foreseen effect on Council Long Term Financial Plan.

#### STRATEGIC IMPLICATIONS

Ref	Objective	Strategy	Action
5.1	Ensure governance and administration systems, policies and processes are current and relevant	Review policy categories and set ongoing accountability for review processes	Review current Council and Management policies and formalise update process and timelines.

#### CONSULTATION

The Chapman Valley Bushfire Brigades Group Management Advisory Committee comprises of the following:

President (Presiding Member) and 2 x Councillors

- Cr Farrell (President)
- Cr Forrester
- Cr Royce

CBFCO  
DCBFCO  
All Brigade FCOs  
Chief Executive Officer  
Senior Ranger

Observers

- 1 x DFES Rep.
- 1 x DPAW Rep.



The consultation process is ongoing throughout the year by way of emails, telephone discussions, etc. as well as the pre-season meeting and the annual Bush Fire Brigades Group Management Advisory Committee meeting.

## RISK ASSESSMENT

Based on the compliance alone I believe the risk in this instance **Minor** i.e.

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Minor (2)	First aid injuries	\$1,001 - \$10,000	Short term temporary interruption – backlog cleared < 1 day	Some temporary non compliances	Substantiated, low impact, low news item	Localised damage rectified by routine internal procedures	Contained, reversible impact managed by internal response

## VOTING REQUIREMENTS

Simple Majority

## ADVISORY COMMITTEE RECOMMENDATIONS

Council:

Receives the Minutes of the Chapman Valley Bushfire Brigades Group Management Advisory Committee meeting of 9<sup>th</sup> April 2018 and endorse the recommendation within i.e.

### 1. Minute Ref: BFB 3/18-02 - Election of Officers for Council Approval – All One Year Terms

6.1	Chief Fire Control Officer	Current Position Holder	A Vlahov
6.2	Deputy Chief Bushfire Control Officer	Current Position Holder	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.)

- AND -

### Endorsement for Appointments of Bushfire Control Officers

- Darryl Burton – Durawah/Valentine Brigade
- Calvin Royce – Howatharra Brigade
- Neil Kupsch – Nabawa Brigade
- Craig Mincherton – Naraling Brigade
- Jason Stokes – Yetna Brigade
- Shaun Earl – Yuna Brigade

### 2. Minute Ref:3/18-03 - Fire Break Notice

The Committee recommend Council endorse the existing Bush Fire Notice as presented.

### 3. Minute Ref: 3/18-04 – Annual Inspections

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

<b>AGENDA ITEM:</b>	<b>10.3.3</b>
<b>SUBJECT:</b>	<b>LOCAL GOVERNMENT ELECTED MEMBERS ALLOWANCES</b>
<b>PROPONENT:</b>	<b>SHIRE OF CHAPMAN VALLEY</b>
<b>SITE:</b>	<b>SHIRE OF CHAPMAN VALLEY</b>
<b>FILE REFERENCE:</b>	<b>401.04</b>
<b>PREVIOUS REFERENCE:</b>	<b>MINUTE REFERENCE: 04/17-23</b>
<b>DATE:</b>	<b>18<sup>th</sup> APRIL 2018</b>
<b>AUTHOR:</b>	<b>MAURICE BATTILANA, CHIEF EXECUTIVE OFFICER</b>

#### SUPPORTING DOCUMENTS:

Ref	Title	Attached to Report	Under Separate Cover
	NIL		

#### DISCLOSURE OF INTEREST

Nil

#### BACKGROUND

Council resolved the following at the April 2017 OCM, which formed allocations for Elected Members Allowances in the 2017/2018 Budget:

*MOVED: CR MALUISH*

*SECONDED: CR FARRELL*

1. Council approves the following Elected Members allowances for the 2017/18 Draft Budget:

	<i>Annual Attendance fees in lieu of Council meeting fees</i>	<i>Annual Allowance (President)</i>	<i>Annual Allowance (Deputy President) - 25% of President</i>	<i>Annual Communication Allowance</i>	<i>Annual Travel Allowance</i>
<i>President</i>	<i>Maximum set by WASAT</i>	<i>\$10,000</i>		<i>\$500</i>	<i>\$50</i>
<i>Deputy President</i>		<i>NA</i>	<i>\$2,500</i>	<i>\$500</i>	<i>\$50</i>
<i>Other Elected Members</i>		<i>NA</i>		<i>\$500</i>	<i>\$50</i>

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

The *Western Australian Salaries and Allowances Tribunal (WASAT)* are scheduled to release their determination in the third quarter of the financial year on the review of the Local Government elected member allowances under the Salaries and Allowances Act, 1975, Pursuant to Section 7(B).

At the time of writing this Report the WASAT determination for 2018/2019 had not been received. However, it is not anticipated there will no changes to the fees set in the previous year as the Premier has publicly announce at the time the Labour Government won the State Election a freeze on all public servant and local government salaries, wages and allowance.

#### COMMENT

As staff are in the process of forming the Draft 2018/2019 Budget it is necessary to again determine the level of Elected Members Allowances for this period.

The Staff Recommendation reflects no change other than those reflected in the forthcoming WASAT's determination (if any).

## STATUTORY ENVIRONMENT

Local Government Act 1995 – Sections 5.98, 5.98A, 5.99 & 5.99A

Salaries and Allowances Act 1975

## POLICY IMPLICATIONS

Nil

## FINANCIAL IMPLICATIONS

No significant financial implications as funds are budgeted annually to cover these costs.

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

Nil effect on the LTFP

## STRATEGIC IMPLICATIONS

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

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

Ref	Objective	Strategy	Action
5.1	Ensure governance and administration systems, policies and processes are current and relevant	Review policy categories and set ongoing accountability for review processes	Review current Council and Management policies and formalise update process and timelines.

## CONSULTATION

Not relevant.

## RISK ASSESSMENT

As Council has already budgeted for the funds to accommodate the current level of Elected Members Allowances I believe the risk in this case is **insignificant** i.e.

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Insignificant (1)	Negligible injuries	Less than \$1,000	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, low impact, low profile or 'no news' item	Inconsequential or no damage.	Contained, reversible impact managed by on site response

## FINANCIAL IMPLICATIONS

The 2018/2019 Draft Budget allocations will be set as per the Council Resolution; however, these can be altered either at this meeting or the meeting when Council considers adopting the 2018/2019 Budget.

## VOTING REQUIREMENTS

Absolute Majority

## STAFF RECOMMENDATION

1. Council approves the following Elected Members allowances for the 2018/19 Draft Budget:

	<i>Annual Attendance fees in lieu of Council meeting fees</i>	<i>Annual Allowance (President)</i>	<i>Annual Allowance (Deputy President) - 25% of President</i>	<i>Annual Communication Allowance</i>	<i>Annual Travel Allowance</i>
<i>President</i>	<i>Maximum set by WASAT</i>	<i>\$10,000</i>		<i>\$500</i>	<i>\$50</i>
<i>Deputy President</i>		<i>NA</i>	<i>\$2,500</i>	<i>\$500</i>	<i>\$50</i>
<i>Other Elected Members</i>		<i>NA</i>		<i>\$500</i>	<i>\$50</i>

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

<b>AGENDA ITEM:</b>	<b>10.3.4</b>
<b>SUBJECT:</b>	<b>YUNA TENNIS CLUB GRANT REQUEST</b>
<b>PROPONENT:</b>	<b>YUNA TENNIS CLUB</b>
<b>SITE:</b>	<b>YUNA MULTIPURPOSE COMMUNITY CENTRE</b>
<b>FILE REFERENCE:</b>	<b>803.09</b>
<b>PREVIOUS REFERENCE:</b>	<b>NIL</b>
<b>DATE:</b>	<b>18<sup>th</sup> APRIL 2018</b>
<b>AUTHOR:</b>	<b>MAURICE BATTILANA, CHIEF EXECUTIVE OFFICER</b>

#### **SUPPORTING DOCUMENTS:**

<b>Ref</b>	<b>Title</b>	<b>Attached to Report</b>	<b>Under Separate Cover</b>
10.3.4(a)	Yuna tennis Club Correspondence	√	
10.3.4(b)	IWE Lighting Design	√	
10.3.4(c)	IWE Lighting Quote (Confidential)		√

#### **DISCLOSURE OF INTEREST**

Nil

#### **BACKGROUND**

Correspondence has been received from the Yuna Tennis Club (YTC) at **Attachments 10.3.4(a)(b)&(c)** (please note Attachment 10.3.4(c) should be kept confidential at this stage) requesting Council consideration for the installation of upgraded lighting to the Yuna Tennis Courts.

#### **COMMENT**

The YTC has listed two options to fund the light upgrades i.e.

1. On third contribution each from the YTC, Yuna Farm Improvement Group (YFIG) and the Shire;
2. One third contribution each from the YTC, Department of Sport & Recreation's (DSR) annual Community Sporting and Recreation Facilities Fund (CSRFF) small grant program and the Shire.

The DSR CSRFF small grants program requires two third contribution from the Club and/or the Local Government Authority, which they will match a third. However; the maximum grants for small grants may increase to 50% funding if a development bonus is approved.

It is my understanding the CSRFF small grants program has two rounds each year. Rounds are advertised and open in February and July and close on the last working day in March and August each year. The March 2018 round has already closed so any application will need to be for the round closing at the end of August 2018, which will be after Council has adopted its 2018/2019 Budget. However; if Council resolves to proceed with the YTC Lights Upgrade Project an amount can be allocated in the 2018/2019 Draft Budget subject to an amount of up to one third contribution from the Shire with the balance being derived from other sources (e.g. YTC, YFIG, DSR).

I am comfortable in offering the Shire's Community Development Officer's time to assist the YTC with the CSRFF Small Grants Application, yet would insist the YTC do this work with the guidance of the CDO, not a situation where the CDO does all the work for the YTC. This is consistent with how we work with any other clubs & organisation in the Shire.

Clause 4.6 for the Management Licence Council has with Creating A Better Yuna (CABY), which the YTC is listed as an affiliated Group and the licenced area includes the Tennis Court area stipulates the Shire is not obliged to undertake capital upgrades to the area 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) *Any alteration, capital upgrades/replacements or installation effected by the Licensee will be at the sole cost of the Licensee. (see Clause 5.3 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 Licensee 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 Licensee 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 Licensee on demand and recoverable in a Court of competent jurisdiction.*

### STATUTORY ENVIRONMENT

In accordance with the *Local Government Act, 1995*, Council is required to adopt its annual budget by absolute majority. Therefore, any allocation placed in next year's budget at this time, which is to be quarantined as committed expenditure, would also be required to be resolved by absolute majority.

However; Council may resolve by simple majority to place a line item in the forthcoming draft budget as a contingent amount only, subject to funds being available once the whole budget is being considered.

The Staff Recommendation is based upon the project being placed in the Draft Budget, which will be subject to further consideration at the time the Budget is considered/adopted (i.e. only requiring a Simple Majority at this stage), rather than quarantining an amount in the 2018/2019 Budget now, which would require an Absolute Majority.

### POLICY IMPLICATIONS

Council may wish to direct the YTC to the Community Growth Fund grant process for the one third Shire contribution, bearing in mind the total amount of funds in the CGF pool is \$30,000 to the shire contribution being requested would significantly deplete the grant pool.

The issue with directing the YTC to the CGF is the Club will need to take the risk of their CGF application being unsuccessful when it is evaluated against all other applications received. It would not be prudent to quarantine an amount from the 18/19 CGF pool now as this would set a dangerous precedent. The similar situation has already occurred where proponents have approached staff with project and we have instructed them to apply through the CGF program when applications are called (e.g. CV Football Club Scoreboard upgrade project). I am also concerned with Clubs, Groups, etc., circumventing the CGF process by applying to Council outside this process, as is the situation with this approach from the YTC. Such action would weaken the intent of the CGF to have funding request from the Shire come through the CGF process and not on an ad-hoc basis.

A solution could be to commence the CGF application process during the third quarter of the financial year for the forthcoming budget. In this situation projects will be evaluated and endorsed by Council for consideration to be included into the forthcoming Budget, rather than after the Budget has been adopted. Such project endorsement would need to involve projects being priorities (which is already the case under the existing CGF Guidelines – Clause 7) and a condition being they would not be able to proceed until Council had formally adopted the Budget as this will determine the actual funds available for distribution. This would also bring into the scenario the situation of a project not being completed in the current year, which will affect if a subsequent application could proceed.

I feel it may be too late to change the timing for the 2018/2019 CGF program and suggest more time be taken to ensure the CGF Advisory Group has time to review the Guidelines and bring an item back to Council for consideration with any changes being introduced for the 2019/2020 CGF round.

The Corporate Management Procedure below deals with how the CGF is to currently operate (CMP-067) i.e.

<b>MANAGEMENT PROCEDURE No.</b>	CMP-067
<b>MANAGEMENT PROCEDURE</b>	COMMUNITY GROWTH FUND – OPERATIONAL PROCEDURES
<b>RESPONSIBLE DIRECTORATE</b>	ADMINISTRATION
<b>RESPONSIBLE OFFICER</b>	CHIEF EXECUTIVE OFFICER
<b>PREVIOUS POLICY No.</b>	5.20
<b>RELEVANT DELEGATIONS</b>	

## **OBJECTIVES:**

### **INTRODUCTION**

The Shire of Chapman Valley allocates an annual budget amount to form the Community Growth Fund (CGF). The fund provides the Shire of Chapman Valley the opportunity to support and assist services, activities and programs throughout the Shire.

The intention of the CGF is for funds to be fully allocated within each financial year and there will not be any accrual of unallocated funds beyond the 30<sup>th</sup> June each year.

In the event there are residual unallocated funds at the 30<sup>th</sup> June each year these funds will form part of the Shire's End of Financial position and a new amount placed into the Draft Budget for Council consideration for the forthcoming financial year.

### **AIM**

The Shire of Chapman Valley Community Growth Fund is to provide funds to not for profit community based organisations, event organisers and individuals to support the promotion and development of social, economic, recreational, art and cultural projects for the benefit of residents of the Shire of Chapman Valley.

## **1. OBJECTIVES**

The Objectives of the Chapman Valley Community Growth Funds are to:

- Assist the efficiency of operations of community groups by improving organisational development, asset purchases, marketing and management.
- Encourage partnerships fostering cooperative planning between groups to maximise effective use of resources
- Increase the range of and access to quality events, activities, services and groups within the Shire of Chapman Valley.
- Support community development initiatives and socially responsible community approaches.
- Encourage the community to actively promote Chapman Valley's positive attributes.
- Encourage the development of excellence and leadership in recreational, sporting, economic, tourist, environmental, skill/capacity building and cultural pursuits.

One of the most effective means of promoting community development is through the use of volunteers and non-government organisations. The Shire of Chapman Valley acknowledges and supports the contribution that community members make of their time, labour and expertise toward improving our community's quality of living.

## **MANAGEMENT PROCEDURE STATEMENT/S:**

### **RESPONSIBILITY**

The responsibility for the selection and approval of successful grant applications rests with the Chapman Valley Shire Council who will meet to determine funding allocations. Shire staff plays an important role liaising with CGF applicants to ensure submissions meet criteria described in this guide, and to manage the payment of grants.

It is the responsibility of the project contact person in the submission to ensure their community project is completed on time, within budget and reporting documents completed.

## **3. CRITERIA**

- Arts, culture & entertainment
- Disability Services

- Youth & family services
- Seniors
- Event management & sponsorship
- Natural environment & cultural heritage
- Tourism & promotion
- Sport and recreation
- Health
- Crime prevention & community safety
- Monuments & projects to commemorate
- Events or people
- Upgrading community facilities
- Skill & capacity building

#### 4. ESSENTIAL ELIGIBILITY CRITERIA

**In order to be eligible for funding an organisation must:**

- Council shall consider requests for donations on their individual merit however, generally will decline appeals for applications:
  - ~ of a State or National nature, or
  - ~ if they are not concerned or connected with the Chapman Valley area.
- Be a non-profit organisation and, depending on amount of grant requested, be able to supply audited accounts and annual reports.
- Demonstrate a substantial degree of community support and representation
- Undertake to give due recognition to the Shire of Chapman Valley for its contribution to their activities
- Reflect the objectives and strategy of the larger association (Local, Regional, State or National). E.g. Tennis West ...and Shire of Chapman Valley Strategic Community Plan <http://www.chapmanvalley.wa.gov.au>
- Agree to complete a specified evaluation/project completion report including an invoice for agreed project grant amount. *Failure to do so may render the applicant ineligible for future funding.*
- As a general principle, funds for any project may 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).
- Council will be seeking evidence of procurement of, or attempted procurement of, Government grant monies.
- It must be demonstrated that Council funding is necessary to the success of the project.
- Detailed project financial information including budget estimates, quotes etc. accompanied by project drawings and specifications, to a satisfactory standard, must be provided.
- Detailed financial information about the Club or Organisation will also need to be provided. Such information will need to include financial statements.

**In order to be eligible for funding an individual must:**

- Achieve or demonstrate recognition in their field of endeavour at a State, National or International level. Recognition at a regional level may be considered in special circumstances.
- Demonstrate a substantial degree of community support.
- Provide a letter of support from the Association or Organisation relevant to their field of endeavour
- Provide the names and contact details of two referees.
- Undertake to give due recognition to the Shire of Chapman Valley for its contribution to their activities.
- Agree to complete a specified evaluation report. *Failure to do so may render the person ineligible for future funding.*
- Funding application requests for individuals will only be to a maximum of \$1000.00.

#### 5. APPLICATIONS

Applications will only be considered if they are submitted on the CGF Application Form and completed in full. Projects are expected to be conducted within the Shire of Chapman Valley with possible exception of funding to outstanding individuals. Check the Application Form to see if you are required to provide additional information such as:

- Membership information
- Funding profile and non-profit status
- Clear description of your project's broad community benefits
- Marketing intentions and acknowledgment of Shire of Chapman Valley contribution
- Project budget including details of matching funding

## 6. FUNDING REQUIREMENTS

### A. MINOR GRANTS - Requests under \$2000

Typically used for small purchases. Written applications must clearly state:

- amount requested;
- grant purpose;

Other documents we may require are:

- Financial statement for the most recently completed financial year
- The most recent annual report or an equivalent document, such as the President's report, outlining activities of the organisation
- Quotations for all items

### B. GENERAL GRANTS and EVENT SPONSORSHIP– Over \$2,000

Grant requests over \$2,000 will suit community-based organisations seeking management funding (to assist with the running of your organisation – including wages & honorariums) or project funding (to help your organisation plan and conduct activities).

**Some applications for grants in excess of \$10,000 may be deemed inappropriate under the Community Growth Fund guidelines and redirected to other funding avenues, such as the Ministry of Sport and Recreation 'Community Sporting and Recreation Facilities Fund' (CSRFF), or Lotterywest. Please discuss grant applications for major capital works (e.g. clubroom renovations/upgrades, new facilities) with the Community Development Officer.**

Your event need not be considered a major cultural or sporting activity to qualify for funding. For example, you may plan to coordinate a conference or forum aimed at a specific audience or addressing a particular issue. Because your event is likely to attract visitors to the district, and help your organization build networks and broaden its knowledge base, it is likely to be considered as worthy of funding assistance.

Sponsorship can also be provided in the form of wages for an event co-ordinator or honorarium. Please discuss your event plans with the Community Development Officer.

### C. WHAT WON'T BE FUNDED

- Private and commercial business' and organisations
- Applications which are not completed on the CGF form.
- General **ongoing** operational costs of organisations such as, wages, salaries, rent, utilities, etc.
- Political organisations or events.
- Projects or facilities which have none or limited public access.
- Projects or activities which are considered to be hazardous.
- Organisations who have failed to comply with the acquittal process or guidelines for previous grants.

## 7. ASSESSMENT AND APPROVAL PROCESS

### ACKNOWLEDGMENT OF APPLICATIONS

Applications for grants received by the Shire of Chapman Valley on or before the closing date will be registered and an acknowledgment of their receipt sent to applicants.

### ASSESSMENT PROCESS

The Community Growth Fund Committee members will have access to a full copy of all valid applications.

## ASSESSMENT CRITERIA

Eligible organisations and individuals will be ranked and prioritised by examining each of the following:

- Ability to achieve tangible and/or measurable outcomes for the benefit of the Shire of Chapman Valley community;
- Effort for cooperative and partnership arrangements with others;
- Relevance to the current issues and status of the community;
- Evidence of consultations with relevant others in and out of Chapman Valley;
- Levels of volunteer participation and wider community participation;
- Funding history and profile, and capacity to make a significant financial or in-kind contribution to the project;
- Other state/ federal funding available to the applicant;
- Alignment and/or linkages with Local, Regional, State or National Strategic Plans or Objectives of associated organisations.

## NOTIFICATION OF OUTCOME

All applicants will be notified in writing of the success or otherwise of their application, as soon as Council has finalised its funding commitment. Commencement of the project or expenditure of expected funds must not take place until this notification is received in writing.

## PUBLICITY

The Shire of Chapman Valley may use your event, project or activity for publicity purposes and if so will ask for promotional material to be used.

## FREEDOM OF INFORMATION

Applications for funds and other written information provided to Council will be treated confidentially. However, the provisions of the *Freedom of information Act, 1982*, apply to all documents held by the Shire of Chapman Valley.

## 8. DISBURSEMENT OF GRANTS

Where Council considers the information provided by the applicant in accordance with these guidelines to be satisfactory, the provision of any funds will be in accordance with the following;

- payment will only be made at the conclusion of the project, subject to supply of final report and tax invoice, in strict accordance with the determination as to amount and conditions set by Council; unless otherwise agreed upon.
- 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.

## 9. GRANT CONDITIONS

### PERIOD OF FUNDING

Community Growth Fund grants applications become available immediately after annual budget has been adopted by Council and must be expended by 20<sup>th</sup> June following, unless agreed otherwise at the outset **OR** a written request for an extension and carry-over of funds is made to, and approved by, the Chapman Valley Shire Council. Advertisements will be called immediately after annual budget has been adopted by Council.

If Council endorse the carry-over of grant funds into the next financial year these funds will be transferred to a Reserve Fund under the conditions:

- a) Funds must be spent and acquitted in the next financial year (i.e. funds will not be carried over again beyond this year);
- b) Any unspent funds after the initial carry-over into the next financial year are to be place back into the Municipal Fund before the end of that year; and
- c) the grant recipient will not be eligible to receive any further CGF grants until the current allocated funds have

been fully acquitted.

#### PURPOSE OF GRANT

Funds are allocated only for the purpose of the project as described in the application and must not be used for any other purpose or transferred or assigned to any other party without the prior approval of the Council.

#### UNSPENT FUNDS

Funds which are unspent at the conclusion of the funding period must be returned to Council within 60 days of the completion of the project, activity or event, or the end of the financial year, whichever occurs first. If you anticipate a surplus of funds and have plans for its expenditure you are advised to seek Council approval, bearing in mind the expectation that any secondary project will also have broad benefits to the community.

#### ABN/GST REGISTERED

Incorporated applicants must have an ABN. GST registration is not essential; however the Shire is obliged to meet all relevant GST legislative requirements. Please ensure your budget figures included in your application are **GST EXCLUSIVE**.

#### MANAGEMENT LICENCE OR SIMILAR ARRANGEMENT

Any application made which is subject to a Management Licence or similar arrangement will only be approved subject to the condition the applicant endorses any amendments required to the Management Licence or similar arrangement relevant to the application and project.

#### STATUTORY PERMITS/APPROVALS

All projects subject to statutory permits/approvals (e.g. planning, building, environmental, heritage, events applications, etc.) will only be approved upon the condition all such approvals are in place before project is to commence.

### 10. EVALUATION AND ACQUITTAL

Groups, organisations or individuals receiving grants from the Community Growth Fund must submit to Council acquittal and evaluation of the outcomes of the grant provided by Council within 30 days of either the conclusion of the project or activity, or the end of the financial year, whichever falls first.

Information to be provided will include:

#### FINANCIAL REPORT

- A statement of actual and budgeted expenditure in relation to the grant. For grants of \$10,000 and over, this statement must be audited.
- Copies of supporting documentation such as of receipts, invoices, accounts and financial statements

#### GRANT EVALUATION/COMPLETION REPORT

Recipients of the grant will be asked to assess their performance according to the following indicators:

- Be a non-profit organisation and, depending on amount of grant requested, be able to supply audited accounts and annual reports.
- The level of public awareness of their activity or project.
- Public presentations (number held / attendance levels).
- Amount/type of media coverage generated.
- Involvement of volunteers.
- Demonstrate a substantial degree of community support and representation.
- Reflect the objectives and strategy of the larger association (Local, Regional, State or National).
- Agree to complete a specified evaluation report. *Failure to do so may render the applicant ineligible for future funding.*
- Maximum Government (State and Federal) funding has been obtained.
- Undertake to give due recognition to the Shire of Chapman Valley for its contribution to their activities
- To be used for projects upon land under the care, or control, of Council; unless it otherwise determines
- Demonstrated that Council funding is necessary to the success of the project

Tangible evidence to support performance indicators should be included such as photos, press clippings, copies of fliers, newsletters, documents produced etc.



Failure to satisfactorily complete performance evaluation and acquittals may disqualify recipients from further grants from the

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

No effect.

## STRATEGIC IMPLICATIONS

When Council and the community are working with external grant providers it is necessary to be flexible enough to ensure maximum funding opportunities are gained. Leveraging external funds is one of the core aspects of the Shire's CGF program.

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

Ref	Objective	Strategy	Action
4.1	Develop, manage and maintain built infrastructure	Asset Management Plan	Review Asset Management Plan regularly and maintain integration with other Strategic Plans within the Shire

## CONSULTATION

Significant consultation has occurred between the MWDC, CVTC and Staff by the Community Development Officer and CEO on this matter with the emphasis being on maximising funds leveraged from external sources towards the CVTC upgrades to the fence and court resurfacing.

## RISK ASSESSMENT

In this instance I believe the risk is considered **Moderate** i.e.

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
<b>Moderate (3)</b>	Medical type injuries	\$10,001 - \$50,000	Medium term temporary interruption – backlog cleared by additional resources < 1 week	Short term non-compliance but with significant regulatory requirements imposed	Substantiated, public embarrassment, moderate impact, moderate news profile	Localised damage requiring external resources to rectify	Contained, reversible impact managed by external agencies

## VOTING REQUIREMENTS

Simple Majority

## STAFF RECOMMENDATION

- 1 Council advise the Yuna Tennis Club it supports the Yuna Tennis Court Light Upgrade Project subject to the following:
  - a. The Club submit a grant application through the Shire's Community Growth Fund (CGF) program for up to one third Shire contribution being requested of the Shire towards the project.
  - b. It must be clearly understood the CGF contribution is not guaranteed and if their application is unsuccessful the YTC will need to obtain the shortfall of funds from another source for the project to proceed;
  - c. The Club submit a grant application through the Department of Sport & Recreation's (DSR) annual Community Sporting and Recreation Facilities Fund (CSRFF) Small Grant program towards the project. This application could be for the a one third of half of total cost of project.

In the event the 50% grant is successful through the CSRFF application process the Shire's contribution through the CGF (if application is successful) will convert to 25% of Project costs;

- d. The Club contribute the shortfall after the CSRFF Grant application and the Shire CGF contribution are determined;
  - e. The services of the Shire's Community Development Officer (CDO) will be made available to the Club to assist with the CSRFF and CGF application with the clear understanding the CDO will assist only, not complete the applications on behalf of the Club. This will remain the responsibility of the Club.
2. Council request the Community Growth Fund Advisory Group review Management Procedure CMP-067 (Community Growth Fund – Operational Procedures), to determine if the timing for calling and approving applications can be amended to improve the budget allocation process for projects endorsement. This is to be brought back to Council for consideration.

Shire of Chapman Valley  
Chapman Valley Road, Nabawa, WA, 6532

5 April 2018

Dear Maurice

**RE: Proposal to Upgrade Yuna Tennis Club Court Lights**

The Yuna Tennis Club are preparing to upgrade its courts' lights and would like the Shire of Chapman Valley Council to consider this project when planning the 18/19 budget please.

Given that lifestyles have changed over the years, the Club is finding that evenings (cooler weather, less farm commitments & less kids' sports commitments in Geraldton) is when it suits most people to play tennis at Yuna. However, the current lights give only moderate light to one court (which can be played on but with a bit of difficulty), the others are not playable at night time. Hence, the need for new lights to enable our Club to continue as a well patronised, year-round sporting option at Yuna.

Our President Ashley Eastough has done considerable ground work for this project, taking into consideration the current lighting infrastructure, liaising with Tennis West, seeking advice and quotes from 2 lighting companies and ensuring that we upgrade to the most suitable lights for our courts.

The current lights are on 10 metre high poles, and our original thought (to be cost effective) was to try and put new LED lights on these poles. However, advice from Tennis West is that 15m high poles are required to be able to light all 3 courts well.

Hence our new project plan is to upgrade to LED lights on 15 metre high poles. This plan has Tennis West approval.

**The proposed project costs are:**

ITEM	COST (GST exc)
15m light poles	\$15,000 – see attachment: IWE Lighting Quote
Lights	\$21,000
Electrical & Concreting	\$15,000
<b>TOTAL</b>	<b>\$51,000</b>
Pls note – we will be able to provide a supporting email from Tennis West when their officer returns from leave in 2 weeks	

As with all Yuna projects, the club members will be available to do as much ground work as possible, the Yuna Tennis Club will be contributing financially and will also be seeking financial support from Yuna Farm Improvement Group.

**We would like Council to consider 2 options for supporting this project please:**

1. Going thirds in the costs for this project with Yuna Tennis Club and Yuna Farm Improvement Group. \$17,000 each organisation.
2. Assisting Yuna Tennis Club to seek one-third project funding from Department of Sport and Recreation to cover the costs of this project. (Though this may take a further 12 months for their funding process). \$17,000 each.

Please feel free to contact Ashley (0429 201 035) or myself (0429 108 936) to discuss further details.  
We look forward to working with the Shire on this project.

Kind regards

Erin Green  
Secretary / Treasurer  
Yuna Tennis Club

## Lighting Design Notes:

### Client Requirements:

- AS 2560.1-2002 Sports Lighting - General Principles

### Pole Mounting Height

- 4 poles at 15 meters and are located 1m away from the boundary of court 1 & 3

### Lux & Uniformity Requirement

- 350 Lux & U1 = 0.60

### Maintenance Factor

- The maintenance factor of 0.88 has been chosen in accordance with table 4.1 from AS2560.1-2002.

### Court Size

- Court size simulated to International Federation Standards, 36m x 18m

### Court-1



### Court-2



### Court-3



Luminaire Schedule			
Qty	Label	LLF	Description
4	IWE-PL16F-1000-30-CITIZEN	0.880	IWE-PL16F-1000-30-CITIZEN
4	IWE-PL16F-1000-90-CITIZEN	0.880	IWE-PL16F-1000-90-CITIZEN

\*Luminaire aiming points will be provided on confirmation of purchase order

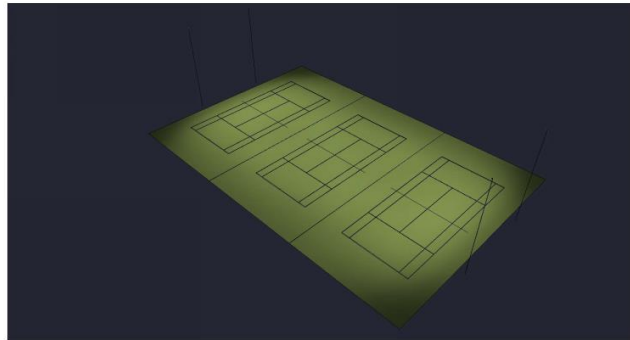
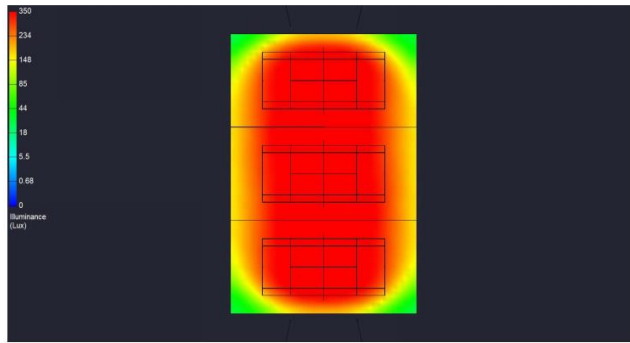
Calculation Summary							
Label	CalcType	Units	Avg	Max	Min	U-1	U-2
Court-1-TFA	Illuminanc	Lux	329.54	488.4	63.2	0.19	0.13
Court-2-TFA	Illuminanc	Lux	328.51	421.9	161.6	0.49	0.38
Court-3-TFA	Illuminanc	Lux	329.67	489.9	59.8	0.18	0.12
Court-1-PPA	Illuminanc	Lux	412.35	488.4	269.6	0.65	0.55
Court-2-PPA	Illuminanc	Lux	376.32	413.7	304.2	0.81	0.74
Court-3-PPA	Illuminanc	Lux	413.21	489.9	264.9	0.64	0.54

### Lighting Design Prediction

Site - Yuna Tennis Club

Rev	Description	Designer	Date	Rev	Description	Designer	Date
1	Submitted for review/approval	M.A	15.08.2017				





<b>Lighting Design Prediction</b>  Site - Yuna Tennis Club	Rev	Description	Designer	Date	Rev	Description	Designer	Date	
	1	Submitted for review/approval	M.A	15.08.2017					

- 11.0 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**
- 12.0 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING**
- 13.0 DELEGATES REPORTS**
- 14.0 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**
- 15.0 MATTERS FOR WHICH MEETING TO BE CLOSED TO MEMBERS OF THE PUBLIC**
  - 15.1 Lot 90 White Peak**
- 16.0 CLOSURE**