



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

# **UNCONFIRMED MINUTES**

**JUNE 2013**

ORDINARY COUNCIL MEETING

Notice is hereby given that an Ordinary Meeting  
of Council will be held on Wednesday 19 June 2013  
at the Council Chambers, Nabawa, commencing at 10:00am.

## 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.

  
Stuart Billingham  
**CHIEF EXECUTIVE OFFICER**

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**11.0 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

**12.0 GENERAL BUSINESS**  
**(Of an urgent nature introduced by decision of meeting)**

**13.0 CLOSURE**

## ORDER OF BUSINESS:

### 1.0 DECLARATION OF OPENING/ANNOUNCEMENTS OF VISITORS

The Chairman, Cr Collingwood welcomed Elected Members and Staff and declared the meeting open at 10.08am.

### 2.0 LOYAL TOAST

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

#### 3.1 Present

##### a. Councillors

Member	Ward
Cr John Collingwood - President	North East Ward
Cr Peter Batten – Deputy President	North East Ward
Cr Beverly Davidson	North East Ward
Cr David Bell	South West Ward
Cr Peter Humphrey	South West Ward
Cr Trevor Royce	North East Ward
Cr Pauline Forrester	North East Ward
Cr Anthony Farrell	North East Ward

##### b. Staff

Officer	Position
Mr Stuart Billingham	Chief Executive Officer
Mr Simon Lancaster	Manager of Planning
Mrs Karen McKay	Executive Assistant (Minute Taker)
Mrs Dianne Raymond	Senior Finance /Office Manager (from 11.15am)
Mrs Debbie Barndon	Accountant (from 11.15am to 11.30am)

##### c. Visitors

Name	
Mr I Maluish	Parkfalls Residents Association
Mr J Hallinan	Lot 261 Cargeeg Bend White Peak
Mr R Gray	Lot 211 Redcliffe Concourse White Peak

#### 3.2 Apologies

Councillor	Ward
Nil	

### 4.0 PUBLIC QUESTION TIME

#### 4.1 Questions On Notice

Nil

#### 4.2 Questions Without Notice

Nil

### 5.0 APPLICATIONS FOR LEAVE OF ABSENCE

Cr Batten requested a leave of absence for the month of July.

## **6.0 DISCLOSURE OF INTEREST**

Cr Forrester declared an impartiality interest in Item 9.1.4 and a financial interest in Item 9.3.6.

Cr Davison declared a financial interest in late item 9.3.13.

Mr Lancaster declared an Direct Financial Interest in item 9.3.10.

## **7.0 PETITIONS/DEPUTATIONS/PRESENTATIONS**

Nil

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

### **COUNCIL RESOLUTION**

**MOVED: CR FORRESTER**

**SECONDED: CR BATTEN**

**That the minutes of the Ordinary Meeting of Council held Wednesday 15 May 2013 be confirmed as a true and accurate record.**

**Voting 8/0  
CARRIED  
Minute Reference 6/13-1**

## **9.0 OFFICERS REPORTS**

# **Manager of Planning**

## **June 2013**

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#### **9.1 AGENDA ITEMS**

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- 9.1.4 Proposed Ambulance Sub Centre Extension
- 9.1.5 Shire of Chapman Valley Strategic Community Plan
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<b>AGENDA ITEM:</b>	<b>9.1.1</b>
<b>SUBJECT:</b>	<b>PROPOSED AGROFORESTRY – WAGGRAKINE</b>
<b>PROPONENT:</b>	<b>CARBON NEUTRAL LTD</b>
<b>OWNER:</b>	<b>KEYWISE PTY LTD</b>
<b>SITE:</b>	<b>LOT 3 CHAPMAN VALLEY ROAD, WAGGRAKINE</b>
<b>FILE REFERENCE:</b>	<b>A14</b>
<b>PREVIOUS REFERENCE:</b>	<b>N/A</b>
<b>DATE:</b>	<b>10 JUNE 2013</b>
<b>AUTHOR:</b>	<b>SIMON LANCASTER</b>

#### DISCLOSURE OF INTEREST

Nil.

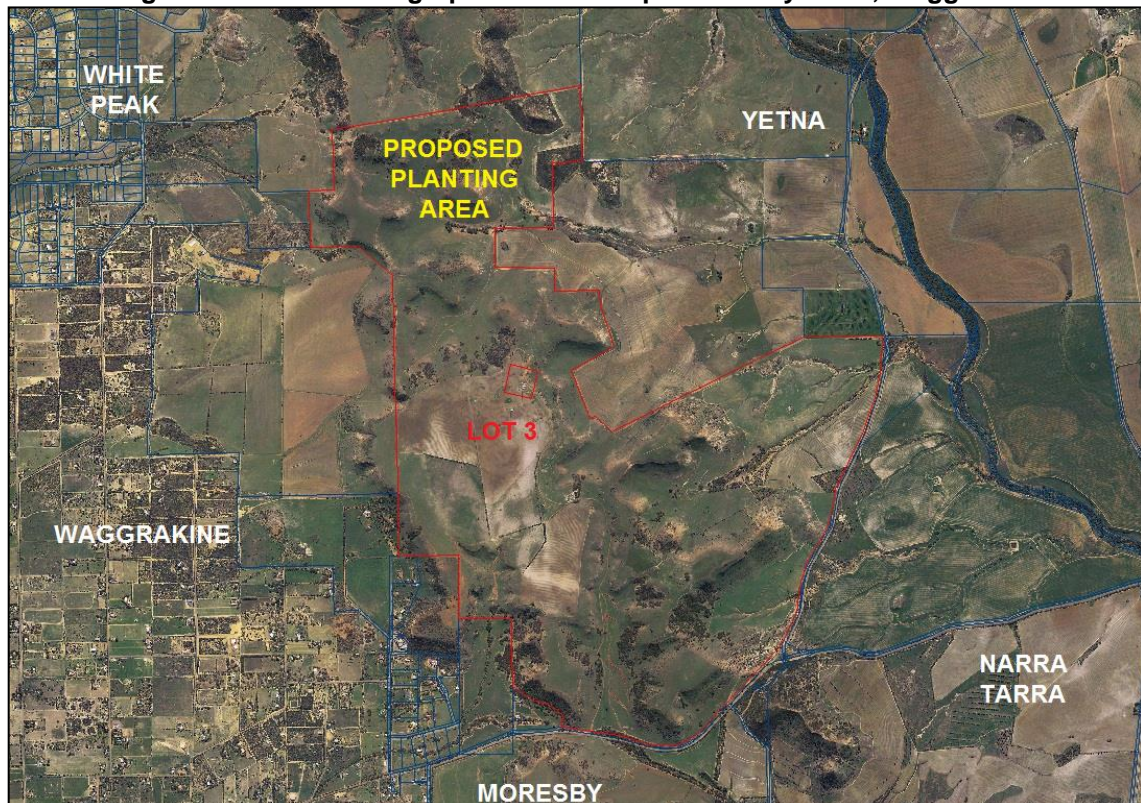
#### BACKGROUND

Council is in receipt of an application to revegetate up to 130ha upon Lot 3 Chapman Valley Road, Waggrakine for the purposes of a biodiverse reforestation carbon sink. This report recommends conditional approval of the application.

#### COMMENT

The applicant is a not-for-profit environmental charity who seek approval to plant a 130ha area with native species at the northern end of the 1056.1ha Lot 3 Chapman Valley Road, Waggrakine. The planting area would be across lower slopes on the eastern face of the Moresby Range and undulating valleys floors which are cleared and presently used for grazing purposes.

**Figure 1 – Aerial Photograph of Lot 3 Chapman Valley Road, Waggrakine**



A copy of the application and supporting documentation including a species list and planting maps that elaborate upon this proposal have been included as **Attachment 1** for Council's information.

The applicant proposes to prepare the site via machine and undertake direct seeding in combination with hand planting at a maximum rate of 1,500 plants per hectare with planting lines following the contour pattern to assist site drainage movement, whilst key drainage lines will not be planted.



The plantation would be monitored on a weekly basis during the initial September to January period and then 3-6 monthly thereafter. Weed and fertiliser management would be attended to by operators on behalf of the applicant, and the applicant states that fire management would be the responsibility of the landowner through the maintenance of 15m wide external and 6m internal fire breaks.

The application was advertised for comment to the 5 adjoining landowners and relevant government agencies, these being; Department of Aboriginal Affairs, Department of Agriculture & Food, Department of Environment & Conservation, Department of Fire & Emergency Services and the Department of Water.

At the conclusion of the advertising period 5 submissions had been received providing technical comment and no submissions in objection to the proposed development.

A summary of the received comments are provided as follows, and the submissions can be provided to Councillors upon request should they wish to view them in their entirety.

- Department of Aboriginal Affairs:  
Review of the heritage database does not identify any known Aboriginal heritage site or places upon the land. However, Department does not hold any Aboriginal heritage survey report which addresses the land and there may be unidentified Aboriginal heritage values within the land.
  
- Department of Agriculture & Food:  
The Department supports the integration of farm forestry systems complementary to agriculture as a means of diversifying rural economies and providing economic and environmental benefit. The Department also supports forestry projects adhering to the voluntary Code of Practice for Timber Plantations in Western Australia.  
Good weed control is a necessary step prior to the planting process and for ongoing maintenance. The Department recommends that careful and regular monitoring of plant establishment is undertaken at each site to ensure that adequate protection of the soil is in place through the drier months. Many of the planting sites are in areas of high risk for wind erosion.  
Water erosion is a high risk on the slopes of the Moresby Range. The Department supports the use of rip and mound lines being established on the contour in this area. When correctly implemented this approach is fundamental to capture water runoff from higher slopes and to prevent water erosion downslope.  
Firebreaks are very susceptible to water erosion, particularly those which become compacted from regular vehicle traffic. The Department recommends careful placement and monitoring of firebreaks to prevent damage through erosion.  
Establishment of plantings may be affected by pests such as rabbits as well as native fauna. For declared animal control Department biosecurity staff can provide advice if required. If native fauna are being targeted for control they will need appropriate permits through the Department of Environment and Conservation.
  
- Department of Environment & Conservation:  
The Department has no comment and expects that environmental planning issues will be appropriately managed through the Shire's planning process.
  
- Department of Water:  
Any use of groundwater for establishment of agroforestry, as stated in section 2(b) is subject to licensing from the Department.  
To avoid spills of fuel and oil reaching watercourses, refuelling of machinery should be carried out away from these areas.  
An establishment plan should show setback distances to the ephemeral watercourses on the subject land. Department Operational Policy 4.3 outlines the recommended approach to determine appropriate widths of foreshore reserves, or buffers, using biophysical criteria. Determination of riparian areas using this method should guide the locations for establishment of riparian vegetation. Water Quality Protection Note 6 Vegetation buffers to sensitive water resources provides recommendations for restoration and management of degraded foreshore buffers (minimum buffer distance of 30m either side of the watercourse, or 20m, if a multiple contaminant barrier approach is used).  
Construction of new roads should avoid riparian areas and watercourses where possible. Where crossings are required, design should minimise impacts to vegetation and water quality. Roads and crossings should be constructed with minimal interference to the natural channel of the watercourse, with consideration of potential local and downstream effects such as

sedimentation and erosion. Construction methods should ensure that earth fill or spoil is not deposited within watercourses, or in a location where it is likely to be transported into a watercourse.

Stormwater management should be in accordance with the Stormwater Management Manual for Western Australia. Stormwater management systems should be used where overland run-off of waters with suspended particles is likely to occur e.g. vegetated filter strips or constructed flow velocity controls such as sedimentation structures/areas should be installed and maintained upstream of the buffers to control sediment flow and deter smothering of buffer vegetation. Discharge points from new or existing roads should be provided before the road enters riparian zones or buffers. Runoff from disturbed surfaces should be directed into areas of undisturbed vegetation and not allowed to run into watercourses or drainage channels unless soil matter has settled out i.e. discharged into silt traps or sumps.

Care should be exercised in the use of any herbicides and pesticides, to prevent the substances being washed or leached into watercourses.

- NSA Pty Ltd (Shire's environmental consultant)

Section 3(1) notes a 130h plantable area and refers to the map in Appendix 1. It would be useful to have the areas within each of the nodes marked (e) on the supplementary map to determine the total area and potential fire access. A map showing indicative areas to be planted each year would be of benefit and could then be integrated into existing Shire grant activities and proposals.

Section 3(2) shows only 1 access point to the site within the same landholding (from the south), while the other 2 access points are through neighbouring properties. Some evidence of agreement for this access to occur is recommended.

The supplementary information refers to a series of primary access routes within the proposed planting area also. A map would be beneficial. Section 3(8) mentions the potential removal of internal fencing within the proposed planting area to improve access. A detailed access plan will be required for fire management given the difficult landscape.

Section 3(11) lists a large number of species, many of which are not locally indigenous to the Moresby Range and some which are not present within the region. The dominance of *Acacia/Senna* is of concern particularly in terms of future fuel load for fires (up to 1,500 plants per ha). It is recommended that *Acacia eneruia*, *Acacia coolgardiensis subsp. effuse*, *Acacia hemetilies*, *Acacia exocarpoides*, *Acacia ramulosa*, *Acacia daphnifolia*, *Acacia saligna* should be omitted from the proposed planting/seeding program.

The development application notes that seed has been collected for the species. More information about the sources of the seed would be of benefit.

The species list and proposed planting density provided in the supplementary information is more consistent with that preferred by the Shire.

Section 3(12) provides generic advice about weed control and should also mention techniques to manage surface water runoff and sediment loss with a broadacre approach for weed control. Weeds such as African boxthorn and Fountain grass are spreading through the Moresby Range which will require ongoing consistent management across the site. This ongoing need for weed control in the bushland areas between the planted areas should be recognised.

Section 3(14) requires the preparation of an independent fire management plan for the project site. This plan should include detailed maps showing the capacity and reload times for each of the water supplies, filling mechanisms for fire fighting, internal fire breaks and escape routes given the nature of the landscape in that area. The proposed preparation of this plan is referred to in the supplementary information.

More detail about the proposed baiting program locations for invasive species would assist the Shire with their invasive species management. The Shire has a Declared Species Group for which it can seek matching funds for all private landholder contributions. If the landholder is interested they can contact the Shire. We would also appreciate advice about the timing of any applications so we can complete our works in neighbouring areas at a similar time to achieve maximum benefit.

The received comments from the Department of Agriculture & Food, Department of Water and the Shire's environmental consultant would be provided to the applicant for their consideration and addressing in the preparation of a Management Plan and Fire Management Plan should Council approve this proposed development.

## STATUTORY ENVIRONMENT

Lot 3 Chapman Valley Road, Waggrakine is zoned 'General Farming' under Shire of Chapman Valley Town Planning Scheme No.1 with the Policy Statement for this zone being:

*"This zone embraces the broad acre farming areas of the Shire. It is intended to protect the economic viability of those areas generally and to preserve the rural character and appearance of the area. The lot sizes shall be at the discretion of Council based on what is locally accepted as a viable farm unit, or where a non-farming use is proposed on the amount of land required for that purpose."*

Lot 3 is also identified by Scheme No.1 as being within the 'Place of Heritage Value - Moresby Ranges and associated valleys' the Scheme provisions for which are as follows:

*"Moresby Ranges and Associated valleys*

- 1.1 *The areas included within the Place are considered to be areas of significant landscape beauty in the Region of value to residents of the region and to the numerous visitors to the district.*

*The elements of the landscape area are:*

- (a) *The view from the North West Coastal Highway to the ocean over farmland and dunes in the area between the Buller River and the southern boundary of the Shire.*
- (b) *The area east of the North West Coastal Highway to the crests of the Moresby Flat Topped Ranges between the Howatharra/Nanson Road and the southern boundary of the Shire.  
This area includes the steep slopes of the ranges, isolated peaks such as Wokarena Peak and a general valley sharply dissected by annual streams originating in the ranges.  
There are several old lead mines in the area, the headframes of which add interest to the farmed topography.*
- (c) *The view over the farming valley created by the junction of two main arms of the Chapman River, east of the Moresby Range, seen from the road through the Waggrakine Pass.*
- (d) *The eastern slopes of the Moresby Ranges south of the Howatharra/Nanson Road.*

- 1.2 *The specific policies to be applied by Council to guide development in the Place are:*

- (a) *One dwelling house per lot with Council discretion to permit one extra house or casual worker accommodation.*
- (b) *Buildings and associated services should be regarded as being secondary to the landscape features of the area and should not be permitted in visually exposed areas - hilltops, open paddocks, adjoining main roads etc.*
- (c) *Where the siting of buildings etc., must of necessity be in such an exposed area then sufficient planting of native trees to screen or soften the visual impact of the building should be made a condition of development approval.*
- (d) *Farm buildings should where possible, be clustered with the farm house and other outbuildings.*
- (e) *New building developments for other than farming purposes should similarly be tightly clustered.*
- (f) *Lot sizes should reflect their viable use for extensive farming purposes and should not be less than 40ha in area, apart from the few existing lots less than this area.*
- (g) *Encouragement of the amalgamation of smaller lots into surrounding or adjoining lots, particularly those with no legal road access, to reduce the prospects of individual sale which could reduce the viability of farming in the area.*
- (h) *Development or subdivision that would require new road construction necessitating cut and fill earthworks or tree clearing, should not be permitted.*
- (i) *Small holding subdivisions and development should not be permitted.*

- (j) *The construction of a dwelling or other building on any lot which does not have a legal or constructed road access shall not be permitted without the special approval of the Council.*
- (k) *Major land clearing operations should not be permitted until Council has made recommendations on the retention of trees and other features considered important to the landscape of that area."*

Section 3.2.9 'General Farming Zone Policy' of Scheme No.1 also states:

*"3.2.9 (e) the need to preserve and protect the natural undeveloped land areas throughout the zone and to provide for the planting of trees and other suitable vegetation via the imposition of conditions on any Planning Consent issued, in order to assist in balancing the greenhouse effect, provide shade, prevent erosion, reduce salinity and provide habitats for native fauna."*

Shire of Chapman Valley Local Planning Scheme No.2, that would replace Scheme No.1, has been advertised and will be returned to Council for its final deliberation at the 17 July 2013 meeting. Scheme No.2 zones Lot 3 as 'Rural' (this being the superseding terminology in the Model Scheme Text) and within 'Special Control Area 2-Moresby Range Landscape Protection Area' the provisions for which are as follows:

*"6.2 Special Control Area 2 – Moresby Ranges Landscape Protection*

*6.2.1 Special Control Area 2, as shown on the Scheme Maps, comprises the Moresby Ranges Landscape Protection Special Control Area.*

*6.2.2 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.*

*6.2.3 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.*

*6.2.4 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."*

It is considered that the proposed development is consistent with the zoning and Special Control Area provisions as outlined in Schemes No.1 or No.2.

The application may be assessed as 'Forestry' which is listed as a permitted use within the 'General Farming' Zoning and Development Table of Scheme No.1, and as 'Agroforestry' which is listed as a discretionary use within the 'Rural' Zoning Table of draft Scheme No.2, and is defined as follows:

*"agroforestry means land used commercially for tree production and agriculture where trees are planted in blocks of more than one hectare."*

## **POLICY IMPLICATIONS**

Shire of Chapman Valley Local Planning Policy 16.29 'Agroforestry, Plantations and Tree Crops' was adopted by Council at its 16 February 2011 meeting and provides the criteria by which this application should be assessed and operate under. A copy of the Shire's Agroforestry policy has been included as **Attachment 2** for Council's information.

It is considered that the proposed development is consistent with the requirements of Local Planning Policy 16.29 'Agroforestry, Plantations and Tree Crops' subject to the applicant being required to prepare the following:

- a) Management Plan as per checklist based on the *Code of Practice for Timber Plantations in Western Australia (2006)* inclusive of vermin and pest control strategy and weed control strategy;
- b) Demonstration of compliance with the specifications and guidelines in the *Code of Practice for Timber Plantations in Western Australia (2006)*;
- c) Fire Management Plan that details access, fire barrier of a minimum width of 30m around the perimeter (comprising a 26m strip cleared of vegetation to no more than 300mm with a 2m fire break on either side), water supplies, separation distance between plantings and setbacks from off-site dwellings (FESA's Guidelines for Plantation Fire Protection (1998) will also be used to assess Fire Management Plans in applications).

The subject land falls within the area addressed by Shire of Chapman Valley Local Planning Policy 16.140 'Moresby Ranges' which states:

- "1 All new development, including houses, sheds, water tanks and other built structures, that fall within the 'Place of Heritage Value Area' for the Moresby Ranges as defined on the Town Planning Scheme Maps is to be clad with non-reflective materials using colours complementary with the natural muted tones of the Moresby Ranges, such as cream, green or red/brown.*
- 2 Notwithstanding Policy Statement 1 above, the Council may support the use of reflective materials (i.e. zinalume) to accord with an existing development of the same for consistency in use of materials and visual amenity, be it a proposed building extension or new building sited adjacent to existing development."*

This policy would only be relevant to the proposed development in the event that ancillary structures were proposed to be established upon Lot 3, and in the event that such applications were made then the standards as prescribed in a Local Planning Policy 16.140 would be applied.

## **FINANCIAL IMPLICATIONS**

Section 4(ii) of Local Planning Policy 16.29 'Agroforestry, Plantations and Tree Crops' sets that applications of this nature should be charged a fee of \$139 and this has been paid by the applicant.

## **STRATEGIC IMPLICATIONS**

Lot 3 Chapman Valley Road lies within the 5,000ha area identified by the 1976 Geraldton Region Plan prepared by the Western Australian Planning Commission ('WAPC') as future open space, and subsequently by the 1989 Geraldton Region Plan as a Landscape Protection Area with recommendations that areas with recreation and tourism potential be acquired. The 1999 Geraldton Region Plan recommended that a Management Strategy be prepared to protect the landscape value of the Moresby Range.

The Moresby Range Management Strategy was prepared by the WAPC in 2009 for a 55,000ha area from Isseka in the north, to Mount Erin to the east (27km inland) and the Geraldton-Mount Magnet Road to the south. The Management Strategy recognised that there were particular issues relating to

the southern section of the Range that were of particular importance to the regional community and recommended that a Management Plan be prepared for this area.

The Moresby Range Management Plan (2010) was prepared by a Steering Committee comprised of representatives from the following:

- Shire of Chapman Valley;
- City of Greater Geraldton;
- Department of Planning;
- Mid West Development Commission;
- Department of Environment and Conservation;
- Department of Agriculture and Food;
- Northern Agricultural Catchments Council;
- Landowner and Community Representatives; &
- Local Indigenous Representatives.

The Moresby Range Management Plan addresses the section of the Moresby Range immediately south of White Peak Road and east of Geraldton which includes Lot 3. 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 Management Plan defines a 'Range Precinct' 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 Management 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 130ha area of Lot 3 proposed to be replanted by this application lies within the 'Range Precinct' area identified by the Moresby Range Management Plan, and the proposal is not considered contrary to the vision outlined in the Plan.

Section 11.5 'Repair of the Landscape' of the Management Plan outlined that because much of the Moresby Range is in poor ecological condition and there are few vegetation associations intact, a simplified approach should be adopted to guide remediation, identifying 3 broad vegetation classifications:

- Existing vegetation as determined by existing survey work;
- Opportunities for linking and enhancing existing vegetation to approximate the pre European vegetation complexes; &
- Opportunities to create new blocks of vegetation with the objective of improving visual amenity and/or stabilising the landscape.

The proposed 130ha planting area would largely correlate with the area identified in Figure 11.5 of the Management Plan as suited to replanting with "blocks of vegetation to enhance existing vegetation and add new blocks that approximate pre-European vegetation communities."

It is considered that the proposed development accords with the vision outlined in Section 11.5.3 'Stabilising the Landscape' of the Management Plan:

*"Other areas have been identified in Figure 11.6 that seek to create vegetation corridors, control erosion and improve the appearance of urban development in the west, and agricultural activities in the east, of the Range. In these areas the effort required to recreate pre-European species assemblages would be too great within the foreseeable future.*

*General principles for enhancing vegetation cover are:*

- *Preserve existing blocks of vegetation even if they are in poor condition.*
- *Link up existing blocks of vegetation with strategic planting and seeding.*
- *Stop stock grazing the vegetation and fence off vegetation areas.*
- *Where possible, vegetation regeneration should support erosion control particularly planting in locations where there are water accumulation points e.g. along contour banks, or stability is needed e.g. stream zones or slumping areas.*

- *Use species that are found in the region.*
- *In some locations, for example where farm land backs onto the proposed Park, it may be appropriate to use tree crops to provide a productive use of the land and improve the visual amenity of the region.”*

## **VOTING REQUIREMENTS**

Simple Majority required.

## **STAFF RECOMMENDATION**

That Council grant formal planning consent to revegetate 130ha upon Lot 3 Chapman Valley Road, Waggrakine for the purposes of a biodiverse reforestation carbon sink subject to compliance with the following:

Conditions:

- 1 Development shall be in accordance with the attached approved plan(s) dated 19 June 2013 and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the local government.
- 2 Any additions to or change of use of any part of the land (not the subject of this consent/approval) requires further application and planning approval for that use/addition.
- 3 The applicant is to prepare, submit and adhere to a Management Plan that is to the approval of the Local Government before the commencement of the plantation.
- 4 The applicant is to prepare, submit and adhere to a Fire Management Plan prepared to the requirements of the Department of Fire and Emergency Services and to the approval of the Local Government before the commencement of the plantation.
- 5 This approval is valid for a period of two (2) years from the date of approval and will be deemed to have lapsed if the development has not substantially commenced before the expiration of this period.

Notes:

- i Where an approval has so lapsed, no development/land use shall be carried out without the further approval of the Local Government having first been sought and obtained.
- ii If an applicant is aggrieved by this determination there is a right (pursuant to the *Planning and Development Act 2005*) to have the decision reviewed by the State Administrative Tribunal. Such application must be lodged within 28 days from the date of determination.
- iii In relation to condition 3 the Management Plan shall demonstrate regard for the following items to the approval of the Local Government:
  - Shire of Chapman Valley Local Planning Policy 16.29 Agroforestry, Plantations and Tree Crops;
  - Code of Practice for Timber Plantations in Western Australia;
  - Application of Nutrient Fertiliser, Pesticides and Herbicides to be undertaken to the requirements of the Department of Agriculture and Food; &
  - The issues raised within the submissions received during the advertising period for the application.
- iv In relation to condition 4 the Fire Management Plan shall demonstrate regard for the following items to the approval of the Local Government:
  - Shire of Chapman Valley Local Planning Policy 16.29 Agroforestry, Plantations and Tree Crops (including the requirement for the installation and maintenance of a fire barrier of a minimum width of 30m around the perimeter (comprising a 26m strip cleared of vegetation to no more than 300mm with a 2m fire break on either side).
  - Department of Fire & Emergency Services Guidelines for Plantation Fire Protection; &
  - The issues raised within the submissions received during the advertising period for the application.

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

## **COUNCIL RESOLUTION**

**MOVED: CR FORRESTER**

**SECONDED: CR FARRELL**

That Council grant formal planning consent to revegetate 130ha upon Lot 3 Chapman Valley Road, Waggrakine for the purposes of a biodiverse reforestation carbon sink subject to compliance with the following:

### **Conditions:**

- 1 Development shall be in accordance with the attached approved plan(s) dated 19 June 2013 and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the local government.
- 2 Any additions to or change of use of any part of the land (not the subject of this consent/approval) requires further application and planning approval for that use/addition.
- 3 The applicant is to prepare, submit and adhere to a Management Plan that is to the approval of the Local Government before the commencement of the plantation.
- 4 The applicant is to prepare, submit and adhere to a Fire Management Plan prepared to the requirements of the Department of Fire and Emergency Services and to the approval of the Local Government before the commencement of the plantation.
- 5 This approval is valid for a period of two (2) years from the date of approval and will deemed to have lapsed if the development has not substantially commenced before the expiration of this period.

### **Notes:**

- i Where an approval has so lapsed, no development/land use shall be carried out without the further approval of the Local Government having first been sought and obtained.
- ii If an applicant is aggrieved by this determination there is a right (pursuant to the *Planning and Development Act 2005*) to have the decision reviewed by the State Administrative Tribunal. Such application must be lodged within 28 days from the date of determination.
- iii In relation to condition 3 the Management Plan shall demonstrate regard for the following items to the approval of the Local Government:
  - Shire of Chapman Valley Local Planning Policy 16.29 Agroforestry, Plantations and Tree Crops;
  - Code of Practice for Timber Plantations in Western Australia;
  - Application of Nutrient Fertiliser, Pesticides and Herbicides to be undertaken to the requirements of the Department of Agriculture and Food; &
  - The issues raised within the submissions received during the advertising period for the application.
- iv In relation to condition 4 the Fire Management Plan shall demonstrate regard for the following items to the approval of the Local Government:
  - Shire of Chapman Valley Local Planning Policy 16.29 Agroforestry, Plantations and Tree Crops (including the requirement for the installation and maintenance of a fire barrier of a minimum width of 30m around the perimeter (comprising a 26m strip cleared of vegetation to no more than 300mm with a 2m fire break on either side).
  - Department of Fire & Emergency Services Guidelines for Plantation Fire Protection; &



- The issues raised within the submissions received during the advertising period for the application.
- v The applicant is advised that this planning approval does not negate the requirement for any additional approvals which may be required under separate legislation. It is the applicant's responsibility to obtain any additional approvals required before the development/use lawfully commences.

**Voting 8/0  
CARRIED  
Minute Reference 6/13-2**

## **Development Application**

### **Lot 3 on Plan 7490 in C/T 2148/364**

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#### **1. Background**

Keywise Investments Pty Ltd has partnered with Carbon Neutral Ltd to revegetate up to 130 hectares of the northern part of the property, being Lot 3 on Plan 7490 in C/T 2148/364.

Carbon Neutral is a not for profit entity and registered environmental charity chartered to reduce greenhouse emissions through development of biodiverse reforestation carbon sinks. Our intention is to enhance the environmental qualities through an ecosystem restoration of the planting site and to sequester carbon.

#### **2. Property Summary**

Plantation Name:	Lot 3 Biodiversity Revegetation
Location:	Northern side of the Chapman Valley Road, Warrakine
Landholder:	Keywise Investments Pty Ltd
Planting Year:	2013
Plantation Area:	up to 130 hectares
Location Number:	Lot 3 on Plan 7490
Site Latitude:	28 40 14.3
Site Longitude:	114 40 12.3
Nearest Town:	Geraldton
Topography:	Valley Floor, slopes and table tops

#### **3. Key Site and Planting Information**

##### **1) Area**

The Spillman property is situated approximately 15km east north east of the Geraldton city centre. The property is located both sides of the Chapman Valley Road. The planting area is the most northern section of the property. The paddock land area totals 190 hectares, with an estimated net plantable area of 130 hectares. Current land used is for grazing. See Appendix 1 for map.

##### **2) Locality Plan and access roads**

A location plan is attached. Access to the planting is via internal gravel roads with via gates.

### 3) Principle Soil Types

Soil types are mixed, generally brown sandy loam with rock. The land management units are typical of the area and consistent throughout the plantation area.

### 4) Areas of native vegetation with high or low natural integrity

No significant remnant vegetation has been included in the plantation area. Frequent scattered remnants are pre-existing and will be incorporated within the planting coupes. Higher value remnant vegetation is largely located in the south east section of the property and will be buffer planted by the new plantings along the northern fringe.

### 5) Significant landscape, cultural heritage values

Heritage values - no known registered sites.

Indigenous sites - the presence of Aboriginal Heritage and Cultural values has not been confirmed.

### 6) Rare Flora and Fauna

Planting works will occur on cleared agricultural land so the threat to disrupting endangered flora, fauna breeding and habitat is considered non-existent.

### 7) Improvements

No buildings exist on the planting area.

### 8) Fences, gates, power lines, dams

Pre-existing fences located on the property boundary will remain. Some internal fences may be removed to improve site access and firebreak management. Gates for access are indicated on the planting plan. No power lines exist on this section of the property.

### 9) Control of vermin and declared weeds

There is evidence of rabbit and kangaroo activity. The landowner will take responsibility to manage populations according to relevant acts and protocols.

### 10) Areas to be planted, compartment sizes

The planting area consists of 130 hectares to be divided into planting communities consistent with soil types and landscapes.

### 11) Species to be planted and source of stock

The site is to be planted with species of local and/or regional relationship to landcare best practice. Major species groups comprise three main plant communities (systems): York Gum Woodlands, River Gum Woodlands, and Acacia Shrublands. Seed has been collected for the species:

*A. Aciphylla*, *A. Anthocharea*, *A. Eneruia*, *A. Victoriae*, *A. Murrayana*, *A. acuminata* (narrow), *A. acuminata* (burkitti), *A. acuminata* (small seed), *A. Ramulosa*, *A. Anthocharea*, *A. Assimilis*, *A. Brumalis*, *A. Colletiodies*, *A. Coolgardiensis*, *A. coolgardiensis efusa*, *A. Daphnifolia*, *A. Hemetilies*, *A. Jibbedingensis*, *A. Lirellaia*, *A. neurophylla subs erugata*, *A. Rostelifera*, *A. Saligna*, *A. Sibina*, *Atriplex amnicola* (river saltbush), *Atriplex nummularia* (oldman saltbush), *Codonocarpus cotinifolios* (native poplar), *M. Atroviridus*, *A. Acuaria*, *A. scirpifolia*, *A. andrewsii*, *A. eremaea*, *A. exocarpoides*, *A. longispinea*, *A. microbotrya*, *Senna mix*, *Senna pleurocarpa*, *E. loxophleba* (ssp *supravaelis*), *E. camaldulensis*

#### **12) Weed Control**

The area to be planted has been perennially grazed and parts cropped. The site will be chemically broad sprayed in areas of heavy weed. All prescriptions to be applied will adhere to best practice operations and in accordance with general DAFWA. The principle chemical group will be Glyphosate applied at a rate of 1-2 litres/ha.

Weed status will be monitored on a regular basis in the first year after establishment and on an intermittent basis following. It is expected that some second year weed control may be necessary as part of the on going maintenance to the tree crop area. All prescriptions to be applied will adhere to DAFWA Landcare revegetation specifications.

#### **13) Site Preparation and Planting technique**

The planting will be direct seeding with planting lines to follow a 'contour' pattern to assist site drainage movement. Key drainage lines will not be planted. The site will be established by a rip scalp and mound machine and hand planted. The stocking rate to be applied is targeted at a maximum 1500 plants per hectare, comprising upper, mid and understory.

#### **14) Access roads and firebreaks**

Access roads and firebreaks will be shown on a proposed Fire Management Plan. External boundary firebreaks are to be 15m wide with 6m wide internal firebreaks. Firebreak and road maintenance to Local Authority guidelines is the responsibility of the landowner. A Fire Management Plan is to be developed as a standalone document and lodged with the Shire.

#### **15) Grazing strategy**

Some strategic grazing of the site may be permitted subject to assist in reducing fuel loads prior to seedling competition suppressing inter row weeds. Strategic target weed control will be by chemical means.

#### **16) Pruning and thinning schedule**

Planting activity is designed for establishment of seedlings for enhancing biodiversity values, environmental restoration and to sequester carbon. Pruning and thinning are not projected.

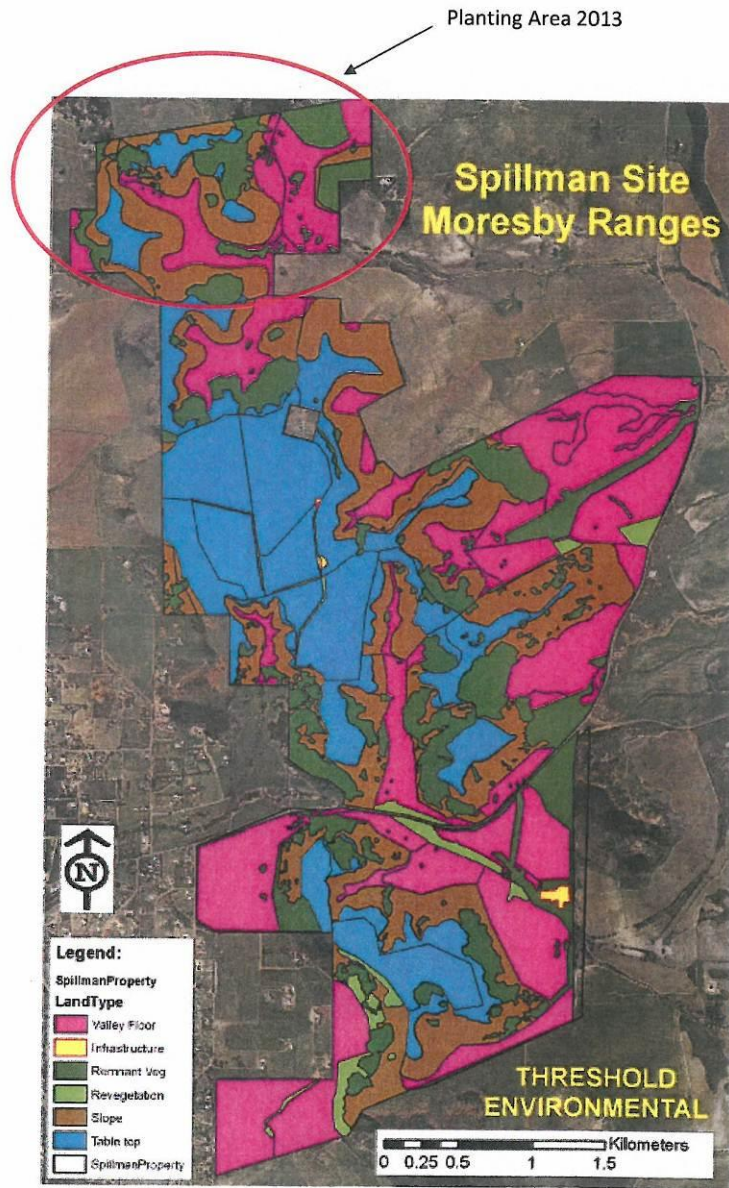
#### **17) Fertilising schedule**

No fertiliser applications are planned at this stage. Carbon Neutral will monitor the progress of the plantation over its lifetime and will prescribe fertiliser applications if and as required to maintain plantation performance.

#### **18) Monitoring and contingencies for diseases and pests**

Plantations will be monitored frequently on a weekly basis during the period September through to January during the first year after establishment and 3-6 monthly in subsequent years. Pests will be controlled as and when required using established operators operating under all specifications as required by relevant authorities and acts.

**Appendix 1: Map of Planting Area**





**Development Application**

**Supplemental Establishment Information**

**Lot 3 on Plan 7490 in C/T 2148/364**

**Keywise Pty Ltd and Carbon Neutral Ltd**

**Biodiverse Revegetation Project**

This information is intended as supplemental to the May 2013 Development Application presented by Keywise Pty Ltd and Carbon Neutral Ltd.

This Supplemental Establishment Information has been prepared by G. M. McArthur of Ruthrmac Pty Ltd, Natural Resource Consultants. The establishment area has been mapped following a site inspection which reviewed soil types, slopes and other physical features.

**1. Reforestation Area**

On the attached map the proposed broad establishment areas have been identified.

The gross paddock project area is approximately 195 hectares. The proposed establishment areas comprise primarily the undulating valley floors and lowest slopes of the hills and some deeper-soil, limited surface rock areas on the flat-topped hills. The remaining paddock area is remnant bush, drainage lines (some vegetated and some slightly saline) or slopes and rocky portions of the flat-topped hills.

The proposed areas are those suited to mechanical establishment (i.e. direct seeding) being of suitable depth soil with minimal rocky surface and safe working slopes. The soils include sands, sandy loams and sandy clay loams with varying degrees of surface and sub-soil gravels. These areas have an overall area of approximately 80 hectares.

In addition, there are areas on the lower slopes and some areas on the hill flat-tops that have too much surface rock for machine establishment, but can be established through spot hand-planting. These areas account for approximately 10 hectares. The hand plant areas may not be all completed in the initial year's establishment, but added in subsequent years.

Attached are selected photographs showing key property features.

**2. Management Aspects**

- (a) The established area will have strategic firebreaks established. Where the topography is suitable, the firebreaks will be on the perimeter of the machine-established zone, or the property boundary. In some cases the firebreak will be established between the sloped, hand-planted zone on topography suited to fire equipment access (i.e. close to the break of slope).

Additionally there will be some primary access routes within the established areas that connect onto the perimeter breaks, water points and exit routes.

1

- (b) With the proposed establishment area there are currently 2 sources of water which can be used for fire-fighting; 2 dams and a bore with storage tanks. Associated with the establishment, the access to the dams will be upgraded for easier water collection and additional bore water storage capacity will be developed if required (This will be evaluated in the Fire Management Plan).
- (c) The project area has gravelled road access through the adjoining property from the south. In addition, there are accesses in the east and north of the property through neighbouring properties and extending to Chapman Rd. All are capable of access by fire-fighting equipment.

All of the above aspects would be incorporated in a proposed Plantation Management and Fire Management Plans for the established area.

### **3. Establishment Details**

The establishment will take place in 2 stages:

#### **(a) Direct Seeding**

Seeding will be done mechanically on the contour with a repeated 13 m set comprising 2 rows (3 m apart) ripped, furrowed and seeded and a 10 m gap.

The seed to be used will focus on regionally-collected endemic species with the objective of creating a diverse environmental mix establishment. The seed species establishment mix will be varied to suit the valley floor and hill top sites. The seed application rates will also vary with site, being in the range of 300 to 600 grams/ha.

The details of the complete species list will be further advised to the Shire once the availability from seed collectors has been confirmed. The following species availability has been confirmed:

- Hakea preissi
- Dodonaea inaquifolia
- Banksia sessilis v. flabellifera
- Acacia rostellifera
- Banksia frazeri v. Ashbyi

#### **(b) Seedling Planting**

The planting will be done manually and possibly over a couple of years. The seedlings will be planted at a rate of 500 - 700 stems/hectare, not on a row basis.

The species will be regionally-suited, and the availability of some species is yet to be confirmed. The following species have been confirmed:



Valley Floors

- Melaleuca uncinata
- Eucalyptus camaldulensis
- Casuarina obesa (saline zone)
- Melaleuca cuticularis (saline zone)

Ridge tops

- Eucalyptus loxophleba
- E. sargenti (salt zones)
- Acacia acuminata

The above species list is flexible at this stage and can be further reviewed with Shire representatives as part of the preparation of the Property Management Plan.

This information has been prepared to clarify the potential establishment areas proposed within the Keywise and Carbon Neutral Development Plan. Further details of the management aspects will be incorporated into the Property and the Fire Management Plans.

In due course, Ruthrmac Pty Ltd will be preparing the above Management Plans. See separate attached further detail of Ruthrmac Pty Ltd.

*G. M. McArthur*

M.Sc. (Natural Resources) (U. Washington), B.Sc. (Forestry) (ANU)

**Principal Consultant**  
**Ruthrmac Pty Ltd**

**Selected Photographs**



Valley Floor site – sandy loams; Mechanical establishment area.



Valley Floor site can be mechanically established.

Rocky lower slopes will require hand planting.



Upper hill site with good sandy loams and some boulders – mechanical establishment.



Upper hill site with heavy surface boulders. Not suited to mechanical establishment. Hand planting preferable.

Development Application

Keywise Pty Ltd and Carbon Neutral Ltd  
Lot 3 on Plan 7490 in C/T 2148/364

Biodiverse Revegetation Project

Supplementary Information - Establishment Species

This species detail is additional to the Supplemental Information dated 17<sup>th</sup> May 2013 relating to the Keywise/Carbon Neutral Moresby Range establishment proposal.

Whilst a species list is provided here, the availability of some species has not been confirmed at this stage.

The overall objective of the project will be to establish species that are local to the Moresby Ranges region and specific to the varying sites across the project area. The seed collected will be from regional areas where possible.

The final species mix will be further reviewed, particularly in availability for a 2013 establishment program, and will be detailed by project establishment sites within the yet to be completed Property Management Plan (i.e. as identified within the Chapman Valley Council Agroforestry, Plantation and Tree Crops Policy – referencing the Code of Practice for Timber Plantations in WA (2006)).

This interim species list has been prepared on behalf of Carbon Neutral Ltd.

*G. M. McArthur*

Principal Consultant

**Ruthmac Pty Ltd**

Natural Resources Consultants

## Moresby Range Biodiverse Revegetation Project

### Interim species list:

#### Valley Sites

- Acacia acuminata
- Acacia rostellifera
- Acacia saligna
- Acacia tetragonophylla
- Acacia victoriae
- Calothamnus homalophyllus
- Eucalyptus camaldulensis
- Hakea recurva
- Hakea preissi
- Labichea lanceolata
- Melaleuca radula
- Melaleuca uncinata
- Melaleuca viminea
- Rhagodia preissii
- Banksia sessilis
- Banksia frazeri
- Casuarina obesa (saline)
- Melaleuca cuticularis (saline)
- Eucalyptus sargentii (saline)

#### Slopes and Ridgetops

- Calothamnus homalophyllus
- Dodoneaea inequifolia
- Eucalyptus ebbanoensis
- Eucalyptus loxophleba
- Hakea recurva
- Dryandara sessilis (\*)
- Hakea lissocarpa (\*)
- Hakea orthorrhyncha (\*)
- Hakea trifurcata (\*)

(\*) Species identified as important for local cockatoo populations.

16.29	<p><b>Agroforestry, Plantations &amp; Tree Crops</b></p>	<p><b>Comment:</b> This Policy applies to agroforestry, plantations and tree crops, otherwise termed 'Tree Crops' for the purpose of this Policy, that has the potential to become a prominent land-use across the Shire where landholders and private investors seek to:</p> <ul style="list-style-type: none"> <li>• capitalise on emerging opportunities for farm forestry;</li> <li>• diversify income streams; and</li> <li>• gain on farm environmental benefits that can be realised from integrated tree crops.</li> </ul> <p>Given the increasing opportunities and interest in tree crop development it is timely for local governments to ensure that these developments where possible are adequately managed to avoid environmental and/or land-use conflict that could potentially arise, and optimise the potential benefits to the community.</p> <p>This Policy seeks to clarify the Council's position on the establishment of tree crops.</p>	
<p><b>Scheme Provisions:</b> Agroforestry, plantations and tree crops are not included as a defined use and, as such, can only be considered by Council as a 'use not listed' pursuant to Clause 2.2.4. For the purpose of this Clause and Clause 2.2.5 all applications that generally accord with the Statements contained within this Local Planning Policy will be processed under the 'PS' use symbol.</p>		<p><b>Other References:</b> <i>Code of Practice for Timber Plantations in Western Australia (2006), Guidelines for Plantation Fire Protection (1998)</i></p>	<p><b>Special Procedure:</b> The Shire at its discretion may advertise the proposed use within a designated locality to ascertain the views of nearby residents and relevant government departments prior to the application being considered.</p>
<p><b>Definitions:</b></p> <p><b>'Agroforestry'</b> means land used commercially for tree production and agriculture where trees are planted in blocks of more than one hectare.</p> <p><b>'Fire Barrier'</b> comprising a 26m strip, cleared of vegetation to no more than 300mm with a 2m fire break on either side.</p> <p><b>'Plantation'</b> has the same meaning as in the <i>Code of Practice for Timber Plantations in Western Australia (2006)</i> published by the department of Conservation and Land Management and the Australian Forest Growers.</p> <p><b>'Tree Crop'</b> means trees planted under the management of one Applicant with an aggregate area greater than 40 hectares and with the intent of producing commercial products. Commercial products include all wood and non-wood products that can be sold to a third party. Wood products are produced when trees are harvested, such as woodchips or sawlogs, while non-wood products include products such as carbon and potentially environmental services.</p>			
<p><b>Policy Statement:</b></p> <p>1 The objectives of this Local Planning Policy are to:</p> <ul style="list-style-type: none"> <li>a) Achieve a consistent, efficient, and equitable system for assessing and approving tree crop applications;</li> <li>b) Actively encourage the establishment of tree crops in appropriate locations;</li> <li>c) Actively encourage tree crops in areas subject to land degradation, including areas of high salinity, water logging, and high levels of chemical contamination where there are clear natural resource management benefits;</li> </ul>			

- d) Ensure tree crop development is not undertaken upon land that is considered to be of high agricultural value;
  - e) Consider impacts on local road network infrastructure, and to protect surface gravel deposits for the maintenance and construction of these road networks;
  - f) Suitable gravel deposits must be made available to the Shire under the Shire gravel acquisition contract when deemed necessary by Council for adjoining road networks.
  - g) Recognise that gravel acquisition for adjoining road networks is essential.
  - h) To minimise the potential for any loss of population or agricultural land through the use of whole farms, and encourage tree crops that are ancillary to an existing agricultural land use (i.e. broadacre cropping or grazing).
  - i) Manage fire risk/management issues for all applications;
  - j) Consider the visual impact of tree crops in close proximity and/or viewing distance to town sites, roads of local and regional significance, and areas of scenic beauty;
  - k) Encourage operators, managers, government and non-government agencies, investors, and land holders to work in partnership wherever possible;
  - l) Encourage operators to abide by the Industry Code of Practice, relevant legislation, State Strategy for Plantations and Farm Forestry and this policy;
  - m) Outline the matters required to be addressed for assessment to be undertaken under the planning system and other legislation.
- 2 The Shire recognises that other matters, not listed above, may be raised during assessment of applications, such as submissions by third parties, which will be noted but not necessarily used in determining an application. As such matters may be covered by other legislation, fall under the responsibility of other agencies, or may not be considered relevant or valid planning considerations.
- 3 This policy applies to all 'General Farming' zoned land in the Shire of Chapman Valley Town Planning Scheme.
- 4 In the absence of more prescriptive details as to what the Shire considers to constitute 'agroforestry' and 'plantations', and recognising there could be a degree of overlap between the respective definitions, for the purpose of this policy in assessing applications, the Shire will require the following:
- i. Completion of an application for Planning Consent Development Application Form
 

NOTE: (1) Please note that an application may be made upon land that is not in the ownership of the applicant where the application form is signed by the owner(s) of the land as specified upon the Certificate of Title AND the applicant(s). (2) An application can cover multiple tree crop developments, which may be on different titles, provided they are under the management of one Applicant (the form is required to be signed by the relevant landowners of each title).
  - ii. The application is to include or be accompanied by the following;
    - Map showing location of trees, access roads, structures and buildings, natural features (including native vegetation and water courses), surface gravel deposits and other relevant information, such as hazards and significant features (drawn to scale and to a professional standard);
    - A species list (including approximate density and number to be planted) for the proposal;
    - Information pertaining to the projected volume of water usage;
    - A visual impact assessment may be required where the development site is in close proximity and/or viewing distance from townsite boundaries, roads of regional or local significance, or areas deemed by the Shire to have a high level of scenic or heritage value;
    - Provide estimated harvest time(s). It will be a condition of any development approval that a Harvest/Transport Plan be submitted to Council for separate approval 12 months prior to the commencement of harvesting that details expected transport routes, and proposed machinery requirements – refer to notes below;



- Planning application fee, charged as per Item 1(a) of Planning Fees.

NOTES:

*Additional Approvals*

- Proposed new buildings and structures relating to a tree crop development may be subject to additional/other applications and approvals of the Local Government and other agencies.
- Should the application propose the clearing of existing remnant vegetation the applicant is required to liaise with the Department of Environment and Conservation to obtain the relevant approvals.

*Water*

The Shire may seek advice from the Department of Water to assist in determining the application, with specific reference to ground and surface water impacts. Should the Department of Water raise significant concerns or objections to the proposal the application may ultimately be refused by the Council.

*Harvest and Transport*

The Shire recognises the future locations of processing facilities in or near the Mid-West region is currently unknown, and it is therefore difficult to prepare a transport plan prior to commencement of tree crop development. Nevertheless, the Shire will require an understanding of expected harvest and transport routes through the Shire at the application stage, with the requirement a transport plan/strategy to be prepared and submitted twelve (12) months prior to the commencement of harvesting depending on scale and nature of harvest.

Where the Shire considers the existing road infrastructure is not adequate to service the future harvest, the applicant/operator will be required to make suitable and safe access arrangements. If a suitable and safe arrangement cannot be identified and there is likelihood that this cannot be secured or improved, the Council may refuse the application.

- 5 Continuing Agricultural Activities - Traditional agricultural activities such as cropping, grazing and food production should generally remain the predominant landuse with agroforestry or plantations as an ancillary and complementary use.

This Policy does not attempt to introduce maximum planting areas by means of a percentage of the lot area, simply because some flexibility needs to be afforded. As a general rule the Shire will assess if a plantation area is 'ancillary' having regard for:

1. The area of each lot;
2. The proportion or percentage of the plantation area on a lot by lot basis. Generally a 50% maximum planting area is encouraged, although each application will be assessed on its merits on a 'case by case' basis;
3. The extent of existing remnant vegetation areas; and
4. Whether a significant portion of each lot can continue to be used for agriculture.

The Shire will be able to clearly identify whether agriculture remains as the primary use, simply because detailed site plans are lodged for all applications and show the extent of planting areas.

This Policy aims to actively encourage the integration of tree planting with agricultural farms. Whilst there are other factors contributing towards reductions of rural population, the Shire wishes to ensure that new landuses do not exacerbate an existing ongoing problem.

The Shire will not generally support the planting of whole lots or farms for tree planting due to the potential for the displacement of agricultural pursuits and loss of agricultural land.

- 5 In processing an application for tree crops the Shire may;
- a) publicly advertise the proposal for a minimum of 14 days through writing to adjoining/nearby landowners as deemed appropriate by the Shire (Note: the Chief Executive Officer (CEO) retains the right to extend the length of the advertising period); and / or
  - b) seek comments, as determined by the Shire, from relevant government agencies and other stakeholders or affected parties.
- 6 Should it be considered by Shire staff that any received submissions can be adequately addressed and/or dismissed, and the application accord with the relevant provisions of this Policy as well as the Shire of Chapman Valley Town Planning Scheme and Local Planning Strategy, the proposal may be approved by the Shire's CEO under delegated authority as afforded by the Shire Council.
- 7 Should approval be granted the applicant would be required to submit the following information to the satisfaction of the CEO, or in the case of a dispute to the satisfaction of Council, BEFORE planting commences:
- a) Management Plan as per checklist based on the *Code of Practice for Timber Plantations in Western Australia (2006)* inclusive of vermin and pest control strategy and weed control strategy;
  - b) Level of compliance with the specifications and guidelines in the *Code of Practice for Timber Plantations in Western Australia (2006)*;
  - c) The preparation of a Fire Management Plan, to be included as a part of an overall Management Plan, that details access, fire barrier (minimum width of 30m for perimeter fire barrier), water supplies, separation distance between plantings and setbacks from off-site dwellings (FESA's Guidelines for Plantation Fire Protection (1998) will be used to assess Fire Management Plans in applications);
  - d) That tree planting areas shall not exceed 200ha without 30m fire barrier between tree planting areas.
- 8 Should there be any conflict between this Policy and the Shire of Chapman Valley Town Planning Scheme, the Town Planning Scheme shall prevail.

Adopted: 16 February 2011

Review Adopted: 4 May 2012

<b>AGENDA ITEM:</b>	<b>9.1.2</b>
<b>SUBJECT:</b>	<b>PROPOSED OUTBUILDING – WHITE PEAK</b>
<b>PROPONENT:</b>	<b>J &amp; K HALLINAN</b>
<b>SITE:</b>	<b>LOT 261 CARKEEG BEND, WHITE PEAK</b>
<b>FILE REFERENCE:</b>	<b>A1636</b>
<b>PREVIOUS REFERENCE:</b>	<b>12/12-7</b>
<b>DATE:</b>	<b>31 MAY 2013</b>
<b>AUTHOR:</b>	<b>KATHRYN JACKSON</b>

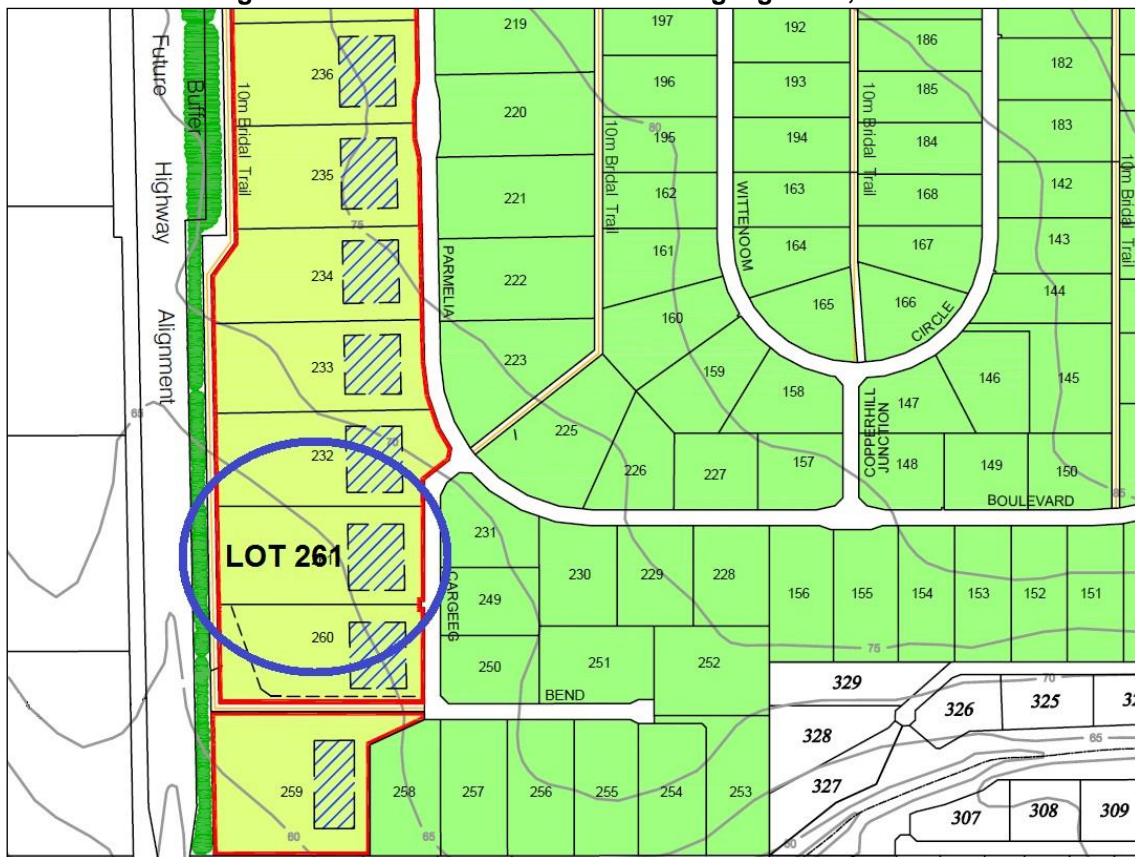
## DISCLOSURE OF INTEREST

Nil.

## BACKGROUND

Council is in receipt of an application to construct an outbuilding upon Lot 261 Cargeeg Bend, White Peak that exceeds the maximum wall height specified by the Shire's 'Outbuilding' Local Planning Policy. This report recommends conditional approval of the application.

**Figure 1 - Location Plan for Lot 261 Cargeeg Bend, White Peak**



## COMMENT

The applicant seeks approval for a 10m x 20m (200m<sup>2</sup>) outbuilding with a wall height of 4.5m (as measured from pad height) and an apex height of 5.4m (as measured from pad height). The outbuilding is proposed to be located 8m from the side (northern) property boundary, and 30m from the front (eastern) property boundary. The walls and roof of the proposed outbuilding would be constructed of coated metal sheeting (colorbond) in the 'surf mist' (off-white) colour designed to match the roof of the future residence upon the property.

A copy of the submitted site, floor and elevation plans are included as **Attachment 1** to this report.

The subject property fronts Cargeeg Bend to the east with the land sloping downhill from the north east to the south west with a fall of approximately 5m across the property's 261m length.

The applicant is proposing to create a level site for the shed by building up the pad to the same level as the existing ground level at the north west corner of the outbuilding (highest point). This will mean that there will be approximately 300mm of fill placed in the north west corner (taking it to natural ground level), 400mm in the south east corner and 600mm in the south west corner. This would result in the outbuilding wall height of 4.5m being a total height of 5.1m above natural ground level at its highest point (south west corner).

Council previously considered an application for an outbuilding to be constructed upon this property that demonstrated a wall height of 4.7m (as measured from natural ground level) which exceeded the maximum wall height of 4.5m specified by the Shire's 'Outbuildings' Local Planning Policy. Council resolved at its 12 December 2012 meeting to approve the application as follows:

*"That Council:*

- 1 *Not adopt the staff recommendation on the grounds that the proposed outbuilding height variance to the Local Planning Policy is considered to be minor in nature; &*
- 2 *Grant formal Planning Approval for an outbuilding to be constructed upon Lot 261 Cargeeg Bend, White Peak subject to the following:*

*Conditions*

- a *Development shall be in accordance with the attached approved plan(s) dated 12 December 2012 and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the Local Government.*
- b *Any additions to or change of use of any part of the building or land (not the subject of this consent/approval) requires further application and planning approval for that use/addition.*
- c *Earthworks are required to be undertaken in accordance with the approved plan(s) dated 12 December 2012 and subject to any modifications required as a consequence of any condition(s) of this approval.*
- d *The use hereby permitted shall not cause injury to or prejudicially affect the amenity of the locality by reason of the emission of smoke, dust, fumes, odour, noise, vibration, waste product or otherwise.*
- e *The approved outbuilding is only to be used for general storage purposes associated with the predominant use of the land and shall NOT be used for habitation, commercial or industrial purposes.*
- f *All stormwater is to be disposed of on-site to the specifications and approval of the Local Government. On application for a building licence a detailed design of stormwater collection and disposal system of developed areas is to be supplied.*
- g *Installation of crossing place/s to the standards and specifications of the Local Government.*
- h *Landscaping is required to be installed and maintained between the outbuilding and the adjoining property boundaries for the purpose of softening the visual impact of the structure upon the land.*
- i *The outbuilding is required to be constructed entirely of coated metal sheeting (i.e. colorbond). The use of uncoated metal sheeting (i.e. zincalume) is not permitted.*
- j *This approval is valid for a period of two (2) years from the date of approval and will be deemed to have lapsed if the development has not substantially commenced before the expiration of this period.*

## Notes

- i) *Where an approval has so lapsed, no development/land use shall be carried out without the further approval of the local government having first been sought and obtained.*
- ii) *Should the applicant be aggrieved by the decision of the Council (in part or whole) a right of appeal exists to the State Administrative Tribunal within twenty eight (28) days from the date of the decision."*

The applicant has now submitted an amended site plan to the Shire for consideration which seeks to increase the wall height from the previously approved 4.7m in the south west corner (as measured at highest point from natural ground level) to 5.1m in the south west corner (as measured at highest point from natural ground level).

The applicant has provided a letter of support for their application which has been included as **Attachment 2** to this report.

Shire staff having taken into consideration the merits of the application recommend conditional approval of the proposal for the following reasons:

- The installation and maintenance of landscaping about the outbuilding would have the ability to screen and lessen any visual impact as viewed from the road or neighbouring properties;
- The proposed finished floor level would assist in preventing stormwater from entering the outbuilding via the eastern facing roller door;
- The outbuilding would have a wall height of 5.1m above natural ground level as measured in the south western corner (reducing in height above natural ground level to 4.9m wall height above natural ground level in the south eastern corner, 4.8m in the north western corner and 4.5m in the north eastern corner) and the 600mm variation from the wall height policy requirement is considered a minor relaxation from the policy requirements of Council;
- The outbuilding would have a total height of 5.95m above natural ground level as measured from the gable at the western end (reducing in height above natural ground level to 5.6m gable height above natural ground level at the eastern end) and the 450mm variation from the total height policy requirement is considered a minor relaxation from the policy requirements of Council;
- The residence that will be ultimately located to the south of the outbuilding would be expected to be higher than the outbuilding based upon the need for site works and standard eave and gable heights, thereby providing an acceptable scale to the outbuilding.

However, should Council believe the application does not demonstrate sufficient grounds to merit relaxation of its policy requirements then it may wish to consider the following wording:

*"That Council:*

- 1 *Not adopt the staff recommendation on the grounds that the proposed outbuilding height is at variance to the Shire of Chapman Valley Local Planning Policy – Outbuilding requirements.*
- 2 *Refuse planning approval for an outbuilding to be constructed upon Lot 261 Cargeeg Bend, White Peak as shown upon the revised plan dated 14 March 2013 for the following reasons:*
  - a *The proposed outbuilding is in excess of the maximum wall height as measure from natural ground level as specified under the Shire's 'Outbuilding' Local Planning Policy;*
  - b *The wall height of the outbuilding or the height of earthworks could be reduced to comply with the Shire's 'Outbuilding' Local Planning Policy;*
  - c *Council is not satisfied that sufficient justification has been provided to warrant a concession being granted in this instance; &*
  - d *Approval of this application may well set an undesirable precedent for continued variation to the Shire's statutory requirements, which in time could*

*prove to be detrimental to the amenity and lifestyle opportunities of the locality.”*

**Figure 2 – View across Lot 261 looking west from Cargeeg Bend**



**Figure 3 – View across Lot 261 looking north towards proposed development area**



## STATUTORY ENVIRONMENT

The subject land is zoned 'Special Rural' under Shire of Chapman Valley Town Planning Scheme No.1 ('the Scheme') and complies with the standard boundary setbacks and land use requirements of the Scheme.

## POLICY IMPLICATIONS

Clause 1 of the Shire of Chapman Valley 'Outbuilding' Local Planning Policy states:

Zone	Standard	Maximum
Special Rural (Lots < 20 ha)	Area (total aggregate)	200 m <sup>2</sup>
	Wall Height	4.5 metres*
	Overall Height (single story)	5.5 metres
	Overall Height (double story barn)	6.5 metres

\* *Wall heights are to be measured from natural ground level.*

The wall height of the proposed outbuilding is 4.5m in height from proposed pad level. The applicant has indicated that they wish to fill to a maximum height of 600mm in the south western corner of the proposed outbuilding location to achieve a level building site. The policy requires that the wall height be measured from natural ground level, and therefore the outbuilding exceeds the maximum wall height specified within the Policy by 600mm on the south west corner of the proposed outbuilding location and 450mm at the western gable end.

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

## FINANCIAL IMPLICATIONS

Lodgement of amended plans for previously approved development applications incur a fee of 66% of the original application fee with a minimum fee of \$92 charged under the Shire of Chapman Valley Planning Services Fees 2012/2013.

Should Council refuse this application and the applicant proceed to exercise their right of appeal Shire resources will be required through its involvement in the appeal process.

## STRATEGIC IMPLICATIONS

The Residential Design Codes of Western Australia (2010) whilst not strictly applicable to Special Rural areas such as the Parkfalls Estate do still provide general principles that can guide assessment of outbuilding developments in this area.

*"The criteria should be that they do not detract from the essential functions of private open space, the visual amenity of neighbours or the streetscape. This means that any outbuilding that is to be exempt from the standards of the dwelling should be:*

- *relatively small in area;*
- *relatively low in height;*
- *sited so as to preserve the use and amenity of open space;*
- *setback sufficiently from boundaries;*
- *confined to single houses and grouped dwellings; and*
- *excluded from street setback areas."*

## VOTING REQUIREMENTS

Simple Majority

## STAFF RECOMMENDATION

That Council grant formal planning approval for an outbuilding to be constructed upon Lot 261 Cargeeg Bend, White Peak subject to the following conditions:

- 1 Development shall be in accordance with the attached approved plan(s) dated 19 June 2013 and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the Local Government.
- 2 Any additions to or change of use of any part of the building or land (not the subject of this consent/approval) requires further application and planning approval for that use/addition.
- 3 Earthworks are required to be undertaken in accordance with the approved plan(s) dated 19 June 2013 and subject to any modifications required as a consequence of any condition(s) of this approval.
- 4 The use hereby permitted shall not cause injury to or prejudicially affect the amenity of the locality by reason of the emission of smoke, dust, fumes, odour, noise, vibration, waste product or otherwise.
- 5 The approved outbuilding is only to be used for general storage purposes associated with the predominant use of the land and shall NOT be used for habitation, commercial or industrial purposes.
- 6 All stormwater is to be disposed of on-site to the specifications and approval of the Local Government. On application for a building licence a detailed design of stormwater collection and disposal system of developed areas is to be supplied.
- 7 Installation of crossing place/s to the standards and specifications of the Local Government.
- 8 Landscaping is required to be installed and maintained between the outbuilding and the adjoining property boundaries and the road for the purpose of softening the visual impact of the structure upon the land.
- 9 The outbuilding is required to be constructed entirely of coated metal sheeting (i.e. colorbond) of a colour complementary to the future residence. The use of uncoated metal sheeting (i.e. zincalume) is not permitted.
- 10 This approval is valid for a period of two (2) years from the date of approval and will deemed to have lapsed if the development has not substantially commenced before the expiration of this period.

### Notes

- i) Where an approval has so lapsed, no development/land use shall be carried out without the further approval of the Local Government having first been sought and obtained.
- ii) Should the applicant be aggrieved by the decision of the Council (in part or whole) a right of appeal exists to the State Administrative Tribunal within twenty eight (28) days from the date of the decision.



## **COUNCIL RESOLUTION**

**MOVED: CR HUMPHREY**

**SECONDED: CR FARRELL**

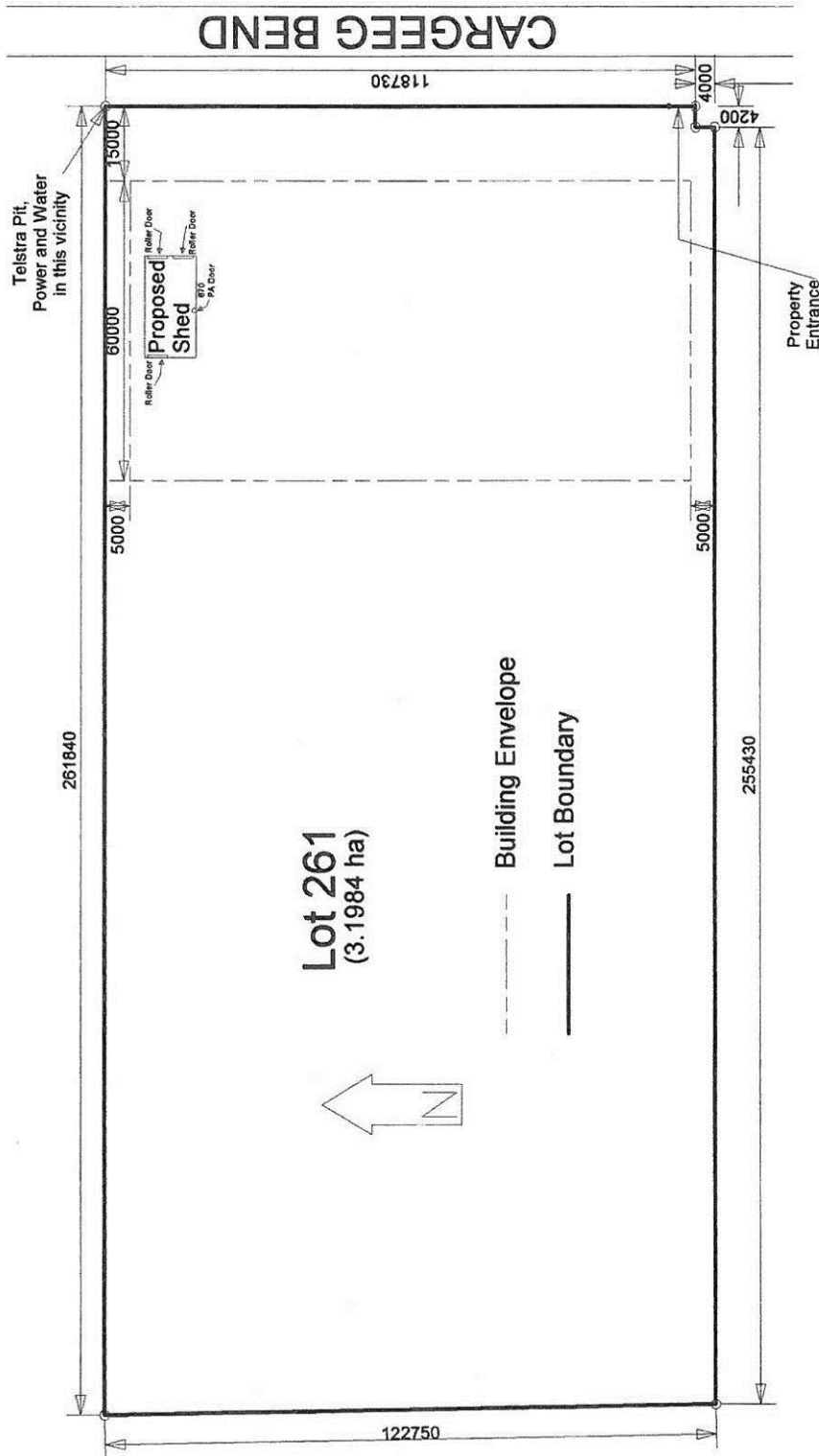
**That Council grant formal planning approval for an outbuilding to be constructed upon Lot 261 Cargeeg Bend, White Peak subject to the following conditions:**

- 1 Development shall be in accordance with the attached approved plan(s) dated 19 June 2013 and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the Local Government.**
- 2 Any additions to or change of use of any part of the building or land (not the subject of this consent/approval) requires further application and planning approval for that use/addition.**
- 3 Earthworks are required to be undertaken in accordance with the approved plan(s) dated 19 June 2013 and subject to any modifications required as a consequence of any condition(s) of this approval.**
- 4 The use hereby permitted shall not cause injury to or prejudicially affect the amenity of the locality by reason of the emission of smoke, dust, fumes, odour, noise, vibration, waste product or otherwise.**
- 5 The approved outbuilding is only to be used for general storage purposes associated with the predominant use of the land and shall NOT be used for habitation, commercial or industrial purposes.**
- 6 All stormwater is to be disposed of on-site to the specifications and approval of the Local Government. On application for a building licence a detailed design of stormwater collection and disposal system of developed areas is to be supplied.**
- 7 Installation of crossing place/s to the standards and specifications of the Local Government.**
- 8 Landscaping is required to be installed and maintained between the outbuilding and the adjoining property boundaries and the road for the purpose of softening the visual impact of the structure upon the land.**
- 9 The outbuilding is required to be constructed entirely of coated metal sheeting (i.e. colorbond) of a colour complementary to the future residence. The use of uncoated metal sheeting (i.e. zincalume) is not permitted.**
- 10 This approval is valid for a period of two (2) years from the date of approval and will deemed to have lapsed if the development has not substantially commenced before the expiration of this period.**

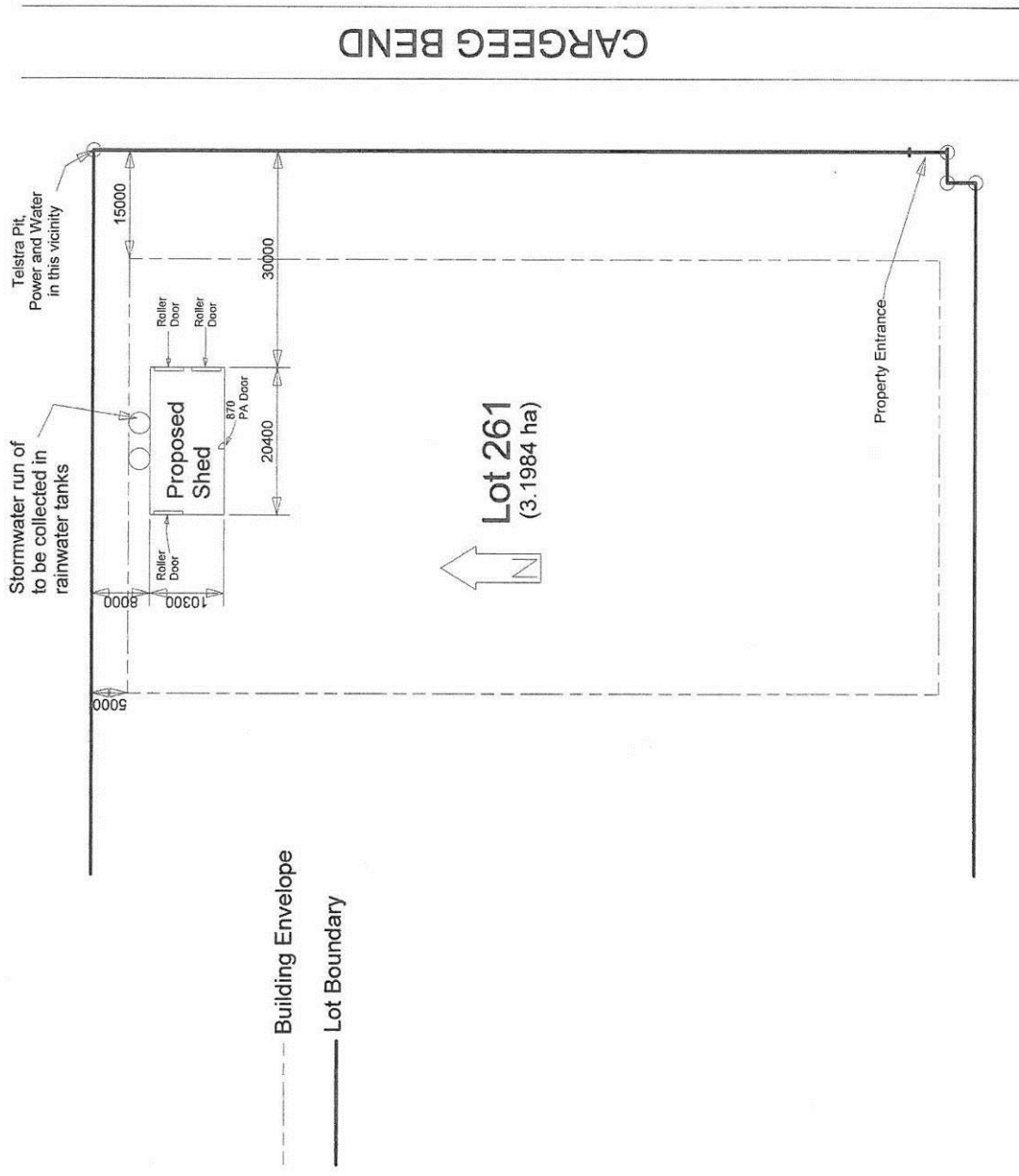
### **Notes**

- i) Where an approval has so lapsed, no development/land use shall be carried out without the further approval of the Local Government having first been sought and obtained.**
- ii) Should the applicant be aggrieved by the decision of the Council (in part or whole) a right of appeal exists to the State Administrative Tribunal within twenty eight (28) days from the date of the decision.**

**Voting 8/0  
CARRIED  
Minute Reference 6/13-3**



CARIMOR SHEDS 99 Anderson Street, Geraldton, WA, 6530 Ph 0899 643344 Fax 0899 643340	Proposed Shed at Lot 261 Cargeeg Bend, Parkfalls		TITLE/DWG NO. 1		Site Plan Revised 27 - 11 - 2012
	DRAWN	MJH	DATE	5 - 11 - 2012	
			SCALE	1:1000	



--- Building Envelope  
 — Lot Boundary

Lot 261  
 (3.1984 ha)

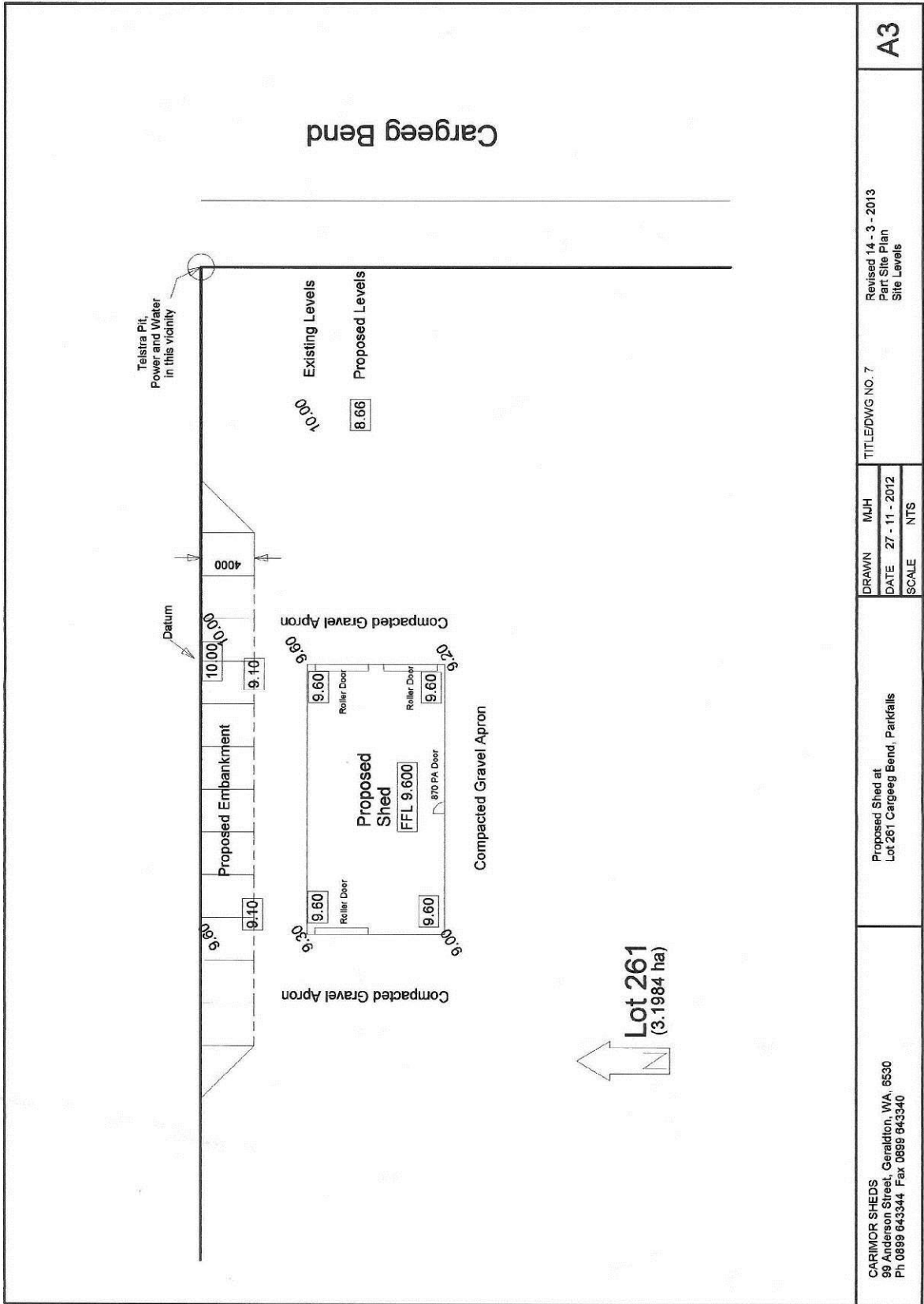
CARIMOR SHEDS  
 99 Anderson Street, Geraldton, WA, 6530  
 Ph 0899 643344 Fax 0899 643340

Proposed Shed at  
 Lot 261 Cargeeg Bend, Parkfalls

DRAWN MJH  
 DATE 5 - 11 - 2012  
 SCALE 1:600

TITLE/DWG NO. 2

Building Envelope Site Plan  
 (Revised 23 - 11 - 2012)



**A3**

Revised 14 - 3 - 2013  
Part Site Plan  
Site Levels

TITLE/DWG NO. 7

DRAWN MJH

DATE 27 - 11 - 2012

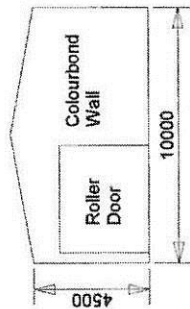
SCALE NTS

Proposed Shed at  
Lot 261 Cargeeg Bend, Parkfalls

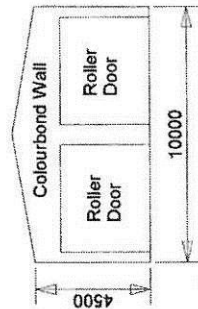
CARIMOR SHEDS  
99 Anderson Street, Geraldton, WA, 6530  
Ph 0899 643344 Fax 0899 643340

Lot 261  
(3.1984 ha)

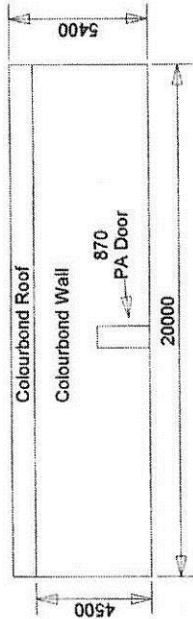
West Elevation



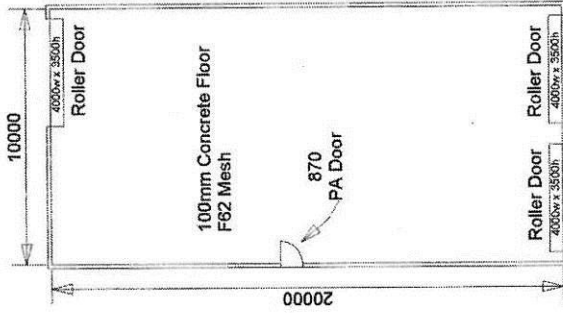
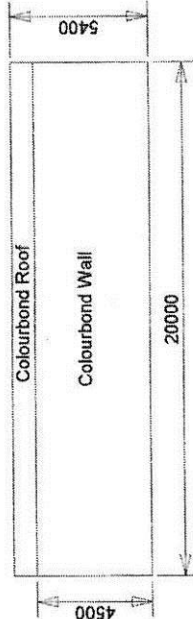
East Elevation



South Elevation



North Elevation



CARIMOR SHEDS  
 99 Anderson Street, Geraldton, WA, 6530  
 Ph 0899 643344 Fax 0899 643340

Proposed Shed at  
 Lot 261 Cargeeg Bend, Parkfalls

TITLE/DWG NO. 3

DRAWN	MJH
DATE	5 - 11 - 2012
SCALE	1:200

Plan and Elevations  
 Revised 27 - 11 - 2012

RECEIVED  
22 MAY 2013  
BY: \_\_\_\_\_

A1636  
PA131646

Shire of Chapman Valley

Ref: Lot 261 Cargeeg Bend, Parkfalls

To whom it may concern,

I am writing this letter to seek approval for revised site levels for the construction of a shed as per the above address. The shed has been approved previously. I have attached the revised site levels plan for your consideration. I have also attached photos of the sand pad which is at the proposed new levels and a photo of a shed at 5 Eliza Shore Drive which has a wall height of 5m above natural ground level which exceeds my proposal. The reasons for revising the levels are as follows;

- If the shed is built at the already approved levels it will be approximately 800mm below natural ground level on the eastern end of the shed.
- There is a real possibility of water ingress into the shed from my property and the neighbouring property to the north.
- If the shed is built at the already approved levels I will have to provide embankments to assist water runoff away from the shed, this could result in soil erosion.
- If the shed is built below natural ground level sand can blow and build up against the shed which will promote corrosion.
- Top soil and vegetation would need to be removed to provide a level apron promoting soil erosion.
- The proposed new levels are at or slightly below natural ground level on the boundaries affecting the neighbouring properties and are only above natural ground level on the shed corner facing the centre of the block due to the lay of the land being a bowl shape.

Thank you for taking the time to consider my request.

Kind Regards

John Hallinan 

10 Tersonia Way Strathalbyn

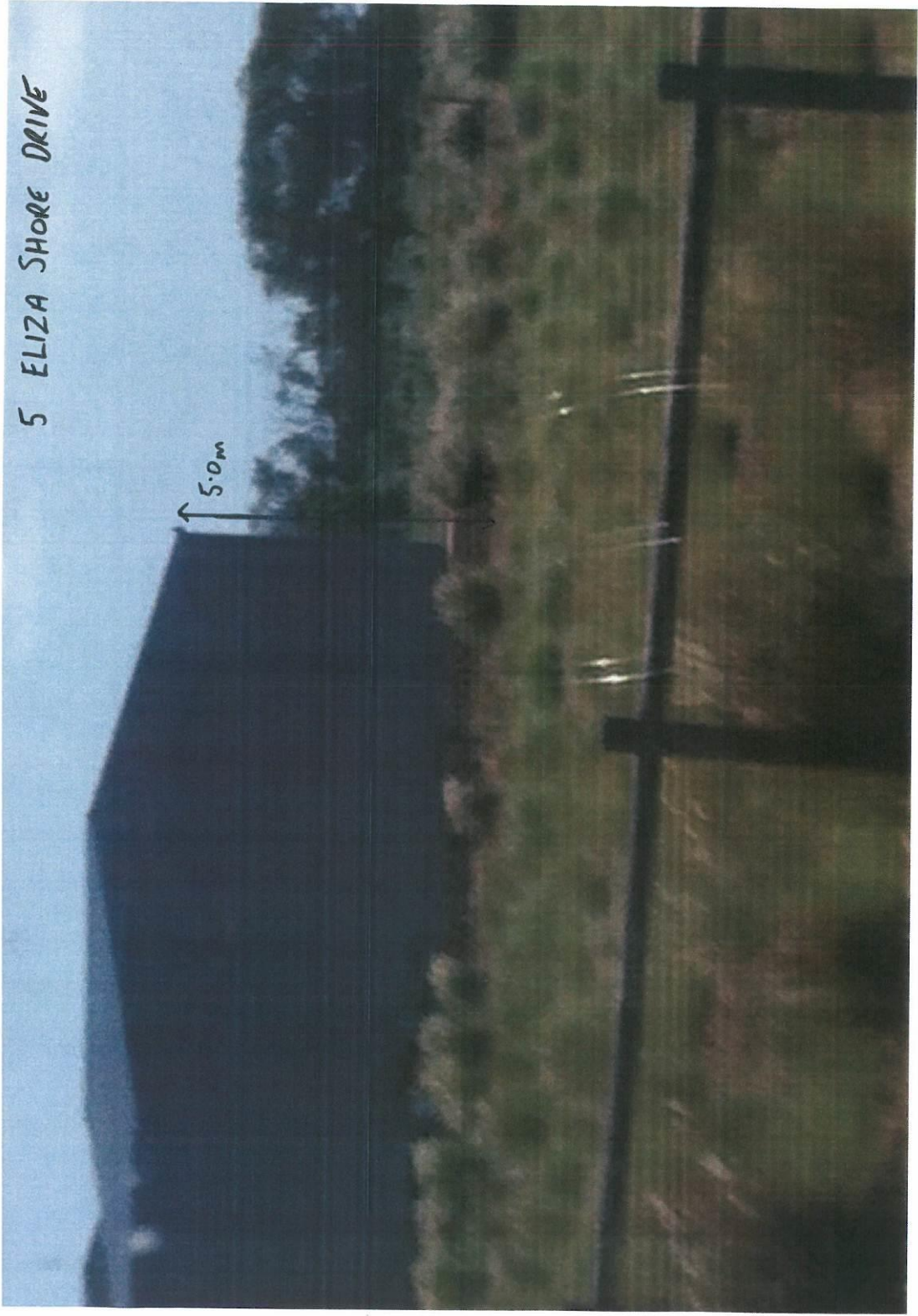
Ph: 99642735

Mob: 0418930744









<b>AGENDA ITEM:</b>	<b>9.1.3</b>
<b>SUBJECT:</b>	<b>PROPOSED OUTBUILDING – RECLIFFE CONCOURSE, WHITE PEAK</b>
<b>PROPONENT:</b>	<b>SHORELINE FOR R &amp; D GRAY</b>
<b>SITE:</b>	<b>LOT 211 (No.7) REDCLIFFE CONCOURSE, WHITE PEAK</b>
<b>FILE REFERENCE:</b>	<b>A1569</b>
<b>PREVIOUS REFERENCE:</b>	<b>N/A</b>
<b>DATE:</b>	<b>30 MAY 2013</b>
<b>AUTHOR:</b>	<b>KATHRYN JACKSON</b>

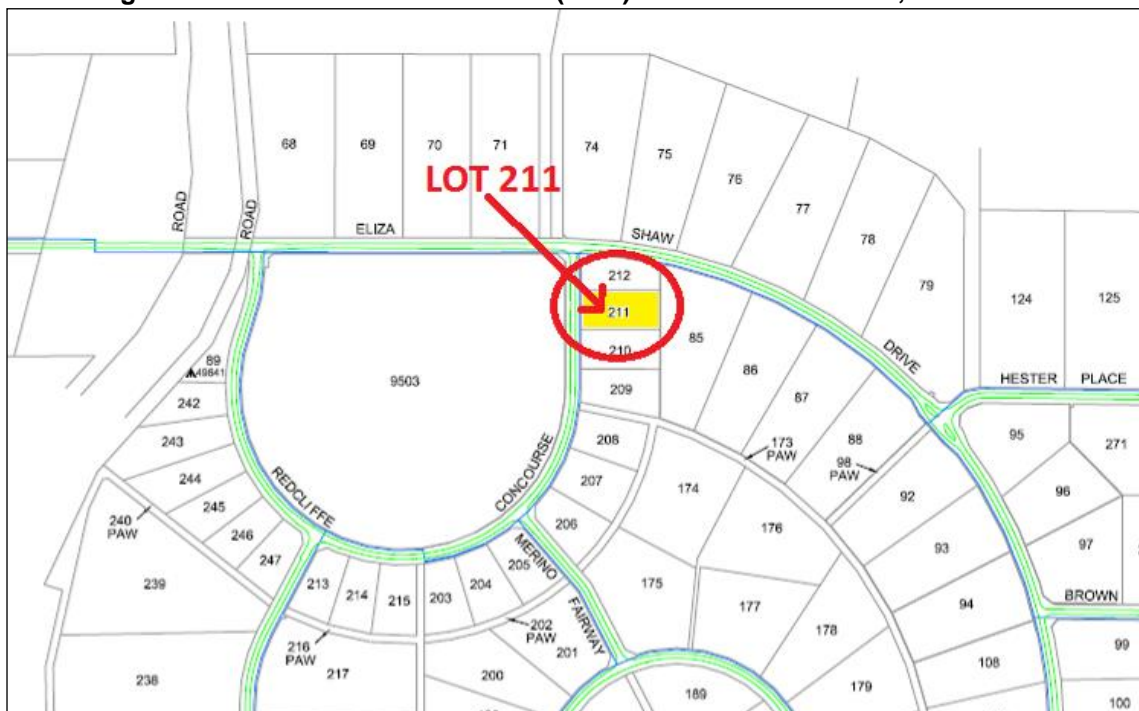
**DISCLOSURE OF INTEREST**

Nil.

**BACKGROUND**

Council is in receipt of an application for the construction of an outbuilding upon Lot 211 (No.7) Redcliffe Concourse, White Peak that does not comply with the minimum boundary setback requirements of Shire of Chapman Valley Town Planning Scheme No.1 (the ‘Scheme’). This report recommends conditional approval of the application.

**Figure 1 – Location Plan for Lot 211 (No.7) Redcliffe Concourse, White Peak**



**COMMENT**

The applicant seeks approval for a 9.88m x 19.76m (195.23m<sup>2</sup>) outbuilding with a wall height of 4.3m (as measured from pad height) and an overall height of 5.140m (as measured from pad height). The walls and roof of the proposed outbuilding would be constructed of uncoated metal sheeting to match with the existing dwelling upon the property.

The outbuilding is proposed to be located to the rear (east) of the existing dwelling with a setback distance of 4.5m from the eastern (rear) property boundary and 2.8m from the southern (side) property boundary.

The property features a 6-7m fall from the eastern to western boundary with the land requiring excavation to be undertaken in order to create a level building site. The proposed earthworks for the location of the outbuilding have already been undertaken to match with the finished floor level of the existing dwelling. No fill has been undertaken in this instance only excavation to a maximum height of approximately 1.8m which can be seen in Figures 2 & 3 below.

**Figure 2 – View looking east towards proposed outbuilding location**



**Figure 3 – View looking south along eastern boundary of Lot 211**



This application has been placed before a meeting of Council as the application does not comply with the Scheme's minimum boundary setback distances which requires a minimum rear boundary setback of 7.5m and a minimum side boundary setback of 5m.

A copy of the applicant's submitted site, floor and elevation plans for the proposed outbuilding are included as **Attachment 1** to this report.

The applicant has provided a letter in support of their proposed outbuilding, a copy of which has been included as **Attachment 2** to this report.

The application was advertised to the adjoining landowners to the north, south and east with all parties raising no objection to the proposal.

## STATUTORY ENVIRONMENT

The subject property is zoned 'Special Rural' under the Shire of Chapman Valley Town Planning Scheme No.1 ('the Scheme'). Under this zoning the Scheme requires a minimum rear boundary setback of 7.5m and a minimum side boundary setback of 5m. The application proposes a rear setback of 4.5m and a side setback of 2.8m and therefore the application does not comply with the standard setback requirements of the Scheme.

In relation to this application it is noted that draft Scheme No.2 specifies a minimum rear boundary setback distance of 5m and a minimum side boundary setback of 5m. Given the advanced stage of draft Scheme No.2 it can be considered a 'seriously entertained' planning document. It is noted that the delay in finalising Scheme No.2 is attributable to the Buller 'Development' Zone Environmental Review (currently under appeal to the Minister of Environment) of which the land area subject to this development application does not form any part.

Section 3.1.3 of the Scheme states that there is power to relax development standards and requirements in accordance with the following:

*"Notwithstanding the provisions of Clause 3.1.1, if a development, other than a residential development, the subject of an application for planning consent, does not comply with a standard or requirement prescribed by the Scheme with respect to that development the Council may, notwithstanding that non-compliance, conditions as the Council thinks fit. The power conferred by this Clause may only be exercised if the Council is satisfied that:*

- (a) approval of the proposed development would be consistent with the orderly and proper planning of the locality and the preservation of the amenities of the locality;*
- (b) the non-compliance will not have any adverse effect upon the occupiers or users of the development or the inhabitants of the locality or upon the likely future development of the locality; and*
- (c) the spirit and purpose of the requirements or standard will not be unreasonably departed from thereby."*

Council staff, after having taken into consideration the merits of this application and the requirements of Section 3.1.3 of the Scheme, recommend approval of the application for the following reasons:

- The height and presence of the outbuilding as viewed from adjoining properties is mostly obscured given the outbuildings location behind the existing residence and the lowered finished floor level which has been created through the excavation of the lot to provide a level building area;
- The height and presence of the outbuilding as viewed from adjoining properties is mostly obscured given the lower topographical elevation of the property in comparison to the lots to the east;
- The adjoining landowners who might be considered to be most impacted by the visual appearance of the shed have confirmed in writing their support for this application;
- The proposed shed would not obstruct any of the neighbouring landowners views due to the relatively sunken position as viewed from the east;
- It is considered that the unique characteristics of the intended location would enable the shed to be sited without negatively impacting upon the amenity of the area, and any approval should not be considered as a precedent for other approval as it would have been made with regard for the individual merits of this particular application and its settings;
- The wall and apex heights as well as the overall size of the outbuilding is compliant with the Shires 'Outbuildings' Local Planning Policy;

- The applicant has created a level building site by excavating into the property, thereby lowering the overall bulk of the outbuilding;
- The outbuilding meets the requirements under Shire of Chapman Valley Town Planning Scheme No.1 ('the Scheme') in regards to building materials and colours;
- The proposed location of the outbuilding leaves sufficient room for it to comply with the minimum 2m width firebreak requirements under the Shire of Chapman Valley Fire Break Notice and *Bush Fires Act 1954*.

Should Council consider that the application does not warrant a departure from the prescribed standards set out by the Shire's Scheme, the Council may wish to consider the following alternative motion wording:

*"The Council having taken into consideration the provisions of Shire of Chapman Valley Town Planning Scheme No.1, resolve:*

- 1 *Not to adopt the staff recommendation on the grounds that the proposed outbuilding setback is at variance to the Shire of Chapman Valley Town Planning Scheme No.1 requirements.*
- 2 *Refuse planning approval for an outbuilding to be constructed upon Lot 211 (No.7) Redcliffe Concourse, White Peak for the following reasons:*
  - a *The proposed outbuilding does not comply with the minimum rear or side boundary setback requirements of Shire of Chapman Valley Town Planning Scheme No.1;*
  - b *Council is not satisfied that sufficient justification has been provided to warrant a concession being granted in this instance; &*
  - c *Approval of this application may well set an undesirable precedent for continued variation to the Shire's statutory requirements, which in time could prove to be detrimental to the rural residential amenity and lifestyle opportunities of the locality."*

## **POLICY IMPLICATIONS**

Clause 1 of the Shire's 'Outbuildings' Local Planning Policy states:

<i>Special Rural (Lots &lt; 4 ha)</i>	Area (total aggregate)	200 m <sup>2</sup>
	Wall Height	4.5 metres*
	Overall Height (single story)	5.5 metres
	Overall Height (double story barn)	6.5 metres
* <i>Wall heights are to be measured from natural ground level.</i>		

The proposed outbuilding is to be 195.23m<sup>2</sup> (9.88m x 19.76m) in area with a maximum wall height of 4.4m (measured from natural ground level) and an overall height of 5.140m as measured from the pad height. The application complies with the requirements of the Policy.

There are presently a number of minor outbuilding structures to the rear of the dwelling upon Lot 211 and the staff recommendation does include as suggested condition 7 the following:

- "7 On completion of the outbuilding, the existing outbuilding structures located to the rear of the dwelling are to be removed.*

The basis for suggested condition 7 is that the maximum total outbuilding area for this property under the Shire's 'Outbuildings' Local Planning Policy is 200m<sup>2</sup> and given that the proposed outbuilding is 195.23m<sup>2</sup> in area the existing structures should be removed as a condition of approval to ensure compliance with this policy requirement. However, Council may consider upon review of the site that the existing outbuilding structures are minor in nature and could remain on-site without undue impact to the amenity of the area. The structures were constructed without Shire approval by a previous landowner and the applicant has advised that it is their intention to remove the structures.

**Figure 4 – View of existing outbuilding structures to rear of residence upon Lot 211**



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

#### **FINANCIAL IMPLICATIONS**

Development applications of not more than \$50,000 in value are charged a fee of \$139 under the Shire of Chapman Valley Planning Services Fees 2012/2013.

#### **STRATEGIC IMPLICATIONS**

The Residential Design Codes of Western Australia (2010) whilst not strictly applicable to special rural areas such as Redcliffe Concourse they do still provide general principles that can guide assessment of outbuilding developments in this area.

*“The criteria should be that they do not detract from the essential functions of private open space, the visual amenity of neighbours or the streetscape. This means that any outbuilding that is to be exempt from the standards of the dwelling should be:*

- *relatively small in area;*
- *relatively low in height;*
- *sited so as to preserve the use and amenity of open space;*
- *setback sufficiently from boundaries;*
- *confined to single houses and grouped dwellings; and*
- *excluded from street setback areas.”*

#### **VOTING REQUIREMENTS**

Simple majority

## STAFF RECOMMENDATION

That Council grant formal Planning Approval for an outbuilding to be constructed upon Lot 211 (No.7) Redcliffe Concourse, White Peak subject to the following:

### Conditions

- 1 Development shall be in accordance with the attached approved plan(s) dated 19 June 2013 and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the Local Government.
- 2 Any additions to or change of use of any part of the building or land (not the subject of this consent/approval) requires further application and planning approval for that use/addition.
- 3 The use hereby permitted shall not cause injury to or prejudicially affect the amenity of the locality by reason of the emission of smoke, dust, fumes, odour, noise, vibration, waste product or otherwise.
- 4 The approved outbuilding is only to be used for general storage purposes associated with the predominant use of the land and shall NOT be used for habitation, commercial or industrial purposes.
- 5 All stormwater is to be disposed of on-site to the specifications and approval of the Local Government. On application for a building licence a detailed design of stormwater collection and disposal system of developed areas is to be supplied.
- 6 All excavation works are to be stabilised to the satisfaction of the Local Government.
- 7 On completion of the outbuilding, the existing outbuilding structures located to the rear of the dwelling are to be removed.
- 8 If the development/land use, the subject of this approval, is not substantially commenced within a period of two years after the date of determination, the approval shall lapse and be of no further effect, and the excavation works associated with the development are to be filled in and stabilised to the satisfaction of the Local Government.

### Notes

- a Where an approval has so lapsed, no development/land use shall be carried out without the further approval of the local government having first been sought and obtained.
- b If an applicant is aggrieved by this determination there is a right (pursuant to the *Planning and Development Act 2005*) to have the decision reviewed by the State Administrative Tribunal. Such application must be lodged within 28 days from the date of determination.

## COUNCIL RESOLUTION

**MOVED: CR FORRESTER**

**SECONDED: CR BATTEN**

**That Council grant formal Planning Approval for an outbuilding to be constructed upon Lot 211 (No.7) Redcliffe Concourse, White Peak subject to the following:**

### Conditions

- 1 **Development shall be in accordance with the attached approved plan(s) dated 19 June 2013 and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the Local Government.**
- 2 **Any additions to or change of use of any part of the building or land (not the subject of this consent/approval) requires further application and planning approval for that use/addition.**

- 3 The use hereby permitted shall not cause injury to or prejudicially affect the amenity of the locality by reason of the emission of smoke, dust, fumes, odour, noise, vibration, waste product or otherwise.
- 4 The approved outbuilding is only to be used for general storage purposes associated with the predominant use of the land and shall NOT be used for habitation, commercial or industrial purposes.
- 5 All stormwater is to be disposed of on-site to the specifications and approval of the Local Government. On application for a building licence a detailed design of stormwater collection and disposal system of developed areas is to be supplied.
- 6 All excavation works are to be stabilised to the satisfaction of the Local Government.
- 7 On completion of the outbuilding, the existing outbuilding structures located to the rear of the dwelling are to be removed.
- 8 If the development/land use, the subject of this approval, is not substantially commenced within a period of two years after the date of determination, the approval shall lapse and be of no further effect, and the excavation works associated with the development are to be filled in and stabilised to the satisfaction of the Local Government.

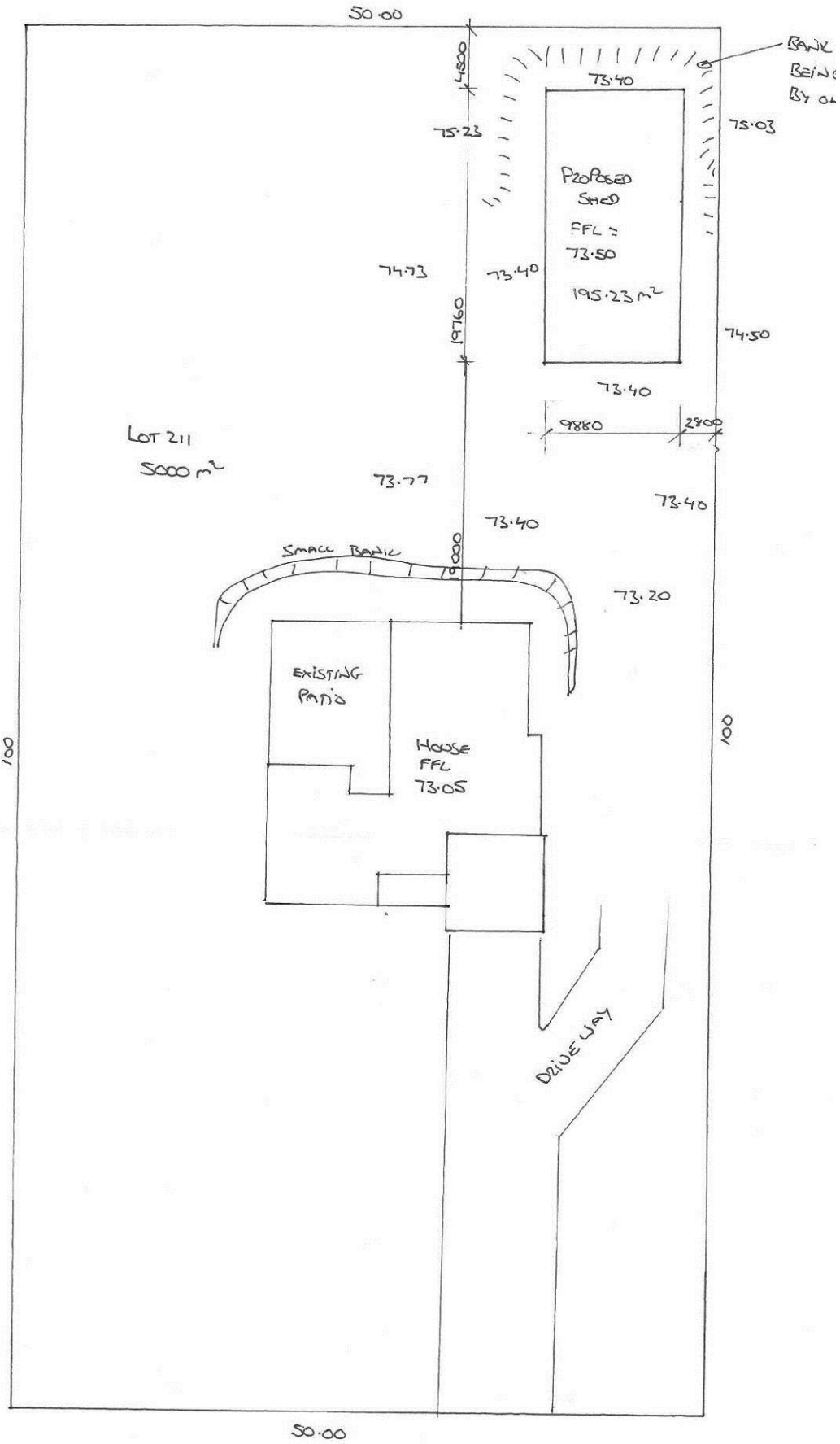
**Notes**

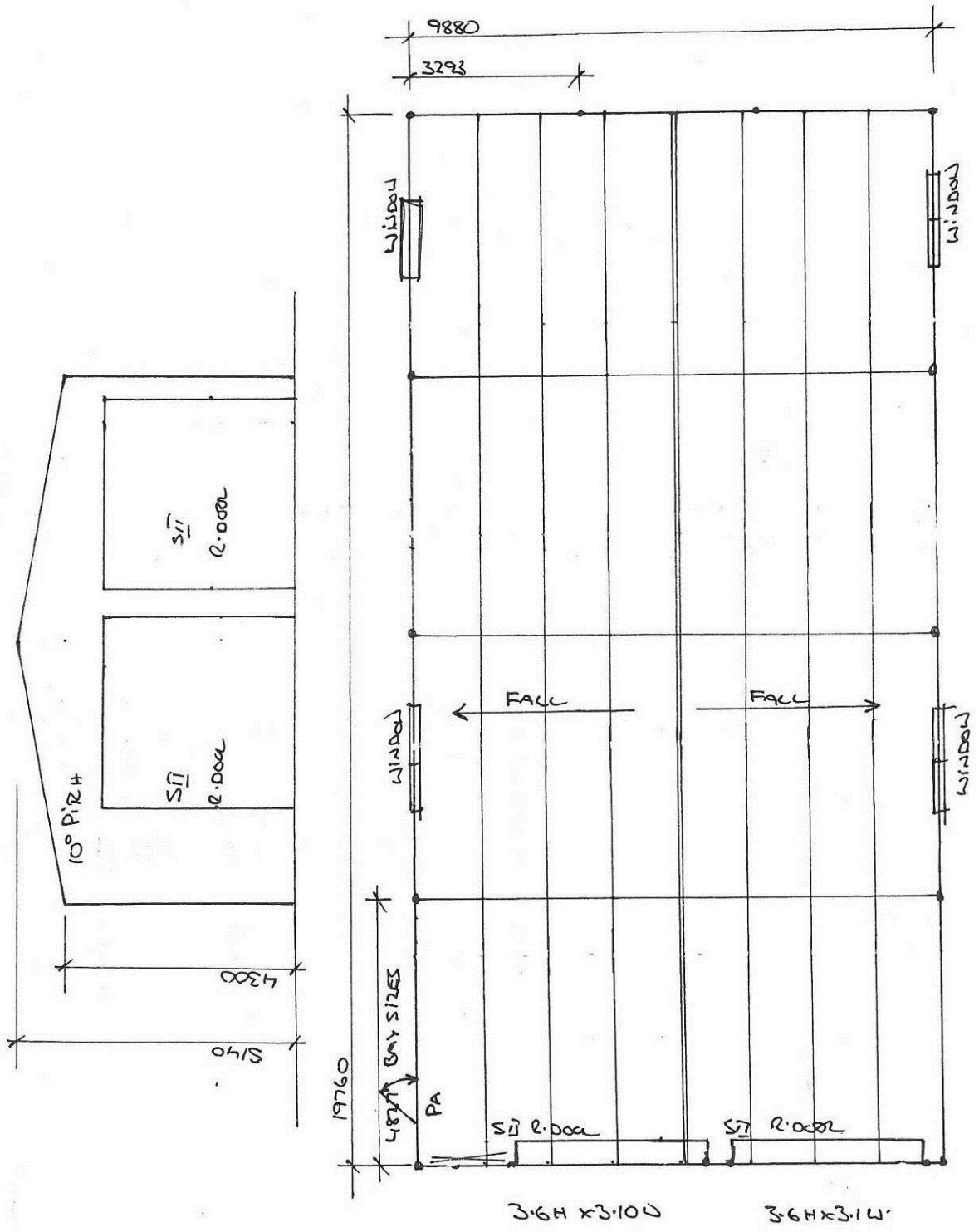
- a Where an approval has so lapsed, no development/land use shall be carried out without the further approval of the local government having first been sought and obtained.
- b If an applicant is aggrieved by this determination there is a right (pursuant to the *Planning and Development Act 2005*) to have the decision reviewed by the State Administrative Tribunal. Such application must be lodged within 28 days from the date of determination.

**Voting 6/2  
CARRIED  
Minute Reference 6/13-4**



**ATTACHMENT 1**





Robert Gray  
7 Redcliffe Concourse  
WHITE PEAK W.A. 6530

The Shire of Chapman Valley,  
Box 1 P.O.  
NABAWA, W.A. 6532

Atn Kathryn Jackson.

Dear Kathryn,

Re my building application for a shed of 195 m2 at 7 Redcliffe Concourse and situated 4.500 from rear boundary and 2.800 from side boundary.

Small out buildings such as chook runs will be demolished before shed is erected.

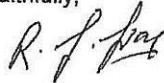
The shed will be used for the storage of machinery such as Scissor Lift and Frontend Loader used in my previous profession as a builder. Also a workshop area.

The location inside boundary regulations is necessary for direct access from driveway on the side and to avoid coming too close to house yard by reducing rear setback.

Due to the slope of the block I have had to cut back into the yellow sand and that area behind proposed shed is of little to no use.

Hoping you are receptive to my request.

Yours faithfully,



Robert Gray  
23/5/13.

Cr Forrester declared an impartiality interest as a Committee member in Item 9.1.4

<b>AGENDA ITEM:</b>	<b>9.1.4</b>
<b>SUBJECT:</b>	<b>PROPOSED AMBULANCE SUB CENTRE EXTENSION</b>
<b>PROPONENT:</b>	<b>CHAPMAN VALLEY AMBULANCE SUB CENTRE</b>
<b>SITE:</b>	<b>LOT 7 CHAPMAN VALLEY ROAD, NABAWA</b>
<b>FILE REFERENCE:</b>	<b>A1331</b>
<b>PREVIOUS REFERENCE:</b>	<b>11/01-15 &amp; 03/02-9</b>
<b>DATE:</b>	<b>31 MAY 2013</b>
<b>AUTHOR:</b>	<b>SIMON LANCASTER</b>

#### **DISCLOSURE OF INTEREST**

Nil

#### **BACKGROUND**

The Chapman Valley Ambulance Sub Centre have made application through Lotterywest for the extension of the existing Nabawa ambulance shed to allow for a training room. The volunteer group have held preliminary discussions with Shire staff concerning the design and siting of the extension and have now approached Council seeking assistance with site preparation works in the event that their grant application is successful.

#### **COMMENT**

The Chapman Valley Ambulance Sub Centre are seeking to construct a training room on the northern side of the existing 78m<sup>2</sup> (6x13m) colorbond building, the final dimensions of the extension are yet to be determined but would likely be a skillion roof 78m<sup>2</sup> addition that would double the ambulance sub centre floor area. The extension would be accessed through a door on the western side of the training room, and the existing door on the northern side of the ambulance building would become an internal door capable of being locked to prevent internal access through to the vehicle area if required.

The extension would require placement of fill to the north of the shed to raise the natural ground level to match the finished floor level of the existing building and the removal of up to 3 existing trees (although Shire staff consider that only 1-2 trees would require removal dependant on final design). Shire planning and building staff have met with representatives from the Chapman Valley Ambulance Sub Centre on-site and agreement was reached that extending the building northwards was the only available option due to the effluent disposal system being located to the east, the shared emergency vehicle approach being to the west, and the location of the fire shed to the south.

**Figure 1 – Aerial Photograph of Chapman Valley Ambulance Sub Centre upon Lot 7**



The Chapman Valley Ambulance Sub Centre are seeking the Shire's assistance towards the project with the necessary site preparation and the officer recommendation is that an amount of \$5,000 be listed for consideration in the draft 2013/2014 budget that Shire staff would utilise to undertake the necessary site preparation works as the Shire's contribution towards the project (with the expenditure being dependent upon the building being funded through the grant application).

A copy of the letter received from the Chapman Valley Ambulance Sub Centre has been included as **Attachment 1** to this report.

The Chapman Valley Ambulance Sub Centre serving the St John Ambulance Australia WA Ambulance Service Inc. is located upon Lot 7 Chapman Valley Road, Nabawa which is a free hold parcel of land under the ownership and control of the Shire of Chapman Valley. Lot 7 contains the Shire office and depot buildings, and the ambulance and fire sheds.

**Figure 2 – Photograph of Chapman Valley Ambulance Sub Centre looking south-east**



**Figure 3 – Photograph of Chapman Valley Ambulance Sub Centre looking west**



**Figure 4 – Photograph of Chapman Valley Ambulance Sub Centre looking south**



Council previously resolved at its 20 November 2001 meeting:

*“That Council endorse the following in regards to the establishment of a St John Ambulance Sub Centre at Nabawa:*

- 1 Agree to support the establishment of the Sub Centre under the condition that there will be no capital or ongoing operational cost required of Council.*
- 2 The Chief Executive Officer meet with delegates of the Chapman Valley St John Ambulance Group to advise the most appropriate location for the establishment of an ambulance shed is behind the offices and next to the Depot at Nabawa.*
- 3 Agree to allow a Sub Centre to be placed on land in Council's ownership under the condition that all equity of buildings placed on such land will remain with Council.*
- 4 Agree to allow the use of the Community Centre by the Chapman Valley St John Ambulance Sub Centre Group for First Aid Training, meetings, etc. without cost for hire of this facility.”*

Council further resolved at its 19 March 2002 meeting:

*“That Council agree to entering into a lease agreement with St John Ambulance Association WA Inc. for the lease of a section of Lot 7 Chapman Valley Road for the establishment of a St John Ambulance Sub Centre in accordance with the draft agreement provided by St John Ambulance with the following adjustments:*

- 1 Clause 4(1) – the lessee shall insure the premises for the full and insurable value thereof with a public insurance office against loss and damage by fire, storm, tempest, aircraft and articles dropped there from and such other risks.*
- 2 Clause 4(2) – the public liability insurance to be increased from \$10 million to \$20 million.*
- 3 The appropriate GST clause be included in the lease agreement if not already catered for.”*

The Chapman Valley Ambulance Sub Centre was subsequently constructed on site in 2002 and the 78m<sup>2</sup> cream colorbond building comprises a 7x6m ambulance parking area at the front/west, and a 5x6m room to the rear/east containing a sink, toilet and shower connected to a 1520mm and 1220mm septic tank system and 12m leach drain located to the shed's rear/east.

## STATUTORY ENVIRONMENT

Lot 7 Chapman Valley Road, Nabawa is zoned 'Community' under Shire of Chapman Valley Town Planning Scheme No.1 ('the Scheme').

The Policy Statement for the 'Community' zone within Scheme No.1 is as follows:

*"The uses permitted in this zone embrace a wide variety of community activities from public facilities such as hospitals to private recreational facilities, such as squash courts, sporting clubs and the like. In determining car parking requirements, Council will take account of the number of cars likely to congregate on site."*

The existing ambulance building could be considered to meet the definition of a Medical Centre which is listed as permitted use for the 'Community' zone and is defined under Section 1.7 of Scheme No.1 as follows:

*"Means a building (other than a hospital) that contains or is designed to contain facilities not only for the practitioner or practitioners mentioned under the interpretations of consulting rooms but also for ancillary services such as chemist, pathologists and radiologists."*

The Scheme lists the required front boundary setback for the 'Community' zone as being 11m, the rear boundary setback as being 7.5m and the side boundary setback as being 2m per storey. In the case of Lot 7 the front property boundary would be considered Chapman Valley Road, and the northern boundary could therefore be deemed the side property boundary. The building plan for the existing ambulance shed illustrates a 10m setback from the boundary of Lot 7 and the extension of the existing shed to the north would result in a setback that could be considered compliant with the Scheme but would be relatively close to a road reserve. However, given that the road along the northern boundary is a cul-de-sac utilised by only one residence and the Shire depot, and the ambulance building would not have direct vehicular access onto the northern road then the setback of the shed extension could be considered acceptable.

The placement of fill, to enable the proposed extension's finished floor level to match the existing shed, would be in the vicinity of the table drain on the northern road and there may be some requirement for stone pitching on the north-eastern corner of the earthworks to achieve scour protection.

Section 3.1.3 of the Scheme states that there is power to relax development standards and requirements in accordance with the following:

*"Notwithstanding the provisions of Clause 3.1.1, if a development, other than a residential development, the subject of an application for planning consent, does not comply with a standard or requirement prescribed by the Scheme with respect to that development the Council may, notwithstanding that non-compliance, conditions as the Council thinks fit. The power conferred by this Clause may only be exercised if the Council is satisfied that:*

- (a) approval of the proposed development would be consistent with the orderly and proper planning of the locality and the preservation of the amenities of the locality;*
- (b) the non-compliance will not have any adverse effect upon the occupiers or users of the development or the inhabitants of the locality or upon the likely future development of the locality; and*
- (c) the spirit and purpose of the requirements or standard will not be unreasonably departed from thereby."*

The dimensions of the proposed 78m<sup>2</sup> floor area extension have been marked on-site should Councillors wish to view the development area on the day of the Council meeting.

## POLICY IMPLICATIONS

Nil

## **FINANCIAL IMPLICATIONS**

It is recommended that Council consider an allocation of \$5,000 in its draft 2013/2014 budget as its contribution towards the Chapman Valley Ambulance Sub Centre extension project (with the expenditure being dependent upon the building being funded through the grant application) these funds would cover any internal or external Shire expenses to undertake the necessary site preparation works.

## **STRATEGIC IMPLICATIONS**

The Chapman Valley Ambulance Sub Centre provides an important emergency service to the Chapman Valley community and the extension of the building to better provide training should be viewed as a positive venture worthy of support.

## **VOTING REQUIREMENTS**

Simple Majority

## **STAFF RECOMMENDATION**

The Council:

- 1 Approve for the Chapman Valley Ambulance Sub Centre building to be extended northwards upon Lot 7 Chapman Valley Road, Nabawa to a maximum additional floor area of 78m<sup>2</sup> (13x6m).
- 2 Delegate authority to the Shire Chief Executive Officer to amend the existing lease with the Chapman Valley Ambulance Sub Centre as necessary in the event that the grant application for the extended area is successful and the associated building work undertaken.
- 3 List for later Council consideration in the draft 2013/2014 budget an amount of \$5,000 to contribute towards the site preparation works for the extension of the Chapman Valley Ambulance Sub Centre building (such works to include removal of trees/vegetation as required, placement of fill to match existing building's finished floor level, levelling and compaction of the site, erosion protection measures on the side slopes of the proposed fill including stone pitching work and extension northwards of the existing concrete ramp approach to the building).
- 4 Advise the Chapman Valley Ambulance Sub Centre that the building extensions are required to be clad in complementary materials and colours to the existing building and a building approval is required to be issued for the development.

## **COUNCIL RESOLUTION**

**MOVED: CR BELL**

**SECONDED: CR HUMPHREY**

The Council:

- 1 **Approve for the Chapman Valley Ambulance Sub Centre building to be extended northwards upon Lot 7 Chapman Valley Road, Nabawa to a maximum additional floor area of 78m<sup>2</sup> (13x6m).**
- 2 **Delegate authority to the Shire Chief Executive Officer to amend the existing lease with the Chapman Valley Ambulance Sub Centre as necessary in the event that the grant application for the extended area is successful and the associated building work undertaken.**
- 3 **List for later Council consideration in the draft 2013/2014 budget an amount of \$5,000 to contribute towards the site preparation works for the extension of the Chapman Valley Ambulance Sub Centre building (such works to include removal of trees/vegetation as required, placement of fill to match existing building's finished floor level, levelling and compaction of the site, erosion protection measures on the side slopes of the proposed**



fill including stone pitching work and extension northwards of the existing concrete ramp approach to the building).

- 4 Advise the Chapman Valley Ambulance Sub Centre that the building extensions are required to be clad in complementary materials and colours to the existing building and a building approval is required to be issued for the development.

Voting 8/0  
CARRIED  
Minute Reference 6/13-5

St John Ambulance Australia W.A. Ambulance Service Inc.



RECEIVED  
26 FEB 2013

509.00  
Record No

6<sup>th</sup> February 2013

BY: .....

Chief Executive Officer  
Shire of Chapman Valley  
NABAWA WA 6532

Dear Stuart,

**Re: Donation of Earthworks**

The Chapman Valley Ambulance Sub Centre has put in for a grant to Lotterywest for the extension of the shed to include another room which will be set aside for training purposes. This room will allow us to offer more first aid training courses in our area and in turn allow us to pursue another area of income to help keep our sub centre viable.

On behalf of the Chapman Valley Sub-Centre, I would like make a request to council for the donation of earthworks and the removal of 3 tree's on the side on the current building. At this stage we are waiting for the outcome of the grant and obviously if it is approved then working in conjunction with your town planner with whom I have already spoken we would like to commence the building but would need to build up the level on the side of the existing building and have it compacted so it would be stable and strong enough to support the new shed.

If this request could be passed onto the council for consideration (if required) then it would be appreciated. If alternatively you have any queries please do not hesitate to contact me on the number below.

Yours truly,

Gerard Williamson  
Chairperson  
Chapman Valley Sub Centre  
9931 1018

HELP SAVE LIVES - LEARN ST JOHN FIRST AID

<b>AGENDA ITEM:</b>	<b>9.1.5</b>
<b>SUBJECT:</b>	<b>SHIRE OF CHAPMAN VALLEY STRATEGIC COMMUNITY PLAN 2013-2023</b>
<b>PROPONENT:</b>	<b>SHIRE OF CHAPMAN VALLEY</b>
<b>SITE:</b>	<b>SHIRE OF CHAPMAN VALLEY</b>
<b>FILE REFERENCE:</b>	<b>313.00</b>
<b>PREVIOUS REFERENCE:</b>	<b>5/13-12</b>
<b>DATE:</b>	<b>5 JUNE 2013</b>
<b>AUTHOR:</b>	<b>SIMON LANCASTER</b>

#### **DISCLOSURE OF INTEREST**

Nil

#### **BACKGROUND**

The Shire of Chapman Valley Strategic Community Plan 2013-2023 is presented to Council for its consideration, with staff recommending that the document be adopted and forwarded to the Department of Local Government.

#### **COMMENT**

The Strategic Community Plan was discussed at two workshops held with Councillors and representatives of Morrison Low on 18 February 2013 and 11 April 2013, who also conducted a series of community engagement meetings at Batten Hall, Yuna Hall and Nabawa Hall on 19 and 20 February 2013.

The Strategic Community Plan was advertised for 30 days inviting feedback from the community on the draft document. At the conclusion of the advertising period 1 submission had been received and this was considered at the 15 May 2013 Council meeting with it being resolved:

*“That the staff recommendation not be adopted and that the item lay on the table till the June Council meeting to allow for further document development.”*

Modifications have been undertaken to the Strategic Community Plan to reflect the comments contained within the received submission and also the general feedback of Councillors and a copy of the updated (June 2013) version of the Strategic Community Plan is provided to Councillors as a separate document to the June Council Agenda for consideration.

The Strategic Community Plan is intended to serve over a period of 10 year period and link the community's values, aspirations and priorities with the Council's vision and long term strategies to achieve this.

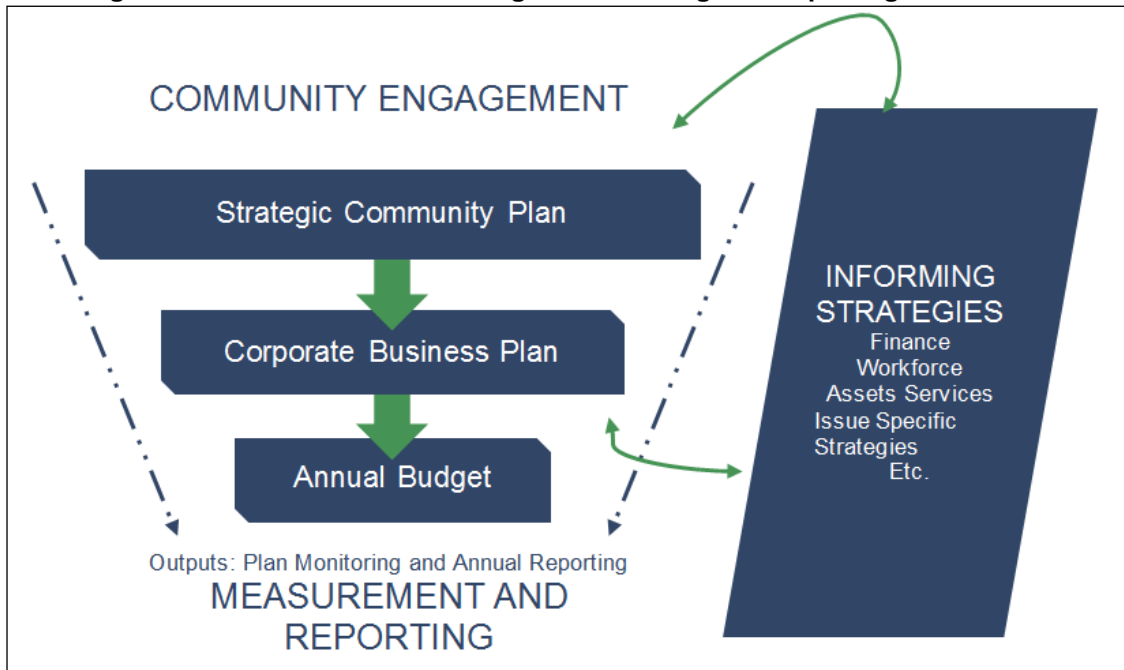
The Strategic Community Plan is required to be reviewed regularly with a suggested timeframe of 2 years for minor reviews and 4 years for major reviews.

The Strategic Community Plan should be drawn upon in the priority setting within the Corporate Business Plan and other strategies relevant to workforce, asset management, services and specific project and issues.

The Western Australian Integrated Planning and Reporting Framework is intended to integrate asset, service and financial plans to ensure that local government resource capabilities are matched to their community's needs. The Department of Local Government notes in relation to the Strategic Community Plan that *“where structural reform is being put in place, this integrated approach to planning will help the new local government entities identify and meet the requirements of the local community”*.

The Strategic Community Plan is required to be adopted and forwarded to the Department of Local Government prior to its 30 June 2013 deadline.

**Figure 1 - Western Australian Integrated Planning and Reporting Framework**



## STATUTORY ENVIRONMENT

Section 5.56 of the *Local Government Act 1995* states:

*“5.56 Planning for the Future*

- (1) *A local government is to plan for the future of the district.*
- (2) *A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.”*

It is intended under the Western Australian Integrated Planning and Reporting Framework that the Strategic Community Plan will replace the Plan for the Future under the process as set out by the *Local Government (Administration) Regulations 1996*.

Section 19C of the *Local Government (Administration) Regulations 1996* states:

*“19C Strategic community plans, requirements for (Act Section 5.56)*

- (1) *A local government is to ensure that a strategic community plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.*
- (2) *A strategic community plan for a district is to cover the period specified in the plan, which is to be at least 10 financial years.*
- (3) *A strategic community plan for a district is to set out the vision, aspirations and objectives of the community in the district.*
- (4) *A local government is to review the current strategic community plan for its district at least once every 4 years.*
- (5) *In making or reviewing a strategic community plan, a local government is to have regard to —*
  - (a) *the capacity of its current resources and the anticipated capacity of its future resources; and*
  - (b) *strategic performance indicators and the ways of measuring its strategic performance by the application of those indicators; and*
  - (c) *demographic trends.*

- (6) *Subject to subregulation (9), a local government may modify its strategic community plan, including extending the period the plan is made in respect of.*
- (7) *A council is to consider a strategic community plan, or modifications of such a plan, submitted to it and is to determine\* whether or not to adopt the plan or the modifications.  
\*Absolute majority required.*
- (8) *If a strategic community plan is, or modifications of a strategic community plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.*
- (9) *A local government is to ensure that the electors and ratepayers of its district are consulted during the development of a strategic community plan and when preparing modifications of a strategic community plan.*
- (10) *A strategic community plan for a district is to contain a description of the involvement of the electors and ratepayers of the district in the development of the plan or the preparation of modifications of the plan.”*

## **POLICY IMPLICATIONS**

The Shire of Chapman Valley Strategic Community Plan 2012-2023 would come into operation on 1 July 2013.

## **FINANCIAL IMPLICATIONS**

The Strategic Community Plan should be used as a guiding tool in the preparation of Council's ongoing Annual Budgets, and inform the Shire's Corporate Business Plan, Asset Management Plan, Workforce Plan and Long-Term Financial Plan. However, the identification of a project within the Strategic Community Plan does not guarantee that it will be completed in any given year as circumstances change.

It is considered essential that Council remains flexible in its approach to ensure that community expectation is balanced with financial responsibility and to achieve this the Strategic Community Plan should be reviewed on a 2 to 4 yearly basis in accordance with Section 19C(4) of the *Local Government (Administration) Regulations 1996*.

## **STRATEGIC IMPLICATIONS**

The Strategic Community Plan identifies four key focus areas:

- Economic (business development and attraction);
- Leadership (engagement and communication);
- Community (maintaining and growing the population);
- Environment (protection and sustainability).

Each of these key focus areas has a series of goals attached to them that should inform Council's long term planning, with periodic review of the Strategic Community Plan intended to measure the degree to which these goals have been achieved and whether these goals remain reflective of the aspirations and priorities of the Shire of Chapman Valley community.

## **VOTING REQUIREMENTS**

Absolute majority

## **STAFF RECOMMENDATION**

That Council adopt the Shire of Chapman Valley Strategic Community Plan 2013-2023 and forward the document to the Department of Local Government.

**COUNCIL RESOLUTION**

**MOVED: CR BATTEN**

**SECONDED: CR FARRELL**

**That Council adopt the Shire of Chapman Valley Strategic Community Plan 2013-2023 and forward the document to the Department of Local Government.**

**Voting 8/0**

**CARRIED**

**Minute Reference 6/13-6**

<b>AGENDA ITEM:</b>	<b>9.1.6</b>
<b>SUBJECT:</b>	<b>SHIRE OF CHAPMAN VALLEY CORPORATE BUSINESS PLAN 2013-2017</b>
<b>PROPONENT:</b>	<b>SHIRE OF CHAPMAN VALLEY</b>
<b>SITE:</b>	<b>SHIRE OF CHAPMAN VALLEY</b>
<b>FILE REFERENCE:</b>	<b>313.04</b>
<b>PREVIOUS REFERENCE:</b>	<b>N/A</b>
<b>DATE:</b>	<b>6 JUNE 2013</b>
<b>AUTHOR:</b>	<b>SIMON LANCASTER</b>

**DISCLOSURE OF INTEREST**

Nil

**BACKGROUND**

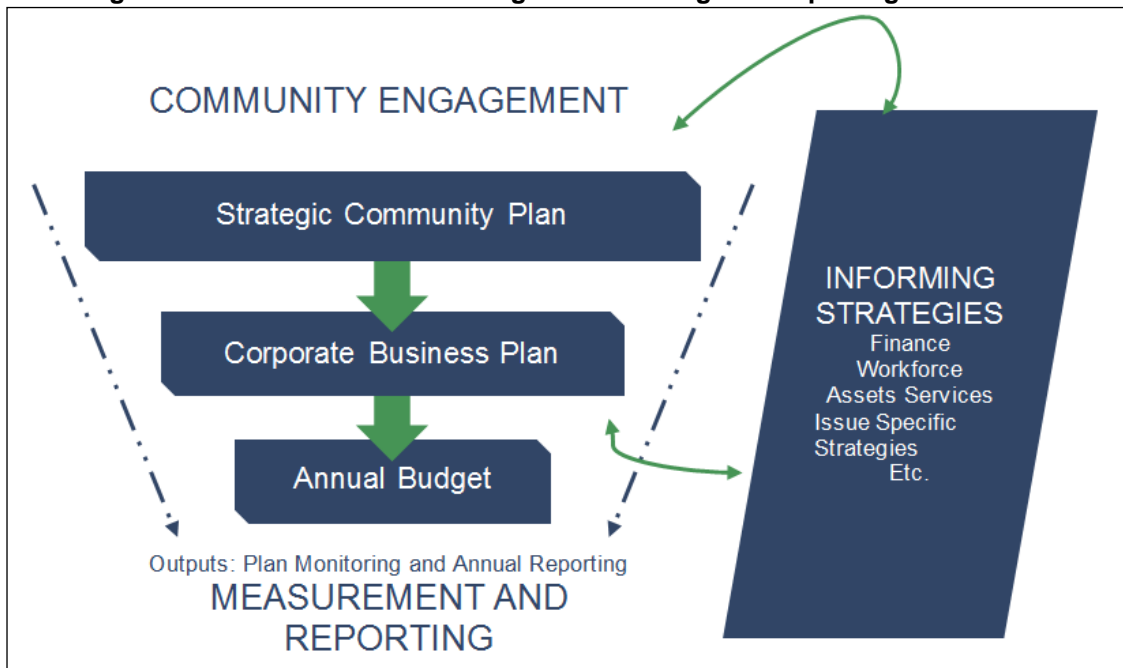
The Shire of Chapman Valley Corporate Business Plan 2013-2017 is presented to Council for its consideration, with staff recommending that the document be adopted and forwarded to the Department of Local Government.

**COMMENT**

The role of the Corporate Business Plan is to identify Council’s priority areas over a 4 year period and to integrate community aspirations into operations that are within the local government’s capacity to deliver across that timeframe.

The Western Australian Integrated Planning and Reporting Framework establishes the Strategic Community Plan as the document that sets out the long term (10+ years) vision and priorities of the community. The Asset Management Plan, Workforce Plan and Long Term Financial Plan serve as the informing strategies that set out the Shire’s capacity to deliver and/or contribute to achieving this vision. The Corporate Business Plan contains Council’s affordable priorities, actions and responsibilities over the next 4 years to progress the communities’ priorities that can be accommodated within the informing strategies.

**Figure 1 - Western Australian Integrated Planning and Reporting Framework**



The Corporate Business Plan has been prepared to provide for ‘business as usual’ for the core services currently delivered by the Shire and sets some additional priorities as informed by the Strategic Community Plan.

The Corporate Business Plan is required to be reviewed regularly with a suggested timeframe of 2 years for minor reviews and 4 years for major reviews. The *Local Government (Administration) Regulations 1996* require that the Corporate Business Plan cover a minimum period of 4 years, and given that major review is required of the Plan every 4 years this was selected as the timeframe for the Shire's Plan, although it is noted that some local governments have set their plans across a 5 year period to better ensure alignment where they have existing 5 Year Capital Works Programs.

Ideally the Corporate Business Plan would be used as a rolling document subject to annual review with the annual Council budget prepared utilising the corresponding financial period within the Corporate Business Plan. The annual review of the Corporate Business Plan would ensure flexibility so projects can be reprioritised dependant on funding sources.

The Corporate Business Plan is required to be adopted and forwarded to the Department of Local Government prior to its 30 June 2013 deadline.

## **STATUTORY ENVIRONMENT**

The process by which a local government shall prepare and review a Corporate Business Plan is prescribed within Section 19DA of the *Local Government (Administration) Regulations 1996*.

*"19DA Corporate business plans, requirements for (Act Section 5.56)*

- (1) A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.*
- (2) A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.*
- (3) A corporate business plan for a district is to —*
  - (a) set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government's priorities for dealing with the objectives and aspirations of the community in the district; and*
  - (b) govern a local government's internal business planning by expressing a local government's priorities by reference to operations that are within the capacity of the local government's resources; and*
  - (c) develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.*
- (4) A local government is to review the current corporate business plan for its district every year.*
- (5) A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government's strategic community plan.*
- (6) A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine\* whether or not to adopt the plan or the modifications.  
\*Absolute majority required.*
- (7) If a corporate business plan is, or modifications of a corporate business plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan."*

## **POLICY IMPLICATIONS**

The Shire of Chapman Valley Corporate Business Plan 2013-2017 would come into operation on 1 July 2013.



## **FINANCIAL IMPLICATIONS**

The Corporate Business Plan is intended to provide direct input into the preparation of Council's Annual Budget. However, the identification of a project within the Corporate Business Plan should not be construed as a guarantee that it will be completed in any given year as circumstances, particularly in relation to external funding, may change.

It is considered essential that Council remains flexible in its approach to ensure that community expectation is balanced with financial responsibility and to achieve this it is suggested that the Shire of Chapman Valley Corporate Business Plan be reviewed on an annual rolling basis.

The Department of Local Government notes that *"The Annual Budget is the financial representation of the annual plan, including detailed statutory financial requirements. It is an outcome of a roll-forward Corporate Business Plan, whereby year one of the Corporate Business Plan becomes the annual business plan and corresponds to year one of the long-term financial plan. The budget addresses all of the local government's operations for the financial year - including services, projects, assets (capital works and ongoing operational) and is supported by detailed financial revenue, expenditure and processes that are informed by the long-term financial plan."*

## **STRATEGIC IMPLICATIONS**

The Corporate Business Plan is intended to reflect the strategic direction set by the Strategic Community Plan and outline the Shire's four year operational and service delivery program.

## **VOTING REQUIREMENTS**

Absolute majority

## **STAFF RECOMMENDATION**

That Council adopt the Shire of Chapman Valley Corporate Business Plan 2013-2017 and forward the document to the Department of Local Government.

## **COUNCIL RESOLUTION**

**MOVED: CR FARRELL**

**SECONDED: CR DAVIDSON**

**That Council adopt the Shire of Chapman Valley Corporate Business Plan 2013-2017 and forward the document to the Department of Local Government.**

**Voting 8/0  
CARRIED  
Minute Reference 6/13-7**

# **9.2 Accountant June 2013**

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## **Contents**

### **9.2 AGENDA ITEMS**

9.2.1 Financial Reports for May 2013

## COUNCIL RESOLUTION

**MOVED: CR FORRESTER**

**SECONDED: CR DAVIDSON**

**That Item 9.3.9 be moved before 9.2.1 to allow Ms Siemon to discuss the Invasive Species Plan.**

**Voting 8/0  
CARRIED  
Minute Reference 6/13-8**

<b>AGENDA ITEM:</b>	<b>9.3.9</b>
<b>SUBJECT:</b>	<b>INVASIVE SPECIES PLAN</b>
<b>PROPONENT:</b>	<b>SHIRE OF CHAPMAN VALLEY</b>
<b>SITE:</b>	<b>SHIRE OF CHAPMAN VALLEY</b>
<b>FILE REFERENCE:</b>	<b>207.06.15</b>
<b>PREVIOUS REFERENCE:</b>	
<b>DATE:</b>	<b>12 JUNE 2013</b>
<b>AUTHOR:</b>	<b>NICOLE SIEMON</b>

### DISCLOSURE OF INTEREST

Nil

### BACKGROUND

The Shire of Chapman Valley in partnership with landowners is seeking to improve the management and control of feral animals within their Municipal area. The Shire has received a grant to prepare an Invasive Species Plan that provides an overview of control activities, identify best practice and methodologies and provide a foundation document required to apply for further grants. These grants would be used to control and eradicate selected invasive species across the Shire.

The Invasive Species Management Plan will:

- Identify and prioritise areas of regional significance impacted by invasive weeds and/or animals.
- Provide threat abatement plans to manage the biodiversity impact threats and build these into existing Council operational plans.
- Provide information on the distribution and core of outlying invasive species with estimates of density, size and movement.
- Identify management actions which will guide the targeted coordinated and integrated activities to manage invasive species across Shire of Chapman Valley.
- Identify potential sources of funding to assist with implementing the Shire of Chapman Valley invasive species management plan.

### COMMENT

Extensive desktop research, weed surveys and data collaboration with stakeholders has resulted in a comprehensive database with information on weed distribution, feral animal distribution and control effort and areas for priority investment.

The council has previously committed \$12,000 towards the development of this plan and expressed interest in ongoing invasive species management issues

Endorsement of this plan is sought from council to enable the document to be used for the purposes outlined above.

### STATUTORY ENVIRONMENT

Nil

### POLICY IMPLICATIONS

Landcare Policy 10.60

### FINANCIAL IMPLICATIONS

The Invasive Species Plan can be used as a basis for funding applications.

Matching funding could be sought as part of future funding applications. Any future Council contributions will be negotiated with Council through the budget process.

**STRATEGIC IMPLICATIONS**

Nil

**VOTING REQUIREMENTS**

Simple Majority

**STAFF RECOMMENDATION**

That Council endorse the Invasive Species Plan as presented.

**COUNCIL RESOLUTION**

**MOVED: CR FARRELL**

**SECONDED: CR DAVIDSON**

**That Council endorse the Invasive Species Plan as presented.**

**Voting 8/0  
CARRIED  
Minute Reference 6/13-9**

<b>AGENDA ITEM:</b>	<b>9.2.1</b>
<b>SUBJECT:</b>	<b>FINANCIAL REPORTS FOR MAY 2013</b>
<b>PROPONENT:</b>	<b>ACCOUNTANT</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>11 JUNE 2013</b>
<b>AUTHOR:</b>	<b>DEBBY BARNDON</b>

#### **DISCLOSURE OF INTEREST**

Nil

#### **BACKGROUND**

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

#### **COMMENT**

Attached to this report are the monthly financial statements for May 2013 for Council's review.

#### **STATUTORY ENVIRONMENT**

Local Government Act 1995 Section 6.4

Local Government (Financial Management) Regulations 1996 Section 34

#### **POLICY IMPLICATIONS**

Policy 5.70 Significant Accounting Policies

Extract:

*"2. Monthly Reporting*

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

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

#### **FINANCIAL IMPLICATIONS**

As presented in May 2013 financial statement.

## **STRATEGIC IMPLICATIONS**

Nil

## **VOTING REQUIREMENTS**

Simple Majority required.

## **STAFF RECOMMENDATION**

That Council receive the financial report for the months of May 2013 comprising the following:

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

## **COUNCIL RESOLUTION**

**MOVED: CR FARRELL**

**SECONDED: CR BATTEN**

That Council receive the financial report for the months of May 2013 comprising the following:

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

**Voting 8/0  
CARRIED  
Minute Reference 6/13-10**

# 9.3

# Chief Executive Officer

# June 2013

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- 9.3.1 Chapman Valley Community Harvest Ball
- 9.3.2 Shire of Chapman Valley 2013/2014 Draft Schedule of Fees
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- 9.3.4 Budget Request Valley Vibes assistance to purchase photocopier
- 9.3.5 WALGA Annual General Meeting
- 9.3.6 Budget Request Relining of Yuna Community Swimming Pool
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- 9.3.8 Review of Delegations Register
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- 9.3.10 CONFIDENTIAL ITEM – Renewal Contract Simon Lancaster
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- 9.3.13 LATE ITEM – Tender 2002 Holden Rodeo Ute

<b>AGENDA ITEM:</b>	<b>9.3.1</b>
<b>SUBJECT:</b>	<b>CHAPMAN VALLEY COMMUNITY HARVEST BALL</b>
<b>PROPONENT:</b>	<b>CHAPMAN VALLEY PRIMARY SCHOOL P &amp; C ASSOCIATION</b>
<b>SITE:</b>	<b>NABAWA COMMUNITY HALL</b>
<b>FILE REFERENCE:</b>	<b>1108.01</b>
<b>PREVIOUS REFERENCE:</b>	<b>13/3-12</b>
<b>DATE:</b>	<b>28 MAY 2013</b>
<b>AUTHOR:</b>	<b>STUART BILLINGHAM</b>

## **DISCLOSURE OF INTEREST**

Nil

## **BACKGROUND**

The Shire of Chapman Valley received correspondence dated 22 February 2013 from the Chapman Valley Primary School P & C Association to introduce a new event to the Shire's events calendar.

At the 20 March 2013 Council meeting it was resolved:

"That Council writes to the Chapman Valley Primary School P & C advising it supports the event and provides the Community Development Officer to supply in-kind support to support grants before the upcoming Harvest Ball."

Voting 7/0  
CARRIED  
Minute Reference 13/3-12

All avenues for grant funding were exhausted by the Shire's Community Development Officer.

Further correspondence was received dated 11 April 2013 and the Chapman Valley Primary School P & C Association Secretary, Mrs. Jane Barndon attended the 15 May 2013 Council meeting to request once again that the Shire of Chapman Valley be associated with this event and to be a major sponsor.

The 2012/13 Budget listed \$3,500 under Donations and Gifts GL 0212 and Year to date expended \$792.20 a balance remaining of \$2,707.80.

## **COMMENT**

The Inaugural Chapman Valley Community Harvest Ball will be held on Saturday 5 October 2013 at the Nabawa Community Hall.

This event is being held to foster a stronger sense of community and belonging and also an opportunity to promote the local clubs and organisations.

The Chapman Valley Primary School P & C Association is requesting a donation towards the running costs of the Harvest Ball for 2013.

Many local businesses including Baker Williamson Studios, Valley Vibes, Lavender Farm, Nukara, Art Gecko Graphic Design, Purcher International, Bendigo Bank and Europa Saddlery have committed to this event.

## **STATUTORY ENVIRONMENT**

Nil

## **POLICY IMPLICATIONS**

*Policy 5.30 Donations and Grants*

*Local Nature*

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

*Of a State or National nature, or*

*If they are not concerned or connected with Chapman Valley area*

*Exceptions to the above will be disaster or emergency appeals.*



*The Chief Executive Officer be delegated authority to authorize donations with budget limitations up to a maximum of \$100 per application.*

*This delegation is to be in accordance with Councils policy in regards to "Local Nature" (See Delegation 3005)*

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

**FINANCIAL IMPLICATIONS**

Funds are available under the current budget or Council allocating funds for the 2013/2014 Draft Budget.

**STRATEGIC IMPLICATIONS**

Nil

**VOTING REQUIREMENTS**

Simple Majority

**STAFF RECOMMENDATION**

That Council contributes \$1,000 (2012/13) to be a Diamond sponsor of the 2013 Community Harvest Ball from the Donations and Gifts GL 0212.



**COUNCIL RESOLUTION**

**MOVED: CR FARRELL**

**SECONDED: CR HUMPHREY**

**That Council contributes \$1,000 (2012/13) to be a Diamond sponsor of the 2013 Community Harvest Ball from the Donations and Gifts GL 0212.**

**Voting 7/1  
CARRIED  
Minute Reference 6/13-11**

	<p>RECEIVED 26 FEB 2013</p>	<p>1108.01 Record No AD13568</p>	
<p>BY:.....</p> <p>CHAPMAN VALLEY <i>Community Harvest Ball</i></p> <p>EMAIL: CVCHARVESTBALL@WESTNET.COM.AU PHONE: 0499 515 966</p>			

22<sup>nd</sup> February, 2013

Chapman Valley Community Harvest Ball

Dear Chapman Valley Shire Council,

Chapman Valley Primary School P&C Association would like to introduce a new event to our yearly calendar. We would like to hold the Inaugural Chapman Valley Community Harvest Ball at the Nabawa Community Hall on Saturday 5<sup>th</sup> October, 2013.

Our aim in holding this special event is to bring our small community closer together for a night of music, fun, food and friends. We hope to attract not only the families who have lived in the Valley for years, but also the relative newcomers – the people who have chosen to move out to Chapman Valley in pursuit of the more relaxed life style our wonderful shire offers. This is our chance to remind anyone who lives, works or plays in the Valley that they are a valuable and welcome part of our community.

As well as being a chance to foster a stronger sense of community and belonging, it is also an opportunity to promote our fantastic local clubs and organizations. We are in the process of inviting our local clubs to provide, on the night, some information on what each club does, their triumphs in the past, their aims in the future, and most importantly when and where they meet and how to join up.

Chapman Valley Primary School P&C would like to request that Council grants permission for us to run a bar at the Chapman Valley Community Harvest Ball on October 5<sup>th</sup> 2013, from which alcohol will be sold. In order to avoid any anti-social behavior linked with the consumption of alcohol, we will also have available non-alcoholic beverages, and light supper will be available to all guests. Our advertising campaign leading up to the Ball also encourages guests to avoid drink-driving by planning ahead of time how they will get home safely when they leave the event. We are in the process of fulfilling the legal requirements relating to sale of alcohol, but we also need Council's permission.



CHAPMAN VALLEY

## *Community Harvest Ball*

EMAIL: CVCHARVESTBALL@WESTNET.COM.AU PHONE: 0499 515 966

Of course, any event intended to promote the wider Chapman Valley Community would benefit greatly by the endorsement of the Chapman Valley Shire Council. I will be approaching other potential sponsors over the months leading up to the Ball, and I would be extremely proud to be able to display the Chapman Valley Shire's logo on all of our sponsorship material and advertising alongside our own.

On behalf of the Chapman Valley Primary School Parent's and Citizen's Association I would like to request that the Shire Council donate \$2500 towards the running costs of the first Chapman Valley Community Harvest Ball. In return for your support, we would be very pleased to name the Shire as one of our Platinum Sponsors, and would happily give the Shire's logo pride of place on all of our Ball related material.

If it is not possible for this amount to be donated but Council still wishes to contribute, I would be more than happy to meet with Council's representative and discuss the matter.

I would like to take this opportunity to cordially invite all Chapman Valley Shire Councilors to attend the Inaugural Chapman Valley Community Harvest Ball. This is a family friendly event, and we would love to see all our Councilors and their families attend for what promises to be a memorable night, celebrating the amazing place where we live and the equally amazing, wonderful and inspiring people who live here.

If Council has any queries or concerns regarding the Chapman Valley Community Harvest Ball, please do not hesitate to contact me.

I look forward to hearing from you on this matter.

Yours Sincerely,

Jane Barndon,  
CVPS P&C Secretary.

# INVITATION

CHAPMAN VALLEY

## *Community Harvest Ball*

SATURDAY, 5 OCTOBER 2013

NABAWA HALL

7PM UNTIL MIDNIGHT

DRESS: FORMAL

...

TICKETS \$50 PER ADULT

CHILDREN 16 & UNDER FREE

TICKETS AVAILABLE FOR PURCHASE, APRIL 2013

NO DOOR SALES

CONTACT JANE: 0499 515 966

CVCHARVESTBALL@WESTNET.COM.AU

ENTERTAINMENT AND LIGHT SUPPER PROVIDED

STRICTLY NO BYO

DRINKS AVAILABLE FROM THE BAR

**WATCH THIS SPACE!**

CHILDREN ARE MORE THAN WELCOME, AT THEIR PARENTS RESPONSIBILITY.

WE WANT YOU TO HAVE A GREAT TIME AND STILL BE AROUND TO ENJOY THE NEXT BALL . . .  
SO PLEASE PLAN IN ADVANCE HOW YOU WILL BE GETTING YOURSELVES HOME SAFELY  
AT THE END OF THE NIGHT.

THIS IS A SMOKE FREE EVENT. SMOKING IS ONLY PERMITTED OUTSIDE THE VENUE.

PROUDLY HOSTED BY CHAPMAN VALLEY PRIMARY SCHOOL P&C

<b>AGENDA ITEM:</b>	<b>9.3.2</b>
<b>SUBJECT:</b>	<b>SHIRE OF CHAPMAN VALLEY 2013/14 SCHEDULE OF FEES AND CHARGES</b>
<b>PROPONENT:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>SITE:</b>	<b>SHIRE OF CHAPMAN VALLEY</b>
<b>FILE REFERENCE:</b>	<b>306.00</b>
<b>PREVIOUS REFERENCE:</b>	
<b>DATE:</b>	<b>10 JUNE 2013</b>
<b>AUTHOR:</b>	<b>STUART BILLINGHAM</b>

#### **DISCLOSURE OF INTEREST**

Nil

#### **REPORT PURPOSE**

To present to Council the Draft Schedule of Fees and Charges for the Draft 2013/14 Annual Budget. (Please refer to 2013/14 Draft Schedule of Fees and Charges submitted as a separate attachment)

#### **BACKGROUND**

As part of the preparation for the compilation of the 2013/14 Annual Budget the Draft schedule of Fees and Charges for 2013/14 is presented to Council for review and approval to list in the 2013/14 Draft Budget estimates.

#### **COMMENT**

The Shire Staff have reviewed the 2012/13 Schedule of Fees and Charges and prepared the Draft 2013/14 Schedule of Fees and Charges.

Changes include the following:

- Domestic Refuse Charges increased by 2.5% from \$220 to \$225
- Additional Bin increase by 2.5% from \$220 to \$225
- Private Works Loader 3m3 \$180 to \$185.00, 2.2m3 \$140 to \$145.00

#### **STATUTORY ENVIRONMENT**

Local Government Act 1995

#### **POLICY IMPLICATIONS**

Shire of Chapman Valley 2013/14 Draft Budget

#### **FINANCIAL IMPLICATIONS**

Yes - Shire of Chapman Valley Schedule of Fees and Charges.

#### **STRATEGIC IMPLICATIONS**

Nil

#### **VOTING REQUIREMENTS**

Simple

#### **STAFF RECOMMENDATION**

That Council approves the draft Schedule of Fees and Charges to be utilised in the Draft 2013/14 Annual Budget estimates.

**COUNCIL RESOLUTION**

**MOVED: CR DAVIDSON**

**SECONDED: CR BATTEN**

**That Council approves the draft Schedule of Fees and Charges to be utilised in the Draft 2013/14 Annual Budget estimates.**

**Voting 7/1  
CARRIED  
Minute Reference 6/13-12**

<b>AGENDA ITEM:</b>	<b>9.3.3</b>
<b>SUBJECT:</b>	<b>PROVISION OF AUDIT SERVICES – APPOINTMENT OF INDIVIDUAL AUDITORS</b>
<b>PROPONENT:</b>	<b>FINANCE &amp; AUDIT COMMITTEE</b>
<b>SITE:</b>	<b>SHIRE OF CHAPMAN VALLEY</b>
<b>FILE REFERENCE:</b>	<b>305.05</b>
<b>PREVIOUS REFERENCE:</b>	<b>05/12-09</b>
<b>DATE:</b>	<b>6 JUNE 2013</b>
<b>AUTHOR:</b>	<b>MR STUART BILLINGHAM</b>

#### **DISCLOSURE OF INTEREST**

Nil

#### **BACKGROUND**

Council resolved at its Ordinary Meeting of Council held on 18 April 2012 to appoint UHY Haines Norton as its external Auditors for the Shire of Chapman Valley for three (3) years with the option of extending for another two (2) years.

#### **COMMENT**

Further to advice received (Attachment 1) from Mr Greg Godwin, Partner of UHY Haines Norton, it is necessary for Council to appoint individual auditors from its chosen firm to attend to its Provision of Audit Services.

To provide greater flexibility and to conform with the advancement of Mr Wen-Shien Chai to audit and engagement partner status as at 1 July 2013, UHY Haines Norton have requested that Council resolve by absolute majority to add Chai as an auditor of the Shire.

#### **STATUTORY ENVIRONMENT**

Local Government Act 1995 and Local Government (Audit) Regulations 1996.

#### **POLICY IMPLICATIONS**

Nil

#### **FINANCIAL IMPLICATIONS**

2011/12 – 2016/17 Budgets

#### **STRATEGIC IMPLICATIONS**

Nil

#### **VOTING REQUIREMENTS**

Absolute Majority

#### **STAFF RECOMMENDATION**

That Council adds UHY Haines Norton Partner, Mr Wen-Shien Chai as an auditor of the Shire of Chapman Valley.

#### **COUNCIL RESOLUTION**

**MOVED: CR FORRESTER**

**SECONDED: CR BATTEN**

**That Council adds UHY Haines Norton Partner, Mr Wen-Shien Chai as an auditor of the Shire of Chapman Valley.**

**Voting 8/0  
CARRIED  
Minute Reference 6/13-13**



4 June 2013

Mr Stuart Billingham  
Chief Executive Officer  
Shire of Chapman Valley  
PO Box 1  
NABAWA WA 6532

305.00  
Record No FN13193



Dear Stuart,

**APPOINTED AUDITOR  
SHIRE OF CHAPMAN VALLEY**

We are pleased to announce, effective from 1 July 2013, Wen-Shien Chai (Chai) will join us as a Partner of the firm.

As you are aware the drafting of the Local Government Act means individuals are appointed as the Shire's auditor and are required to sign off the independent audit report on the annual financial report in their own right.

Currently, the Shire's appointed auditors are as follows:

ENGAGEMENT PARTNER (EITHER)	REGISTERED COMPANY AUDITOR NUMBER
Mr D J Tomasi	15724
Mr G Godwin	310219

To provide greater flexibility and to conform with the advancement of Chai to audit and engagement partner status as at 1 July 2013, we would ask you have Council resolve (by absolute majority) to add Chai as an auditor of the Shire.

Chai's details are as follows:

ENGAGEMENT PARTNER	REGISTERED COMPANY AUDITOR NUMBER
Mr Wen-Shien Chai	299761

It would be appreciated if you could provide us with a copy of the minute once the resolution has been passed.

Should you have any queries or would like to discuss this matter further, please contact me.

Kind regards

  
GREG GODWIN  
PARTNER

t: +61 (0)8 9444 3400  
f: +61 (0)8 9444 3430

16 Lakeside Corporate 24 Parkland Road Osborne Park Perth WA 6017  
PO Box 1707 Osborne Park WA 6916

e: perth@uhyhn.com.au  
w: www.uhyhn.com

An association of independent firms in Australia and New Zealand and a member of UHY International, a network of independent accounting and consulting firms.

UHY Haines Norton - ABN 87 345 233 205  
Liability limited by a scheme approved under Professional Standards Legislation



<b>AGENDA ITEM:</b>	<b>9.3.4</b>
<b>SUBJECT:</b>	<b>VALLEY VIBES – ASSISTANCE TO PURCHASE NEW PHOTOCOPIER</b>
<b>PROPONENT:</b>	<b>VALLEY VIBES</b>
<b>SITE:</b>	<b>SHIRE OF CHAPMAN VALLEY</b>
<b>FILE REFERENCE:</b>	<b>406.07</b>
<b>PREVIOUS REFERENCE:</b>	
<b>DATE:</b>	<b>29 MAY 2013</b>
<b>AUTHOR:</b>	<b>STUART BILLINGHAM</b>

#### **DISCLOSURE OF INTEREST**

Nil

#### **BACKGROUND**

Correspondence was received dated 22 May 2013 from Valley Vibes requesting assistance to purchase a new photocopier (Attachment 1).

#### **COMMENT**

The Shire has been a significant supporter of the Valley Vibes since the start and has set aside funding each year to support the paper and they are now requesting assistance in funding a new photocopier.

The cost of a new photocopier is \$8,520 excl. GST and at present they are able to fund 50% of the cost themselves.

#### **STATUTORY ENVIRONMENT**

Nil

#### **POLICY IMPLICATIONS**

Council's Policy Manual relating to donations provides:-

##### *“5.30 DONATIONS AND GRANTS*

##### ***Local Nature***

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

*Of a state or national nature, or  
If they are not concerned or connected with the Chapman Valley area.*

*Exceptions to the above will be -*

*Disaster or emergency appeals.*

*The Chief Executive Officer be delegated authority to authorise donations within budget limitations, up to a maximum of \$100 per application.*

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

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

#### **FINANCIAL IMPLICATIONS**

Council currently has funds available within the Donations & Gifts (GL 0212) in the 2012/2013 budget or allocate funds for the 2013/2014 draft budget.

**STRATEGIC IMPLICATIONS**

Nil

**VOTING REQUIREMENTS**

Simple Majority

**STAFF RECOMMENDATION**

That Council allocates \$4000 in the 2013/2014 draft budget to assist with the purchase of a new photocopier for the Valley Vibes.

**COUNCIL RESOLUTION**

**MOVED: CR FARRELL**

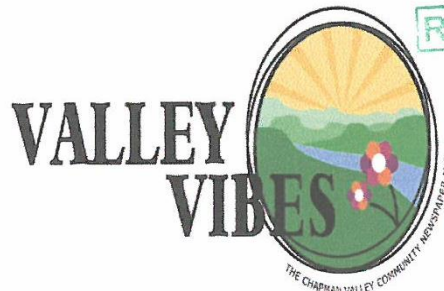
**SECONDED: CR DAVIDSON**

**That Council allocates \$4000 in the 2013/2014 draft budget to assist with the purchase of a new photocopier for the Valley Vibes.**

**Voting 7/1  
CARRIED  
Minute Reference 6/13-14**

RECEIVED  
24 MAY 2013

Y:-----



406.07  
Record No FN13184

Councillor John Collingwood  
President  
Shire of Chapman Valley  
PO Box 1  
NABAWA WA 6531

22<sup>nd</sup> May 2013

Dear Cr Collingwood

**RE: Assistance to purchase new photocopier**

The Chapman Valley Community Newspapers has been informed that to continue having a contract with Five Star Business Solutions to print the paper at a fixed cost per page that includes consumables, parts and servicing we will need to purchase a new photocopier. This will be at a cost of \$8520.00 exc GST and secures a price of 1.8c per black and white page and 16.5c per colour page for the 2013/14 financial year. In the past we have investigated not being under contract and this would be a significant risk for us as the cost of maintenance of the photocopier would rise significantly (call outs for fixing faults, outright purchase of parts other than toner).

The cost of printing the paper each month is between \$500 - \$1000 (depending on size of the paper and includes printing, paper, delivery and postage). We have worked hard in the past two years to meet these costs and try to save for a new copier however in 2011 and 2012 we were unable to make a profit due to technical difficulties and have only made a small profit for 2013. This year we have also decided that we will need to insure our equipment and this had added approximately \$500 to our costs. We have done this as if something was to happen to our equipment we could not afford to replace it on our own.

The Shire has been a significant supporter of the newspaper since the start and we are very appreciative for your assistance. The Shire in the past has set aside funding each year for us to use to support printing the paper and we are writing to request that assistance is given in funding the new copier. At present we are able to fund 50% of the cost ourselves. Any assistance you could provide would enable us to continue to print the paper.

If you require further information please do not hesitate to contact me on 0408 866 772. Thank you for considering our request.

Yours sincerely

Liz Burton  
President – Valley Vibes

Valley Vibes  
P.O. Box 45  
Nabawa, 6532

Phone: 08 99205290  
Fax: 08 99205290  
E-mail: valleyvibes@westnet.com.au

<b>AGENDA ITEM:</b>	<b>9.3.5</b>
<b>SUBJECT:</b>	<b>WALGA ANNUAL GENERAL MEETING</b>
<b>PROPONENT:</b>	<b>COUNCILLORS</b>
<b>SITE:</b>	<b>PERTH</b>
<b>FILE REFERENCE:</b>	<b>404.01</b>
<b>PREVIOUS REFERENCE:</b>	<b>04/12-7</b>
<b>DATE:</b>	<b>28 MAY 2013</b>
<b>AUTHOR:</b>	<b>STUART BILLINGHAM</b>

#### **DISCLOSURE OF INTEREST**

Nil

#### **BACKGROUND**

Council is being requested to appoint its Voting Delegates for the WALGA Annual General Meeting being held on Wednesday 7 August 2013. Councillors are also requested to register their attendance for the Local Government Convention which is to be held from Wednesday 7 August 2013 through to Saturday 10 August 2013.

#### **COMMENT**

The 2013 Annual General Meeting for the WA Local Government Association is being held during the Local Government Convention on Wednesday 7 August 2013 at the Perth Convention and Exhibition Centre.

Pursuant to the WALGA Constitution, all Member Councils are entitled to be represented by two (2) voting delegates. Voting Delegates may be either Elected Members or Serving Officers. Member Councils seeking to exercise their voting entitlements must ensure that their voting delegates are appropriately registered.

Voting Delegates must be registered by the Chief Executive Officer by faxing a completed nomination form to WALGA. In the event that a Voting Delegate is unable to attend, provision is made for Proxy Delegates to be registered on the attached fax back. Only registered delegates or proxy registered delegates will be permitted to exercise voting entitlements on behalf of Member Councils. Delegates may be Elected Members or Serving Officers.

#### **STATUTORY ENVIRONMENT**

WALGA AGM Standing Orders

#### **POLICY IMPLICATIONS**

Section 9.10.2 of Council's Policy Manual states:

***“9.10.2 Annual WALGA Conference***

*That Council provide within each Financial Years Budget for the costs for the Councillors and the CEO to attend the Local Government Week.*

*The importance of providing Councillors and the CEO with the opportunity to meet fellow Councillors and CEO's from other Local Authorities and to participate in a state wide forum on issues relevant to Local Government.*

- *Bookings to the Conference shall be made as soon as notice is given of the venue conference in order to avoid problems by way of booked out accommodation.*
- *That meals, expenses and 1 (one) excursion for Councillors partners be met by Council.”*

#### **FINANCIAL IMPLICATIONS**

Funds will be required to be allocated in the 2013/2014 budget.

## **STRATEGIC IMPLICATIONS**

Nil

## **VOTING REQUIREMENTS**

Simple Majority

## **STAFF RECOMMENDATION**

That Council nominate the Shire President, Cr Collingwood and Deputy Shire President Cr Batten as Voting Delegates to the Western Australian Local Government AGM being held on Wednesday 7 August 2013 and that one other Councillor be nominated as proxy.

## **COUNCIL RESOLUTION**

**MOVED: CR BELL**

**SECONDED: CR BATTEN**

**That Council nominate the Shire President, Cr Collingwood and Deputy Shire President Cr Batten as Voting Delegates to the Western Australian Local Government AGM being held on Wednesday 7 August 2013 and that Cr Forrester be nominated as proxy.**

**Voting 8/0  
CARRIED  
Minute Reference 6/13-15**

RECEIVED  
16 MAY 2013



4104.01  
Record No AD13736

13 May 2013

Our Ref: 01-006-04-0001 CO

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

Dear Stuart

**Registration of Voting Delegates – WALGA 2013 Annual General Meeting**

The 2013 Annual General Meeting for the WA Local Government Association will be held during the Local Government Convention on **Wednesday 7 August 2013** at the Perth Convention and Exhibition Centre, 21 Mounts Bay Road, Perth.

Pursuant to the WALGA Constitution, all Member Councils are entitled to be represented by two (2) voting delegates.

Member Councils seeking to exercise their voting entitlements must ensure that their voting delegates are appropriately registered. To register delegates, the enclosed **Registration for Voting Delegates** must be completed, signed off by the Chief Executive Officer and either faxed or emailed back to the Association by **Friday, 12 July 2013**.

In the event that a Voting Delegate is unable to attend, provision is made for proxy delegates to be registered on the attached form.

Only registered delegates or proxy registered delegates will be permitted to exercise voting entitlements on behalf of Member Councils. Voting delegates may be Elected Members or serving officers.

For enquiries on registering voting delegates, please contact Chantelle O'Brien on 9213 2013 or email at [cobrien@walga.asn.au](mailto:cobrien@walga.asn.au).

Yours sincerely

A handwritten signature in black ink that reads 'Ricky Burges'.

**Ricky Burges**  
Chief Executive Officer

Local Government House  
15 Altona Street  
West Perth WA 6005  
PO Box 1544  
West Perth WA 6872  
Telephone: (08) 9213 2000  
Facsimile: (08) 9322 2611  
Email: [info@walga.asn.au](mailto:info@walga.asn.au)  
Website: [www.walga.asn.au](http://www.walga.asn.au)

The Voice of Local Government



Registered:

WALGA

## EMAIL or FAX / BACK

### VOTING DELEGATE INFORMATION 2013 ANNUAL GENERAL MEETING

**TO: Chief Executive Officer**

*All Member Councils are entitled to be represented by two (2) voting delegates at the Annual General Meeting of the WA Local Government Association.*

*Please complete and return this form to the Association by 12 July 2013 to register the attendance and voting entitlements of your Council's delegates to the Annual General Meeting.*

*In the event that a Voting Delegate is unable to attend, provision is made for proxy delegates to be registered.*

*Only registered delegates or proxy registered delegates will be permitted to exercise voting entitlements on behalf of Member Councils. Delegates may be Elected Members or serving officers.*

**Please Note:** All Voting Delegates, whether registered for the Convention or not, will need to present at the WALGA Delegate Service Desk prior to the AGM to collect their electronic voting device (keypad) for voting and identification tag to gain entry into the Annual General Meeting.

VOTING DELEGATES	PROXY Voting Delegates (2)
Name of Voting Delegates (2): ..... .....	Name of Proxy Voting Delegates (2): ..... .....
<b>For (Local Government Name):</b> Shire/Town/City of .....	
<b>Signature Chief Executive Officer</b> _____ <small>(An electronic signature is <u>required</u> if submitting via email)</small>	
<b>Date</b> _____	

**ON COMPLETION PLEASE FORWARD TO:**  
Chantelle O'Brien, Executive Officer Governance & Strategy  
either by FACSIMILE (08) 9322 2611 or Email: [cobrien@walga.asn.au](mailto:cobrien@walga.asn.au)

Cr Forrester declared a financial interest in Item 9.3.6 and left Chambers at 11.52am.

<b>AGENDA ITEM:</b>	<b>9.3.6</b>
<b>SUBJECT:</b>	<b>BUDGET REQUEST – RELINING THE YUNA COMMUNITY SWIMMING POOL</b>
<b>PROPONENT:</b>	<b>YUNA PRIMARY SCHOOL P &amp; C</b>
<b>SITE:</b>	<b>SHIRE OF CHAPMAN VALLEY</b>
<b>FILE REFERENCE:</b>	<b>1107.02</b>
<b>PREVIOUS REFERENCE:</b>	
<b>DATE:</b>	<b>11 JUNE 2013</b>
<b>AUTHOR:</b>	<b>STUART BILLINGHAM</b>

#### **DISCLOSURE OF INTEREST**

Nil

#### **BACKGROUND**

Correspondence was received dated 11 June 2013 from the Yuna Primary School P & C requesting financial assistance for the relining of the pool at Yuna (Attachment 1).

#### **COMMENT**

The Yuna P & C holds a “Community Use Agreement for Property invested in the Yuna Primary School” (Section 218 of the School Education Act 1999) which means that the swimming pool which is located on Department of Education land is available for community use.

The P & C is responsible for the maintenance and repair to the facility plus the pool operations and have been monitoring the wear and tear of the pool liner for the past few years and it is now essential that the liner be replaced. The total cost of the relining of both pools is \$16,500 (incl GST).

The Yuna P & C are able to cover the majority of the cost along with a contribution from the Yuna Farm Improvement Group and are requesting a \$2,000 contribution from the Shire of Chapman Valley.

#### **STATUTORY ENVIRONMENT**

Nil

#### **POLICY IMPLICATIONS**

Council’s Policy Manual relating to donations provides:-

##### **“5.30 DONATIONS AND GRANTS**

##### ***Local Nature***

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

*Of a state or national nature, or  
If they are not concerned or connected with the Chapman Valley area.*

*Exceptions to the above will be -*

*Disaster or emergency appeals.*

*The Chief Executive Officer be delegated authority to authorise donations within budget limitations, up to a maximum of \$100 per application.*

*This delegation is to be in accordance with Council’s policy in regards to “Local Nature”. (See Delegation No 3005)*

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



### **FINANCIAL IMPLICATIONS**

Allocate funds for the 2013/2014 draft budget.

### **STRATEGIC IMPLICATIONS**

Nil

### **VOTING REQUIREMENTS**

Simple Majority

### **STAFF RECOMMENDATION**

That Council allocates \$2,000 in the 2013/2014 draft budget to assist with the relining of the swimming pool at Yuna.

### **COUNCIL RESOLUTION**

**MOVED: CR ROYCE**

**SECONDED: CR FARRELL**

**That Council allocates \$2,000 in the 2013/2014 draft budget to assist with the relining of the swimming pool at Yuna.**

**Voting 7/0  
CARRIED  
Minute Reference 6/13-16**

Cr Forrester re-entered Chambers at 11.53am

## YUNA PRIMARY SCHOOL PARENTS AND CITIZEN ASSOCIATION

2761 WANGANA RD, YUNA, 6532  
PH: 0899311040 Fax: 0899311049

Dear Stuart Billingham

**Re: Relining the Yuna Community Swimming Pool**

As you may be aware, the Yuna Community Swimming Pool is situated on Education Department land alongside the Primary School. To enable the community to use this facility the Yuna P&C currently holds a "Community Use Agreement For Property Invested In The Yuna Primary School" (Section 21B of the School Education Act 1999) which is a license for the P&C to make this facility available to the community. It also makes the P&C responsible and liable for all maintenance and repair to the facility, as well as indemnifies all employees under the Minister for Education. In addition to this the Department of Education & Training and Department of Health have an MOU which includes an Aquatic Facilities Legislation providing health and safety standards. This means the Yuna P&C Association are required to manage the pool operations, compulsory first aid and rescue courses associated with having access to the pool, in addition to insurance, any other maintenance and costs associated with the items listed.

Fortunately we are eligible for assistance with some of the operational costs through the Department of Treasury, but as you can imagine, it puts extra strain on the P&C finances and fundraising efforts. As this is an essential asset to the community, the effort required is rewarding and well received.

Over the past few years the P&C have been monitoring the wear and tear of the fibreglass pool lining and it is now essential that this needs re-lining. The P&C have researched contractors who specialise in this service and requested Shayne Donegan from Donegan Services to conduct a site visit and quote. The total cost to reline both swimming pools is \$16 500 (GST incl).

Although the P&C have been fundraising for the past few years to be able to finance this work as well as other priority projects, we would like make a request to the Shire to financially contribute to this project as it is a community asset. The Yuna P&C are able to cover the majority of the cost, along with a contribution from the Yuna Farm Improvement Group. If the Shire of Chapman Valley could contribute \$2000, it would assist us tremendously in this project.

We would appreciate this letter be presented to the next Council meeting and we are happy to provide any additional information to assist Council's decision. Attached are some photos providing evidence of the wear and tear, supporting the need for this work to be carried out.

We trust you will look upon our request favourably.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'John Warr', written in a cursive style.

John Warr

Yuna P&C President

16<sup>th</sup> April 2013



Cr Collingwood adjourned the meeting for lunch at 11.55am

Meeting re-commenced at 1.00pm

<b>AGENDA ITEM:</b>	<b>9.3.7</b>
<b>SUBJECT:</b>	<b>OLD ROADS BOARD BUILDING</b>
<b>PROPONENT:</b>	<b>SHIRE OF CHAPMAN VALLEY</b>
<b>SITE:</b>	<b>NANSON</b>
<b>FILE REFERENCE:</b>	<b>104.02</b>
<b>PREVIOUS REFERENCE:</b>	
<b>DATE:</b>	<b>28 MAY 2013</b>
<b>AUTHOR:</b>	<b>STUART BILLINGHAM</b>

#### **DISCLOSURE OF INTEREST**

Nil

#### **BACKGROUND**

The Old Roads Board building was the original headquarters of Road Board in Chapman Valley and is undergoing conservation works to be able to install new display material and showcase the building as it was 100 years ago. This project will be the official reopening of the Old Roads Board building coinciding with its 100 year anniversary.

The celebration will include a mock Council (or Chapman Valley Roads Board) meeting to be held on Wednesday 11 September 2013.

The current grants received by the Shire for the renovation and preservation of the Old Roads Board Building do not cover the painting of the building and it is suggested that Council access funds from its Building Reserve to Fund the painting works.

The Shire of Chapman Valley established a Building Reserve for the purpose of "the construction of staff housing or capital upgrades of existing housing". In order to utilise these funds for a purpose other than what the Reserve Fund was established the Shire will be required to advertise the proposed change of purpose by Local Public Notice for 1 month.

#### **COMMENT**

Please refer to attached quote from Hopkinson Painting for the painting of the ceiling, walls, doors, frames, windows and skirting as required (Attachment 1).

#### **STATUTORY ENVIRONMENT**

*Local Government Act 1995 s6.11.*

#### **POLICY IMPLICATIONS**

Nil

#### **FINANCIAL IMPLICATIONS**

Change of purpose of Reserve funds s6.11  
Transfer of \$5,400 from the Shire's Reserve Fund to Municipal account.

#### **STRATEGIC IMPLICATIONS**

Nil

#### **VOTING REQUIREMENTS**

Absolute Majority

## **STAFF RECOMMENDATION**

That Council:

- 1 Advertise by local public notice for 1 month, the change of purpose of the Building Reserve Funds as required by section 6.11 of the Local Government Act 1995; and
- 2 Should no submissions be received Council Authorise the CEO to transfer \$5,400 from the Building Reserve into the Municipal Fund to undertake the painting of the Roads Board Building in Nanson before the 100 year celebrations.

## **COUNCIL RESOLUTION**

**MOVED: CR FORRESTER**

**SECONDED: CR DAVIDSON**

That Council:

- 1 Advertise by local public notice for 1 month, the change of purpose of the Building Reserve Funds as required by section 6.11 of the Local Government Act 1995; and
- 2 Should no submissions be received Council Authorise the CEO to transfer \$5,400 from the Building Reserve into the Municipal Fund to undertake the painting of the Roads Board Building in Nanson before the 100 year celebrations.

**Voting 8/0  
CARRIED  
Minute Reference 6/13-17**



Hopkinson Painting, love to paint

## Quote

Client: Chapman Valley Community  
 Date: 31<sup>st</sup> October 2012  
 Project: Road Building  
 Our Ref: 9703

The following quote is to provide labour and materials to prepare and paint internal ceilings, walls, doors, frames, skirtings and windows to the old Roads building in Nanson.

Total	\$5400.00
GST	\$ 540.00
<b>Total</b>	<b>\$ 5940.00</b>

Note: I have not allowed to paint any internal door, I can provide a quote when a decision on which doors will be used.

If you have any questions or would like to discuss anything please don't hesitate to contact me on the number below.

Thank you for the opportunity to quote.

Michael Hopkinson  
 Hopkinson Painting,  
 Love to paint.

---

PO Box 2682 Geraldton WA 6531

michael@hopkinsonpainting.com.au

hopkinsonpainting.com.au

ABN 62 137 599 690

Phone 0899 655 137 or 0428 953 317

Fax 0899 655 186

<b>AGENDA ITEM:</b>	<b>9.3.8</b>
<b>SUBJECT:</b>	<b>REVIEW OF DELEGATION REGISTER</b>
<b>PROPONENT:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>SITE:</b>	<b>WHOLE OF SHIRE</b>
<b>FILE REFERENCE:</b>	<b>411.03</b>
<b>PREVIOUS REFERENCE:</b>	<b>06/12 - 9</b>
<b>DATE:</b>	<b>21 MAY 2013</b>
<b>AUTHOR:</b>	<b>STUART BILLINGHAM</b>

## **DISCLOSURE OF INTEREST**

Nil

## **REPORT PURPOSE**

To allow Council to review the current Delegations Register for delegations to the Chief Executive Officer and Committees of Council as required by s5.46(2) 'Register of, and records relevant to, delegations to CEO's and employees' "at least once every financial year, delegations made under this Division are to be reviewed by the delegator. (Separate Attachment)

## **BACKGROUND**

The Shire of Chapman Valley has power under the Local Government Act 1995 s5.42 'Delegation of some powers and duties to CEO' to delegate to the Chief Executive Officer the exercise of any of its powers or the discharge of any of its duties under the Act in order to facilitate and manage the "day to day" operations of the Shire.

The Act also allows the Chief Executive Officer to delegate any of his/her powers to any employee; such sub-delegation must be done in writing. The Chief Executive Officer is permitted under the Act to place conditions on any sub-delegation passed onto another employee. Council last reviewed the delegations register on 20 June 2012.

Council undertook an extensive review of its Delegation Register in June 2004 to include all the "day to day" aspects of the Shire and this document now fully complies with the guidelines identified by the Department of Local Government and Regional Development.

## **COMMENT**

The Chief Executive Officer has reviewed the current Delegations Register and the following changes are recommended;

- All sub delegations of Council Purchasing Authority to read 'refer to Council procurement Policy'.

## **STATUTORY IMPLICATIONS / REQUIREMENTS**

*Local Government Act 1995* – Section 5.42, 5.43, 5.44, 5.45 and 5.46.

## **POLICY IMPLICATIONS**

Nil

## **FINANCIAL IMPLICATIONS**

Nil

## **VOTING REQUIREMENTS**

Section 5.46 (2) states Council must review the Delegation Register annually, however, if no amendments are made to the existing register a simple majority may accept it without amendment. Section 5.42 (1) states that any decision to amend or revoke a delegation by a Local Government is to be by an Absolute Majority.



**STAFF RECOMMENDATION**

That Council endorse and adopt the Delegations Register as presented in the separate attachment.  
Absolute Majority Vote Required

**COUNCIL RESOLUTION**

**MOVED: CR FARRELL**

**SECONDED: CR BATTEN**

**That Council endorse and adopt the Delegations Register as amended in the separate attachment.**

**Absolute Majority Vote Required**

**Voting 8/0**

**CARRIED**

**Minute Reference 6/13-18**

Mrs Raymond left Chambers at 1.50pm



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

## **CONFIDENTIAL ITEMS**

### **AGENDA ITEM**

#### **9.3.10, 9.3.11 & 9.3.12**

JUNE 2013

In accordance with the *Local Government Act 1995* Section 5.23(2)(a) it is appropriate for Council to resolve, by procedural motion, to “Meet Behind Closed Doors” as this Agenda Item should be considered as being a matter affecting an employee.

It is a requirement of the *Freedom of Information Act 1992* that all this information is returned to the Chief Executive Officer at the completion of this item for appropriate filing to maintain confidentiality.

Once all negotiations have been completed this will be considered an “exempt document” in accordance with Schedule 1 of the *Freedom of Information Act 1992* denying public access.

**\*\* CONFIDENTIAL ITEMS\*\***

AGENDA ITEM:	9.3.10
SUBJECT:	RENEWAL OF CONTRACT – SIMON LANCASTER
PROPONENT:	SIMON LANCASTER
SITE:	WHOLE OF SHIRE
FILE REFERENCE:	908.102
PREVIOUS REFERENCE:	05/10-24 & 5/11-25
AUTHOR:	STUART BILLINGHAM

AGENDA ITEM:	9.3.11
SUBJECT:	RENEWAL OF CONTRACT – KATHRYN JACKSON
PROPONENT:	KATHRYN JACKSON
SITE:	WHOLE OF SHIRE
FILE REFERENCE:	908.101
PREVIOUS REFERENCE:	2/10-26 & 5/11-23
AUTHOR:	STUART BILLINGHAM

AGENDA ITEM:	9.3.12
SUBJECT:	APPOINTMENT ACTING CEO
PROPONENT:	SHIRE OF CHAPMAN VALLEY
SITE:	WHOLE OF SHIRE
FILE REFERENCE:	902.05
PREVIOUS REFERENCE:	N/A
DATE:	28 MAY 2013
AUTHOR:	STUART BILLINGHAM

**COMMENT**

In accordance with the *Local Government Act 1995* Section 5.23(2)(b) it is appropriate for Council to resolve, by procedural motion, to “Meet Behind Closed Doors” as this Agenda Item should be considered as being a matter affecting the personal affairs of any person.

It is a requirement of the *Freedom of Information Act 1992* that all this information is returned to the Chief Executive Officer at the completion of this item for appropriate filing to maintain confidentiality.

Once all negotiations have been completed this will be considered an “exempt document” in accordance with Schedule 1 of the *Freedom of Information Act 1992* denying public access.

**STAFF RECOMMENDATION**

That Council resolve to “Meet Behind Closed Doors” to discuss Agenda Item 9.3.10, 9.3.11 & 9.3.12 as they are considered a matter affecting the personal affairs of any person.

That the Meeting automatically be reopened once discussion and voting on the items are complete.

**COUNCIL RESOLUTION**

MOVED: CR FARRELL

SECONDED: CR BATTEN

That Council resolve to “Meet Behind Closed Doors” to discuss Agenda Item 9.3.10, 9.3.11 & 9.3.12 as they are considered a matter affecting the personal affairs of any person.

That the Meeting automatically be reopened once discussion and voting on the items are complete.

Voting 8/0  
CARRIED  
Minute Reference 6/13-19

Mr Lancaster declared an interest and left Chambers at 1.5

<b>AGENDA ITEM:</b>	<b>9.3.10</b>
<b>SUBJECT:</b>	<b>RENEWAL OF CONTRACT – SIMON LANCASTER</b>
<b>PROPONENT:</b>	<b>SIMON LANCASTER</b>
<b>SITE:</b>	<b>WHOLE OF SHIRE</b>
<b>FILE REFERENCE:</b>	<b>908.102</b>
<b>PREVIOUS REFERENCE:</b>	<b>05/10-24 &amp; 5/11-25</b>
<b>AUTHOR:</b>	<b>STUART BILLINGHAM</b>

#### **COUNCIL RESOLUTION**

**MOVED: CR FORRESTER                      SECONDED: CR FARRELL**

That Council endorse the contract for the extension of employment of Simon Lancaster to the position of Manager of Planning for the Shire of Chapman Valley for the period commencing 19 June 2013 expiring 19 June 2018 (maximum term of 5 years) in accordance with section 5.37 of the *Local Government Act 1995* superseding previous contracts.

**Voting 8/0  
CARRIED  
Minute Reference 6/13-20**

<b>AGENDA ITEM:</b>	<b>9.3.11</b>
<b>SUBJECT:</b>	<b>RENEWAL OF CONTRACT – KATHRYN JACKSON</b>
<b>PROPONENT:</b>	<b>KATHRYN JACKSON</b>
<b>SITE:</b>	<b>WHOLE OF SHIRE</b>
<b>FILE REFERENCE:</b>	<b>908.101</b>
<b>PREVIOUS REFERENCE:</b>	<b>2/10-26 &amp; 5/11-23</b>
<b>AUTHOR:</b>	<b>STUART BILLINGHAM</b>

#### **COUNCIL RESOLUTION**

**MOVED: CR DAVIDSON                      SECONDED: CR FORRESTER**

That Council endorse the contract for the extension of employment of Kathryn Jackson to the position of Planning Officer for the Shire of Chapman Valley for the period commencing 19 June 2013 expiring 19 June 2018 (maximum term of 5 years) in accordance with section 5.37 of the *Local Government Act 1995* superseding previous contracts.

**Voting 8/0  
CARRIED  
Minute Reference 6/13-21**

Mr Lancaster re-entered Chambers at 2.10pm

<b>AGENDA ITEM:</b>	<b>9.3.12</b>
<b>SUBJECT:</b>	<b>APPOINTMENT ACTING CEO</b>
<b>PROPONENT:</b>	<b>SHIRE OF CHAPMAN VALLEY</b>
<b>SITE:</b>	<b>WHOLE OF SHIRE</b>
<b>FILE REFERENCE:</b>	<b>902.05</b>
<b>PREVIOUS REFERENCE:</b>	<b>N/A</b>
<b>DATE:</b>	<b>28 MAY 2013</b>
<b>AUTHOR:</b>	<b>STUART BILLINGHAM</b>

#### **COUNCIL RESOLUTION**

**MOVED: CR BELL                              SECONDED: CR DAVIDSON**

That Mr Barrye Thompson be appointed as the Acting CEO until the appointment of a new CEO (as per the contract below).

**Voting 8/0  
CARRIED  
Minute Reference 6/13-22**

**COUNCIL RESOLUTION**

**MOVED: CR FARRELL**

**SECONDED: CR FORRESTER**

**That the meeting come out from behind closed doors.**

**Voting 8/0  
CARRIED  
Minute Reference 6/13-23**

Cr Davidson declared a financial interest and left Chambers at 2.25pm.

<b>AGENDA ITEM:</b>	<b>LATE ITEM – 9.3.13</b>
<b>SUBJECT:</b>	<b>PROPOSED DISPOSAL OF PLANT – 2002 HOLDEN RODEO UTE 4x2</b>
<b>PROPONENT:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>SITE:</b>	<b>SHIRE OF CHAPMAN VALLEY</b>
<b>FILE REFERENCE:</b>	<b>P396</b>
<b>PREVIOUS REFERENCE:</b>	
<b>AUTHOR:</b>	<b>STUART BILLINGHAM</b>

## DISCLOSURE OF INTEREST

Nil

## BACKGROUND

This item was presented to Council for disposal by tender. Five tenders were received and this item closed for submissions on Friday 14 June 2013.

## COMMENT

Section 3.58 of the *Local Government Act 1995* “Disposing of Property” sets out the three methods by which a Local Government may dispose of Council property.

- To the highest bidder at a public auction
- Public Tender process
- Private Treaty – Local public notice

The Local Government Act 18995 s.3.58(3) states;

- “(3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —
- (a) it gives local public notice of the proposed disposition —
- (i) describing the property concerned; and
  - (ii) giving details of the proposed disposition; and
  - (iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;
- and
- (b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.
- (4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include —
- (a) the names of all other parties concerned; and
  - (b) the consideration to be received by the local government for the disposition; and
  - (c) the market value of the disposition —
    - (i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or
    - (ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.”

## STATUTORY ENVIRONMENT

*Local Government Act 1995*

## **POLICY IMPLICATIONS**

Nil

## **FINANCIAL IMPLICATIONS**

Future income of \$3,285 inclusive of GST from the tender.

## **STRATEGIC IMPLICATIONS**

Nil

## **VOTING REQUIREMENTS**

Simple majority

## **STAFF RECOMMENDATION**

That Council authorise the sale of the 2002 Holden rodeo ute for \$3285 inclusive of GST as the highest tender to Mrs. Bev Davidson.

## **COUNCIL RESOLUTION**

**MOVED: CR FORRESTER**

**SECONDED: CR BELL**

**That Council authorise the sale of the 2002 Holden rodeo ute for \$3285 inclusive of GST as the highest tender to Mrs. Bev Davidson.**

**Voting 7/0  
CARRIED  
Minute Reference 6/13-24**

Cr Davidson entered Chambers at 2.28pm

**10.0 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

**11.0 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

11.1 Elected Member Reports

**12.0 GENERAL BUSINESS  
(of an urgent nature introduced by decision of meeting)**

12.1 Elected Members

**COUNCIL RESOLUTION**

**MOVED: CR FORRESTER**

**SECONDED: CR HUMPHREY**

**That Council confirms Councillors Batten and Royce as its representatives on the Parkfalls Park Management Committee and that they will serve in this role until the general review of all Council's Committees following the October Local Government elections.**

**Voting 8/0  
CARRIED  
Minute Reference 6/13-25**

**COUNCIL RESOLUTION**

**MOVED: CR FORRESTER**

**SECONDED: CR DAVIDSON**

**That a letter of congratulations be sent to Mrs Barbara Shields on her receipt of an Order of Australia Medal.**

**Voting 8/0  
CARRIED  
Minute Reference 6/13-26**

12.2 Officers

Nil

**13.0 CLOSURE**

The Chairman thanked the Elected Members and Staff for their attendance. The meeting was declared closed at 3.13pm.