



Shire of
Chapman Valley
Love the Rural Life

UNCONFIRMED MINUTES

AUGUST 2012

ORDINARY COUNCIL MEETING

Notice is hereby given that an Ordinary Meeting
of Council was held on Wednesday 15 August 2012
at the Council Chambers, Nabawa, commencing at 10:00am.

Stuart Billingham
CHIEF EXECUTIVE OFFICER

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

Disclaimer (To be provided to visitors present)

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 10.05 am

2.0 LOYAL TOAST

The Presiding member proposed a loyal toast to her Majesty the Queen.

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

3.1 PRESENT

a. Councillors

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

b. Staff

Officer	Position
Mr Stuart Billingham	Chief Executive Officer
Mr Simon Lancaster	Manager of Planning till 11.48am
Mrs Karen McKay	Executive Assistant (Minute Taker)

3.2 APOLOGIES

Member	Ward
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3.3 APPROVED LEAVE OF ABSENCE

Member	Ward
Cr Peter Batten - Deputy President	North East Ward

3.4 VISITORS

Name	Time In/ Time Out
Mrs Barbara Sheilds – President of Chapman Valley Historical Society	10.05am /10.18am
Mr Lyall Gray – Member of Chapman Valley Historical Society	10.05am /10.18am
Mr John Stokes – Member of Chapman Valley Historical Society	10.05am /10.18am
Mr David Samborski – Lot 2 Olsen Road	10.05am / 10.50am
Mr Ian Maluish – Parkfalls Progress Association	10.05am / 11.48am

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4.0 PUBLIC QUESTION TIME

4.1 Questions with Notice

4.2 Questions Without Notice

Nil

5.0 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6.0 DISCLOSURE OF INTEREST

6.1 Cr Trevor Royce declared an Interest as a proximity neighbour for Item 10.1.2

6.2 Mr Stuart Billingham declared a Conflict of Interest for Confidential Item 10.2.3 Chief Executive Officer Six (6) Month Probation Review

6.3 Cr Trevor Royce declared an Interest as a proximity neighbour for Item 13.1

7.0 PETITIONS/DEPUTATIONS/PRESENTATIONS

Mrs Barbara Shields addressed Council advising that they wish to remove the current add-on shed and create a new shed to house additional items at the Nanson Museum.

The Museum thanked the Council for the current assistance that they offer to the Museum.

Mr Lyall Gray advised that they would like to move the current lean-to at the back of the Museum and build a new shed.

Cr Collingwood advised that Council has been approached for a Men's Shed to be located in the Shire.

Mr Billingham advised that Council is to adopt the budget today but the Shire and / or the Society could apply for Grant funding to assist the Museum in their application.

Mrs Shields advised that they do not specifically want money from Council and would like Council assistance with this process.

Cr Farrell said he approves of the application but would like to see a proper shed not another add-on addition.

Mrs Shields asked who applies for the grant and Mr Billingham advised that the Shire's Community Development Officer, Mrs Nicole Batten would be able to offer her assistance.

Mr Billingham advised the Chapman Valley Historical Society to write a formal letter and also to leave some plans with the Council.

Mrs Shields advised that they have an appointment with Lotterywest tomorrow 16 August 2012 to discuss grant funding.

Mr Lancaster advised that Fire issues will need to be looked at as part of any application to extend the Museum and there may be other grants available that could be investigated.

Correspondence was received from the Chapman Valley Historical Society on 7 August 2012 requesting financial support from the Council to extend the existing Museum building in order to display additional collections that have been offered to the Museum.

Mrs Sheilds, Mr Gray and Mr Stokes left Chambers at 10.18am

8.0 CONFIRMATION OF MINUTES FROM PREVIOUS MEETINGS

8.1 Ordinary Meeting of Council held on Wednesday 18 July 2012

'That the minutes of the Ordinary Meeting of Council held 18 July 2012 be confirmed as a true and accurate record.'

COUNCIL RESOLUTION:

MOVED: CR FORRESTER

SECONDED: CR FARRELL

That the Minutes of the Ordinary Meeting of Council held on 18 July 2012 be confirmed as a true and accurate record.

Voting

7/0

CARRIED

Minute Reference 08/12-1

8.2 Special Meeting of Council held on Wednesday 30 July 2012

'That the minutes of the Special Council Meeting held on 30 July 2012 be confirmed as a true and accurate record'

COUNCIL RESOLUTION:

MOVED: CR FARRELL

SECONDED: CR DAVIDSON

That the Minutes of the Special Meeting of Council held on 30 July 2012 be confirmed as a true and accurate record.

Voting

7/0

CARRIED

Minute Reference 08/12-2

9.0 ACCEPTANCE OF MONTHLY STATUS REPORT

Received

SHIRE OF CHAPMAN VALLEY STATUS REPORT FOR COUNCIL MEETING HELD 15 AUGUST 2012

REFERENCE	DETAIL	ACTION REQUIRED	STATUS
JULY 2001			
Min Ref: 05/10-8	Local Planning Scheme Review (Shire of Chapman Valley Local Planning Scheme No.2) Buller Environmental Review	Moved Cr P Batten Seconded Cr D Bell That: 1 Council adopt the draft Shire of Chapman Valley Local Planning Scheme No.2 pursuant to the Planning and Development Act 2005 and forward the document to the Department of Planning seeking the Western Australian Planning Commission's and Minister for Planning's consent to advertise; 2 Prior to the advertising consent being requested forward notice of the resolution to adopt the Shire of Chapman Valley Local Planning Scheme No.2 and a copy of the Scheme to the Environmental Protection Authority to determine whether the Scheme should be formally assessed; & 3 Delegate to the Chief Executive Officer to undertake minor modifications to Shire of Chapman Valley Town Planning Scheme No.2 that do not affect or amend the intent of the Scheme (including but not limited to; changes to format, spelling, grammar, numbering; Model Scheme Text provisions; updates necessitated by Scheme Amendments that have been given final approval in the interim period and have therefore already been assessed/approved by the Environmental Protection Authority/Western Australian Planning Commission through the separate Scheme Amendment process) as may be required by the Western Australian Planning Commission or Minister for Planning prior to advertising consent being granted. CARRIED Voting 8/0	<p>The Shire was notified by the Environmental Protection Authority (EPA) that the Shire of Chapman Valley Local Planning Scheme No.2 should be assessed under Part IV Division 3 of the Environmental Protection Act relevant to the proposed Buller 'Development' zone, and that the remainder of Scheme No.2 did not raise any additional environmental issues.</p> <p>The advertising period for the Buller Environmental Review and Local Planning Scheme No.2 has concluded and all submissions received that related to the proposed Buller 'Development' zone were forwarded to the EPA for its consideration and a decision on this aspect of the Scheme.</p> <p>The Shire and 7 landowners have lodged appeals with the Office of Appeals Convenor objecting to the EPA Recommendation. Once a decision concerning the Buller 'Development' zone is made by the Minister for Environment, all submissions received during the advertising period and Local Planning Scheme No.2 will be placed before Council for final consideration.</p> <p>Anticipated Completion Date: December 2012 Responsible Officer: Manager of Planning</p>
NOVEMBER 2007			
Min Ref: 11/07-18	Concept Proposal – Nanson Equestrian Facilities	Moved Cr P Forrester Seconded Cr J Collingwood That Council consent to convening a public meeting to discuss the concept of establishing an equestrian/show facility that caters for showground, gymkhana, polo cross and other such horse related recreational activities at the Nanson Showgrounds or some alternative location within the Shire. CARRIED Voting 8/0	<p>The Shire and Ballycastle Pty Ltd jointly lodged an application for land exchange of the privately owned 9.7ha on the northern side of the Nanson Showgrounds for 9.7ha of unrequired Crown Reserve to expand the land area and resultant capability of Nanson Showground to cater for additional future uses. Advice received from Department for Lands that the proposed exchange is likely to be delayed for several years by the native title process.</p> <p>Council agreed to a 2 year lease offer (1 July 2011 till 30 June 2013 with a further 2 year option) from the subject landowner at its 16 February 2011 meeting that will serve as a temporary solution till the native title process is resolved.</p> <p>Shire staff have liaised with the Speaker of the Legislative Assembly's Office in a bid to hasten this process and their enquiries into the matter have indicated that the necessary parliamentary process should commence shortly and the matter will most likely take a number of months to complete.</p> <p>Anticipated Completion Date: June 2013 Responsible Officer: Manager of Planning</p>

REFERENCE	DETAIL	ACTION REQUIRED	STATUS
MAY 2008			
Min Ref: 05/08-8	Dog Boarding Kennels - Lot 8 North West Coastal Highway	Moved Cr P Cole Seconded Cr P Batten That Council refuse the application for planning consent seeking a concession to vary the northern (side) boundary setback distance from 5m to 1m on Lot 8 North West Coastal Highway and advise the applicants that Council is prepared to approve a 3m setback in lieu. <div>CARRIED Voting 5/1</div>	Building License issued in April 2009 as per SAT Hearing to have northern boundary set back to 3m. As per Order 2(2) of the SAT correspondence dated 14 September 2006, the 5 year approval period commenced on 1 July 2007 and ordinarily the expiration date would have been 1 July 2012. However, given that a stop work order was issued on 5 February 2008 and this was lifted by the SAT's decision on 10 March 2009 the expiry date has been extended by the period of 399 days (this being the length of time the matter was 'returned' to SAT) and therefore the new expiry date is 3 August 2013. Anticipated Completion Date: 3 August 2013 Responsible Officer: Manager of Planning
JUNE 2009			
Min Ref: 06/09-13	Nabawa Cemetery Improvements	Moved Cr P Forrester Seconded Cr D Bell That Council allocate \$25,000 (twenty five thousand dollars) of 2008/2009 R4R funding for various improvements to the Nabawa Cemetery including a gazebo, paving, plants and signage. <div>CARRIED Voting 7/0</div>	\$15,000 was allocated in the adopted 2011/2012 budget for the improvement of the cemetery entrance. A draft concept design for a stone wall style entrance statement that allows for interpretive and historic information signage, cemetery map and ashes internment was circulated to Councillors for initial comment and further refinement of the plans is currently being undertaken and will be returned to Council along with the interpretive / historical signage wording and layout Anticipated Completion Date: December 2012 Responsible Officer: Building Surveyor & Community Development Officer
AUGUST 2010			
Min Ref: 08/10-7 08/10-8 10/11-12 06/12-3	Municipal Inventory of Heritage Places	Moved Cr D Bell Seconded Cr A Farrell Elected Committee Cr P Forrester Cr P Humphrey Manager of Planning (observer) S Mincherton (Community Representative) D Attrill (Community Representative) J Vlahov (Community Representative) <div>CARRIED Voting 8/0</div>	Council resolved at its 20 June 2012 meeting to receive the revised Municipal Inventory of Heritage Places and advertise the document for public comment for a period of 30 days and at the conclusion of the advertising period (8 August 2012) return the Inventory to a further meeting of Council for final consideration. Anticipated Completion Date: October 2012 Responsible Officer: Manager of Planning
Min Ref: 08/10-3 4/11 - 4 5/11 - 29 12/11-3	Parkfalls Park	Moved Cr P Cole Seconded Cr D Bell That Council: 1 Advise the solicitor acting on behalf of Parkfalls Management Services that it would be satisfied with the Legal Agreement being modified to read as follows: "3 Completion On the Completion Date: - (a) the Developer will vest the Recreation Site as a recreation and hall reserve to the Local Government. (b) the Developer will pay the Trust Payment to the Local Government. (c) the Local Government will hold the Trust Payment upon trust for its application to the upgrade of the Recreation Site. 2 Delegate to the Chief Executive Officer the finalisation of the Legal Agreement including corresponding between the Shire's solicitor and the developer's solicitor as necessary and arranging for the Shire signing and sealing actions.	The legal agreement between the Shire and the developer was finalised as per Council's requirements and advertising of the rezoning took place from 19 September 2011 until 31 October 2011. Council resolved at its 14 December 2011 meeting to approve the rezoning and the Minister for Planning issued final approval on 17 April 2012. The developer has now lodged the subdivision application with the Western Australian Planning Commission to create the nine (9) lots and the Reserve for Recreation and Hall. The concept plan for the proposed park that was advertised with the rezoning was marked 'indicative only', to reassure landowners that the 9ha park would be of sufficient size to accommodate a range of activities. From the responses received during the rezoning advertising period it is evident that there are a number of views within the community on the level of and type of facilities that should be developed upon Lot 9503 (should it be created as a reserve) and it would be appropriate for the Shire to consult with the Residents Association, and all landowners in the Estate, in developing its design for the site once the outcome of the subdivision is known. Council resolved at its 18 May 2011 meeting to engage its solicitor to draft up a Management Committee Agreement for the Park. With rezoning complete the Shire wrote to McLeods Solicitors on 14 May 2012 instructing them to prepare a draft Management Committee Agreement that upon receipt will be presented to Council for its

REFERENCE	DETAIL	ACTION REQUIRED	STATUS
		<p>3 Instruct staff to commence advertising of Scheme Amendment No.49 upon signing and sealing of the Legal Agreement by all parties.</p> <p style="text-align: right;">CARRIED Voting 6/1 Minute Reference 4/11-4</p> <p>REASON</p> <p>The reason why the Council decision differed from that of the Staff Recommendation was that Council had concerns regarding limiting the future area management and responsibilities to the Residents Association only. As the area progresses and other Groups or Associations are established these new Groups or Associations may be willing and deemed suitable to enter into a Management agreement with Council.</p> <p>Moved Cr P Batten Seconded Cr T Royce</p> <p>That Council engage its solicitor to draft up a management committee agreement including the Parkfalls Residents Association for the consideration of Council and the Residents Association.</p> <p style="text-align: right;">CARRIED Voting 3/2 Minute Reference 5/11-29</p> <p>Moved Cr T Royce Seconded Cr D Bell</p> <p>That Council:</p> <ol style="list-style-type: none"> 1 Determine the submissions as outlined in the 'Schedule of Submissions' included as Attachment 1 to this report. 2. Pursuant to Section 5 of the Planning and Development Act 2005 adopt for final approval Scheme Amendment No.49 to Shire of Chapman Valley Town Planning Scheme No.1, as follows: <ol style="list-style-type: none"> (a) Rezoning Lot 9503 Eliza Shaw Drive, White Peak from the 'Special' zone to the 'Low Density Residential R2.5' and 'Recreation' zone; (b) Insert a 'Low Density Residential R2.5' zone within the Zoning and Development Table (Part II of the Scheme); (c) Delete the provisions relating to 'Special' Zone 3 from the 'Special' Zones Table (Part II of the Scheme); (d) Amending the Scheme Map accordingly. 3 Seek final approval of Scheme Amendment No.49 from the Minister for Planning. 4 Adopt the plan included as Attachment 2 to this report as an amendment to the Parkfalls Estate Subdivision Guide Plan. 5 Thanks all respondents for their submissions and advise that the rezoning proposal represents an initial stage only in the creation of a park for the Parkfalls Estate and that in the event that the rezoning and subdivision associated with this proposal were to receive approval from the Western Australian Planning 	<p>consideration.</p> <p>Anticipated Completion Date: December 2012 Responsible Officer: Manager of Planning</p>

REFERENCE	DETAIL	ACTION REQUIRED	STATUS
		<p>Commission then Council will further consult with the Parkfalls community prior to its consideration as to what recreational and community facilities might be appropriate on the park site.</p> <p>CARRIED Voting 6/0 Minute Reference 12/11 - 3</p>	
APRIL 2011			
Min Ref: 4/11-28	Yuna Community Centre	<p>Moved Cr T Royce Seconded Cr P Forrester</p> <p>That Council support in principle the Yuna Community and CABY Committee, for a Resource Centre to be established in Yuna, without committing financially.</p> <p>That Council accept the offer to be on the Committee for the future planning of the Resource Centre in Yuna.</p> <p>CARRIED Voting 7/0</p>	<p>Community meetings held on 4 July 2011 and 4 August 2011 in Yuna to determine the type of building (and its location) the community is seeking.</p> <p>Shire staff received a number of preliminary plans from community representatives at an 18 August 2011 meeting and these have been refined into 2 concept plan options for the community and Council's further consideration. An item in relation to this matter was placed in the February 2012 Information Bulletin.</p> <p>Council made an allowance of \$10,000 in the adopted 2011/2012 budget for planning works including drafting of designs etc. This allocation has been utilised to prepare the 2 concept options.</p> <p>Anticipated Completion Date: Ongoing Responsible Officer: Chief Executive Officer & Community Development Officer</p>
SEPTEMBER 2011			
Min Ref: 9/11-14 4/12 – 3 04/12 – 21 07/12 - 9	Wokarena Heights Structure Plan	<p>Moved Cr P Cole Seconded Cr A Bell</p> <p>That Council:</p> <ol style="list-style-type: none"> 1 Appoint GHD to undertake the Richards Road 'Residential R2.5' Structure Plan as per the received expression of interest; and 2 Thank all parties who expressed an interest in undertaking the preparation of the Richards Road 'Residential R2.5' Structure Plan. <p>CARRIED Voting 7/0 Minute Reference 9/11 – 14</p> <p>Moved: Cr P Forrester Seconded Cr B Davidson</p> <p>That Council receive the draft Richards Road Residential R2.5 Structure Plan and advertise the document for public comment for a period of 30 days.</p> <p>CARRIED Voting: 8/0 Minute Reference 04/12-3</p> <p>Moved Cr P Batten Seconded Cr A Farrell</p> <p>That the Richards Road Structure Plan be retitled the Wokarena Heights Structure Plan.</p> <p>CARRIED Voting: 4/3 Minute Reference 04/12 - 21</p> <p>Moved: Cr T Royce Seconded Cr P Batten</p> <p>That Council:</p> <ol style="list-style-type: none"> 1. Modify the Wokarena Heights Residential R2.5 Structure Plan as listed in the recommendations contained within the Schedule of Submissions included as Attachment 1. 2. Write directly to the 11 Richards Road 	<p>Scheme No.2 proposes to rezone the 11 lots fronting Richards Road from the current 'General Farming' zone to the 'Residential R2.5' zone that would allow for future subdivision of this area to 4,000m² lots. With Scheme No.2 nearing completion, and following receipt of several subdivision applications for this area, Council appointed GHD to undertake the preparation of the Richards Road Structure Plan at its 21 September 2011 meeting, with the project funded through the Royalties for Regions (Northern Planning Program) Local Government Assistance Program.</p> <p>Following site visits, a workshop conducted with the Richards Road landowners on 30 January 2012, subsequent individual landowner discussion and feedback, and discussion with key government agencies the draft Wokarena Heights Structure Plan was advertised for public comment and the matter returned to the July meeting of Council</p> <p>Council resolved at its 18 July 2012 Ordinary meeting to undertake modifications to the Structure Plan in response to the issues raised by the received submissions and readvertise the modified draft document inviting further comment before returning the matter to Council.</p> <p>Anticipated Completion Date: December 2012 Responsible Officer: Manager of Planning</p>

REFERENCE	DETAIL	ACTION REQUIRED	STATUS
		<p>landowners, and those parties who lodged an objection during the initial advertising period, inviting comment within a 30 day period upon the modified Wokarena Heights Residential R2.5 Structure Plan.</p> <p>3. Write to Main Roads WA and advise that the Shire is willing to enter into a 50/50 cost shared arrangement to fund the design drawings and quantity surveying for the North West Coastal Highway and Wokarena Road intersection upgrade. Council considers it appropriate that Main Roads WA should part fund the design and cost calculation for the highway intersection upgrade, and that the subsequent proportionate contribution towards the highway intersection works by subdividing landowners shall be as outlined in Table 7 of the Wokarena Heights Structure Plan document.</p> <p>CARRIED Voting 7/0 Minute Reference 07/12- 9</p>	
Min Ref: 9/11-15 Agenda Ref: 10.2.6	Buller Development Zone Structure Plan	<p>Moved Cr P Cole Seconded Cr P Forrester</p> <p>That Council:</p> <ol style="list-style-type: none"> 1 Appoint GHD to undertake the Buller 'Development' zone Structure Plan as per the received expression of interest; and 2 Thank all parties who expressed an interest in undertaking the preparation of the Buller 'Development' zone Structure Plan. <p>CARRIED Voting 5/0</p>	<p>Scheme No.2 proposes to rezone the 13 lots that are west of the North West Coastal Highway, north of Drummond Cove Road and south of the Buller River to 'Development' zone with an overlying 'Development Contribution Area 1'.</p> <p>The Buller 'Development' zone rezoning is presently before the Minister of Environment awaiting decision as the Shire and 7 landowners have lodged appeals with the Office of Appeals Convenor objecting to the EPA's recommendation concerning the rezoning.</p> <p>To enable the initial preparation work to take place on the necessary Structure Plan for this area Council appointed GHD to undertake the Buller 'Development' Zone Structure Plan at its 21 September 2011 meeting. GHD have been instructed to limit the Structure Plan preparation to background analysis and initial discussion with Main Roads WA concerning highway access points pending the outcome of the appeal to the Minister of Environment.</p> <p>On 21 February 2012 the Department of Planning advised it would fund the preparation by GHD of a Constraints Analysis report on the Buller 'Development' Zone. The Department of Planning advised that the preparation of the Constraints Analysis report would be project managed by the Shire. The report will assist the Department of Planning in its response to a request by the Minister for Environment for its comment on the Buller 'Development' Zone.</p> <p>Application has been lodged by Council for the Structure Plan's preparation to be funded through the Royalties for Regions (Northern Planning Program) Local Government Assistance Program, with an announcement upon this application imminent.</p> <p>Anticipated Completion Date: December 2013 Responsible Officer: Manager of Planning</p>

DATES TO REMEMBER

SPECIFIC DATES	
Date	Details
30 June 2010	Lease – Neville & Co P/L – Bowser, Valley Tavern
31 December 2010	Lease – Yuna Hall Lease.
31 December 2010	Lease – Chapman Valley Pre Primary School
December 2012	Review of Wards & Representation
30 June 2015	Agreement – Dartmoor – Dartmoor Lake Nerramyne Road Maintenance
23 rd June 2015	Lease – T Jeffery Lot 41 Lauder Street, Nanson
30 June 2016	License – E O'Donnell – Reserve 43025
30 June 2016	License – T L Cooper – Reserve 8769
31 December 2016	License – E O'Donnell – Reserve 27944

ANNUALLY	
Date	Details
March	Building Inspection Committee Meeting Road Inspection Committee Meeting Complete review of Annual Budget (FM Regulations (33A) Completion of Statutory Compliance Return (LG Act 7.13, Audit Regulations 13-15)
April	License – Drummond Cove Holiday Park Advertise Differential Rate and seek Ministers Approval if applicable (LG Act 6.36, 6.33(3) & 6.34)
May	Differential Rate to be considered by Council and advertised, Ministers approval if necessary (LG Act 6.33) National Volunteer Week Send out recoups of roads and other projects so grant funding can be received by 30 June Review rubbish service and charges Review Councils Fees and Charges for all Council services and facilities Review and renew Council's insurance policies Adopt Firebreak order for next 12 months
June	Set Ordinary Council Meeting dates 4 yearly Financial Management Review due before June 2012 Local Government Convention deadline for nominations Issue Employee Group Certificates
July	Invoice Main Roads Western Australia (MRWA) for rubbish bin clearing on Chapman Valley Road – 1 st of July Annually Councillors issued with Annual returns for completion Issue eating house licence renewals
August	Councillors annual returns due back Completion/Adoption of budgets (absolute majority). Send copy to Dept of Local Government within 30 days (LG Act 6.2, FM Regulations 33) Councils Audit Committee to meet with Auditor
September	Special meeting of Council to undertake a full review of Policies & Procedures manual Completion of Annual Financial Report & submitted to Auditor. AFR sent Dept of Local Government within 30 days (LG Act 6.5, FM Regulations 5.1)
November	Pensioner rates rebate claim to be lodged
December	Annual Financial Report – Acceptance by Council within two months of receipt of the Auditors report

10.0 REPORTS OF COMMITTEE & OFFICERS

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Manager of Planning

August 2012

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- 10.1.2 Subdivision Guide Plan (Scheme Amendment No.47)
- 10.1.3 Extension of Proposed Chalets Approval Period

AGENDA ITEM:	10.1.1
SUBJECT:	PROPOSED OUTBUILDING – WAGGRAKINE
PROPONENT:	J & D WILTON
SITE:	LOT 15 (No.31) MILLS PLACE, WAGGRAKINE
FILE REFERENCE:	A106
PREVIOUS REFERENCE:	N/A
DATE:	7 AUGUST 2012
AUTHOR:	KATHRYN JACKSON

DISCLOSURE OF INTEREST

Nil.

BACKGROUND

Council is in receipt of an application to construct an outbuilding at Lot 15 (No.31) Mills Place, Waggrakine that exceeds the maximum wall height and aggregate area requirements of the Shire's 'Outbuildings' Local Planning Policy. This report recommends conditional approval of the application.

Figure 1 - Location Plan for Lot 15 (No.31) Mills Place, Waggrakine



COMMENT

The applicant seeks approval for a 5m x 14m (70m²) outbuilding with a wall height of 4.5m (with a height of 5m at the highest point (north-west corner of the shed) as measured from natural ground level due to the sloping nature of the lot) and an overall height of 5m (with a height of 5.5m in the north-west corner of the shed as measured from natural ground level due to the sloping nature of the lot). The walls and roof of the proposed outbuilding would be constructed of uncoated metal sheeting to match with the existing outbuildings constructed upon the property. There are two existing outbuildings that have been constructed upon the property. The first is 108m² in area and the second is 114.7m² in area. Should Council approve the proposed outbuilding this would take the total outbuilding area of the site to 292.7m².

The outbuilding is proposed to be located on the northern side of the dwelling and existing outbuilding with a setback distance of 8.5m from the northern (side) property boundary.

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 is proposing to create a level building site for the proposed outbuilding by filling to a maximum height of approximately 500mm at the north-western corner of the proposed outbuilding site, thereby raising the 4.5m actual shed wall height to a point 5m above natural ground level for that corner of the shed.

Figure 2 – Aerial photograph of Lot 15 (No.31) Mills Place, Waggrakine



Figure 3 – View looking westwards towards outbuilding site looking from within the line of trees on the front boundary



Figure 4 – Outbuilding to be constructed to the right (north) of the existing shed and with the same finished floor level as the existing shed (mandarin tree to be removed)



Figure 5 – Outbuilding to be constructed to the left (north) of existing shed with the fill required in the north-western corner of the proposed shed site to achieve the same finished floor level (mandarin tree to be removed)



Shire staff are in support of the application given that:

- The height and presence of the outbuilding as viewed from adjoining properties is mostly obscured given the outbuildings location behind existing mature vegetation that lines the property's boundaries;
- 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 adjoining lot to the north and 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 and north;
- 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 outbuilding as viewed from Mills Place will be screened by the existing dense mature vegetation and the large 30m setback from the front property boundary;
- The overall height of the outbuilding is proposed to be 5m which is compliant with the Shires 'Outbuildings' Local Planning Policy height requirements;
- The 500mm of fill under the outbuilding site is considered acceptable as this would create a level building site the same height as the existing outbuilding alongside which the proposed outbuilding is to be constructed;
- It is preferred that the bus be stored inside the proposed outbuilding and obscured from sight, rather than parked in the open which can be seen from Mills Place and adjoining properties; &
- The outbuilding meets the requirements under Shire of Chapman Valley Town Planning Scheme No.1 ('the Scheme') in regards to building materials, colours and setbacks.

The application was accompanied by a consultation form that had been completed by the adjoining landowner to the north and the neighbour to the north east as depicted in **Figure 1**.

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

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

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

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

The proposed outbuilding has a total area of 70m², a maximum wall height of 5m (measured from natural ground level) and an overall height of 5m.

The wall height of the proposed outbuilding is 4.5m in height from pad level. The applicant has indicated that they wish to fill to a maximum height of 500mm under the western end of the proposed outbuilding location to achieve a level building site and require the requested wall height for the specific purpose of housing a school bus. The policy requires that the wall height be measured from natural ground level, and therefore the outbuilding exceeds the maximum wall height specified by the Policy by 0.5m but the outbuilding does comply with the overall height specified with an overall height of 5m where the Policy allows for 5.5m. It can be argued that the

forward positioning of the dwelling and existing vegetation will assist in obscuring the view of the outbuilding from Mills Place and adjoining properties.

The property has 222.7m² of existing outbuilding area and should Council approve the proposed outbuilding this would take the aggregate outbuilding area to 292.7m², 92.7m² above the Policy's specified 200m² maximum aggregate area. Given the sites low lying contours in relation to the lots surrounding and the existing mature vegetation it is considered that the approval of the additional outbuilding will not set an undesirable precedent for the area. If the outbuilding is not readily seen from both Mills Place and adjoining properties then it is considered that there is no impact on surrounding landowners and therefore the construction of the outbuilding would not visually impose or detract from the desired streetscape.

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 rural-residential areas such as Mills Place 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."*

Should Council consider that the application does not warrant a departure from the prescribed standards set out by the Shire's 'Outbuildings' Local Planning Policy, 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 and the Shire's 'Outbuildings' Local Planning Policy, refuse planning approval for an outbuilding to be constructed upon Lot 15 (No.31) Mills Place, Waggrakine for the following reasons:

- a The proposed outbuilding is in excess of the maximum wall height as specified under the Shire's 'Outbuildings' Local Planning Policy;*
- b The proposed outbuilding is in excess of the maximum aggregate outbuilding area specified under the Shire's 'Outbuildings' 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 rural residential amenity and lifestyle opportunities of the locality."*

VOTING REQUIREMENTS

Simple Majority required.

STAFF RECOMMENDATION:

That Council grant formal Planning Approval for an outbuilding to be constructed upon Lot 15 (No.31) Mills Place, Waggrakine subject to the following:

Conditions

- 1 Development shall be in accordance with the attached approved plan(s) dated 15 August 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.
- 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 Installation of crossing place/s to the standards and specifications of the Local Government.
- 7 Maintenance of the existing screening landscaping between the outbuilding and the adjoining property boundaries for the purpose of softening the visual impact of the structure upon the land.
- 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.

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 MOTION 1:

MOVED: CR FORRESTER SECONDED: CR FARRELL

That Council grant formal Planning Approval for an outbuilding to be constructed upon Lot 15 (No.31) Mills Place, Waggrakine subject to the following:

Conditions

- 1 Development shall be in accordance with the attached approved plan(s) dated 15 August 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.**
- 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 Installation of crossing place/s to the standards and specifications of the Local Government.**
- 7 Maintenance of the existing screening landscaping between the outbuilding and the adjoining property boundaries for the purpose of softening the visual impact of the structure upon the land.**
- 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.**

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 3/4
LOST
Minute Reference 08/12-3**

COUNCIL MOTION 2:

MOVED: CR HUMPHREY SECONDED: CR DAVIDSON

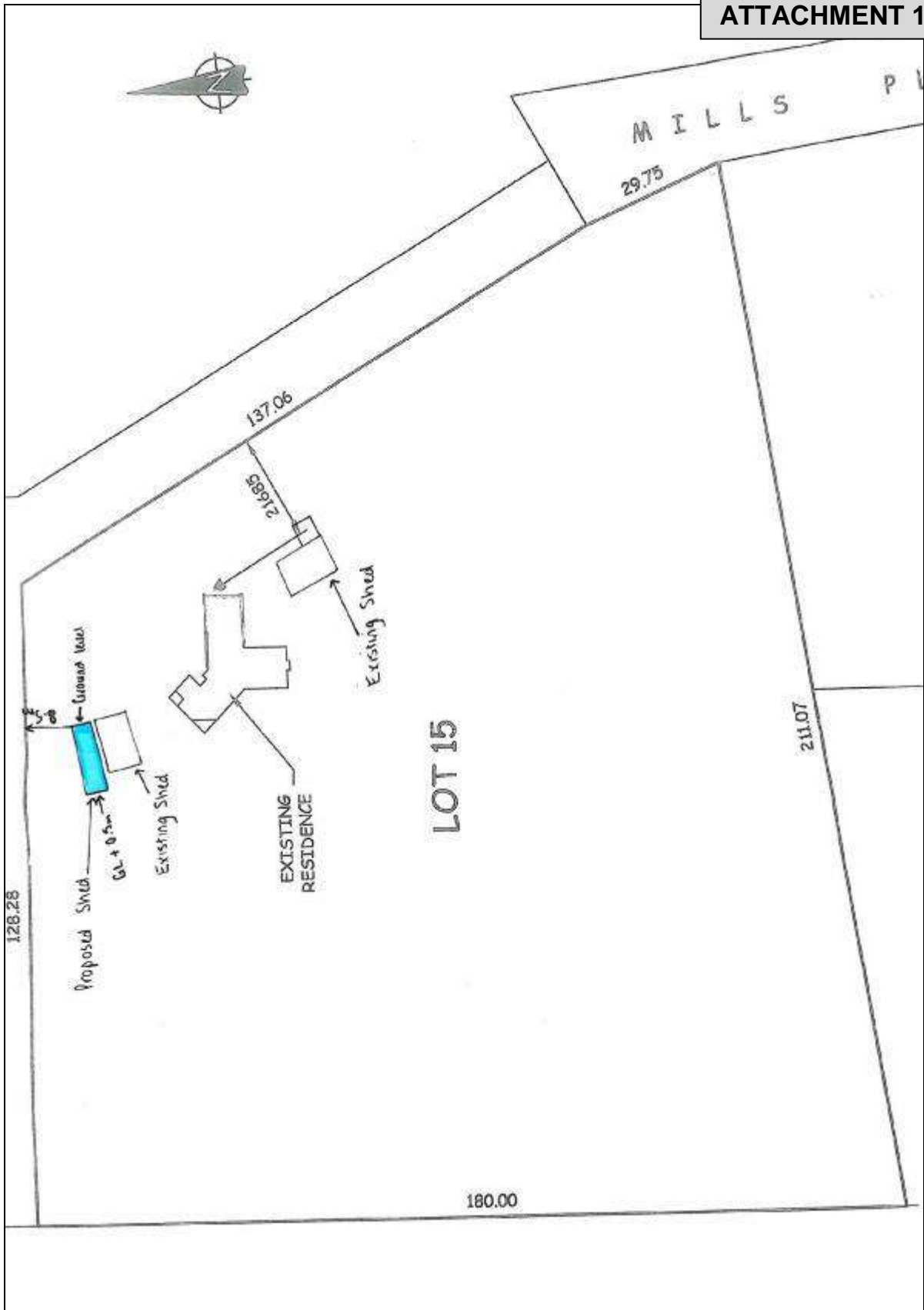
The Council having taken into consideration the provisions of Shire of Chapman Valley Town Planning Scheme No.1 and the Shire's 'Outbuildings' Local Planning Policy, refuse planning approval for an outbuilding to be constructed upon Lot 15 (No.31) Mills Place, Waggrakine for the following reasons:

- a The proposed outbuilding is in excess of the maximum wall height as specified under the Shire's 'Outbuildings' Local Planning Policy;
- b The proposed outbuilding is in excess of the maximum aggregate outbuilding area specified under the Shire's 'Outbuildings' 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 rural residential amenity and lifestyle opportunities of the locality.

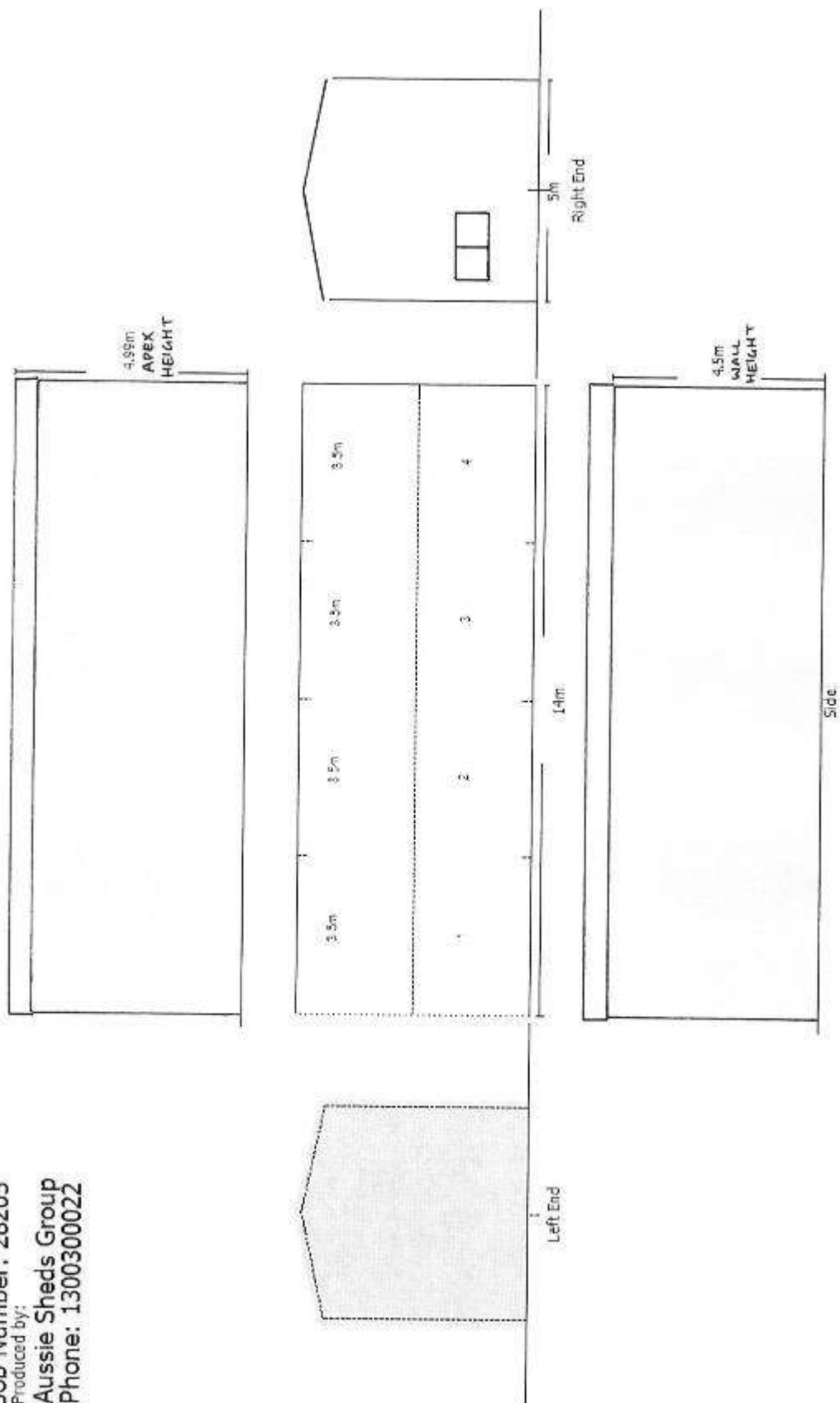
Voting 4/3

CARRIED

Minute Reference 08/12-4



Waggrakine
Job Number: 28205
Produced by:
Aussie Sheds Group
Phone: 1300300022



J I & D Wilton
31 Mills Place
Waggrakine WA 6530
Ph/Fx: (08) 9938 3764
Mob: 0428 728 014
Email: jd.wilton@bigpond.com

30th July 2012

Shire of Chapman Valley
P O Box 1
NABAWA WA 6532

To the Shire Councillors,

I would like to ask the Council to approve, prior to application, the erection of a new shed on our property as quoted by Aussie Sheds, Geraldton.

I have been advised that the proposed shed plus our existing sheds will exceed building regulations requiring that shed roof space per property not exceed 200m².

The reason for the extra shed space is that we have recently purchased a School Bus contract and the 51 seat bus does not fit in the existing storage sheds.

- With the bus being parked outside it is like a glasshouse on wheels.
- During the summer months the interior of the bus reaches temperatures in excess of 55 degrees and does not cool down before students even get off in the afternoon. The bus is not air-conditioned.
- During the Winter months I recently had a morning temperature in the bus of -2.7 degrees. The inside temperature did not reach 2.0 degrees until 1 1/2 hours later. The bus does not have a effective heater system either.
- With my duty of care to the students, I feel that putting the bus undercover at night and during the day will alleviate these extremes in temperatures.
- I have applied to upgrade the bus to an air-conditioned model but this has not been approved by School Bus Services.
- The positioning of the shed will have no impact on any of our neighbours as we are a low-lying block and we have a large amount of trees.

Please find attached supporting letters from our closest neighbours, Mr Philip Nairn & Mrs Sue Phillips.

I trust you will look favourably upon this request & look forward to receiving your response.

Yours faithfully



John Wilton

AGENDA ITEM:	10.1.2
SUBJECT:	SUBDIVISION GUIDE PLAN (SCHEME AMENDMENT No.47)
PROPONENT:	D.SAMBORSKI
SITE:	LOT 2 OLSEN ROAD, HOWATHARRA
FILE REFERENCE:	204.03.47 & A63
PREVIOUS REFERENCE:	06/10-3 & 07/12-8
DATE:	3 AUGUST 2012
AUTHOR:	SIMON LANCASTER

DISCLOSURE OF INTEREST

Nil.

BACKGROUND

Council resolved at its 18 July 2012 meeting to adopt for final approval the rezoning of Lot 2 Olsen Road, Howatharra from the 'General Farming' zone to the 'Special Rural' zone as Scheme Amendment No.47 and seek final approval from the Minister of Planning. Council also resolved to:

- "4 *Defer its determination upon the Subdivision Guide Plan for Lot 2 Olsen Road, Howatharra to allow the applicant to give further consideration to the following suggested modifications as contained within the Schedule of Submissions included as Attachment 2:*
- a) *Designate the previously cleared sections of Lot 2 only as areas upon which the keeping of stock is permitted.*
 - b) *Include notation upon the plan that the keeping of domestic animals is confined to the building envelope areas.*
 - c) *Amalgamate proposed Lots 2 & 5 (the plateau lots) and identify a secondary fire escape easement alignment that is to be secured at time of the subdivision of the plateau lot."*

The applicant has submitted a modified Subdivision Guide Plan and their response to the issues raised at the 18 July 2012 meeting, and this report recommends Council's adoption of the modified Subdivision Guide Plan.

COMMENT

Lot 2 is a 240.83ha lot with its southern boundary fronting Olsen Road and its northern boundary fronting Nanson-Howatharra Road. The lot contains a dwelling with clustered outbuildings and an approximately 2.5ha olive plantation (across two sites) close to the Olsen Road frontage, the lot also contains 3 dams linked by an internal access track network, and a disused gravel pit towards the northern end of the property.

Lot 2 is set amidst properties ranging in size from 7 to 170ha and has the Oakajee Nature Reserve abutting it to the south-west and the Howatharra Nature Reserve to the north-east. The landform for Lot 2 is dominated by a ridgeline running north-south through the property creating a series of ridges, gullies and plateaus with much of the property covered in remnant vegetation and unused for agricultural production.

The Subdivision Guide Plan proposes that Lot 2 be subdivided into 11 lots ranging between 20.0084ha and 25.2006ha. 8 of the proposed lots (at the southern end of the Scheme Amendment No.47 area) would gain access via a proposed cul-de-sac road off Olsen Road. The 3 northern lots would gain access off a subdivisional cul-de-sac road that would intersect with Nanson-Howatharra Road (or in the event that an intersection location is unable to be sited and designed to the approval of the Shire, then these 3 lots would instead gain access off Oakajee Road via an unformed road reserve that would be required to be constructed along with the proposed cul-de-sac road). The

road network would follow existing access tracks on-ground and seeks to work with the existing remnant vegetation and steep, undulating contours present.

A copy of the applicant's Scheme Amendment No.47 report that provided additional information on the site, town planning considerations, the proposed subdivisional layout and servicing was provided to Councillors as a separate document with the July 2012 Council Agenda.

Figure 1 - Location Plan for Lot 2 Olsen Road, Howatharra



The applicant has undertaken some modifications to the Subdivision Guide Plan in response to the issues raised by Council at the 18 July 2012 meeting, and the modified Subdivision Guide Plan has been included as **Attachment 1** with this agenda report.

The applicant has also provided the following information:

"I am writing in response to your letter of 19 July 2012. Specifically I am addressing my comments to point 4 of your letter regarding modifications to my subdivision guide plan. My comments refer to the revised map which I have forwarded to you.

With regard to point 4a) the map I have provided clearly shows, in green, the areas which have been cleared in the past and are suitable for the keeping of stock.

With regard to 4b) I would like to suggest to the council, through you, that it would be preferable to include a notation on the proposed titles that domestic animals be kept within the building envelopes.

Part 4c) is concerned with secondary fire escape easements for blocks 2 and 5. Instead of amalgamating those blocks I propose an easement on block 2 permitting egress for block 5 in the event of fire. The proposed secondary fire escape route is shown in orange on the sub division guide plan I have forwarded to you. I have spoken with Mr. Ward the owner of the adjoining property with frontage on Howatharra Rd. Mr. Ward has no objection to an easement over his property solely for the purpose of egress for blocks 2 and 5 and for access of fire and emergency vehicles.

I trust this clarifies my position regarding these points and I thank the council, through you, for the opportunity to present them."

In relation to part 4(a) as raised by Council at its 18 July 2012 meeting it is considered that the applicant has addressed the issue by identifying upon the Subdivision Guide Plan those portions of the Scheme Amendment No.47 area that can be subject to stocking.

In relation to part 4(b) as raised by Council at its 18 July 2012 meeting it is agreed that specific issues in relation to land management may be better addressed through application of notifications on title at the later subdivision stage than upon the Subdivision Guide Plan.

Part 4(c) as raised by Council at its 18 July 2012 meeting sought the applicant's further consideration of a suggested modification to reduce the lot yield from 11 to 10 lots upon the Subdivision Guide Plan by amalgamating the 'plateau' lot and requiring that secondary fire access be secured via an easement prior to subdivision of the lot. The applicant has made suggestion that this 'secondary fire escape' can be achieved without loss of lot yield and this argument might be considered by Council.

Figure 2 – Aerial photograph of Lot 2 Olsen Road, Howatharra



STATUTORY ENVIRONMENT

Lot 2 Olsen Road, Howatharra is zoned 'General Farming' under Shire of Chapman Valley Town Planning Scheme No.1 ('the Scheme'). The land is situated approximately 600m east of the Oakajee Industrial Estate Buffer. Lot 2 is located within the 'Place of Heritage Value Zone 3 – Moresby Flat Topped Ranges and associated valleys' zone, the Policy Statement under the Scheme for which reads:

“The places described in Appendix 5 and situated on the land shown as Places of Heritage Value on the Scheme Map are considered by the Council to be of historic, architectural, scientific and scenic or other value that should be retained in their present state or restored to their original state or to a state acceptable to Council.”

The Policy Statement under the Scheme for the ‘Special Rural’ zone, that Scheme Amendment No.47 proposes, is as follows:

“It is the intention of the Council to provide a variety of opportunities for rural/residential and hobby farm lifestyles. It is also the intention of Council to ensure that the activities undertaken within the areas so zoned, maintain a rural character and the areas as a whole do not have detrimental effect on nearby farming and other land uses. The standards and requirements of this table are general in nature and may be modified by Clause 3.1.20 and Appendix 6.”

Scheme Amendment No.47 was referred to the Environmental Protection Authority (‘EPA’) on 21 January 2011 and the EPA advised on 22 February 2011 that it did not consider it had enough information to enable it to make a decision and would be seeking additional information from the Department of Environment and Conservation.

On 2 June 2011 the EPA advised that it had formed the preliminary view that the Scheme Amendment may be incapable of being made environmentally acceptable due to the land being a regionally significant (Beard Vegetation Association 675) natural area of high conservation value containing the Priority Ecological Community (Priority 1) ‘Plant assemblages of the Moresby Range’.

The applicant was invited to submit additional information to the EPA and discussions commenced between both parties with the EPA agreeing on 30 August 2011 to the applicant’s request that the Scheme Amendment be held in abeyance pending the ongoing discussions.

On 2 May 2012 the EPA advised that Scheme Amendment No.47 should not be assessed under the *Environmental Protection Act 1986*. The EPA did provide advice and recommendations raising concerns with the Subdivision Guide Plan accompanying Scheme Amendment No.47 and that it considered that the Plan should be modified to have a reduced lot yield and further restrictions in relation to the keeping of animals and clearing.

Scheme Amendment No.47 was advertised in accordance with the provisions of the *Planning & Development Act 2005* from 18 May 2012 until 29 June 2012 and presented to the 18 July 2012 Council meeting. Council resolved to adopt Scheme Amendment No.47 subject to a number of modifications that addressed concerns raised by the EPA and the Department of Environment and Conservation by including restrictions on further clearing of the land, and further restrictions on stocking (limiting it to areas that have already been cleared).

Scheme Amendment No.47 has now been forwarded to the Minister for Planning for final assessment. Should Council be supportive of the modified Subdivision Guide Plan this would also be required to be forwarded to the Western Australian Planning Commission (‘WAPC’) for final approval.

The Scheme Amendment No.47 text, as adopted by Council at its 18 July 2012 meeting has been provided below, with the provisions relating to the Subdivision Guide Plan highlighted in bold font:

AREA No.20	LOT 2 OLSEN ROAD, HOWATHARRA
Subdivision	a) Subdivision, development and land use shall generally be in accordance with the Subdivision Guide Plan as approved by the Local Government and the Western Australian Planning Commission.
Building	a) Buildings shall be confined to the building envelopes as generally identified on the Subdivision Guide Plan. Variation/s to the proposed building envelopes may occur upon environmental reporting being undertaken

	<p>to the satisfaction of the Local Government.</p> <p>b) All buildings shall be sympathetic to existing landscape elements, namely landform, vegetation and amenity, in terms of their design, height, location, materials and cladding colours.</p> <p>c) All stormwater and runoff from buildings and impervious surfaces shall be disposed of within each lot to the satisfaction of the Local Government.</p> <p>d) All building development shall accord with the Local Government's Rural Bushfire Policy and FESA requirements.</p>
Stock Control	<p>a) The keeping of animals shall only take place upon areas identified upon the Subdivision Guide Plan.</p> <p>b) The keeping of animals shall accord with the maximum stocking rates as prescribed by the Department of Agriculture and Food.</p> <p>c) Application for approval to increase the stocking rate above the minimum prescribed is to be submitted to and determined by the Local Government. The Local Government in determining an application for an increase in the stocking rate may consult with the Department of Agriculture and Food and affected surrounding landowners on desirable rates and applicable pasture types.</p> <p>d) Notwithstanding (b) above, the Local Government may reduce or vary the limit on stocking or place any other conditions in light of prevailing seasonal conditions to prevent overstocking, erosion, or other practices detrimental to the environment or amenity of the neighbouring properties.</p>
Vegetation Protection	<p>a) A Restrictive Covenant is to be placed on the Title of each lot limiting the clearing of remnant vegetation to designated building envelopes, with the exception of fire control, driveway access and servicing.</p> <p>b) Prior to the stocking of any areas identified upon the Subdivision Guide Plan as suitable for the keeping of animals, all remnant vegetation shall be protected from livestock by means of fencing to an appropriate standard to the approval of the local government.</p>
Servicing	<p>a) No dwelling shall be constructed or approved for construction unless an approved method of on-site effluent disposal suitable for long-term usage has been incorporated into the approved plans to the satisfaction of the Local Government in consultation with the Health Department of WA.</p> <p>b) The Local Government may request the Western Australian Planning Commission impose a condition at the time of subdivision that requires the subdivider construct any roads required to provide adequate vehicular access to the proposed lots.</p> <p>c) Construction of a single dwelling on any proposed lot shall be supported by a minimum roof catchment area of 300m² from all building/s and a rain water storage tank of at least 100,000 litres to sustain a potable water supply for domestic and fire fighting use in accordance with the Local Government's Rural Bushfire Policy requirements.</p> <p>d) The Local Government may request the Western Australian Planning Commission impose a condition</p>

	<p>at the time of subdivision requiring the subdivider to demonstrate the quantity and quality of ground water, with this data to be made available to the Local Government and prospective purchasers of the land.</p> <p>e) Construction of a dam or soak on the property shall be subject to formal planning consent being granted by the Local Government.</p>
Land Use	<p>a) Landowners shall not proceed with any form of development or change in land use without having obtained planning consent from the Local Government.</p>
Advice to Purchasers	<p>a) The Local Government may request the Western Australian Planning Commission impose a condition at the time of subdivision that requires the subdivider to ensure that purchasers and successors in title are advised of:</p> <ul style="list-style-type: none"> i) The Local Planning Scheme provisions which relate to the use and management of the land; and ii) The constraints associated with the use of ground and surface water for intensive agricultural pursuits, and the need to liaise with the Department of Water regarding ground water licensing requirements for commercial use.

POLICY IMPLICATIONS

In the event that Scheme Amendment No.47 and the associated Subdivision Guide Plan were given approval by the Minister for Planning, future assessment of applications for subdivision and development upon the land would be required to meet the requirements of the following Shire of Chapman Valley Local Planning Policies (amongst others):

- 16.160 Bushfire Policy – Rural & Special Rural Subdivision & Residential Development;
- 16.160 Location of Buildings on Special Rural and Rural Residential Zoned Land Policy;
- 16.140 Moresby Ranges;
- 16.210 Subdivision Road Standards.

FINANCIAL IMPLICATIONS

The future subdivision of Lot 2 Olsen Road, Howatharra would be undertaken at the landowner's expense.

STRATEGIC IMPLICATIONS

The WAPC's Geraldton Region Plan (1999) seeks to provide a framework for the future management, protection and coordination of regional planning in the region. It was considered that Scheme Amendment No.47 satisfied the following objectives of the Geraldton Region Plan as outlined in Section 9.5:

- “ To retain opportunities for rural-residential living within Greater Geraldton.
- To exclude rural-residential development from productive agricultural land, areas containing important basic raw material deposits, potential service corridors, regionally significant landscapes, environmentally sensitive areas and areas suitable for future urban development.
- To develop land for rural-residential use in accordance with established environmentally sustainable practices to ensure that they are not prejudicial to neighbouring agricultural uses.
- To minimise the extent to which rural-residential development has an adverse impact on the environment and maximise the extent to which it enhances the environment.

- To give preference to further rural-residential development in existing settlements, or adjacent to existing settlements, or where public utility services (e.g. water, power, rubbish disposal), community services (shops, schools etc.) and employment opportunities, are available or can be economically extended, in order to avoid locations which create unnecessary additional demands.
- To give special consideration to the availability of water supply in determining locations for rural-residential development.
- To limit encroachment of rural-residential areas into areas that would otherwise be suitable for residential development.
- To encourage the development of open space systems through rural-residential areas.
- To select areas for rural-residential development which satisfy land capability requirements including slope, soil stability, soil erosion, effluent disposal and bushfire risk.
- To select areas for rural-residential development which are physically suitable (e.g. topographically varied, visually attractive, with distinct attributes such as creeks or water features, distant views, or uncleared land with substantial vegetation and/or trees).
- To avoid conflicts with agriculture and other incompatible land uses.”

The Greater Geraldton Structure Plan that accompanies the Geraldton Region Plan was updated by the WAPC in 2011 and identifies Lot 2 as being ‘Future Rural Living’. Section 3.2.1 of the Greater Geraldton Structure Plan notes the following:

“The ‘rural living’ land use category replaces ‘rural-residential’ from the previous structure plan. It essentially forms a zone of transition between urban and rural areas and encompasses rural residential, rural smallholdings and special rural land. It primarily offers an alternative lifestyle from conventional residential subdivision, allowing the opportunity for rural and recreational pursuits. Significantly, it is recognised that rural living is a land use that adds to the sense of place of regional areas....

... Further, ‘future rural living’ has also been included in this area, consistent with areas identified in the Shire of Chapman Valley Local Planning Strategy (2008) for proposed and possible (long-term) rural residential and rural smallholdings.”

Section 3.2.3 of the Greater Geraldton Structure Plan notes the following issues, constraints and recommendations relevant to this application:

“The location of rural living land should not be a constraint to future urban expansion. ‘Rural living’ is considered a more inefficient land use type compared to denser urban forms due to the low residential population that it yields and the fact that once developed, there is generally little opportunity for further intensification. The provision and maintenance of services to these areas is also disproportionately costly.

The development of currently undeveloped ‘rural living’ and ‘future rural living’ areas is subject to localised structure planning and the provision of infrastructure and services. The expense of servicing these areas may constrain their timely development. The capacity of key utilities and service infrastructure may constrain long term development. The absence of a reticulated water supply is a major issue for some rural living areas. The relatively low rainfall leads to a reliance on groundwater, of which the long-term sustainability is uncertain.

Environmental considerations, indigenous and cultural heritage issues may require resolution during structure planning. The effects on the visual landscape requires due consideration in areas of significant landscape value, such as those adjacent to the Moresby Range.

In addition to the necessary structure planning and provision of infrastructure and services, the development of ‘future rural living’ areas are also subject to amendments to local planning schemes. Such amendments require the approval of the Minister for

Planning on recommendation by the WA Planning Commission. Scheme amendments may be subject to environmental studies and plans, including the Geraldton Regional Flora and Vegetation Survey and the Moresby Range Management Strategy. Land identified as 'future rural living' should be developed in an orderly manner.

Land that is identified for 'future rural living' should not be further fragmented. In this regard, ad hoc subdivision should not be supported.

The Greater Geraldton Structure Plan 2011 contains almost 3500 ha of land designated for 'future rural living.' If this area was fully developed at an average development density of 30 ha/dwelling (gross), it would accommodate about 300 additional people.

It is acknowledged that a substantial area of rural land beyond the northern boundary of the structure plan has been identified for future rural living purposes in the endorsed local planning strategies for the Shires of Chapman Valley and Northampton. These areas are currently beyond the scope of the Greater Geraldton Structure Plan 2011 and will be considered through the proposed wider regional planning.

State Planning Policy 2.5 Agricultural and Rural Land Use Planning that outlines guiding principles for the planning and development of rural land is currently being revised. The revised policy may have implications for future rural land use within the Greater Geraldton Structure Plan area."

Section 4.5.1 of the WAPC's Moresby Range Management Strategy (2009) makes the following recommendations:

- "11 Ensure land use and development proposals maintain and, where possible, enhance any conservation values associated with the land or an adjacent nature reserve. Consideration should be given to the potential to create conservation lots, as per Development Control Policy 3.4 Subdivision of Rural Land"*
- "39 Ensure that where non-rural land uses are proposed, an assessment of the risk of bushfire is undertaken, and the land developed in accordance with Development Control Policy 3.7 Fire Planning"*
- "44 Ensure that buildings, structures and public or private roads are sited and designed to have minimal impact on views of the range and reflect surrounding character, with reference to the manual, Visual Landscape Planning in Western Australia (DPI, 2007), so that they:*
 - Do not dominate the landscape but are compatible in form, scale, bulk, and mass to their setting.*
 - Give thought to visually concealing all buildings and associated services, such as delivery and storage areas and necessary infrastructure. Where possible, buildings are to be constructed behind or among trees.*
 - Reflect the rural nature of the range and cater for expected level of use, particularly any public or private road, and vehicle manoeuvre areas associated with lookouts;*
 - Blend into the surroundings through use of appropriate colour schemes.*
 - Take advantage of views to the range through appropriate orientation of roads in new subdivisions."*

Figure 6 of the Moresby Range Management Strategy also identifies Lot 2 as being within an area that warrants further investigation subject to Section 4.5.3 of the Strategy which addresses the potential visual impacts of resource extraction and infrastructure in this area, and it is noted that Scheme Amendment No.47 would introduce a further level of control and assessment over such activities.

Lot 2 Olsen Road, Howatharra is located across Precinct No.4 – Moresby Range and Precinct No.5 – Howatharra West of the Shire of Chapman Valley Local Planning Strategy (2008). Figures 3, 8

and 9 of the Local Planning Strategy identify Lot 2 Olsen Road, Howatharra as being suitable for 'Possible Future (Long Term) Rural Smallholdings (20-40ha)', and the rezoning application accords with this strategic direction.

The rezoning application accords with objective (e) for Precinct No.4 – Moresby Range and objective (h) for Precinct No.5 – Howatharra West of the Local Planning Strategy:

“Council may support the subdivision/amalgamation of land within this Precinct, having due regard to the objectives of the Precinct, in the following circumstances:

For lifestyle and hobby farm purposes as per Figure 3 where the subject land has been appropriately rezoned to “Rural Smallholding” (20 – 40 hectares).”

Future subdivision of the lots will be required to meet the following objectives of the Local Planning Strategy:

- 4.3.3 *Protect and enhance existing catchments, botanical linkages and vegetation/wildlife corridors.*
- 4.3.4 *Promote sound land management practices in consideration of the high conservation values of the area.*
- 4.3.6/5.3.5 *Ensure fire prevention measures are implemented and maintained in accordance with statutory requirements as a minimum.*
- 4.4.1/5.4.2 *Ensure adequate levels of servicing and infrastructure, as determined by Council, exist or will be provided when supporting proposals for a change in land use/development or subdivision, to avoid burden (financial or otherwise) on the Council's resources.*
- 5.3.1 *Protect the scenic values and visual amenity of the western portion of the Moresby Range.”*

Section 7.5 of the Local Planning Strategy states that:

“Should, during the life of this Strategy it becomes evident that the area identified for Rural Smallholding (20-40ha) is proven insufficient (refer to Figure 3), then the area identified as 'Possible Future (long-term) Rural Smallholdings (20-40ha)' will be considered for rezoning. However as a guide rezoning will not be initiated over that area until at least 70% of the area proposed for Rural Smallholdings (20-40ha) has been rezoned and subdivided to full potential or as otherwise determined between the Shire Council and the Western Australian Planning Commission.”

The staging of subdivision is an issue that should be open to debate, as it could be argued that land either is, or is not, appropriate for and capable of subdivision (in its various forms) based upon its land capability, environmental considerations, proximity to services etc. and that setting areas aside as 'long-term' is an artificial constraint. The staging of subdivision can also lead to the scenario where a landowner may elect in 'stage 1' to delay subdivision of their property in the knowledge that 'stage 2' will not eventuate until they do so and thereby artificially raise the value of the land. The threshold at which the land within 'stage 2' should become available can also be considered an artificial and arbitrary imposition that must be treated with some degree of flexibility (i.e. on what basis has 70% been chosen, could the figure be 50%, 60% or 80% and achieve the same ends, should this figure be 70% of the land area, or 70% of the landholdings, or 70% of the potential lot yield?). Applying a degree of flexibility to this figure ensures that landowners in 'stage 2' who possess land that is incapable of agricultural production and seek to introduce appropriate 'lifestyle' or 'rural tourism' lots (or similar) are not delayed due to landowners' in 'stage 1' electing to continue utilising their land for agricultural production and resultantly not proceeding with rezoning.

It can also be argued that the area identified as 'long term' by Figure 3 of the Strategy Map should be enabled to become available for Rural Smallholding subdivision sooner rather than later as it is

in proximity to Oakajee and would be desired by employees within the Port and Industrial Estate as a place to live (given that not all employees will desire an urban lot on the northern edge of Geraldton and some will seek the diversity in choice offered by Rural Smallholding lots). It is fair to note that when the Local Planning Strategy was written it was done so in the wake of the failed Kingstream proposal and that with the advent of the OPR and Karara proposals the timeframes for having land appropriately zoned and ready for the upcoming growth in this region has become more pressing. This increase in demand has been demonstrated by Scheme Amendments 37, 38, 41, 42, 45 all having been gazetted in the Rural Smallholding area since the release of the Local Planning Strategy in January 2008. Further, given that the subdivision process might be reasonably expected to take at least a year (minimum) to complete, and the likelihood that the complete Subdivision Guide Plan would not be undertaken in one stage, it would still be some time before all 11 lots might be released onto the market.

It should be noted that the Local Planning Strategy as adopted by Council at its November 2006 meeting did not specify that a portion of the Rural Smallholding area should be 'Long Term' and that this was an imposition required by the WAPC on 22 November 2007 before it was prepared to endorse the Shire of Chapman Valley Local Planning Strategy.

In assessing this application it is generally accepted that this proposal meets the required objectives and subdivision criteria specified in Planning Precincts No.4 and 5 of the Shire's Local Planning Strategy, as follows:

- The subject property falls within the area designated as appropriate for Rural Smallholdings;
- The proposed lots are consistent with the minimum lot size of 20ha as specified for the Rural Smallholding designation;
- The proposed development has access to the existing road network and the proposed internal subdivisional road network utilises existing access track alignments;
- The Subdivision Guide Plan has been designed with regard for the topographical and environmental constraints of the land; &
- The rezoning process has given formal opportunity to the EPA, the Department of Water, the Department of Agriculture & Food, and the Fire and Emergency Services Authority (amongst others) to make comment upon the proposed Scheme Text provisions and the Subdivision Guide Plan, and such parties will also be given opportunity to request conditions upon any future subdivision application.

The rezoning of Lot 2 to 'Special Rural' would introduce development controls to the property that are not currently in place including restrictions on stocking and clearing of the land, limiting development to designated building envelopes, and requiring buildings to be sympathetic to existing landscape elements in their use of design, height, material and colour.

VOTING REQUIREMENTS

Simple majority of Council

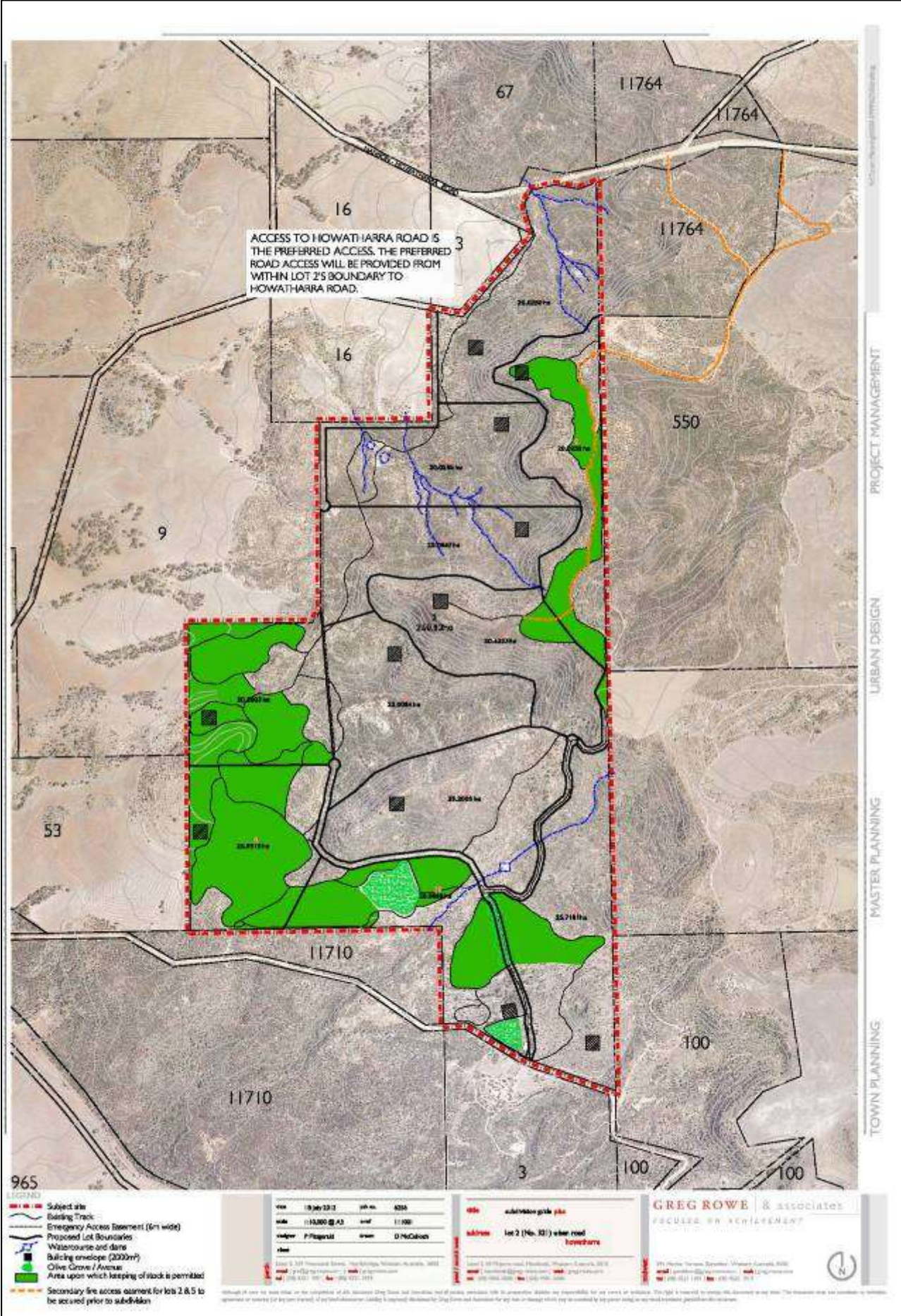
STAFF RECOMMENDATION / COUNCIL DECISION:

MOVED: CR FARRELL SECONDED: CR FORRESTER

That Council adopt the Subdivision Guide Plan as contained within Attachment 1 for Lot 2 Olsen Road, Howatharra for the Scheme Amendment No.47 area.

**Voting 6/0
CARRIED**

Minute Reference 8/12 -5



Mr Samborski left Chambers at 10.50am

AGENDA ITEM:	10.1.3
SUBJECT:	EXTENSION OF PROPOSED CHALETS APPROVAL PERIOD
PROPONENT:	C. BONNER & M. THOMAS
SITE:	LOTS 7 & 9 NORTH WEST COASTAL HIGHWAY, BULLER
FILE REFERENCE:	A67 & A97
PREVIOUS REFERENCE:	02/06-21, 8/11-18, 8/11-19 & 11/11-13
DATE:	7 AUGUST 2012
AUTHOR:	SIMON LANCASTER

DISCLOSURE OF INTEREST

Nil.

BACKGROUND

Council is in receipt of correspondence seeking an extension of a current planning approval for 8 chalets to be established upon Lots 7 & 9 North West Coastal Highway, Buller. This report recommends extension of the timeframe for commencement of development to align with the approval granted for neighbouring Lot 8 North West Coastal Highway thereby establishing a common approval period for the total Buller Chalets development.

COMMENT

Council received the following application for development upon Lots 7 & 9 North West Coastal Highway, Buller at its 16 November 2011 meeting:

- 3 (two bedroom) villas and 1 (three bedroom) caretakers villa upon Lot 7; and
- 3 (two bedroom) villas and 1 (three bedroom) caretakers villa upon Lot 9.

It is proposed that each landowner would hold a proportionate stake in the management and marketing company for the Buller Chalets development.

Figure 1 – Location Plan for Lots 7 & 9 North West Coastal Highway, Buller



Council resolved at its 16 November 2011 meeting as follows:

"That Council grant formal planning consent for 8 chalets upon Lots 7 and 9 North West Coastal Highway, Buller subject to compliance with the following:

Conditions

- 1 *Development shall be in accordance with the attached approved plan(s) dated 16 November 2011 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 design, construction, drainage and maintenance of the internal roads, vehicle manoeuvring and car parking areas associated with the development shall be to the approval of the Local Government, with all costs met by the applicant.*
- 4 *The applicant is to ensure that a maximum speed limit of 20km/hour within the development is adhered to and appropriate measures taken to ensure dust suppression.*
- 5 *All lighting devices must be positioned in such a way as to not cause glare to neighbouring residences to the approval of the Local Government.*
- 6 *The development must access the North West Coastal Highway at a single vehicle crossover/access-point that is required to be located, constructed and maintained to the specifications of Main Roads WA and to the approval of the Local Government, with all costs met by the applicant.*
- 7 *The applicant is responsible to ensure that no parking of vehicles associated with the development occurs within a public carriageway, including the road verge.*
- 8 *All storm-water runoff from impervious surfaces (roof and paved areas) shall be contained within the property boundaries, and re-used or disposed of through an acceptable drainage system, with all costs met by the applicant, to the approval of the Local Government.*
- 9 *Any soils disturbed or deposited on site arising from the development shall be stabilised, with all costs met by the applicant, to the approval of the Local Government.*
- 10 *The roof and walls of the chalets and associated structures (including storage tanks) shall be clad with non-reflective materials of colour(s) to the approval of the Local Government.*
- 11 *The design and materials (including wall and roof cladding materials, fittings and fixtures) are to be of a uniform and complementary finish and standard to the approval of the Local Government.*
- 12 *The applicant is to prepare, submit and adhere to a Management Statement to the approval of the Local Government, with all costs met by the applicant.*
- 13 *The applicant is to prepare, submit and adhere to a Fire Management Plan to the requirements of the Fire and Emergency Services Authority, and the approval of the Local Government, with all costs met by the applicant.*
- 14 *The applicant is to prepare, submit and adhere to an Environmental Management Plan to the approval of the Local Government, with all costs met by the applicant.*
- 15 *The chalets must be connected to reticulated water.*

- 16 *The chalets must be connected to an on-site effluent disposal system(s) located, designed, installed and operated to the requirements of the Department of Health and the approval of the Local Government.*

Notes:

- i 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.*
- ii 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.*
- iii In relation to condition 12, the Management Statement shall set out in detail the management of the chalets and it should cover but not be limited to letting agent (manager) arrangements, reception, access, security, maintenance, caretaking, refurbishment, marketing and other services reasonably required for the development to operate as a tourism facility. The Management Statement shall also ensure that the designated holiday accommodation units are only used for short stay accommodation purposes, with a maximum stay of 3 months occupancy per annum, by any single tenant. The Management Statement shall charge the land and ensure that successors in title are required to adhere to the management terms or make application to the Local Government should they seek to amend the management terms.*
- iv In relation to condition 14, the Environmental Management Plan shall set out in detail the environmental management responsibilities of the landowners/operators and is required to address, but not be limited to, vegetation rehabilitation and replanting, stabilisation, weed management, feral animal management, protection of the Frankenia pauciflora community, access, fencing and other management measures reasonably required as determined by the Local Government, with reference to the relevant directions of Shire of Chapman Valley Coastal Management Strategy (2007) required.*
- vi This planning approval does not extend to signage for the development, for which a separate application will be required, and consultation with Main Roads WA is recommended prior to any sign application being lodged given that the North West Coastal Highway is under the control of Main Roads WA and signage must be to their requirements.*
- vii The applicant is advised that this planning approval does not negate the requirement for any additional approvals which may be required under separate legislation including but not limited to the following where required, Building Code of Australia, Building Regulations 1989, Health Act 1911, Environmental Protection (Clearing of Native Vegetation) Regulations 2004. It is the applicant's/landowner's responsibility to obtain any additional approvals required before the development/use lawfully commences.*
- viii 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 subsequently received an application for a further 4 chalets to be established upon Lot 8 North West Coastal Highway that adjoins Lots 7 and 9 to the north. The 4 chalets were proposed to be of the same design and operate as a complementary extension to the 8 chalets approved by Council at the 16 November 2011 meeting. Council approved the 4 chalets upon Lot 8 at its 16 May 2012 meeting and the approval was subject to matching conditions of approval to those applied in the approval for Lots 7 and 9, and the following same advice note:

“i 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.”

The period of approval for the 4 chalets to be substantially commenced upon Lot 8 expires therefore on 16 May 2014. The applicants for the original 8 chalets upon Lots 7 & 9 North West Coastal Highway, Buller are now seeking an extension of their approval period from the current 16 November 2013 to align with the later expiry date for Lot 8, thereby establishing a common approval period for the total Buller Chalets development of 16 May 2014. A copy of the applicant's correspondence has been included as **Attachment 1** to this report for Council's information.

It would appear logical for the Buller Chalets development to have a common approval period, and an alignment of approvals would better enable the 3 landowners to prepare a joint Management Statement, Environmental Management Plan and Fire Management Plan as required by Council as conditions of each approval. It may also be considered that the requested extension period is for a relatively minor 6 months, and on this basis Shire staff raise no objection to the applicant's request. This would give a new expiry date for development works to substantially commence by 17 September 2014, and should the applicants not substantially commence the development before this time then a fresh application would be required to be presented to Council.

A complete copy of the original extensive development application, that addressed issues of access, servicing, fire management, environmental conditions, marketing, ownership and management, along with site, floor and elevation plans for the chalets was provided to Councillors with the 16 November 2011 Agenda.

A copy of the relevant section from the Confirmed Minutes of the 16 November 2011 Council meeting (Minute Reference 11/11-13) has been provided to Councillors as a separate document to the July 2012 Council Agenda to provide the additional background information that was originally presented in relation to this development application.

Figure 2 – Approved Site Plan overlaid upon Aerial Photograph of Lots 7 & 9



Figure 3 – Approved Buller Chalet design for Lots 7 & 9



STATUTORY ENVIRONMENT

Section 5.3.4 of the Scheme states:

“Where the Council approves an application for planning consent under this Scheme the time for which that consent remains valid, is two (2) years, unless otherwise stated on Council’s decision on application for planning consent.”

Section 10.5 within Appendix B of the *Town Planning Regulations 1967* states:

“10.5 Term of planning approval

10.5.1 Where the local government grants planning approval for the development of land —

- (a) the development approved is to be substantially commenced within 2 years, or such other period as specified in the approval, after the date of the determination; and*
- (b) the approval lapses if the development has not substantially commenced before the expiration of that period.*

10.5.2. A written request may be made to the local government for an extension of the term of planning approval at any time prior to the expiry of the approval period in clause 10.5.1.”

The Confirmed Minutes of the 16 November 2011 Council meeting (Minute Reference 11/11-13) provides the previously stated statutory information in relation to this development application.

POLICY IMPLICATIONS

No further policy information to that contained within the 16 November 2011 Council Minutes (Minute Reference 11/11-13).

FINANCIAL IMPLICATIONS

An extension of planning approval incurs a fee of \$105 (+GST) under the 2012/2013 Shire of Chapman Valley Planning Fee Schedule, and the applicant would be invoiced for this amount should Council resolve to grant an extension.

STRATEGIC IMPLICATIONS

No further strategic information to that contained within the 16 November 2011 Council Minutes (Minute Reference 11/11-13).

VOTING REQUIREMENTS

Simple majority of Council

Note: The voting requirements for this matter differs from the extension of the development approval for the Caravan Park, Shop and Manager's Residence upon Lot 171 Coronation Beach Road granted at the 18 July 2012 Council meeting that required Council to revoke a previous motion by an absolute majority as per Section 10 of the *Local Government (Administration) Regulations 1996*. The previous matter dealt with an application that had been given a prior 2 year extension by Council subject to no further extensions being granted, necessitating the rescinding and absolute majority voting requirements in that instance.

STAFF RECOMMENDATION/ COUNCIL DECISION:

MOVED: CR FORRESTER

SECONDED: CR HUMPHREY

That Council, pursuant to Section 10.5 within Appendix B of the *Town Planning Regulations 1967*, resolve the following:

- 1 Grant an extension (new expiry date 16 May 2014) to Planning Permit 2011/066 for the development of 8 chalets upon Lots 7 and 9 North West Coastal Highway, Buller subject to the original conditions of Planning Permit 2011/066; &**
- 2 Advise the applicant that should the development not be substantially commenced by 16 May 2014 that a fresh application will be required to be submitted to Council for consideration.**

**Voting
7/0**

CARRIED

Minute Reference 08/12 - 6

Colleen Bonner
107 Lissadell Street
Floreat 6014
Western Australia

21 June 2012
The Town Planner
Shire of Chapman Valley
PO Box 1, NABAWA
WA 6532

Attention: Mr. Simon Lancaster

Request for Alignment of Planning Consent (D2011/066) Timeline for the Development on Lot 7 and 9 with Lot 8 North West Coastal Highway, Buller

Dear Simon

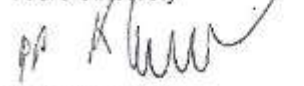
We were pleased that planning consent was granted on 16th May 2012 for our neighbor's Chalet application on Lot 8 North West Coastal Highway, Buller. The proposed development application on lot 8 mirrors that of both our neighbor's lot 9 and our lot 7 that was granted on the 16th November 2011 pursuant to the Determination of Application for Planning Consent D2011/066, known as the Chapman Valley Beach Villas (CVBV).

To deliver the CVBV tourist project cooperation in the planning and implementation process is very important - including formulation of the Management Statement, which pursuant our planning consents will require iteration and agreement with the shire.

Respectfully, we request for the planning consent for Lot 7 and 9 (D2011/066) to have a timeline for approval requirements aligned with that of Lot 8 so all lots will have the same granting of approval date (16th May 2012).

If you need further information please do not hesitate to contact myself.

Yours Sincerely



Colleen Bonner

10.2

Chief Executive Officer

July 2012

Contents

10.2 AGENDA ITEMS

- 10.2.1 Lease Renewal - Lot 27 Chapman Valley Road, Yuna
- 10.2.2 Disability Access Inclusion Plan (DIAP) 2012 - 2016
- 10.2.3 CONFIDENTIAL ITEM: Chief Executive Officer – Six (6) Month Probation Review
- 10.2.4 CONFIDENTIAL ITEM: Manager of Planning – Annual Performance Review
- 10.2.5 CONFIDENTIAL ITEM: Manager Finance and Administration – Annual Performance Review
- 10.2.6 CONFIDENTIAL ITEM: Building Surveyor/ Projects Officer – Annual Performance Review
- 10.2.7 CONFIDENTIAL ITEM: Senior Ranger – Annual Performance Review
- 10.2.8 CONFIDENTIAL ITEM: Works Supervisor – Annual Performance Review

AGENDA ITEM:	10.2.1
SUBJECT:	LEASE RENEWAL 27 CHAPMAN VALLEY ROAD YUNA
PROPOSER:	MR A LIEZINGER
	LOT 27 CHAPMAN VALLEY ROAD YUNA
FILE REFERENCE:	A1348
PREVIOUS REFERENCE:	NIL
AUTHOR:	STUART BILLINGHAM

DISCLOSURE OF INTEREST

Nil

REPORT PURPOSE

To present to Council a request to extend a lease on a Shire Residence located at Lot 27 Chapman Valley Road Yuna to Mr Al Liezenger. (See copy of letter submitted as a separate attachment)

BACKGROUND

Previously the Chief Executive Officer had delegated authority to Lease Council Buildings under delegation 1007. Council at the June 2012 Ordinary Council Meeting removed this delegation to the Chief Executive Officer. In February 2012 the Chief Executive Officer exercised his powers of delegation and leased the Shire Residence at Lot 27 Chapman Valley Road to Mr Al Liezenger for six (6) months.

The Chief Executive Officer along with the Building Surveyor and Building Committee in April 2012 inspected the property at Lot 27 Chapman Valley Road Yuna and found the residence to be in a neat and tidy order.

COMMENT

Lot 27 Chapman Valley Road Yuna, is currently surplus to Council requirements and given the current tenant's good rental history it is supported to extend the lease for a further twelve (12) months.

STATUTORY ENVIRONMENT

Local Government Act 1995 section 3.58 Disposing of Property Functions and General Regulation Section 30(2) (g) provides an exemption from the provisions of S3.58.

POLICY IMPLICATIONS

Shire of Chapman Valley Delegated Authority Register

FINANCIAL IMPLICATIONS

Rental Income of \$180.00 per week for twelve (12) months - Total 2012/13 income budgeted is \$9,360 GL 2553 Rental Income Non-Employee housing Schedule 9

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority Required

STAFF RECOMMENDATION/ COUNCIL RESOLUTION:

MOVED: CR FORRESTER

SECONDED: CR DAVIDSON

That Council authorises the Chief Executive Officer to sign a further lease of the Shire House at Lot 27 Chapman Valley Road Yuna to Mr Al Liezenger for a further twelve (12) month period.

Voting

7/0

CARRIED

Minute Reference 08/12 -7

A1348
Record No A012200

RECEIVED
27 JUL 2012
BY:

26.07.2012

I Al Liezenger wish to extend my lease at 7068 (Lot 27) Chapman Valley Road Yuna for a further 12 months.

I have rented this house for the last 6 months and have been very happy out there.

Look forward to hearing from council on this matter at your earliest convenience as my lease expires on the 5th August 2012 .

Yours sincerely


Al Liezenger

AGENDA ITEM:	10.2.2
SUBJECT:	DISABILITY ACCESS INCLUSION PLAN 2012 - 2016
PROPONENT:	CHIEF EXECUTIVE OFFICER
SITE:	SHIRE OF CHAPMAN VALLEY
FILE REFERENCE:	1101.01
PREVIOUS REFERENCE:	NIL
AUTHOR:	STUART BILLINGHAM

DISCLOSURE OF INTEREST

Nil

REPORT PURPOSE

To present to Council a draft Disability Access Inclusion Plan (DAIP) for consideration of adoption.
(See copy of draft plan submitted as a separate attachment)

BACKGROUND

The Shire of Chapman Valley previous Disability Access Inclusion Plan was dated 2007. The Disability Services Act 1993 requires the Plan to be reviewed at least every 5 years, seeking public consultation.

The current Draft 2012 2016 Disability Access and Inclusion Plan was advertised for Public Comment from January 2012 and public comments closing 4.00pm 2 March 2012.

COMMENT

The closing period for public comment finished at 4.00pm Friday 2 March 2012. Nil submissions on the Draft Plan were received. The Draft Plan is now presented to Council for consideration of adoption.

STATUTORY ENVIRONMENT

Disability Services Act 1993

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIRMENTS

Simple Majority Required.

STAFF RECOMMENDATION/ COUNCIL RESOLUTION:

MOVED: CR DAVIDSON

SECONDED: CR FORRESTER

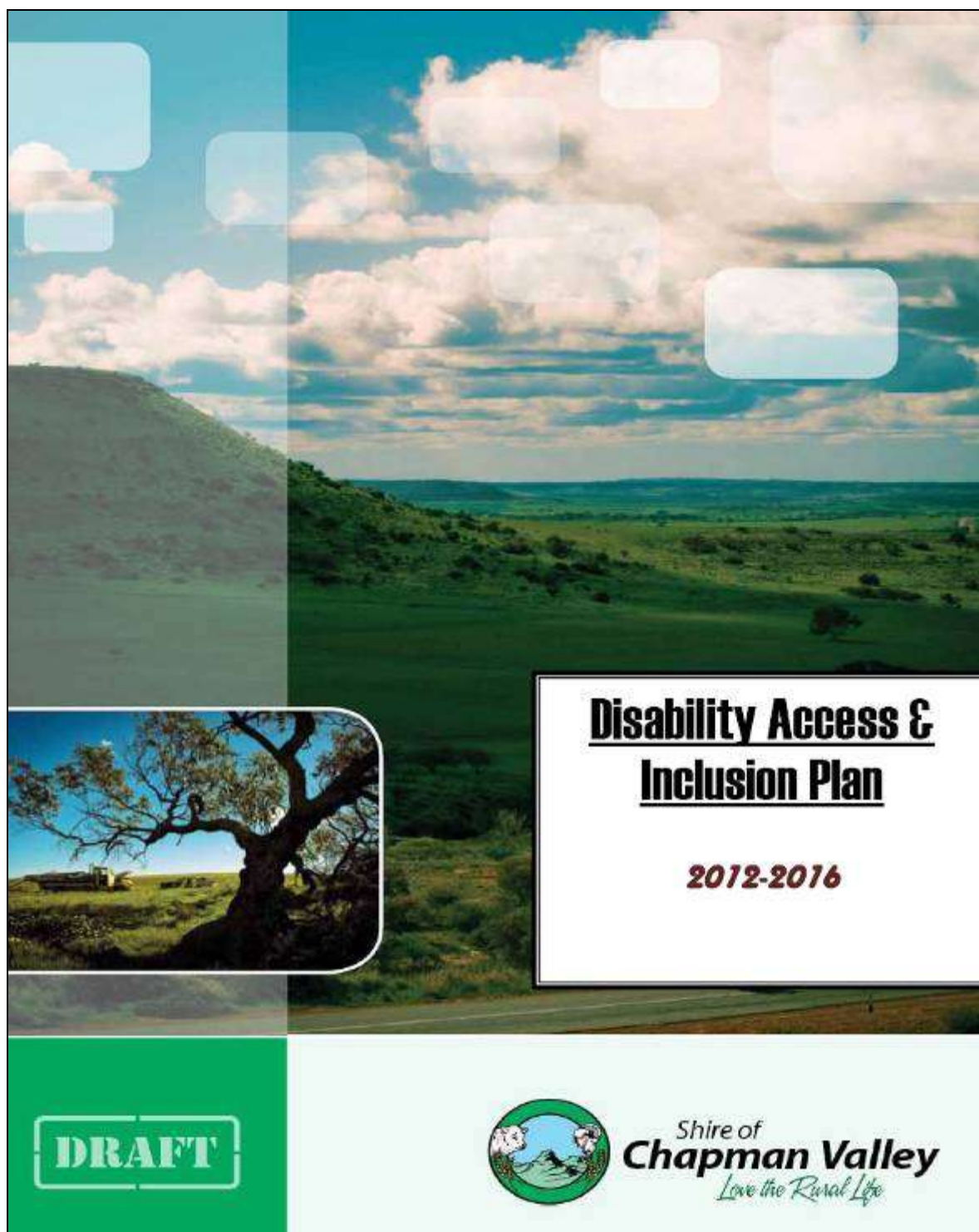
That Council adopts the 2012-2016 Shire of Chapman Valley Disability Access Inclusion Plan and a copy be forwarded to the Disability Services Commission WA.

Voting

7/0

CARRIED

Minute Reference 08/12 - 8





Contents

- 1.0 Responsibility of the Disability Access and Inclusion Plan
- 2.0 Background
 - 2.1 *The Shire of Chapman Valley*
 - 2.2 *Functions, facilities and services provided by the Shire of Chapman Valley*
 - 2.3 *People with disabilities in the Shire of Chapman Valley*
 - 2.4 *Planning for better access*
 - 2.5 *Progress since 1995*
- 3.0 Access and Inclusion Policy Statement
- 4.0 Strategies to Improve Access and Inclusion
- 5.0 Development of the Disability Access and Inclusion Plan
 - 5.1 *Responsibility for the planning process*
 - 5.2 *Community Consultation*
 - 5.3 *Findings of the consultation*
 - 5.4 *Responsibility for implementing the DAIP*
 - 5.5 *Communication of the plan to staff and people with disabilities*
 - 5.6 *Review and evaluation mechanisms*
 - 5.7 *Reporting of DAIP*
- 6.0 Implementation Plan
- 7.0 Conclusion



1.0 Responsibility of the Disability Access and Inclusion Plan

The responsibility for the Disability Access Inclusion Plan is the Chief Executive Officer.

2.0 Background

2.1 The Shire of Chapman Valley

The Shire of Chapman Valley is located northeast of Geraldton in the Mid West of Western Australia and covers an area of approximately 4000 square kilometres. It is bounded by the Indian Ocean and the Shire of Northampton and City of Greater Geraldton.

The Shire has a population of 1000, with the greatest concentration in the southern section. The largest urban centre is 42 km from Geraldton at Nabawa with approximately 90 residents and where the Shire administration is located. Yuna, a further 40 km northeast has a population of approximately 20. At Yuna the Shire maintains sporting facilities, library, assists the community swimming pool and has one employee based there. Nanson seven kilometres south of Nabawa now has a population of approximately 45 but was once the location of the Shire's administration.

The Shire's economy is reliant on a range of agricultural pursuits including intensive farming, grain production and wool growing. The southern section of the Shire has become popular for rural lifestyle living and includes the scenic Chapman Valley, which is a popular weekend destination for residents of Geraldton.

A number of small wineries and aquaculture ventures have been established and are proving popular with visitors. Many visitors and campers are drawn to Coronation Beach, which is a world-renowned windsurfing location on the Shire's 17 km of coastline. The Shire maintains basic camping facilities at the beach but is currently restricted in the facilities it can provide by the lack of fresh water supply.

2.2 Functions, facilities and services provided by the Shire of Chapman Valley

The Shire of Chapman Valley provides;

Services to properties including-

- Construction and maintenance of shire owned roads, buildings, footpaths, cycle facilities, walk trails and boardwalks, rubbish collection and disposal (Nabawa and Nanson only) caring of trees, street lighting, and bushfire control.

Services to community include-

- Provision and maintenance of recreation grounds, playing areas, and reserves, management of community centre and stadium, library and information services, provision of pre-primary centre building, coastal management, management of specific roadside tourist areas.

Regulatory services include-

- Planning, building and ranger services. Planning of roads and subdivisions in accordance with the town planning scheme, building approvals for construction, additions and alterations. Ranger services, including enforcement of local laws, dog, litter and pools/spas inspections.

General Administration including-

- The provision of general information to the public, rates notices, vehicle licensing and inspection services.

Process of Government including-

- Ordinary and special council meetings, committee meetings, electors meetings and election of councillors.



2.3 People with disabilities in the Shire of Chapman Valley

There is a small estimate of people with disabilities living within the Shire. The Australia Bureau of Statistics (ABS) figures were inconclusive the number of people with disabilities in the Shire, however the officers, council, and community are aware there are people with disabilities who live in the community. The expansion of urban development in the south west corner of the shire will increase this number, and visitors with disabilities to the region must be considered.

2.4 Planning for better access

The Western Australian Disability Services Act (1993) requires all Local Governments to develop and implement a Disability Access and Inclusion Plan (DAIP) to ensure that people with disabilities have equal access to facilities and services.

Other legislation underpinning access and inclusion includes the Western Australia Equal Opportunity Act (1984) and the Commonwealth Disability Discrimination Act 1992 (DDA), both of which make discrimination on the basis of a persons disability.

2.5 Progress since 1995

The Shire of Chapman Valley is committed to facilitating the inclusion of people with disabilities through the improvement of access to its facilities and services. Towards this goal the Shire adopted its first Disability Service Plan in 1996 and then 2001, 2007 and 2012 to address the barriers within the community for people with disabilities. The Disability Services Plan addressed both its statutory requirements under the WA Disability Services Act (1993) and its obligations under the Commonwealth Disability Discrimination Act (1992).

Since the adoption of the initial Disability Services Plan, the Shire has implemented many initiatives and made significant progress towards better access within the Shire of Chapman Valley, these are as follows;

Improvement of existing functions, facilities and services to meet the needs of people with disabilities.

- Talking books positioned in a clearly designated and easily accessible section of the library.
- Building surveyors and planners have assisted in increasing disability access awareness of developers, and the introduction of disabled access to all newly constructed or altered public buildings, including playground and recreational areas.

Improved access to community buildings and facilities.

- Unisex disabled accessible toilet block was centrally constructed in the Chapman Valley Community Centre and the Yuna Townsite.
- Footpath installed from the school to residential areas of Nabawa.
- Footpath installed from the school to the Shire Office in Nabawa.

Opportunities provided for people with disabilities to participate in public consultations, grievance mechanisms and decision making processes are provided.

- Council services, functions and facilities are available on request in large print, and computer disc alternative formats.
- Council ensured that voting for municipal elections takes place in accessible buildings and that alternative voting arrangement is available where required.



3.0 Access and Inclusion Policy Statement

The Shire of Chapman Valley is committed to ensuring that the community is an accessible community for people with disabilities, their families and carers, via the following;

- The Shire of Chapman Valley believes that people with disabilities, their families and carers who live in country areas should be supported to remain in the community of their choice.
- The Shire of Chapman Valley is committed to consulting with people with disabilities, their families and carers and, where required, disability organisations to ensure that barriers to access are addressed appropriately.
- The Shire of Chapman Valley is committed to ensuring that its agents and contractors work towards the desired outcomes in the Disability Access and Inclusion Plan.

The Shire is also committed to achieving the six standards of its disability access and inclusion plan which are as follows;

1. Provide a means of ensuring that people with disabilities have the same opportunities as others to access the services of, and any event organised by the Shire of Chapman Valley.
2. Provide a means of ensuring that people with disabilities have the same opportunities as others to access buildings and other facilities of the Shire of Chapman Valley.
3. Provide a means of ensuring that people with disabilities receive information from the Shire in a format that will enable them to access information as readily as others are able to.
4. Provide a means of ensuring that people with disabilities receive the same level and quality of service from the staff of the Shire of Chapman Valley
5. Provide a means of ensuring that people with disabilities have the same opportunities as others to make complaints to the Shire of Chapman Valley.
6. Provide a means of ensuring that people with disabilities have the same opportunities as others to participate in any public consultation with the Shire of Chapman Valley.



4.0 Strategies to Improve Access and Inclusion

The Shire of Chapman Valley is committed to achieving the following outcomes.

Timeliness of these outcomes is addressed in the implementation table in section five (5) of this DAIP document.

Outcome 1

People with disabilities have the same opportunities as other people to access the services of, and any events organised by a public authority.

Strategies
Ensure people with disabilities are provided with an opportunity to comment on access to services.
Make library technology as accessible as possible.
Council will ensure that any events are organised so that they are accessible to people with disabilities.
Council will ensure that all policies and practices that govern the operation of Council facilities, functions, and services are consistent with Council Policy regarding access.

Outcome 2

People with disabilities have the same opportunities as other people to access the buildings and other facilities of a public authority.

Strategies
Ensure all buildings and facilities are physically accessible to people with disabilities.
Ensure that all new or redevelopment works provide access to people with disabilities, where practicable.
Ensure adequate ACROD parking to meet the demand of people with disabilities in terms of quantity, quality, and location.
Ensure that parks and reserves are accessible.
Increase the number of accessible playgrounds.
Improve access to beaches and the sea for people with disabilities.
Ensure that public toilets meet the associated accessibility standards.

Outcome 3

People with disabilities receive information from a public authority in a format that will enable them to access the information as readily as other people are able to access it.

Strategies
Improve community awareness that Council information can be made available in alternative formats upon request, such as large print, and audio.
Improve staff awareness of accessible information needs and how to obtain information in other formats.
Ensure that the Shires website meets contemporary and universal design practices.

Outcome 4

People with disabilities receive the same level and quality of service from the staff of a public authority as other people receive from the staff of that public authority.

Strategies
Improve staff awareness of disability and access issues and improve skills to provide good service to people with disabilities.
Improve the awareness of new staff and new Councilors about disability and access issues.
When required, Council will seek expert advice from the disability field on how to meet the access needs of people with disabilities.

Outcome 5

People with disabilities have the same opportunities as other people to make complaints to a public authority.

Strategies
Council will ensure that current grievance mechanisms are accessible for people with disabilities and are acted upon.

Outcome 6

People with disabilities have the same opportunities as other people to participate in any public consultation by a public authority.

Strategies
Improve community awareness about the consultation process in place.
Improve access for people with disabilities to the established consultative process of Council.
Seek broad range of views on disability and access issues from the local community.
Commit to ongoing monitoring of the DAIP to ensure implementation and satisfactory outcomes.

5.0 Development of the Disability Access and Inclusion Plan

5.1 Responsibility for the planning process

A Building and Disability Services Committee of council was established comprising of four (4) elected members of council, and two (2) council officers to oversee the development and implementation, review and evaluation of the plan and efforts have been made to include the participation of a person with a disability.

5.2 Community consultation

In 2011, the Shire of Chapman Valley undertook to review its Disability Services Plan (2006-2011), and consult with key stakeholders to draft a new Disability Access and Inclusion Plan to guide further improvements for access and inclusion.

The process included:

- Examination of the initial Disability Services Plan and review to see what has been achieved and what still needs work
- Examination of other council documents and strategies
- Investigation of current good practice in access and inclusion
- Consultation with key staff; and
- Consultation with the community

In January 2012, the community was informed through the local newspaper (Valley Vibes) that Council was reviewing its current Disability Access and Inclusion Plan to address the barriers that people with disabilities and their families experience in accessing council functions, facilities and services. The community was advised through local newspapers that they could provide input into the development of the plan. The community was invited to contact Council officers in February 2012 to discuss and submit comments on the draft DAIP (2012-2016). Additions and exclusions were made to the document by the Council's Disability Access and Inclusion committee to reflect the comments submitted through the public consultation process.

5.3 Findings of the consultation

While the review and consultation noted a level of achievement in improving access it also identified a range of barriers that requires redress. These include:

- Processes of Council may not be as accessible as possible
- Events may not always be held in a manner and location that best facilitates the participation of people with disabilities.
- Staff may be uninformed or lacking in confidence to adequately provide the same level of service to people with disabilities

The identification of these barriers informed the development of strategies in the Disability Access and Inclusion Plan. The barriers have been prioritised in order of importance, which assists setting timeframes for the completion of strategies to overcome these access barriers.

5.4 Responsibility for implementing the DAIP

Implementation of the DAIP is the responsibility of all areas of the Shire of Chapman Valley. The Disability Services Act (1993) requires all public authorities to take all practical measures to ensure that the DAIP is implemented by its officers, employees, agents and contractors.

5.5 Communication of the plan to staff and people with disabilities

In April 2012, copies of the draft DAIP were sent to all those who contributed to the planning process including the Shire employees, people with disabilities, their families, carers, disability organisations and relevant community groups for feedback. In July/August 2012 the plan was finalised and formally endorsed by Council.

The community has been advised through the local media (newspaper and radio) that copies of the plan are available to the community through the shire website, upon direct request of shire officers, and is available in alternative formats if required.

As plans are amended, Shire employees and the community will be advised of the availability of updated plans, using the above methods.

5.6 Review and evaluation mechanisms

The Disability Service Act requires that DAIP's be reviewed at least every five years. The DAIP Implementation Plan can be amended more frequently to reflect advancements of access and inclusion issues. Whenever the DAIP is amended, a copy of the amended plan must be lodged with the Disability Services Commission.

Monitoring and reviewing

The DAIP will be reviewed annually for progress and implementation with all progress and recommended changes reported to council.

Evaluation

An evaluation will occur as part of a five yearly review of the DAIP. Community, staff and elected members will be consulted as part of the evaluation and Implementation Plans will be amended based on the feedback received. Copies of the amended Implementation Plan, once endorsed by council, will be available to the community in alternative formats.

5.7 Reporting of DAIP

The Disability Services Act requires the Shire to report on the implementation of its DAIP in its annual report outlining:

- Progress towards the desired outcomes of its DAIP.
- Progress of its agents and contractors towards meeting the six desired outcomes.
- The strategies used to inform agents and contractors of its DAIP.



6.0 Implementation Plan

The Implementation Plan details the task, timelines and responsibilities for each strategy to be implemented in 2012-2016 to progress the strategies of the DAIP.

It is intended that the Implementation Plan will be updated annually through Council's operations, to progress the achievements of all the strategies over the duration of the five year plan.

Outcome 1

People with disabilities have the same opportunities as other people to access the services of, and any events organised by a public authority.

Strategy	Task	Timeline	Responsibility
Ensure people with disabilities are provided with an opportunity to comment on access to services.	<ul style="list-style-type: none"> Shire's Disability Services Coordinator will liaise with contractors, who are developing and implementing the Shire evaluation activities, to increase their awareness of the importance of getting comments on services by people with disabilities. Develop feedback mechanism for use of all disability services provider to by the Shire. 	Implemented/ ongoing	<p>Disability Services Coordinator and all Managers (Planning/ Development, Financial, Works, CEO)</p> <p>Disability Services Coordinator and all Managers Planning/ Development, Financial, Works, CEO)</p>
Make library technology as accessible as possible.	<ul style="list-style-type: none"> Make library technology as accessible as possible 	Implemented/ ongoing	Manager of Library Services
Council will ensure that any events are organised so that they are accessible to people with disabilities.	<ul style="list-style-type: none"> Ensure the needs of people with disabilities are planned for and provided by using the checklist provided through the access resource kit as provided by DSC. Request Ag. Society to set aside parking spaces for easy access parking. 	Implemented/ ongoing August 2012	Manager of Planning, Community Development Officer, and CEO

<p>Council will ensure that all policies and practices that govern the operation of Council facilities, functions, and services are consistent with Council Policy regarding access.</p>	<ul style="list-style-type: none"> • Ensure all buildings, facilities and services are accessible to people with disabilities through ongoing review and evaluation using devised checklists and annual audits. Through these audits a report will be generated that clearly identifies improvements to ensure the inclusion and accessibility for everyone. Again using the guide and checklist provided through the access resource kit developed by the DSC. 	<p>Implemented/ ongoing</p>	<p>Disability Services Coordinator and all Managers (Planning/ Development, Financial, Works, CEO, property) Council representatives</p>
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Outcome 2

People with disabilities have the same opportunities as other people to access the buildings and other facilities of a public authority.

Strategies	Task	Timeline	Responsibility
Demonstrate a willingness to ensure all buildings and facilities are accessible where practicable, to meet the access standards and any additional need in consideration of people with disabilities.	<ul style="list-style-type: none"> • Audit and collate information on facilities. • Generate an improvement report. • Complete improvements from report where possible 	Implemented/ongoing	Manager of Planning, CEO, Building Surveyor, Council Representatives
Ensure that all new or redevelopment works provide access to people with disabilities, where practicable.	<ul style="list-style-type: none"> • All facilities allow for access for people with physical, cognitive, sensory and psychiatric disabilities through the application of specific building and planning codes. This includes ramped elevations, rails, and appropriate signage, line marking and raised footholds at intersections where practicable. 	Annually/Ongoing	CEO, Manager of Planning, Building Surveyor, Building Committee
Ensure adequate ACROD parking to meet the demand of people with disabilities in terms of quantity, quality, and location.	<ul style="list-style-type: none"> • Undertake an audit of ACROD bays and implement a program to rectify non-compliance. (Checklist, from ART) 	Implemented/ongoing	CEO, Manager of Planning, Administration Manager, Building Surveyor, Building Committee

Ensure that parks and reserves are accessible.	<ul style="list-style-type: none"> • All parks and reserves allow for access for people with physical, cognitive, sensory and psychiatric disabilities. This includes ramped elevations, rails, and appropriate signage, line marking and raised footholds at intersections where practicable. • Increase the amount of seating throughout each townsite: Nanson, Yuna, Nabawa, Parkfalls. 	July 2013	Manager of Planning, CEO, Community Development Officer, Council Representatives
Increase the number of accessible playgrounds.	<ul style="list-style-type: none"> • Implement accessible play areas to existing and new facilities through careful planning and advice from experts. 	July 2014	Manager of Planning, Community Development Officer, CEO
Improve access to beaches and the sea for people with disabilities.	<ul style="list-style-type: none"> • Where practicable allow access to beach areas within the Shire through investigation of methods that provide maximum opportunity for inclusion and access. 	July 2015	Manager of Planning, CEO, Building Surveyor
Ensure that public toilets meet the associated accessibility standards.	<ul style="list-style-type: none"> • Provision of Unisex disabled toilet/s for wheelchair persons visiting the Shires facilities are considered and planned for. These toilet facilities will be identified through the annual building inspection and planned for through the function of this committee. Facilities currently highlighted as in need of accessible 	Implemented/ongoing	Disability Services Coordinator and all Managers (Planning/Development, Financial, Works, CEO) Council representatives

	<p>toilet/s include the Show grounds, Historical society grounds, Yuna Townsite, and Shire administration building.</p> <ul style="list-style-type: none"> • Apply for funding to Construct disabled access toilet facilities to the Naraling ablution block. • Apply for funding to build disabled toilet facilities at the Shire Administration Office 		
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Outcome 3

People with disabilities receive information from a public authority in a format that will enable them to access the information as readily as other people are able to access it.

Strategies	Task	Timeline	Responsibility
Improve community awareness that Council information can be made available in alternative formats upon request, such as large print, and audio.	<ul style="list-style-type: none"> • Ensure all documents carry a notation regarding availability in alternative formats • Advise the community via local newspaper, radio, newsletters that other formats are available via electronic and audible formats. 	Implemented/ ongoing	All managers
Improve staff awareness of accessible information needs and how to obtain information in other formats.	<ul style="list-style-type: none"> • Make accessible information guidelines available on the internet • Develop an accessible information policy • Conduct accessible information training and include as part of the induction of new staff. 	Implemented/ ongoing	Administration Manager
Ensure that the Shires website meets contemporary and universal design practices.	<ul style="list-style-type: none"> • Redevelop website according to the W3C guidelines as outlined by the state government access guidelines 	Implemented/ ongoing	Administration Manager

Outcome 4

People with disabilities receive the same level and quality of service from the staff of a public authority as other people receive from the staff of that public authority.

Strategies	Task	Timeline	Responsibility
Improve staff awareness of disability and access issues and improve skills to provide good service to people with disabilities.	<ul style="list-style-type: none">• Advise staff of minimum requirements• Conduct a survey of all staff to determine training needs- completed	Implemented/ ongoing	All Managers, Community Development Officer
Improve the awareness of new staff and new Councilors about disability and access issues.	<ul style="list-style-type: none">• Provide information and establish training in the induction for new staff and councillors	Implemented/ ongoing	All Managers
When required, Council will seek expert advice from the disability field on how to meet the access needs of people with disabilities.	<ul style="list-style-type: none">• Keep an updated database on people who can be called upon to ask advice	Implemented/ ongoing	Community Development Officer and Administration Officers

Outcome 5

People with disabilities have the same opportunities as other people to make complaints to a public authority.

Strategies	Task	Timeline	Responsibility
Council will ensure that current grievance mechanisms are accessible for people with disabilities and are acted upon.	<ul style="list-style-type: none">• Review current mechanisms for access. Consult with people with disabilities and expert advice.• Develop other methods of making complaints, such as web based forms, access to interpreters, advocacy services, and alternative arrangements such as carers, parents, and guardians acting as advocates.• Promote accessible complaints mechanisms to the community.	Implemented/ ongoing	CEO, Administration Manager

Outcome 6

People with disabilities have the same opportunities as other people to participate in any public consultation by a public authority.

Strategies	Task	Timeline	Responsibility
Improve community awareness about the consultation process in place.	<ul style="list-style-type: none"> Promote the existence and role/purpose of the DAIP to the community. Shire representatives to meet regularly to discuss and review DAIP and processes used to develop DAI policies, and make improvements where possible. 	Implemented/ongoing	Community Development Officer, Building Committee, CEO
Improve access for people with disabilities to the established consultative process of Council.	<ul style="list-style-type: none"> Consult with people with disabilities using a range of mediums, including survey, focus groups, and interviews, on a regular basis. 	Implemented/ongoing	Community Development Officer, Building and Disability Services Committee
Seek broad range of views on disability and access issues from the local community.	<ul style="list-style-type: none"> Include appropriate questions about access and inclusion in general Shire surveys and consultative events. Actively pursue ideas and thoughts from people with disabilities. 	Implemented/ongoing	Community Development Officer, Building and Disability Services Committee
Commit to ongoing monitoring of the DAIP to ensure implementation and satisfactory outcomes.	<ul style="list-style-type: none"> The Shire will regularly monitor the progress of the plan and be involved in the annual reviews. 	Implemented/ongoing	Community Development Officer, Manager of Planning, Building and Disability Services Committee



7.0 Conclusion

The Shire of Chapman Valley is committed to ensuring that people with disabilities and their carers have the opportunity to fully participate in community life.

COUNCIL RESOLUTION:

MOVED: CR DAVIDSON

SECONDED: CR BELL

That Council move confidential items 10.2.3 to 10.2.7 to proceed item 11.0

**Voting
7/0**

CARRIED

Minute Reference 08/12 - 9

10.3

Finance & Administration

August 2012

Contents

10.3 AGENDA ITEMS

- 10.3.1 Financial Report - July 2012
- 10.3.2 Financial Management Review
- 10.3.3 Formal Adoption of 2012/13 Budget

Mrs Barndon entered Chambers at 10.57am

AGENDA ITEM:	10.3.1
SUBJECT:	FINANCIAL REPORT JULY 2012
PROPONENT:	ACCOUNTANT
SITE:	SHIRE OF CHAPMAN VALLEY
FILE REFERENCE:	307.04
PREVIOUS REFERENCE:	N/A
DATE:	06 AUGUST 2012
AUTHOR:	DEBBY BARNDON

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 July 2012 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.

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIRMENTS

Simple Majority of Council.

STAFF RECOMMENDATION

That Council receive the financial report for the month of July 2012 comprising the following:

- Summary of Payments
- Net Current Assets
- Summary of Financial Activity,
- 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 Statement from 21 June 2012 to 22 July 2012

COUNCIL RESOLUTION

MOVED: CR FARRELL

SECONDED: CR FORRESTER

That Council receive the financial report for the month of July 2012 comprising the following:

- Summary of Payments
- Credit Card Statement from 21 June 2012 to 22 July 2012

Voting

7/0

CARRIED

Minute Reference 08/12 - 10

AGENDA ITEM:	10.3.2
SUBJECT:	FINANCIAL MANGEMENT REVIEW
PROPONENT:	CHIEF EXECUTIVE OFFICER
SITE:	SHIRE OF CHAPMAN VALLEY
FILE REFERENCE:	305.12
PREVIOUS REFERENCE:	NIL
AUTHOR:	STUART BILLINGHAM

DISCLOSURE OF INTEREST

Nil

REPORT PURPOSE

To present to Council a report from UHY Haines Norton on the Financial Management Review (FMR). (see copy of letter and report submitted as a separate attachment)

BACKGROUND

The Local Government (Financial Management) Regulations 1996 Reg 5(2)(c) requires Local Governments to undertake a Financial Management Review every 4 years.

The FMR Report raised the following points:

- Rates – 3 Compliance matters raised
- Minutes and Meetings – 1 Compliance matter raised
- Financial Reports – 2 Compliance matters raised
- Registers – 4 Compliance matters raised

COMMENT

For each point raised by the auditor please refer to the response action taken listed immediately below each item.

1. Bank Reconciliations and Petty Cash

Auditor Comment: To help ensure all transactions have been recorded and are reconciled properly month end bank reconciliations for all reserve bank accounts should be prepared, reviewed and filed.

Action - Reserve Fund Bank Reconciliations are now to be prepared by Officers on a regular monthly basis.

2. Trust Fund

Auditor Comment: To help ensure the trust ledger accurately reflects the Shire's trust creditors, trust balances should be regularly reviewed.

Action – The Shire Trust system to be reviewed and reconciled to trust Creditors balances on a regular monthly basis.

3. Receipts and Receivables

Auditor Comment: To help ensure proper controls over the completeness of funds collected at the camp sites, receipts should be issued or a visitors register should be kept for camp site entries. These records should be checked against the actual cash receipted by staff at the front counter.

Action – Coronation Beach and Fig Tree camping areas to have new envelopes printed for the collection of Camping fees. Tear off slip on envelope to act as receipt to visitors. Caretaker at Coronation Beach Camping Area maintains a register of the number of Camper each night already.

4. Rates

From testing, we concluded the rate system and records are being properly maintained. However, the following items of non-compliance occurred with respect to rates:-

- The number of properties on which the minimum rate payment was imposed was more than 50% of the number of separately rated properties in the district.

Auditor Comment: To help ensure compliance with Section 6.35(4) of the Local Government Act, this requirement should be correctly addressed in the future.

Action – Finance Officers each year are to ensure during rates modelling that the 50% number of properties is not exceeded.

- The Shire imposed UV differential rates of more than twice the lowest differential rate without ministerial approval.

Auditor Comment: To help ensure compliance with Section 33.3(3) of the Local Government Act, this requirement should be correctly addressed in the future.

Action – Shire officers are to write to the Department of Local Government seeking Ministerial Approval for those differential rates which are more than twice the lowest differential before the Council Budget Adoption Meeting.

- No local public notice was given prior to adopting differential rates.

Comment: To help ensure compliance with Section 6.36(3)(a), Section 6.36(3)(a)(ii) and Section 6.36(3)(c) of the Local Government Act, this requirement should be correctly addressed in the future.

As the above matters represent non-compliance with Part 6 of the Local Government Act, they may be carried forward to our audit report for the year ended 30 June 2012.

Action – Shire Officers are to ensure that local public notice is given for the prescribed time frame prior to Council adopting differential rates

5. Wages and Salaries

The system described to us and its supporting controls were found to be operating effectively except for the following areas having opportunity for improvement:

- Changes to employees' details by the Payroll Officer were not reviewed by a senior officer.

Comments: To help ensure all changes to employees' details in the system are authorised, a senior staff member independent of processing should review a system generated audit trail report showing all changes made to the system on a monthly basis. The independent review should seek to confirm the integrity of the details in the system and should be evidenced accordingly.

Action – All changes to employee records are now to be reviewed and signed off by the Managers Finance & Administration.

- There was no evidence of payroll reconciliations being reviewed by senior staff for all months from July 2011 to April 2012.

Auditor Comments: To help ensure all salaries and wages are completely and correctly posted into the general ledger, payroll reconciliations should be reviewed by a senior staff member independent to the preparer and should be signed and dated as evidence of reviews.

Action - note this procedure has been followed since May 2012.

- Employees' personnel files were not up to date with respect to pay increases.

Auditor Comments: To help ensure all personnel files contain a complete record of all agreements with employees, letters reflecting changes in pay rates should be filed in each employee's personnel file.

Action – Payroll Officer to ensure all personnel files are kept up to date with letters or memos from the CEO confirming all staff pay rate changes.

6. Fixed Assets

We concluded fixed assets are properly accounted for and supporting controls are operating effectively except for the following:

- The fixed assets register has not been regularly reconciled to the general ledger.

Auditor Comments: To help ensure fixed assets are completely and correctly posted to the general ledger, the general ledger should be reconciled regularly to the fixed assets register. These reconciliations should be signed and dated by the preparer thereof and should be independently reviewed.

The independent review should seek to confirm the accuracy of the reconciliation and should be evidenced accordingly. Whilst we acknowledge control exists at year end, a more regular process makes it much easier to balance fixed assets, particularly at year end. At the very least, this reconciliation should occur on a quarterly basis.

Action – The Manager Finance & Administration is now responsible for the preparation of a fixed asset register reconciliation to be reviewed and signed off by the CEO on a regular basis.

- Depreciation of two assets (out of a sample of 10) selected in testing was not in line with the accounting policy.

Comments: To help ensure fixed assets are correctly depreciated, depreciation rates should be checked against the accounting policy.

Action – The Manager Finance & Administration to undertake a full review of the fixed asset register ensuring all assets are set up in accordance with Council policy.

- Council has adopted a policy of re-valuing roads with sufficient regularity to ensure the carrying amount of each road asset is fairly stated at reporting date. We note the last revaluation was carried out in 2007.

Comments: To help to ensure fair values are correctly reflected, revaluations should be carried out at least every 3 to 5 years.

Action – A Revaluation of Shire Roads to be undertaken by Green Fields Technical using ROMANS 2 in 2012/13.

7. Credit Card Procedures

- Tax invoices or receipts for credit card purchases were not always obtained and filed.

Auditor Comments: To help ensure the usage of corporate credit cards is in line with the Shire's procedure manual and finance policies, all items of expenditure should be supported by tax

invoices which should be authorised in the same manner as all other Shire purchases. This would include confirmation of receipt of goods and/or services.

Action – The CEO is responsible for the only Shire Corporate Credit Card and it is understood this is currently not a concern with the incumbent CEO and appears to be an area of concern with the previous CEO.

8. Cost and Administration allocations

Auditor Comment: To help ensure Administration Costs, Plant Operating Costs and Public Works Overheads are fully allocated, allocation rates should be reviewed and revised where applicable, on a regular basis. Rates used should be supported by documentary evidence comprising supporting work papers which should be printed and filed. In addition, these work papers should be signed and dated by the preparer and the reviewer.

Action - The Manager Finance & Administration to undertake a full review of Administration Costs, Plant Operating Costs and Public Works Overheads. Rates to be reviewed and supported by documentary evidence to be printed and filed. Working papers to be signed and dated by the preparer and the reviewer.

9. Minutes and meetings

Auditor Comments: To help ensure “official” copies of minutes are maintained, all minutes should be signed by the person presiding at the meeting at which the minutes were confirmed and the minutes should be bound on a regular basis.

Action – The CEO to ensure the Shire President signs the confirmed minutes of Council as soon as practically possible after the Council Meeting the minutes were confirmed at.

10. Financial Reports

All were found to be of a satisfactory standard and in compliance with legislative requirements except the following matters which were noted as having opportunity for improvement:

- Explanations for material variances in Monthly Statements of Financial Activity could contain more detail.

Auditor Comments: To help assist users of the monthly reports to assess reasons for material variances and make decisions resulting there from the explanations for material variances could be more detailed.

Action - The Manager Finance & Administration to ensure the monthly reports providing reasons for material variances are more detailed to improve end users.

- Whilst Council has adopted “10% (with a minimum of \$5,000) as the variance for financial reports to Council during the 2011/2012 financial year”, material variances reported on the Monthly Statements of Financial Activity have not been identified on this basis.

Auditor Comments: To help ensure compliance with FM Reg 34(5) together with FM Reg 34(2)(b), as Council have defined a material variance in percentage (%) terms with a minimum Dollar (\$) value, variances should be identified and commented on in this basis on Monthly Statements of Financial Activity.

Action - The Manager Finance & Administration to ensure the monthly reports providing reasons for material variances are more detailed to improve end users.

11. Registers

In relation to individual returns (the responsibility of which rests with the individual completing them), we noted the following:

- Annual and primary returns covering the financial year ended 30 June 2011 contained blank sections.

Auditor Comments: To help ensure compliance with Department of Local Government and Regional Development Circular no. 18-2005, all sections should be completed. Sections which have no information should be completed "N/A", Nil" or "Refer to Prior Return" as leaving sections blank is not preferred practice.

Action – All Councillors and affected staff have now been informed to fill in all boxes as commented above.

- In one instance we noted a primary return had no start date.

Auditor Comments: To help ensure compliance with Section 5.75 of the LG Act, the start date should be included on the Primary Return.

Action – Shire staff now ensure the start date is on all Primary Returns.

Auditor Comment: To help ensure these requirements are correctly addressed in future, a process should be implemented to help ensure the tender register is promptly updated and reviewed.

Action - The CEO has now implemented a procedure to ensures the tender register is correctly updated and reviewed.

12. Other matters

IT General Environment

During our review of the Shire's IT Controls, we noted the IT environmental controls to be operating effectively except:

- the Shire does not have a formal security plan in relation to general controls such as access to the computer system, regular changes to passwords and the review and monitoring of unauthorised access.

Auditor Comment: To help ensure the security of Council's data, management should evaluate the adequacy of current general controls, document the control system and develop and implement additional general controls where appropriate.

Action – Shire staff to develop a formal IT security plan in consultation with the Shire IT Consultant Leading Edge Computers. The Plan to address access controls to Shire computer systems, both internally and externally. The Plan also to address the issue of regular changing of passwords. The Plan to also address reviewing and monitoring of possible attempted or successful unauthorised access to Shire computer systems.

STATUTORY ENVIRONMENT

Local Government Act 1995 and associated regulations

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIRMENTS

Simple Majority Required.

STAFF RECOMMENDATIONS/ COUNCIL RESOLUTION:

MOVED: CR ROYCE

SECONDED: CR FARRELL

- 1. That Council receives the report of the Chief Executive Officer dated 8 August 2012 regarding the report on the Financial Management Review.**
- 2. That the Report from UHY Haines Norton on the Shire of Chapman Valley Financial Management Review be presented to the next Audit Committee meeting for further consideration.**

Voting

7/0

CARRIED

Minute Reference 08/12 -11

25 July 2012

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

Dear Stuart

FINANCIAL MANAGEMENT REVIEW

We have completed the Financial Management Review for the Shire of Chapman Valley for the period 1 July 2011 to 31 May 2012.

For your convenience we have provided one bound copy and an unbound copy for ease of copying.

Should you have any queries, please contact us.

Yours sincerely


GREG GODWIN
DIRECTOR
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**SHIRE OF CHAPMAN
VALLEY**
FINANCIAL MANAGEMENT REVIEW
JULY 2012



Financial Management Review

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DISCLAIMER

The objective of this review, as outlined in greater detail in Part 2.0 of this report, is to assist the Chief Executive Officer of the Shire of Chapman Valley discharge his responsibilities in respect to Regulation 5(2)(c) of the Local Government (Financial Management) Regulations 1996 (as amended).

It has been prepared by UHY Haines Norton (WA) Pty Ltd for this sole purpose.

It is not intended to be used by any other individual or organisation.

Confidential – this document and the information contained in it are confidential and should not be used or disclosed in any way without our prior consent.

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**1.0 INDEPENDENT REVIEWER'S REPORT
TO THE CHIEF EXECUTIVE OFFICER (CEO) OF THE SHIRE OF CHAPMAN
VALLEY**

At the request of the CEO, UHY Haines Norton was engaged to conduct a limited assurance review of the appropriateness and effectiveness of the Shire of Chapman Valley's financial management systems and procedures. The objective of the review is to assist the CEO discharge his responsibilities in respect to Regulation 5(2)(c) of the Local Government (Financial Management) Regulations 1996 (as amended). The review was conducted for the period 1 July 2011 to 31 May 2012.

CEO's responsibility for maintaining and reviewing financial management systems and procedures.

The CEO is responsible for implementing policies, procedures and controls which are designed to ensure the effective and efficient management of the Shire's resources. In accordance with Regulation 5(2)(c) of the Local Government (Financial Management) Regulations 1996 (as amended), the CEO is to undertake reviews of the appropriateness and effectiveness of the financial management systems and procedures. At least once in every four financial years the CEO is to report the results of those reviews to Council.

Our responsibility

Our responsibility is to provide a report expressing limited assurance, designed to enhance the confidence of the CEO to assist him report on the appropriateness and effectiveness of the financial management systems as required by Regulation 5(2)(c) of the Local Government (Financial Management) Regulations 1996 (as amended). We conducted our engagement in accordance with Australian Standard on Assurance Engagements *ASAE 3500 Performance Engagements* issued by the Australian Auditing and Assurance Standards Board and the Audit Guidelines, in order to state whether, based on the procedures performed, anything has come to our attention that causes us to believe that Council's financial management systems have not been operating effectively. Our engagement provides limited assurance as defined in ASAE 3500.

Our procedures were agreed to with the CEO in our engagement letter dated 21 June 2012.

Limitations of use

This report is made solely to the CEO of the Shire of Chapman Valley for the purpose of him reporting under Local Government (Financial Management) Regulation 5(2)(c). We disclaim any assumption of responsibility for any reliance on this report to any person other than the CEO of the Shire of Chapman Valley, or for any purpose other than that for which it was prepared. We disclaim all liability to any other party for all costs, loss, damages, and liability that the other party might suffer or incur arising from or relating to or in any way connected with the contents of our report, the provision of our report to the other party, or the reliance on our report by the other party.

Any projection of the evaluation of the level of compliance to future periods is subject to the risk that the systems may become inadequate because of changes in conditions, or that the degree of compliance with management procedures may deteriorate.

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**1.0 INDEPENDENT REVIEWER'S REPORT
TO THE CHIEF EXECUTIVE OFFICER (CEO) OF THE SHIRE OF CHAPMAN
VALLEY (Continued)**

Inherent limitations

A limited assurance engagement is substantially less in scope than a reasonable assurance engagement conducted in accordance with ASAE 3500 and consequently does not allow us to obtain assurance that we would become aware of all significant matters that might be identified in a reasonable assurance engagement. Accordingly, we will not express an opinion providing reasonable assurance.

We cannot, in practice, examine every activity and procedure, nor can we be a substitute for management's responsibility to maintain adequate controls over all levels of operations and its responsibility to prevent and detect irregularities, including fraud. Accordingly, readers of our reports should not rely on the report to identify all potential instances of non-compliance which may occur.

Independence

In conducting our engagement, we have complied with the independence requirements of the Australian professional accounting bodies.

Qualified Conclusion

Based on our work described in this report which is not an audit, nothing has come to our attention to indicate the Shire of Chapman Valley has not established and maintained appropriate and effective financial management systems and procedures during the period 1 July 2011 to 31 May 2012.

For those aspects of the Shire of Chapman Valley's Financial Management systems and procedures which were assessed as having opportunities for improvement, relevant findings are summarised at Part 3.0 of this report and detailed observations and comments are located at Part 4.0 of this report.


UHY HAINES NORTON
CHARTERED ACCOUNTANTS
GREG GODWIN
DIRECTOR

Date: 25 July 2012
Perth, WA

2.0 OBJECTIVE, SCOPE AND OVERVIEW OF FINDINGS

Objective

The objective of our engagement as outlined in our engagement letter is as follows:

To provide a report expressing limited assurance designed to enhance the confidence of the intended user (in this instance the CEO) in the performance of the control environment of the financial management system of the Shire of Chapman Valley (administered by Shire staff being the Responsible Party) for which the intended user (CEO) is ultimately responsible in accordance with the Act and Regulations.

It includes the performance of assurance procedures designed to test the financial management system and report to the CEO on the appropriateness and effectiveness of the control environment within, as required by Financial Management Regulation 5(2)(c).

We trust this report will assist in the ongoing review and improvement of the Shire's financial management practices and procedures.

Scope

As agreed our examination covered the period 1 July 2011 to 31 May 2012. To this end we examined the following financial systems and procedures of Council:-

- Bank Reconciliations and Petty Cash
- Trust Fund
- Receipts and Receivables
- Rates
- Fees and Charges
- Purchases, Payments and Payables (Including Purchase Orders)
- Wages and Salaries
- Fixed Assets (Including acquisition and disposal of property)
- Credit Card Procedures
- Costs and Administration Allocations
- Minutes and Meetings
- Financial Reports
- Budget
- Plan for the Future
- Registers (Including Annual & Primary Return)
- Delegations
- Audit Committee
- Insurance
- Storage of Documents/Record Keeping
- Other Matters

We did not necessarily examine compliance with provisions of the Act or Regulations, which were not financial in nature. That is, Parts 2, 4, 8 and 9 of the Act, some provisions of Parts 3 and 5 as well as most regulations (apart from the Financial Management Regulations), which did not impact on the areas examined above.

Overview of Findings

As referred to in Part 1.0 of this report, a summary of our findings and detailed observations may be found in Parts 3.0 and 4.0 on the following pages.




Addressing the issues highlighted will help to ensure the controls and procedures established are not compromised in the future and the integrity of the financial management system is maintained.

























3.0 SUMMARY OF FINDINGS

The following is a brief summary of matters noted for improvement together with our assessment of the level of risk in relation to each item:

Key:

 = System & Procedures
 = Compliance Matter

 = High Risk
 = Moderate Risk
 = Low Risk

Finding	Nature	Risk
Bank Reconciliations No formal bank reconciliations are prepared and reviewed for reserve bank accounts.		
Trust Fund Unclaimed Trust Liability to be reconciled and supported by relevant supporting information.		
Receipts and Receivables Receipts are not issued and no register is maintained at camping sites.		
Rates The number of properties on which the minimum rate payment was imposed is more than 50% of the number of separately rated properties in the district.		
The Shire imposed UV differential rates of more than twice the lowest differential rate without ministerial approval.		
No local public notice was given prior to adopting differential rates.		
Wages and Salaries Changes to employee details were not reviewed by an independent staff member.		
There was no evidence of payroll reconciliations being reviewed by an independent staff member for the months from July 2011 to April 2012.		
Employee's personnel files were not up to date with all required information.		
Fixed Assets The fixed assets register has not been reconciled to the general ledger on a regular basis.		
Depreciation rates used were not always in line with the depreciation policy.		
Revaluation of road infrastructure has not been performed on a regular basis.		

Finding	Nature	Risk
Credit Card Procedures Tax invoices or receipts for credit cards purchases were not obtained or filed.	S	L
Cost Allocations Cost allocation rates have not been reviewed on a regular basis.	S	L
Minutes and Meetings Minutes were not signed or bound since September 2011.	C	L
Financial Reports Explanations for material variances in Monthly Statements of Financial Activity could contain more detail.	C	L
Criteria used to identify material variances are not in line with the basis adopted by Council.	C	L
Registers Annual and Primary returns had blank sections.	C	L
Primary returns did not have a start date.	C	L
A copy of the public notice inviting tenders was not in the tender register for all tenders.	C	L
Tender values for successful tenders not in the tender register.	C	L
IT General Environment General controls in relation to the IT System are not documented.	S	L

Please Note: The assessment of risk as detailed above is our assessment based on the circumstances surrounding the procedures performed. An assessment of Low Risk is to be read in the context of our assessment of risk to the organisation as a whole. It is not intended to indicate no further action is required.

Our assessments are provided to assist you understand the nature of the matters raised and to prioritise any remedial action.

4.0 AREAS EXAMINED AND DETAILED OBSERVATIONS AND COMMENTS

4.1 BANK RECONCILIATIONS AND PETTY CASH

Bank Reconciliations

An examination of the bank reconciliations noted they are up to date as well as being prepared regularly and promptly.

Controls and procedures are considered to be operating effectively and are appropriate for Council's current scope of operations except:

- Whilst end of month balances were checked against to the bank statements and journals were entered for the interest income into the system, no bank reconciliations have been prepared on reserve bank balances on a monthly basis.

Comment: To help ensure all transactions have been recorded and are reconciled properly month end bank reconciliations for all reserve bank accounts should be prepared, reviewed and filed.

Petty Cash

We also examined the petty cash system and concluded this is being properly controlled and maintained.

4.2 TRUST FUND

Trust funds held by Council were examined to determine proper accountability in the Shire's financial management system and compliance with regulatory requirements.

Our observation and testing noted:

- Trust liabilities were not reviewed on a regular basis. In addition, we noted there are certain immaterial items reflected in the trust account which may no longer be trust liabilities.

Comments: To help ensure the trust ledger accurately reflects the Shire's trust creditors, trust balances should be regularly reviewed.

4.3 RECEIPTS AND RECEIVABLES

Detailed testing of twenty two receipts, randomly selected, was performed. This included tracing to individual receipt detail, bank deposits and the general ledger to ensure allocation/posting was correctly performed.

The receivables system including raising of invoices was also reviewed with limited testing in respect to allocation/posting.

A review of the cash handover procedures for cash collected at other locations i.e. Fig Tree Camp Reserve and Coronation Beach Camping Ground was also performed to determine if adequate controls were in place.

4.0 AREAS EXAMINED AND DETAILED OBSERVATIONS AND COMMENTS (Continued)

4.3 RECEIPTS AND RECEIVABLES (Continued)

Overall testing was completed satisfactorily. Controls and procedures are considered to be operating effectively and are appropriate for Council's current scope of operations with the following exception.

- No receipts are issued to visitors and no visitors registers are maintained at camp sites. As a result, there is no supporting evidence against which to verify whether all funds collected are brought to the Shire office for banking.

Comment: To help ensure proper controls over the completeness of funds collected at the camp sites, receipts should be issued or a visitors register should be kept for camp site entries. These records should be checked against the actual cash receipted by staff at the front counter.

4.4 RATES

Council's rating procedures were examined to determine if they were adequate in ensuring rates were being imposed and raised correctly. This also included inspection of the rate record and valuation reconciliations.

We randomly selected and tested ten annual rate notices (five GRV and five UV) and five interim notices (three GRV and two UV) for the period covered to determine whether they have been correctly imposed and raised. This included:

- sighting the notices;
- ascertaining whether the valuations applied are as per the Valuer General Office's roll/report and rates in the dollar imposed are as per the adopted budget; and
- ensuring the rate system is properly updated and posted to the general ledger.

From testing, we concluded the rate system and records are being properly maintained. However, the following items of non-compliance occurred with respect to rates:-

- The number of properties on which the minimum rate payment was imposed was more than 50% of the number of separately rated properties in the district.

Comment: To help ensure compliance with Section 6.35(4) of the Local Government Act, this requirement should be correctly addressed in the future.

- The Shire imposed UV differential rates of more than twice the lowest differential rate without ministerial approval.

Comment: To help ensure compliance with Section 33.3(3) of the Local Government Act, this requirement should be correctly addressed in the future.

- No local public notice was given prior to adopting differential rates.

Comment: To help ensure compliance with Section 6.36(3)(a), Section 6.36(3)(a)(ii) and Section 6.36(3)(c) of the Local Government Act, this requirement should be correctly addressed in the future.

As the above matters represent non-compliance with Part 6 of the Local Government Act, they may be carried forward to our audit report for the year ended 30 June 2012.

4.0 AREAS EXAMINED AND DETAILED OBSERVATIONS AND COMMENTS (Continued)

4.5 FEES AND CHARGES

Fees and Charges imposed at the time of budget adoption were found to be in accordance with legislative requirements.

4.6 PURCHASES, PAYMENTS AND PAYABLES (INCLUDING PURCHASE ORDERS)

A sample of twenty two payment transactions were randomly selected and testing performed to determine whether purchases were authorised/ budgeted and payments were supported, certified, authorised and correctly allocated. Council's purchasing, payments and payables system was also examined to determine if adequate controls are in place in ensuring liabilities are properly recorded and payments properly controlled.

In general, controls and procedures over payments and payables are operating effectively and are appropriate for Council's current scope of operations.

4.7 WAGES AND SALARIES

Five individual employees were randomly selected and testing of four pay runs for each employee was performed to ensure:

- the employee existed;
- the correct rate of pay was used;
- non-statutory deduction authorities are on hand;
- time sheets properly completed and authorised;
- hours worked authorised; and
- allocations reasonable and correctly posted.

Council's payroll system was also reviewed to determine if adequate controls are in place for ensuring wages and salaries are properly processed and payments are properly controlled. This included the review of two staff recruitments and two resignations during the period covered.

The system described to us and its supporting controls were found to be operating effectively except for the following areas having opportunity for improvement:

- Changes to employees' details by the Payroll Officer were not reviewed by a senior officer.

Comments: To help ensure all changes to employees' details in the system are authorised, a senior staff member independent of processing should review a system generated audit trail report showing all changes made to the system on a monthly basis. The independent review should seek to confirm the integrity of the details in the system and should be evidenced accordingly.

- There was no evidence of payroll reconciliations being reviewed by senior staff for all months from July 2011 to April 2012.

Comments: To help ensure all salaries and wages are completely and correctly posted into the general ledger, payroll reconciliations should be reviewed by a senior staff member independent to the preparer and should be signed and dated as evidence of reviews.

We note this procedure has been followed since May 2012.

- Employees' personnel files were not up to date with respect to pay increases.

Comments: To help ensure all personnel files contain a complete record of all agreements with employees, letters reflecting changes in pay rates should be filed in each employee's personnel file.

4.0 AREAS EXAMINED AND DETAILED OBSERVATIONS AND COMMENTS (Continued)

4.8 FIXED ASSETS (INCLUDING ACQUISITION AND DISPOSAL OF PROPERTY)

The fixed assets management system including controls over acquisition and disposal of assets, updating of the fixed assets register, depreciation of fixed assets and reconciliation of the fixed assets register to general ledger were examined.

We concluded fixed assets are properly accounted for and supporting controls are operating effectively except for the following:

- The fixed assets register has not been regularly reconciled to the general ledger.

Comments: To help ensure fixed assets are completely and correctly posted to the general ledger, the general ledger should be reconciled regularly to the fixed assets register. These reconciliations should be signed and dated by the preparer thereof and should be independently reviewed.

The independent review should seek to confirm the accuracy of the reconciliation and should be evidenced accordingly.

Whilst we acknowledge control exists at year end, a more regular process makes it much easier to balance fixed assets, particularly at year end. At the very least, this reconciliation should occur on a quarterly basis.

- Depreciation of two assets (out of a sample of 10) selected in testing was not in line with the accounting policy.

Comments: To help ensure fixed assets are correctly depreciated, depreciation rates should be checked against the accounting policy.

- Council has adopted a policy of re-valuing roads with sufficient regularity to ensure the carrying amount of each road asset is fairly stated at reporting date. We note the last revaluation was carried out in 2007.

Comments: To help to ensure fair values are correctly reflected, revaluations should be carried out at least every 3 to 5 years.

4.9 CREDIT CARD PROCEDURES

A review of Council's credit card procedures was performed to determine if adequate controls were in place.

We randomly selected five monthly credit card statements for the one credit card in use for the period covered and tested all the transactions of the months selected to determine whether they are legitimate and usual in the context of the Shire's operations. This included:

- sighting tax invoices;
- ascertaining whether the transaction is official in nature; and
- whether transactions are for business purposes, as there is no credit card policy.

Overall testing was completed satisfactorily. Controls and procedures are considered to be operating effectively and are appropriate for Council's current scope of operations.

Notwithstanding this, the following matter is noted as having opportunity for improvement:

- Tax invoices or receipts for credit card purchases were not always obtained and filed.

Comments: To help ensure the usage of corporate credit cards is in line with the Shire's procedure manual and finance policies, all items of expenditure should be supported by tax invoices which should be authorised in the same manner as all other Shire purchases. This would include confirmation of receipt of goods and/or services.

4.0 AREAS EXAMINED AND DETAILED OBSERVATIONS AND COMMENTS (Continued)

4.10 COST AND ADMINISTRATION ALLOCATIONS

We noted the allocation rates for Administration Costs, Plant Operating Costs and Public Works Overheads have not been recently reviewed and/or adjusted at the date of our review. In addition, we noted no documentary evidence for the allocation rates used.

Comment: To help ensure Administration Costs, Plant Operating Costs and Public Works Overheads are fully allocated, allocation rates should be reviewed and revised where applicable, on a regular basis. Rates used should be supported by documentary evidence comprising supporting work papers which should be printed and filed. In addition, these work papers should be signed and dated by the preparer and the reviewer.

4.11 MINUTES AND MEETINGS

Council meeting minutes were reviewed to ensure compliance with procedures and protocols.

The procedures and protocols surrounding meetings and the quality of minutes were found to be of a satisfactory standard and in accordance with legislative requirements with the exception of the following:

- Council meeting minutes are maintained in loose paper bundles with no certification evident since September 2011.

Comments: To help ensure "official" copies of minutes are maintained, all minutes should be signed by the person presiding at the meeting at which the minutes were confirmed and the minutes should be bound on a regular basis.

4.12 FINANCIAL REPORTS

The following reports were reviewed for compliance with legislative requirements:

- Annual Report;
- Annual Financial Report; and
- Monthly Financial Reports.

All were found to be of a satisfactory standard and in compliance with legislative requirements except the following matters which were noted as having opportunity for improvement:

- Explanations for material variances in Monthly Statements of Financial Activity could contain more detail.

Comments: To help assist users of the monthly reports to assess reasons for material variances and make decisions resulting there from the explanations for material variances could be more detailed.

- Whilst Council has adopted "10% (with a minimum of \$5,000) as the variance for financial reports to Council during the 2011/2012 financial year", material variances reported on the Monthly Statements of Financial Activity have not been identified on this basis.

Comments: To help ensure compliance with FM Reg 34(5) together with FM Reg 34(2)(b), as Council have defined a material variance in percentage (%) terms with a minimum Dollar (\$) value, variances should be identified and commented on in this basis on Monthly Statements of Financial Activity.

4.0 AREAS EXAMINED AND DETAILED OBSERVATIONS AND COMMENTS (Continued)

4.13 BUDGET

The 2011/12 budget document and documents surrounding budget adoption were reviewed to ensure compliance with regulatory requirements. All statutory requirements were satisfactorily met and the budget was of satisfactory form and content.

4.14 PLAN FOR THE FUTURE

We note the Council's plan for the future adopted in August 2011 covers 2011 to 2021 and met statutory requirements.

4.15 REGISTERS (INCLUDING ANNUAL & PRIMARY RETURNS)

Financial Interest Register

The register was examined to ensure compliance with regulatory requirements. The register is generally of a good standard and compliant with legislative requirements.

In relation to individual returns (the responsibility of which rests with the individual completing them), we noted the following:

- Annual and primary returns covering the financial year ended 30 June 2011 contained blank sections.

Comments: To help ensure compliance with Department of Local Government and Regional Development Circular no. 18-2005, all sections should be completed. Sections which have no information should be completed "N/A", Nil" or "Refer to Prior Return" as leaving sections blank is not preferred practice.

- In one instance we noted a primary return had no start date.

Comments: To help ensure compliance with Section 5.75 of the LG Act, the start date should be included on the Primary Return.

Tender Register

The tender register was reviewed for completeness and compliance and deemed to be satisfactorily maintained and appropriate for Council needs except:

- In one instance there was no copy of the public notice inviting tenders as required by Functions and General Regulation 17(2)(d).
- In two instances the tender values of the successful tenders were not recorded as required by Functions and General Regulation 17(3).

Comment: To help ensure these requirements are correctly addressed in future, a process should be implemented to help ensure the tender register is promptly updated and reviewed.

4.16 DELEGATIONS

The delegations register was reviewed for completeness and compliance and deemed to be satisfactorily maintained and appropriate for Council needs.

4.0 AREAS EXAMINED AND DETAILED OBSERVATIONS AND COMMENTS (Continued)

4.17 AUDIT COMMITTEE

Council's establishment of its audit committee and the constituted membership was examined by us and found to be in compliance with the requirements of the Act.

4.18 INSURANCE

Discussions with staff and review of policy documents revealed policies are current and the current coverage appears to be adequate. Evidence also exists to suggest an annual review of insurance risks occurs.

4.19 STORAGE OF DOCUMENTS/RECORD KEEPING

All minutes, registers, contracts and legal documents are stored in a safe which appears to be fire resistant. A detailed and fully indexed register and filing system is in place and appears to be complete and operating effectively.

4.20 OTHER MATTERS

IT General Environment

During our review of the Shire's IT Controls, we noted the IT environmental controls to be operating effectively except:

- the Shire does not have a formal security plan in relation to general controls such as access to the computer system, regular changes to passwords and the review and monitoring of unauthorised access.

Comment: To help ensure the security of Council's data, management should evaluate the adequacy of current general controls, document the control system and develop and implement additional general controls where appropriate.

Investment Policy

Local Government (Financial Management) Regulations relating to investments have recently been amended effective from 20 April 2012.

Council should review its current investment policy to help ensure it is in line with the amended requirements.

Cr Farrell left Chambers at 11.10am

Cr Farrell re-entered Chambers at 11.12am

Mrs McKay left Chambers at 11.13am

Mrs McKay re-entered Chambers at 11.15am

AGENDA ITEM:	10.3.3
SUBJECT:	FORMAL ADOPTION OF 2012/2013 BUDGET
PROPONENT:	CHIEF EXECUTIVE OFFICER
SITE:	SHIRE OF CHAPMAN VALLEY
FILE REFERENCE:	306.08
PREVIOUS REFERENCE:	
AUTHOR:	STUART BILLINGHAM

DISCLOSURE OF INTEREST

Nil

REPORT PURPOSE

To present to Council the Final Draft of the 2012/2013 Annual Budget for consideration of formal adoption.

BACKGROUND

The Draft 2012/2013 Annual Budget schedules were presented to a Special Meeting of Council on the 30 July 2012. Perth Consumer Price Index (CPI) for the Year to 31 March 2012 is running at 1.9%. WALGA Economic Briefing May 2012 shows the Local Government cost Index increased to 3.3% to March 2012.

Utilities

- Electricity: State Government to increase electricity charges between 3.5% Small Business -6.4% Medium Businesses. 9.5% increase expected due to Federal Government carbon tax introduction.
- Water: State Government to increase water charges by 6.0% in 2012/13.

(1) Amendments to the draft Budget document

All changes as directed by Council at the Special Council Meeting on the 30 July 2012 have been incorporated into the final budget document as presented.

(Please refer to Draft Budget submitted under a separate cover.)

Please refer to spread sheet submitted as a separate attachment for breakdown

(2) Monthly Reporting Variances

Each financial Year Council is required to adopt a percentage or value, calculated in accordance with Australian Accounting Standard (AAS) 5, to be used in the statements of financial activity for reporting material variances between the budget allocations and the actual revenue and expenditure incurred for the month under review. The percentage (10%) or \$10,000 whichever is the greater is recommended for the 2012 2013 financial year

(3) Rates

Council at the 16 May 2012 Ordinary Council, item 10.3.2 meeting agreed to advertise differential rates incorporating a 7% rate increase. The Final Budget incorporates a 7% rate increase.

(4) Schedule of Fees & Charges

Draft Schedule of Fees and charges presented to the Ordinary Council meeting 20 June 2012, item 10.2.2 are incorporated into the Draft Budget.

Additional Fees and Charges added since the 20 June 2012 meeting are set out below:

Animal Traps Bond and Hire Fees

COMMENT

Shire staff as per the resolution by Council at the Special Council Meeting 30 July 2012 have prepared a balance Budget for consideration by Council for formal adoption.

STATUTORY ENVIRONMENT

Local Government Act 1995

Local Government (Financial Management) Regulations 1996

POLICY IMPLICATIONS

Plan for the Future

Forward Capital Works Plan

Strategic Plan

Long Term Financial Plan

Cultural Plan

Road Asset Management Plan

FINANCIAL IMPLICATIONS

The Shire of Chapman Valley 2012/13 Annual Budget

STRATEGIC IMPLICATIONS

Long Term Financial Planning.

VOTING REQUIRMENTS

Absolute Majority Vote required.

STAFF RECOMMENDATIONS/ COUNCIL DECISION:

MOVED: CR FARRELL

SECONDED: CR ROYCE

That Council adopt the 2012/2013 budget document as presented and this document includes the following details:

1) Rates and Charges

The following rates and charges be adopted for the 2012/2013 financial year in accordance with Section 6.32 of the Local Government Act 1995:-

GRV	\$9.7946
GRV Minimum	\$630.00
UV Rural	\$0.7711
UV Minimum	\$300.00
Oakajee Differential	\$1.7195
Oakajee Minimum	\$300

STRIKING OF RATES

That the Rates and Minimum Rates to be levied on all rateable property be as follows:

Valuation	Rate cents/dollar	Minimum Rate \$
Gross Rental Value		
Town	9.7946	630
Unimproved Value		
Agricultural	0.7711	300
Oakajee	1.7195	300

Recommendation 2:

INSTALMENT PLAN INTEREST RATE

- That a charge be levied at 5.5% per annum calculated by simple interest method and applied to rates and rubbish removal charges to be paid by instalments, after the first payment is made, Deferred Pensioners Rates' excluded;

Recommendation 3:

LATE PAYMENT INTEREST RATE

- That a charge be levied at 11% per annum calculated by simple interest method and be applied where the instalment option is not in place, (35 days after the date of issue of the rate notice), to all overdue rates, service and rubbish charges, Deferred Pensioners Rates' excluded;

Recommendation 4:

INSTALMENT PLAN ADMINISTRATION CHARGE

- That an administration charge of \$7.00 per instalment be levied , excluding the first instalment payment (required within 35 days from the date of issue of the rates notice) and applied to rates and rubbish removal charges;

Recommendation 5:

INSTALMENT PLAN DATES

- the due date for instalments of rates payments be set as follows; issued date 22 August 2012

Two Instalment Option

1st Instalment due 26 September 2012
2nd Instalment due 26 November 2012

Four Instalment Option

1st Instalment due 26 September 2012
2nd Instalment due 26 November 2012
3rd Instalment due 28 January 2013
4th Instalment due 28 March 2013

Recommendation 6:

WAIVER OF RATES

That Council grants a waiver of shire rates for 2012/2013 financial year to the following non-profit organisations holding property within the Shire of Chapman Valley. (NB: These properties will still be required to pay the Emergency Services Levy)

- The Yuna CWA

Recommendation 7:

ADOPTION OF 2012/13 FEES AND CHARGES

- That Council adopt the 2012/13 Schedule of Fees and Charges.
- *Rubbish Removal Service Charges*

That rubbish service charges of:

Domestic Rubbish Removal

\$220.00* first weekly service 240 Litre MGB (Previously \$205.00 11/12)

\$220.00* extra weekly service 240 Litre MGB

be applied to each property serviced by the compulsory rubbish disposal contract, in accordance with the provisions of the Waste Resource and Recovery Act 2007.

***indicates GST free**

VARIOUS FEES AND CHARGES

RECOMMENDATION

That the following items be adopted:

i) Councillors' Meeting attendance fees

Attendance at Council meetings	\$140
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ii) Shire President's Attendance Fee and Allowances as per s5.98

Attendance at Council meetings	\$280
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<i>Local Government Allowance for 2012:2013 of</i>	<i>\$9,500</i>
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iii) Deputy President's Attendance Fee and Allowances

Local Government Allowance for 2012:2013 be 25% of the Shire President's Local Government Allowance \$2,375

iv) Allowance for Information Technology expenses

That an amount of \$1,000 per elected member for the 2012:2013 Budget.

(Local Government (Administration) Reg 34AA permits a maximum of \$1,000 per annum per elected member)

Recommendation 8:

That Council adopt the Revenue and Expenditure as detailed in the 2012/2013 Budget.

Recommendation 9:

LEVELS OF MATERIALITY 2012/2013

That Council sets its levels of material variances that need to be reported on at 10% and/or greater than \$10,000.

**Voting
7/0
CARRIED
Minute Reference 08/12 - 12**

Council meeting adjourned at 11.48 am

Mr Lancaster left Chambers at 11.48 am

Mr Maluish left Chambers at 11.48 am

Council re-commenced at 1.00 pm

COUNCIL RESOLUTION:

MOVED: CR DAVIDSON

SECONDED: CR BELL

That Council go behind closed doors to discuss Confidential Items 10.2.3 to 10.2.7 and that the Chief Executive Officers Item 10.2.3 is discussed after Item 10.2.7

**Voting
7/0
CARRIED
Minute Reference 08/12-13**

Mrs McKay left Chambers at 1.10 pm

CONFIDENTIAL ITEM

10.2.4

MANAGER OF PLANNING ANNUAL PERFORMANCE REVIEW

June 2012

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.

CONFIDENTIAL

AGENDA ITEM:	10.2.4
SUBJECT:	MANAGER OF PLANNING– ANNUAL PERFORMANCE REVIEW
PROPONENT:	MANAGER OF PLANNING
SITE:	SHIRE OF CHAPMAN VALLEY
FILE REFERENCE:	HR FILE
PREVIOUS REFERENCE:	NOT APPLICABLE
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.

Information related to this Item has been provided as a separate attachment.

COUNCIL RESOLUTION:

MOVED: CR ROYCE

SECONDED: CR FARRELL

That Council resolve to “Meet Behind Closed Doors” to discuss Agenda Item 10.2.4 as it is considered a matter affecting the personal affairs of any person.

That the Meeting automatically reopened once discussion and voting on the item is complete.

Voting

7/0

CARRIED

Minute Reference 08/12 - 14

CONFIDENTIAL ITEM

10.2.5

MANAGER OF FINANCE & ADMINISTRATION ANNUAL PERFORMANCE REVIEW

August 2012

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.

CONFIDENTIAL

AGENDA ITEM:	10.2.5
SUBJECT:	MANAGER OF FINANCE & ADMINISTRATION - ANNUAL PERFORMANCE REVIEW
PROPONENT:	SHIRE OF CHAPMAN VALLEY
SITE:	N/A
FILE REFERENCE:	HR File
PREVIOUS REF:	N/A
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.

Information related to this Item has been provided as a separate attachment.

COUNCIL RESOLUTION:

MOVED: CR FORRESTER

SECONDED: CR ROYCE

That Council resolve to “Meet Behind Closed Doors” to discuss Agenda Item 10.2.5 as it is considered a matter affecting the personal affairs of any person.

That the Meeting automatically reopened once discussion and voting on the item is complete.

Voting

7/0

CARRIED

Minute Reference 08/12 -15

CONFIDENTIAL ITEM

10.2.6

BUILDING SURVEYOR PROJECTS OFFICER ANNUAL PERFORMANCE REVIEW

August 2012

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.

CONFIDENTIAL

AGENDA ITEM	10.2.6
SUBJECT:	BUILDING SURVEYOR/ PROJECTS OFFICER– ANNUAL PERFORMANCE REVIEW
PROPONENT:	BUILDING SURVEYOR / PROJECTS OFFICER
SITE:	SHIRE OF CHAPMAN VALLEY
FILE REFERENCE:	HR FILE
PREVIOUS REFERENCE:	NOT APPLICABLE
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.

Information related to this Item has been provided as a separate attachment.

COUNCIL RESOLUTION:

MOVED: CR FORRESTER

SECONDED: CR BELL

That Council resolve to “Meet Behind Closed Doors” to discuss Agenda Item 10.2.6 as it is considered a matter affecting the personal affairs of any person.

That the Meeting automatically reopened once discussion and voting on the item is complete.

Voting

7/0

CARRIED

Minute Reference 08/12 - 16



CONFIDENTIAL ITEM

10.2.7

SENIOR RANGER ANNUAL PERFORMANCE REVIEW

August 2012

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.

CONFIDENTIAL

AGENDA ITEM:	10.2.7
SUBJECT:	SENIOR RANGER – ANNUAL PERFORMANCE REVIEW
PROPONENT:	SENIOR RANGER
SITE:	SHIRE OF CHAPMAN VALLEY
FILE REFERENCE:	HR FILE
PREVIOUS REFERENCE:	NOT APPLICABLE
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.

Information related to this Item has been provided as a separate attachment.

COUNCIL RESOLUTION:

MOVED: CR DAVIDSON

SECONDED: CR BELL

That Council resolve to “Meet Behind Closed Doors” to discuss Agenda Item 10.2.7 as it is considered a matter affecting the personal affairs of any person.

That the Meeting automatically reopened once discussion and voting on the item is complete.

Voting

7/0

CARRIED

Minute Reference 08/12 -17

CONFIDENTIAL ITEM

10.2.8

WORKS SUPERVISOR ANNUAL PERFORMANCE REVIEW

June 2012

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.

CONFIDENTIAL

AGENDA ITEM:	10.2.8
SUBJECT:	WORKS SUPERVISOR – ANNUAL PERFORMANCE REVIEW
PROPONENT:	WORKS SUPERVISOR
SITE:	SHIRE OF CHAPMAN VALLEY
FILE REFERENCE:	HR FILE
PREVIOUS REFERENCE:	NOT APPLICABLE
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.

Information related to this Item has been provided as a separate attachment.

COUNCIL RESOLUTION:

MOVED: CR FORRESTER

SECONDED: CR HUMPHREY

That Council resolve to “Meet Behind Closed Doors” to discuss Agenda Item 10.2.8 as it is considered a matter affecting the personal affairs of any person.

That the Meeting automatically reopened once discussion and voting on the item is complete.

Voting

7/0

CARRIED

Minute Reference 08/12 -18



CONFIDENTIAL ITEM

10.2.3

CHIEF EXECUTIVE OFFICER 6 MONTH PROBATION REVIEW

August 2012

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.

CONFIDENTIAL

AGENDA ITEM	10.2.3
SUBJECT:	CHIEF EXECUTIVE OFFICER – 6 MONTH PROBATION REVIEW
PROPONENT:	CHIEF EXECUTIVE OFFICER
SITE:	NOT APPLICABLE
FILE REFERENCE:	HR FILE
PREVIOUS REFERENCE:	NOT APPLICABLE
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.

Information related to this Item has been provided as a separate attachment.

COUNCIL RESOLUTION:

MOVED: CR FORRESTER

SECONDED: CR DAVIDSON

That Council resolve to “Meet Behind Closed Doors” to discuss Agenda Item 10.2.3 as it is considered a matter affecting the personal affairs of any person.

That the Meeting automatically reopened once discussion and voting on the item is complete.

Voting

7/0

CARRIED

Minute Reference 08/12 -19

Mr Billingham re-entered the meeting at 2.25pm

Mrs McKay re-entered Chambers at 2.38 pm

MOVED: CR BELL

SECONDED: CR HUMPHREY

That Council is reopened now that the Confidential Items are complete.

Voting

7/0

CARRIED

Minute Reference 08/12 - 20

11.0 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

12.0 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

12.1 Elected Member Reports

13.0 GENERAL BUSINESS

(of an urgent nature introduced by decision of meeting)

13.1 Elected Members

Cr Royce declared a proximity Interest and did not vote

MOVED: CR FARRELL

SECONDED: CR DAVIDSON

That Council write to the Regional Manager of Main Roads WA seeking the widening of the eastern sealed shoulder of the North West Coastal Highway opposite the Coronation Beach Road to resolve a dangerous traffic solution.

**Voting
6/0**

CARRIED

Minute Reference 08/12 - 21

MOVED: CR FARRELL

SECONDED: CR DAVIDSON

That Council direct the shire staff to relocate the old Nabawa Playground to Coronation Beach in a location that is to the approval of the Chief Executive Officer.

**Voting
4/3**

CARRIED

Minute Reference 08/12 – 22

Cr Forrester requested that her vote against the motion be recorded

MOVED: CR COLLINGWOOD

SECONDED: CR FORRESTER

That the Chief Executive Officer pass on Council's appreciation for Shire Staffs efforts in producing the Budget for 2012/2013.

**Voting
7/0**

CARRIED

Minute Reference 08/12 –23

13.2 Officers

Nil

14.0 CLOSURE

The Chairman thanked the Elected members and Staff for their attendance. The meeting was declared closed at 2.45 pm.