



Shire of
Chapman Valley
Love the Rural Life

ORDINARY COUNCIL MEETING

Notice is hereby given that an Ordinary Meeting
of Council will be held on Wednesday 10 December 2014
at the Council Chambers, Nabawa, commencing at 9:00am.

Maurice Battilana
CHIEF EXECUTIVE OFFICER

AGENDA

DECEMBER 2014

DISCLAIMER



No responsibility whatsoever is implied or accepted by the Shire of Chapman Valley for any act, omission or statement or intimation occurring during Council Meeting. The Shire of Chapman Valley disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council or Committee Meetings.

Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council Meeting does so at that person's or legal entity's own risk.

The Shire of Chapman Valley warns that anyone who has any application or request with the Shire of Chapman Valley must obtain and should rely on

WRITTEN CONFIRMATION

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

A handwritten signature in black ink, appearing to read 'M. Battilana', is positioned above the name of the Chief Executive Officer. The signature is fluid and cursive.

Maurice Battilana
CHIEF EXECUTIVE OFFICER

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- 5.0 APPLICATIONS FOR LEAVE OF ABSENCE
- 6.0 DISCLOSURE OF INTEREST

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

Section 5.60A:

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

Section 5.60B:

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

Regulation 34C (Impartiality):

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

- 7.0 PETITIONS/DEPUTATIONS/PRESENTATIONS
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ORDER OF BUSINESS:

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8.0 CONFIRMATION OF MINUTES FROM PREVIOUS MEETINGS

8.1 Ordinary Meeting of Council held on Wednesday 19 November 2014

That the minutes of the Ordinary Meeting of Council held Wednesday 19 November 2014 be confirmed as a true and accurate record.

9.0 OFFICERS REPORTS

9.1 Manager of Planning December 2014

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AGENDA ITEM:	9.1.1
SUBJECT:	MICRO-BREWERY, RESTAURANT, RECEPTION CENTRE & AGRICULTURE-INTENSIVE (HONEY BEE FARM)
PROPONENT:	L & T CSEPANY
SITE:	304 (LOT 14) NANSON-HOWATHARRA ROAD, NANSON
FILE REFERENCE:	A478
PREVIOUS REFERENCE:	8/99-13 & 8/99-19
DATE:	28 NOVEMBER 2014
AUTHOR:	SIMON LANCASTER

DISCLOSURE OF INTEREST

Nil.

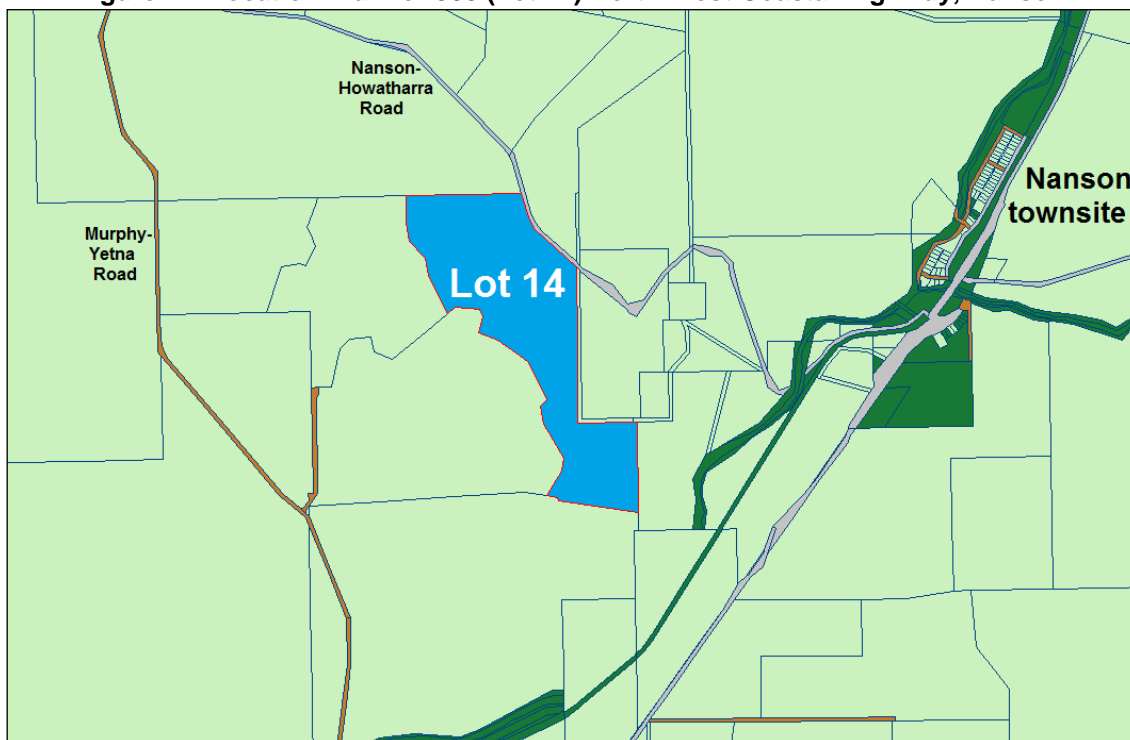
BACKGROUND

Council is in receipt of an application seeking to establish a micro-brewery, restaurant, reception centre and agriculture-intensive (honey bee farm) upon 305 (Lot 14) Nanson-Howatharra Road, Nanson. This report recommends conditional approval of the application.

COMMENT

Lot 14 is an 88.0837ha property located on the western side of Nanson-Howatharra Road, 2km west of the Nanson townsite. The property is characterised by undulating terrain with remnant vegetation on the hilltops and cleared areas in the valleys, used for farming purposes, a series of buildings are clustered in the north-eastern corner of the property set amidst a number of intensive agricultural land uses.

Figure 1 – Location Plan for 305 (Lot 14) North West Coastal Highway, Nanson



The recent development history for 305 (Lot 14) Nanson-Howatharra Road, Nanson is as follows:

22 December 1994	Council initiated Scheme Amendment No.7 to rezone Location 2248 'Cayley Springs' from 'General Farming' to 'Special Rural';
20 June 1995	Council, following advertising, adopted Scheme Amendment No.7, enabling subsequent subdivision and creation of Lot 14;
20 February 1996	Council approved a viticulture (5ha vineyard) development;
3 May 1996	Scheme Amendment No.7 gazetted;

21 May 1996	Council approved an aquaculture development (yabby farm) comprising 5 dams (4 of which were subsequently created on-ground);
17 December 1996	Council approved a winery and brewery development;
18 February 1997	Council approved a winery and brewery development (revised floor plans);
16 September 1997	Council approved a winery and brewery development (revised location upon property);
16 December 1997	Council approved 2 roadside advertising signs for the winery;
23 March 1999	Council initiated Scheme Amendment No.25 to rezone Lot 14 to introduce the following additional uses – restaurant, holiday and tourist accommodation/chalets, reception centre;
21 April 1998	Council approved a temporary wine tasting and sale area and toilet block that would serve prior to construction of previously approved winery and brewery development (this is the site that commenced operations and is the site for the current application);
15 June 1999	Council approved a further 2ha of vineyard;
17 August 1999	Council, following advertising, adopted Scheme Amendment No.25;
17 August 1999	Council approved restaurant alterations to the operating winery development (including upgrading toilets, new kitchen, bar facilities, servery, service yard and insulated store room);
14 September 1999	Shire approved a second residence (this would be the manager's residence relevant to the current application);
9 November 1999	Scheme Amendment No.25 gazetted.
23 December 1999	Shire approved an outbuilding (this is the site for the separate distillery application);
20 June 2006	Council endorsed application to seal Nanson-Howatharra Road under Mid West Regional Road Group;
11 May 2012	Shire health inspection confirmed winery operations now limited to appointment only restaurant events and have ceased general restaurant trade.

Figure 2 – Aerial Photograph of for 305 (Lot 14) North West Coastal Highway, Nanson



The applicant is seeking to replace the previous Chapman Valley Winery operation (consisting of Winery, Restaurant and Reception Centre) with the 'Burnt Barrel' that would open in March 2015 and operate from within the existing buildings and garden area and consist of a Restaurant (offering breakfast and lunch and catering for events), Brewery (offering beer to be sold through the restaurant), Bee Farm (offering honey and wax products to be sold through the restaurant and to local farmers markets) and retail area (offering bbq sauces, spices, etc.).

It is initially anticipated that the restaurant/brewery would operate Friday-Sunday 8am-5pm over a peak season of April-October, and closing January and February. The catering aspect of the business would operate as required with an anticipated peak season of September-December and March-June. The Bee Farm and Brewing operations would continue all year round, and the applicants would reside in the house sited 200m north-west, overlooking the development.

A copy of the applicant's submitted correspondence, site, elevation and floor plans have been included as **Attachment 1** for Council's information, a copy of the applicant's Business Plan has been provided to Councillors as a separate document.

Figure 3 – View of entrance to business and Nanson-Howatharra Road approaches



Figure 4 – View of car park area



Figure 5 – View of Outdoor Area



Figure 6 – Manager's Residence



STATUTORY ENVIRONMENT

305 (Lot 14) Nanson-Howatharra Road, Nanson is zoned 'Rural Smallholding 1' under Shire of Chapman Valley Local Planning Scheme No.2 and has an overlying 'Additional Use 1' zoning.

Section 4.1.1 of Scheme No.2 lists the objectives of the Rural Smallholding Zone as being:

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

Section 4.5 of the Scheme specifies the following for the ‘Additional Use’ zone:

“Despite anything contained in the Zoning Table, the land specified in Schedule 2 may be used for the specific use or uses that are listed and subject to the conditions set out in Schedule 2 with respect to that land.

Note: An additional use is a land use that is permitted on a specific portion of land in addition to the uses already permissible in that zone that applies to the land.”

Schedule 2 specifically lists camping ground, caravan park, holiday accommodation, lodging house/guest house, reception centre, restaurant and winery as being permitted for the ‘Additional Use 1’ zoning.

Schedule 2 also lists the following conditions specific to Lot 14:

- “1 The Local Government may require that a Structure Plan be prepared to its satisfaction prior to approving development;*
- 2 Following the preparation of a Structure Plan to the satisfaction of the Local Government, development is to be in accordance with the Structure Plan; and*
- 3 The Structure Plan may be amended from time to time at the discretion of the Local Government.”*

The ‘Additional Use 1’ zoning arose from Scheme Amendment No.25 to Town Planning Scheme No.1 introduced to allow for the Chapman Valley Winery development upon Lot 14.

The Scheme Amendment No.25 documentation included plans that referenced the land uses of restaurant, brewery, display and tasting area and it is considered that the current development application meets with the statutory requirements of the Scheme, particularly when considering that the submitted application proposes to be housed within existing buildings that have been previously approved for these uses. It might be further argued that the previous restaurant use was not entirely discontinued as it still operated for events following its closure to general trade.

It is considered that the land use aspect of the application that has not been previously considered by Council is the honey bee farm proposal. Apiary is not specifically listed as a land use by the Scheme but it is considered that it is an appropriate form of development within the ‘Rural Smallholding’ zone. The land use definition listed within Scheme No.2 most applicable to apiary is either ‘agriculture-intensive’ or ‘rural pursuit’ which are defined by Schedule 1 of Scheme No.2 as follows:

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

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

“rural pursuit” means any premises used for –

- (a) *the rearing or agistment of animals;*
- (b) *the stabling, agistment or training of horses;*
- (c) *the growing of trees, plants, shrubs or flowers for replanting in domestic, commercial or industrial gardens; or*
- (d) *the sale of produce grown solely on the lot, but does not include agriculture – extensive or agriculture – intensive;*

Both ‘agriculture-intensive’ and ‘rural pursuit’ are listed as being ‘D’ uses within the ‘Rural Smallholding’ zone, meaning that they are not permitted unless the local government has exercised its discretion by granting planning approval.

POLICY IMPLICATIONS

Council adopted Shire of Chapman Valley Local Planning Policy ‘Rural Tourism Development’ at its 19 February 2014 meeting (superseding the ‘Rural Tourist Development’ Local Planning Policy previously adopted by Council under Scheme No.1 at its 18 April 2007 meeting). The objective of this Policy is to provide for a range of accommodation and other tourist related uses in the rural areas of the Shire in a manner that is complementary and sensitive to the agricultural and environmental fabric of the municipality.

Section 4.1 of the Policy provides the following definitions:

“Restaurant means premises where the predominant use is the sale and consumption of food and drinks on the premises and where seating is provided for patrons, and includes a restaurant licensed under the Liquor Licensing Act 1988. The use may also include alfresco dining at the Council’s discretion.”

“Reception Centre’ means premises used for functions on formal or ceremonial occasions but not for unhosted use for general entertainment purposes. The use may include the serving of food and alcoholic/non-alcoholic drinks on the premises where the facility is licenced under the Liquor Licencing Act 1988.”

The policy states that tourist related uses will generally be approved where the Council is satisfied that the minimum criteria and standards can be achieved. The minimum criteria specified for a Restaurant and Reception Centre are listed as follows, and the application is considered to accord with the policy requirements.

Use	Criteria	Standard
Restaurant Café Tearoom	Location	With an established intensive agriculture/rural pursuit and/or rural holiday resort
	Public Road Access	Type 3 – 12m form/8m gravel paved
	Potable Water Supply	92,000L storage (20,000 gals)
	Ablutions	As per <i>Health Act 1911</i> including provision for disabled
	Car Parking	1 car bay per caravan/camp site + 1 bay for manager – gravel standard/Council specs
	Lot size	15ha
	Setback	30m from the front boundary and 75m from water features with all other boundaries to comply with Local Planning Scheme requirements unless otherwise determined by Council
	Siting	Away from sand dunes, ridge lines and side slope/breakaway areas
	Clearing	No removal of remnant vegetation
	Screening	Well screened from view of neighbouring properties
	Design & Materials	Complementary with landscape – earth tones – no reflection
	Management	On site managers residence
Use	Criteria	Standard
Reception Centre	Location	With an established guesthouse, restaurant or rural holiday resort
	Public Road Access	Type 3 – 12m form/8m gravel paved
	Potable Water Supply	92,000L storage (20,000 gals)
	Ablutions	As per <i>Health Act 1911</i> including provision for disabled
	Car Parking	1 car bay per caravan/camp site + 1 bay for manager – gravel standard/Council specs
	Lot size	20ha

	Setback	30m from the front boundary and 75m from water features with all other boundaries to comply with Local Planning Scheme requirements unless otherwise determined by Council
	Siting	Away from sand dunes, ridge lines and side slope/breakaway areas
	Clearing	No removal of remnant vegetation
	Screening	Well screened from view of neighbouring properties
	Design & Materials	Complementary with landscape – earth tones – no reflection
	Management	On site managers residence

Part 4.2.b of the policy also requires that:

“The Council will only approve tourist accommodation and development where it has been demonstrated that the proposed use is compatible with surrounding land uses and will not result in unacceptable environmental impacts as a result of noise, light-spill or visual intrusion, and that the quality of the development will present a positive image of the locality.”

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.

In most circumstances the Council will adhere to the standards prescribed in a Local Planning Policy, however, the Council is not bound by the policy provisions and has the right to vary the standards and approve development where it is satisfied that sufficient justification warrants a concession and the variation granted will not set an undesirable precedent for future development.

FINANCIAL IMPLICATIONS

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

- **Long Term Financial Plan:**

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

STRATEGIC IMPLICATIONS

The Shire of Chapman Valley Local Planning Strategy (2008) identifies Lot 14 as being located within ‘Precinct 3 – Chapman Valley’ the vision for which is:

“A diverse range of rural pursuits and incidental tourist developments that complement the sustainable use of agricultural resources.

The Strategy notes within the overview for Precinct No.3 that “heritage trails are also evident along the Chapman Valley Road and Nanson Howatharra Road with the potential to be developed further for tourism purposes”, lists ‘tourism (low-key & incidental)’ as an appropriate land use for Precinct No.3, and also identifies the following precinct economic objective:

“3.2.2 Encourage the experimentation and growth of newer crops and animal varieties through farm diversification and support value adding to this diversified farm produce. This could include links to tourism in accordance with Council Policy.”

The Western Australian Planning Commission’s ‘Planning Bulletin 83 - Planning for Tourism’ (2013) sets out the policy position to guide decision making by the WAPC and local government for rezoning, subdivision and development proposals for tourism purposes. The Bulletin emphasises the importance of strategic planning for tourism and that this should be addressed through the local government’s Local Planning Strategy identifying tourism sites and determine their strategic value and importance to tourism development.

The Bulletin notes that identification of tourism sites does not imply that the site is suitable for immediate development or re-development (in many cases sites may be identified to facilitate the long term protection of land for tourism purposes where economic conditions appropriate for development may not be reached for a number of years) but does set out general location criteria to determine the tourism value of a site as follows:

“Accessibility

The site has adequate existing or proposed transport links (such as major road or airport access).

Uniqueness

The site contains, or is in the vicinity of, an attraction or prominent and/or unique landmark of local, regional or state significance.

Setting

The setting of the site has an aspect and outlook that supports recreational tourism activities and/or the creation of a tourism character and ambience (e.g. immediately adjacent to a beach).

Tourism activities and amenities

The site provides, has easy access to, or is capable of development of supporting activities and amenities such as tours, fishing, historic sites, walk trails, environmental interpretation, cafes, restaurants, shops and the like.

Supply of land

The site has an element of scarcity in that it may be the only opportunity, or one of a limited number of opportunities, to achieve a significant tourism development in an area.

Site specific criteria to determine the tourism value of the site includes:

Suitability in a land use context

The site is located in a land use context that will not limit the extent of activities available to guests due to amenity impacts on adjoining residents or where the adjoining uses potentially detract from the tourism character of the site (e.g. located within a residential area).

Capability

The site has the capacity to be developed for tourism purposes and accommodate the associated services in a manner that does not detract from the natural attributes of the site or result in environmental degradation. Examples include: clearing for bushfire protection, sewerage capacity, water supply and rubbish disposal.

Size

The size of the site should be adequate to accommodate a sustainable tourism facility with respect to its design, operation and function, and its site specific and wider impacts and consideration of future growth/expansion. This will require a site to be able to be developed without compromising the sustainable use of natural and cultural resources or existing social structures. Development of the site should also contribute to the delivery of diversified and balanced tourism opportunities.

Function

The use of the site meets a particular accommodation, market need and/or ensures a range of tourism accommodation within the locality. Examples are: beachfront caravan parks, school holiday camps and Crown tourism leases.

These criteria are to guide local government in the assessment of the strategic value of tourism sites and determination of the value will be based on the outcome of the assessment of the site against all criteria.”

• **Strategic Community Plan:**

The Shire of Chapman Valley Strategic Community Plan 2013-2023 was adopted by Council at its 19 June 2013 meeting. The Strategic Community Plan has the following economic strategies:

Objective	Strategy	Outcome	Partners
We want to be able to spend our money locally and encourage others to do the same	Develop tourism in the Shire, including cottage industries, caravan park and events	Showcasing our attractions increases the number of people visiting the area	Chapman Valley business community Shire of Chapman Valley
	Develop short-term and overnight accommodation options across the Shire	Visitors stay longer in our community Short-term employees can reside in the Shire	Chapman Valley business community Chapman Valley farming community Shire of Chapman Valley

VOTING REQUIREMENTS

Simple majority required.

STAFF RECOMMENDATION

That Council grant formal planning approval for a micro-brewery, restaurant, reception centre and agriculture-intensive (honey bee farm) upon 305 (Lot 14) Nanson-Howatharra Road, Nanson subject to compliance with the following conditions:

- 1 Development shall be in accordance with the attached approved plan(s) dated 10 December 2014 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 buildings or land (not the subject of this consent/approval) considered by the Chief Executive Officer to represent significant variation from the approved development plan requires further application and planning approval for that use/addition.
- 3 The applicant is to prepare, submit and adhere to a Management Plan to the approval of the local government, with all costs met by the applicant.
- 4 The proponent is to implement and maintain reporting mechanisms for complaints concerning the operation of the development. In the event of a substantiated complaint being received the applicant is required to demonstrate mitigation response(s) to the approval of the local government. Such response(s) will be treated as conditions of approval/required modifications to the Management Plan.
- 5 The location, design and construction/maintenance of the access point onto the Nanson-Howatharra Road shall be to the approval of the local government, with all costs met by the applicant.
- 6 The installation of any directional signage shall be to the approval of the local government, with all costs met by the applicant, with the exception of directional signage on Chapman Valley Road and/or the North West Coastal Highway that shall be to the requirements of Main Roads WA, with all costs met by the applicant.
- 7 All parking of vehicles associated with the development shall be provided for within the property boundary, and the street verge area shall be kept free of such vehicles.
- 8 The internal road network and vehicle manoeuvring and parking areas shall be constructed and maintained to an all-weather compacted gravel standard to the approval of the local government with all costs met by the applicant.
- 9 The development shall be serviced by toilets, connected to an on-site wastewater and effluent disposal system, that are sufficient in regards to their number, access requirements, location, design and operation to the requirements of the Department of Health, with all costs met by the applicant.
- 10 All lighting devices shall be installed and shaded in such a way as to not cause undue light spill to passing motorists or neighbouring residences to the approval of the local government.

- 11 All permanent buildings including sheds and storage tanks shall be sympathetic in design and colour (muted tones) to complement the natural landscape features of the area and minimise visual impact to the approval of the local government.
- 12 Landscaping is required to be maintained about the development to the approval of the local government.
- 13 The approved development shall be substantially commenced within a period of 2 years from the date of this approval and if the development is not substantially commenced the approval shall lapse and be of no further effect. Where an approval has so lapsed, no development shall be carried out without the further approval of the responsible authority having first been sought and obtained.

Advice Notes

- (a) 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, *Building Code of Australia, Building Act 2011, Building Regulations 2012, Food Act 2008, Food Regulations 2009, Health Act 1911, Liquor Control Act 1988,* and the *Local Government (Miscellaneous Provisions) Act 1960*. It is the applicant's responsibility to obtain any additional approvals required before the development/use lawfully commences.
- (b) In relation to condition 3 the Management Plan is to include a section relating to Fire Management, and Emergency Response Plan, prepared to the requirements of the Department of Fire and Emergency Services, and the approval of the local government.
- (c) In relation to condition 3 the Management Plan is to include a section relating to Noise Management prepared to the approval of the local government.
- (d) In relation to condition 3 the Management Plan is to include a section relating to Alcohol Management prepared to the requirements of the Department of Racing, Gaming & Liquor, and the approval of the local government.
- (e) 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.

4th November 2014

Shire of Chapman Valley
Lot 7, Chapman Valley Road
NABAWA WA 6532

To whom it may concern

RE: APPLICATION FOR PLANNING APPROVAL

Please find attached our application for planning approval for Lot 14, 305 Howatharra Road, Nanson, WA 6532. The proposed business to take place on the property is registered as 'Burnt Barrel', and will be referred to as such throughout this, and all supporting documents.

As a requirement of this submission, please find below an outline of our plan for the property:

Proposed usage

The current nature of this property is that of a Winery, Café and Function Centre. This planning approval application outlines our intention to change the use of the property to a Micro-Brewery, Restaurant/Bistro, Function Centre and Honey Bee Farm.

Processes involved in the planned usage

With the limited water supply in the area, we feel the continual use of the premises as a Winery is not sustainable. Our plan, in conjunction with current land owner Phil Blakeway, is to remove the vast majority of the vineyards, replacing them with sustainable native flora that are popular for honey bees.

Employees

Burnt Barrel will be operated by Husband and Wife team Laszlo and Teagan Csepany. There is an forecasted demand for an additional 4 employees, which will be made up of paid employees and workers from WWOOF WA.

Hours of operation

Restaurant/Bistro :

Open to the public Friday – Sunday from 9am – 5pm. Possibility to close January/February depending on first year demand.

Micro-Brewery:

Open to the public Friday – Sunday 9am – 5pm. Possibility to close January/February depending on first year demand.

Brewing will be conducted on the premises 7 days a week.

Function Centre/External Catering:

Available for functions 7 days a week, all year round.

Honey Bee Farm:
Operating 7 days a week, 365 days a year.

Machinery involved in planned proposal

Brewery:
1 x 150 litre brewing system which operates on 240v power. Rainwater sourced from the property will be used in the brewing process. This process has minimal to no noise and will be located indoors, behind the proposed restaurant.

Commercial Yoder Frontiersman Smoker:
This Smoker conducts heat via charcoal and wood, and is fully protected by custom built smoke box to prevent fire danger.

It will be kept on solid ground away from and vegetation that may have a higher risk of fire danger. Both Owners are committed to undertaking fire safety courses.

Vehicles

There are two company vehicles on premises, one utility vehicle for the towing of the smoker and transportation of the honey bee boxes, and one vehicle for everyday use.

In addition to the above information, a copy of the BURNT BARREL business plan is included. This plan gives an extensive breakdown of the business operations, as well as relevant market research and sustainability strategies.

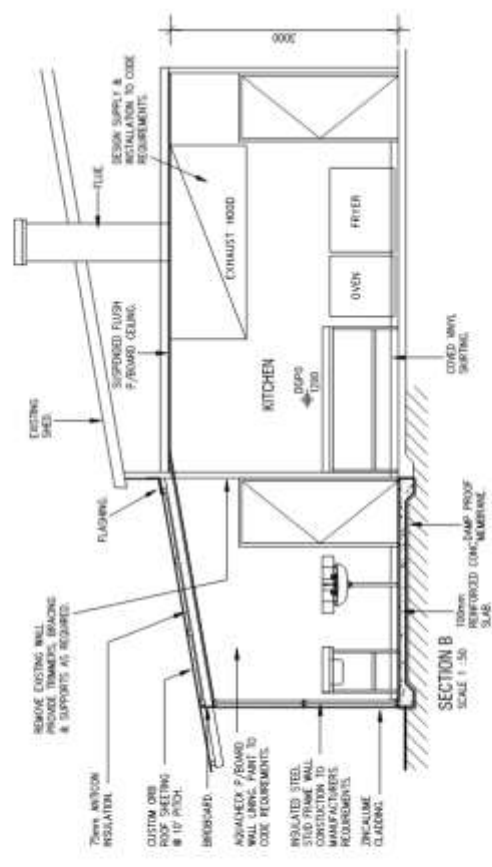
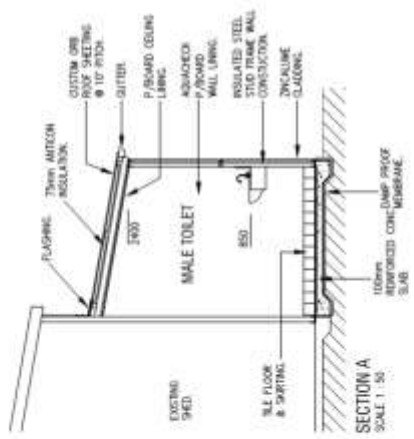
If you require any additional information, please do not hesitate to contact me on the details below.

With kind regards



Teagan Csepany
Owner/Operator
Burnt Barrel
0428 177 721 / teaganshea@hotmail.com





Rev No.	Date	Description
A		

PROJECT
PROPOSED BURNT BARREL BREWHOUSE
 HOWA THARRA ROAD, CHAPMAN VALLEY

EASTMAN DOLETTI SHERWOOD ARCHITECTS

EXISTING SECTION
 DATE: NOV 2014
 SCALE: 1/8" = 1'-0"

14.36
 A3
 3 of 8

100mm REINFORCED CONCRETE SLAB
 100mm REINFORCED CONCRETE MEMBRANE
 COVERED WITH SPARTAN

AGENDA ITEM:	9.1.2
SUBJECT:	MICRO-DISTILLERY WITH CELLAR DOOR TASTING & SALES
PROPONENT:	J WELSH
SITE:	304 (LOT 14) NANSON-HOWATHARRA ROAD, NANSON
FILE REFERENCE:	A478
PREVIOUS REFERENCE:	8/99-13 & 8/99-19
DATE:	1 DECEMBER 2014
AUTHOR:	SIMON LANCASTER

DISCLOSURE OF INTEREST

Nil.

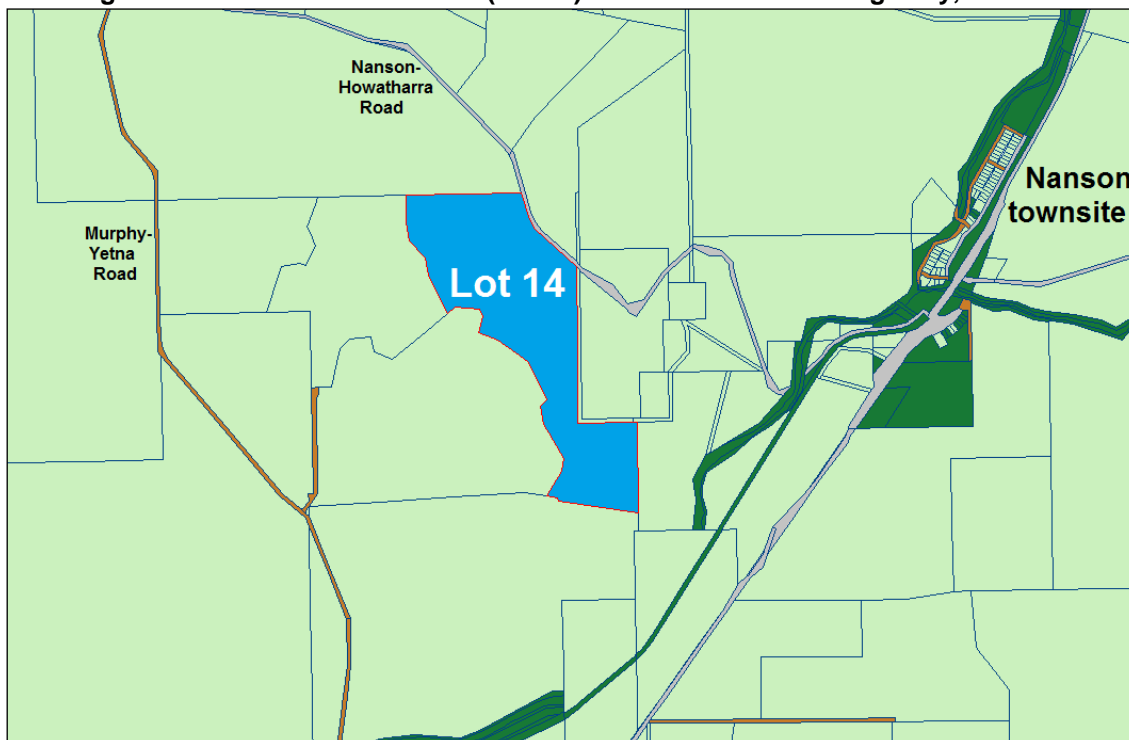
BACKGROUND

Council is in receipt of an application seeking to establish a micro-distillery with cellar door tasting and sales upon 305 (Lot 14) Nanson-Howatharra Road, Nanson. This report recommends conditional approval of the application.

COMMENT

The micro-distillery is proposed to operate on the property containing the former Chapman Valley Winery, which is subject to a separate application for a micro-brewery and restaurant also on the December 2014 Council Agenda. The applications are complementary in nature and would share some facilities including an access point onto Nanson-Howatharra Road and a car park. The applications have been lodged by the individual lessees, and are addressed separately in the Council agenda to enable separate determination, and conditions of approval (if supported by Council).

Figure 1 – Location Plan for 305 (Lot 14) North West Coastal Highway, Nanson



Lot 14 is an 88.0837ha property located on the western side of Nanson-Howatharra Road, 2km west of the Nanson townsite. The property is characterised by undulating terrain with remnant vegetation on the hilltops and cleared areas in the valleys, used for farming purposes, a series of buildings are clustered in the north-eastern corner of the property set amidst a number of intensive agricultural land uses.

The applicant is seeking to establish and operate the Copperhead Road Distillery to produce rum, and also flavoured spirits and liqueurs, made by refining the rum and/or by infusing it with botanical ingredients. The packaged product will be sold wholesale and retail, as well as being available for tasting and sale at the cellar door. Distillations will be performed in hand crafted alembic copper stills and the rum will be aged in oak barrels. The distillery equipment will be available for public viewing.

The micro-distillery would operate from an existing green colorbond outbuilding originally established upon the property to service the aquaculture ponds (yabby farm) located immediately south of the shed. The applicant intends to undertake internal works to the shed to provide a sampling bar/retail area overlooking through a glazed screen the fermenters and stills. A second shed located near the entrance to the micro-brewery/restaurant that was previously used as a cooler room for the winery operations will be converted to the barrel ageing room.

The applicant is intending to open the distillery to the public from approximately May 2015, seven days per week (excepting Anzac Day, Good Friday and Christmas Day) generally between the hours of 10am and 5pm. It is expected that most of the operating activities would be carried out during these times, although, it may be necessary to perform some bottling and other activities outside of these hours on occasion.

The applicant (Master Distiller) would reside in the older of the two houses located upon Lot 14 which is sited 50m in front of/north-east of the proposed distillery, and 30m south-east of the proposed brewery/restaurant.

A copy of the applicant's submitted correspondence which details the distillery and bottling process, along with site and floor plans have been included as **Attachment 1** for Council's information.

Figure 2 – Aerial Photograph of for 305 (Lot 14) North West Coastal Highway, Nanson



The recent development history for 305 (Lot 14) Nanson-Howatharra Road, Nanson is as follows:

- | | |
|------------------|--|
| 22 December 1994 | Council initiated Scheme Amendment No.7 to rezone Location 2248 'Cayley Springs' from 'General Farming' to 'Special Rural'; |
| 20 June 1995 | Council, following advertising, adopted Scheme Amendment No.7, enabling subsequent subdivision and creation of Lot 14; |
| 20 February 1996 | Council approved a viticulture (5ha vineyard) development; |
| 3 May 1996 | Scheme Amendment No.7 gazetted; |
| 21 May 1996 | Council approved an aquaculture development (yabby farm) comprising 5 dams (4 of which were subsequently created on-ground); |

17 December 1996	Council approved a winery and brewery development;
18 February 1997	Council approved a winery and brewery development (revised floor plans);
16 September 1997	Council approved a winery and brewery development (revised location upon property);
16 December 1997	Council approved 2 roadside advertising signs for the winery;
23 March 1999	Council initiated Scheme Amendment No.25 to rezone Lot 14 to introduce the following additional uses – restaurant, holiday and tourist accommodation/chalets, reception centre;
21 April 1998	Council approved a temporary wine tasting and sale area and toilet block that would serve prior to construction of previously approved winery and brewery development (this is the site that commenced operations and is the site for the separate micro-brewery and restaurant application);
15 June 1999	Council approved a further 2ha of vineyard;
17 August 1999	Council, following advertising, adopted Scheme Amendment No.25;
17 August 1999	Council approved restaurant alterations to the operating winery development (including upgrading toilets, new kitchen, bar facilities, servery, service yard and insulated store room);
14 September 1999	Shire approved a second residence;
9 November 1999	Scheme Amendment No.25 gazetted.
23 December 1999	Shire approved an outbuilding (this is the site for the micro-distillery application);
20 June 2006	Council endorsed application to seal Nanson-Howatharra Road under Mid West Regional Road Group;
11 May 2012	Shire health inspection confirmed winery operations now limited to appointment only restaurant events and have ceased general restaurant trade.

Figure 3 – View of entrance to business and Nanson-Howatharra Road approaches



Figure 4 – View of car park area



Figure 5 – View of Shed to be converted to micro-distillery, tasting and sales area



Figure 6 – View from car park looking south towards shed, manager’s residence to left



STATUTORY ENVIRONMENT

305 (Lot 14) Nanson-Howatharra Road, Nanson is zoned 'Rural Smallholding 1' under Shire of Chapman Valley Local Planning Scheme No.2 and has an overlying 'Additional Use 1' zoning.

Section 4.1.1 of Scheme No.2 lists the objectives of the Rural Smallholding Zone as being:

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

Section 4.5 of the Scheme specifies the following for the 'Additional Use' zone:

"Despite anything contained in the Zoning Table, the land specified in Schedule 2 may be used for the specific use or uses that are listed and subject to the conditions set out in Schedule 2 with respect to that land.

Note: An additional use is a land use that is permitted on a specific portion of land in addition to the uses already permissible in that zone that applies to the land."

Schedule 2 specifically lists camping ground, caravan park, holiday accommodation, lodging house/guest house, reception centre, restaurant and winery as being permitted for the 'Additional Use 1' zoning.

Schedule 2 also lists the following conditions specific to Lot 14:

- "1 The Local Government may require that a Structure Plan be prepared to its satisfaction prior to approving development;*
- 2 Following the preparation of a Structure Plan to the satisfaction of the Local Government, development is to be in accordance with the Structure Plan; and*
- 3 The Structure Plan may be amended from time to time at the discretion of the Local Government."*

The 'Additional Use 1' zoning arose from Scheme Amendment No.25 to Town Planning Scheme No.1 introduced to allow for the Chapman Valley Winery development upon Lot 14.

The Scheme Amendment No.25 documentation included plans that referenced the land uses of restaurant, brewery, display and tasting area and it is considered that the micro-distillery and tasting/sales development application is incidental/ancillary to the rural tourism (micro-brewery/restaurant/reception centre) development upon the property and therefore meets with the statutory requirements of the Scheme.

However, were this development not to be considered as ancillary/incidental to the main rural tourism operations of the property then the land use of micro-distillery is not specifically listed in Schedule 1 of Scheme No.2 but may be considered to generally meet the definition of several land uses that are listed within the 'Rural Smallholding' zone as follows:

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

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

"rural pursuit" means any premises used for –

- (a) the rearing or agistment of animals;*
 - (b) the stabling, agistment or training of horses;*
 - (c) the growing of trees, plants, shrubs or flowers for replanting in domestic, commercial or industrial gardens; or*
 - (d) the sale of produce grown solely on the lot,*
- but does not include agriculture – extensive or agriculture – intensive."*

Both 'agriculture-intensive' and 'rural pursuit' are listed as being 'D' uses within the 'Rural Smallholding' zone, meaning that they are not permitted unless the local government has exercised its discretion by granting planning approval.

"exhibition centre" means premises used for the display, or display and sale, of materials of an artistic, cultural or historical nature, and includes a museum or art gallery."

"industry – cottage" means a trade or light industry producing arts and crafts goods which does not fall within the definition of a home occupation and which –

- (a) does not cause injury to or adversely affect the amenity of the neighbourhood;*
- (b) where operated in a residential zone, does not employ any person other than a member of the occupier's household;*
- (c) is conducted in an out-building which is compatible with the principal uses to which land in the zone in which it is located may be put;*
- (d) does not occupy an area in excess of 50 square metres; and*
- (e) does not display a sign exceeding 0.2 square metres in area."*

"industry – rural" means –

- (a) an industry handling, treating, processing or packing rural products; or*
- (b) a workshop servicing plant or equipment used for rural purposes."*

'Exhibition centre', 'cottage industry' and 'rural industry' are listed as 'A' uses within the 'Rural Smallholding' zone, meaning that they are not permitted unless the local government has exercised its discretion by granting planning approval after advertising.

POLICY IMPLICATIONS

Council adopted Shire of Chapman Valley Local Planning Policy 'Rural Tourism Development' at its 19 February 2014 meeting (superseding the 'Rural Tourist Development' Local Planning Policy previously adopted by Council under Scheme No.1 at its 18 April 2007 meeting). The objective of this Policy is to provide for a range of accommodation and other tourist related uses in the rural areas of the Shire in a manner that is complementary and sensitive to the agricultural and environmental fabric of the municipality.

The policy does not specifically list micro-distillery and the proposed land use could be considered to most closely meet the following definitions provided by Section 4.1 of the policy (this would also apply if the land use is considered to be ancillary/incidental to the main micro-brewery/restaurant land use):

“Restaurant means premises where the predominant use is the sale and consumption of food and drinks on the premises and where seating is provided for patrons, and includes a restaurant licensed under the Liquor Licensing Act 1988. The use may also include alfresco dining at the Council’s discretion.”

“Reception Centre’ means premises used for functions on formal or ceremonial occasions but not for unhosted use for general entertainment purposes. The use may include the serving of food and alcoholic/non-alcoholic drinks on the premises where the facility is licenced under the Liquor Licencing Act 1988.”

The policy states that tourist related uses will generally be approved where the Council is satisfied that the minimum criteria and standards can be achieved. The minimum criteria specified for a Restaurant and Reception Centre are listed as follows, and the application is considered to accord with the policy requirements.

Use	Criteria	Standard
Restaurant Café Tearoom	Location	With an established intensive agriculture/rural pursuit and/or rural holiday resort
	Public Road Access	Type 3 – 12m form/8m gravel paved
	Potable Water Supply	92,000L storage (20,000 gals)
	Ablutions	As per <i>Health Act 1911</i> including provision for disabled
	Car Parking	1 car bay per caravan/camp site + 1 bay for manager – gravel standard/Council specs
	Lot size	15ha
	Setback	30m from the front boundary and 75m from water features with all other boundaries to comply with Local Planning Scheme requirements unless otherwise determined by Council
	Siting	Away from sand dunes, ridge lines and side slope/breakaway areas
	Clearing	No removal of remnant vegetation
	Screening	Well screened from view of neighbouring properties
	Design & Materials	Complementary with landscape – earth tones – no reflection
	Management	On site managers residence
Use	Criteria	Standard
Reception Centre	Location	With an established guesthouse, restaurant or rural holiday resort
	Public Road Access	Type 3 – 12m form/8m gravel paved
	Potable Water Supply	92,000L storage (20,000 gals)
	Ablutions	As per <i>Health Act 1911</i> including provision for disabled
	Car Parking	1 car bay per caravan/camp site + 1 bay for manager – gravel standard/Council specs
	Lot size	20ha
	Setback	30m from the front boundary and 75m from water features with all other boundaries to comply with Local Planning Scheme requirements unless otherwise determined by Council
	Siting	Away from sand dunes, ridge lines and side slope/breakaway areas
	Clearing	No removal of remnant vegetation
	Screening	Well screened from view of neighbouring properties
	Design & Materials	Complementary with landscape – earth tones – no reflection
	Management	On site managers residence

Part 4.2.b of the policy also requires that:

“The Council will only approve tourist accommodation and development where it has been demonstrated that the proposed use is compatible with surrounding land uses and will not result in unacceptable environmental impacts as a result of noise, light-spill or visual intrusion, and that the quality of the development will present a positive image of the locality.”

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.

In most circumstances the Council will adhere to the standards prescribed in a Local Planning Policy, however, the Council is not bound by the policy provisions and has the right to vary the standards and approve development where it is satisfied that sufficient justification warrants a concession and the variation granted will not set an undesirable precedent for future development.

FINANCIAL IMPLICATIONS

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

- **Long Term Financial Plan:**

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

STRATEGIC IMPLICATIONS

The Shire of Chapman Valley Local Planning Strategy (2008) identifies Lot 14 as being located within ‘Precinct 3 – Chapman Valley’ the vision for which is:

“A diverse range of rural pursuits and incidental tourist developments that complement the sustainable use of agricultural resources.

The Strategy notes within the overview for Precinct No.3 that “heritage trails are also evident along the Chapman Valley Road and Nanson Howatharra Road with the potential to be developed further for tourism purposes”, lists ‘tourism (low-key & incidental)’ as an appropriate land use for Precinct No.3, and also identifies the following precinct economic objective:

“3.2.2 Encourage the experimentation and growth of newer crops and animal varieties through farm diversification and support value adding to this diversified farm produce. This could include links to tourism in accordance with Council Policy.”

The Western Australian Planning Commission’s ‘Planning Bulletin 83 - Planning for Tourism’ (2013) sets out the policy position to guide decision making by the WAPC and local government for rezoning, subdivision and development proposals for tourism purposes. The Bulletin emphasises the importance of strategic planning for tourism and that this should be addressed through the local government’s Local Planning Strategy identifying tourism sites and determine their strategic value and importance to tourism development.

The Bulletin notes that identification of tourism sites does not imply that the site is suitable for immediate development or re-development (in many cases sites may be identified to facilitate the long term protection of land for tourism purposes where economic conditions appropriate for development may not be reached for a number of years) but does set out general location criteria to determine the tourism value of a site as follows:

*“Accessibility
The site has adequate existing or proposed transport links (such as major road or airport access).*

Uniqueness

The site contains, or is in the vicinity of, an attraction or prominent and/or unique landmark of local, regional or state significance.

Setting

The setting of the site has an aspect and outlook that supports recreational tourism activities and/or the creation of a tourism character and ambience (e.g. immediately adjacent to a beach).

Tourism activities and amenities

The site provides, has easy access to, or is capable of development of supporting activities and amenities such as tours, fishing, historic sites, walk trails, environmental interpretation, cafes, restaurants, shops and the like.

Supply of land

The site has an element of scarcity in that it may be the only opportunity, or one of a limited number of opportunities, to achieve a significant tourism development in an area.

Site specific criteria to determine the tourism value of the site includes:

Suitability in a land use context

The site is located in a land use context that will not limit the extent of activities available to guests due to amenity impacts on adjoining residents or where the adjoining uses potentially detract from the tourism character of the site (e.g. located within a residential area).

Capability

The site has the capacity to be developed for tourism purposes and accommodate the associated services in a manner that does not detract from the natural attributes of the site or result in environmental degradation. Examples include: clearing for bushfire protection, sewerage capacity, water supply and rubbish disposal.

Size

The size of the site should be adequate to accommodate a sustainable tourism facility with respect to its design, operation and function, and its site specific and wider impacts and consideration of future growth/expansion. This will require a site to be able to be developed without compromising the sustainable use of natural and cultural resources or existing social structures. Development of the site should also contribute to the delivery of diversified and balanced tourism opportunities.

Function

The use of the site meets a particular accommodation, market need and/or ensures a range of tourism accommodation within the locality. Examples are: beachfront caravan parks, school holiday camps and Crown tourism leases.

These criteria are to guide local government in the assessment of the strategic value of tourism sites and determination of the value will be based on the outcome of the assessment of the site against all criteria.”

• **Strategic Community Plan:**

The Shire of Chapman Valley Strategic Community Plan 2013-2023 was adopted by Council at its 19 June 2013 meeting. The Strategic Community Plan has the following economic strategies:

Objective	Strategy	Outcome	Partners
We want to be able to spend our money locally and encourage others to do the same	Develop tourism in the Shire, including cottage industries, caravan park and events	Showcasing our attractions increases the number of people visiting the area	Chapman Valley business community Shire of Chapman Valley
	Develop short-term and overnight accommodation options across the Shire	Visitors stay longer in our community Short-term employees can reside in the Shire	Chapman Valley business community Chapman Valley farming community Shire of Chapman Valley

VOTING REQUIREMENTS

Simple majority required.

STAFF RECOMMENDATION

That Council grant formal planning approval for a micro-distillery with associated cellar door tasting and sales upon 305 (Lot 14) Nanson-Howatharra Road, Nanson subject to compliance with the following conditions:

- 1 Development shall be in accordance with the attached approved plan(s) dated 10 December 2014 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 buildings or land (not the subject of this consent/approval) considered by the Chief Executive Officer to represent significant variation from the approved development plan requires further application and planning approval for that use/addition.
- 3 The applicant is to prepare, submit and adhere to a Management Plan to the approval of the local government, with all costs met by the applicant.
- 4 The proponent is to implement and maintain reporting mechanisms for complaints concerning the operation of the development. In the event of a substantiated complaint being received the applicant is required to demonstrate mitigation response(s) to the approval of the local government. Such response(s) will be treated as conditions of approval/required modifications to the Management Plan.
- 5 The location, design and construction/maintenance of the access point onto the Nanson-Howatharra Road shall be to the approval of the local government, with all costs met by the applicant.
- 6 The installation of any directional signage shall be to the approval of the local government, with all costs met by the applicant, with the exception of directional signage on Chapman Valley Road and/or the North West Coastal Highway that shall be to the requirements of Main Roads WA, with all costs met by the applicant.
- 7 All parking of vehicles associated with the development shall be provided for within the property boundary, and the street verge area shall be kept free of such vehicles.
- 8 The internal road network and vehicle manoeuvring and parking areas shall be constructed and maintained to an all-weather compacted gravel standard to the approval of the local government with all costs met by the applicant.
- 9 The development shall be serviced by toilet facilities, connected to an on-site wastewater and effluent disposal system that are sufficient in regards to their number, access requirements, location, design and operation to the requirements of the Department of Health, with all costs met by the applicant.
- 10 All lighting devices shall be installed and shaded in such a way as to not cause undue light spill to passing motorists or neighbouring residences to the approval of the local government.
- 11 All permanent buildings including sheds and storage tanks shall be sympathetic in design and colour (muted tones) to complement the natural landscape features of the area and minimise visual impact to the approval of the local government.
- 12 Landscaping is required to be maintained about the development to the approval of the local government.
- 13 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.

- 14 The approved development shall be substantially commenced within a period of 2 years from the date of this approval and if the development is not substantially commenced the approval shall lapse and be of no further effect. Where an approval has so lapsed, no development shall be carried out without the further approval of the responsible authority having first been sought and obtained.

Advice Notes

- (a) 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, Building Code of Australia, *Building Act 2011*, *Building Regulations 2012*, *Food Act 2008*, *Food Regulations 2009*, *Health Act 1911*, *Liquor Control Act 1988*, and the *Local Government (Miscellaneous Provisions) Act 1960*. It is the applicant's responsibility to obtain any additional approvals required before the development/use lawfully commences.
- (b) In relation to condition 3 the Management Plan is to include a section relating to Fire Management, and Emergency Response Plan, prepared to the requirements of the Department of Fire and Emergency Services, and the approval of the local government.
- (c) In relation to condition 3 the Management Plan is to include a section relating to Noise Management prepared to the approval of the local government.
- (d) In relation to condition 3 the Management Plan is to include a section relating to Alcohol Management prepared to the requirements of the Department of Racing, Gaming & Liquor, and the approval of the local government.
- (e) 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.

Copperhead Road Distillery

Planning Approval Application Cover Letter

General

It is proposed to set-up and operate a micro-distillery on the property previously used as the Chapman Valley winery. The signature product will be rum, with other products such as flavoured spirits, and liqueurs, made by refining this rum and/or by infusing it with botanical ingredients. The packaged product will be sold wholesale and retail, as well as being available for tasting and sale at the cellar door. Distillations will be performed in hand crafted alembic copper pot stills and the rum will be aged in oak barrels. The equipment will be available for public viewing.

Process Description

The main stages involved in the production of rum are initial sugar solution preparation, fermentation, distillation, ageing and bottling for sale:

Initial sugar solution preparation – a solution approximating that of freshly squeezed sugar cane juice will be made by reconstituting a mixture of molasses and sugar in water.

Fermentation – the sugars in the sugar solution will be converted to ethanol and carbon dioxide by means of yeast.

Distillation – the fermented sugar solution will be placed in a pot still and heated such that the ethanol will vaporize and carry through to a water cooled condenser where it will condense and be collected in a receiver.

Ageing – the sugar cane spirit will then be aged for a minimum of 2 years in oak barrels.

Bottling – bottles will be filled with the aged sugar cane spirit, “rum”, before being capped and labeled.

Liqueurs, and flavoured spirits, will be prepared by taking sugar cane spirit, or rum, rectifying it (i.e. redistilling it to produce a spirit of higher alcohol strength) – if necessary, and then infusing it with the flavouring botanical(s) for the appropriate time. The spent botanicals will subsequently be removed by decantation and/or filtration.

These operations generate no, or minimal, noise, vibration, smell, light, electrical interference, fumes, smoke, dust or oil. Approximately 150 litres of non-toxic dunder will be produced daily. This will be used on the property as fertilizer. The small quantities of spent botanicals generated will be composted and also used as fertilizer.

It is anticipated that vehicular traffic movements for cellar door sampling and sales will be similar to those experienced when the property was being used as a winery. Additional movements, such as deliveries of gas bottles, molasses, empty bottles, etc. will be infrequent – perhaps 1 or 2 per month.

Operation of the micro-distillery does not represent any safety or health hazard to nearby residents and/or occupiers of the land and buildings.

Human Resources

The micro-distillery will be operated by the Master Distiller with the assistance of 2 to 3 other persons who will help to carry out some of the liquor preparation and bottling activities, as well as looking after advertising and sales.

Operating Hours

It is intended to open the distillery to the public seven days per week (excepting Anzac Day, Good Friday and Christmas Day) between the hours of 10am and 5pm (or similar). It is expected that most of the operating activities will be carried out during these times, although, it may be necessary to perform bottling and some other activities outside of these hours, on occasions.

Machinery

The machinery used in the operation of the micro-distillery is all small scale: Tiny electric transfer pumps, a bench top vacuum bottle filler, a bench top bottle capper and a bench top bottle labeler. The bottle capper does require compressed air. A 50 litre/2.5HP belt driven air compressor will be used (approximate noise level of 73 Db during pressurizing). It will be operated for an estimated 4 to 5 hours per week with preference given to using it during the hours of 10am – 5pm, or immediately outside of these hours.

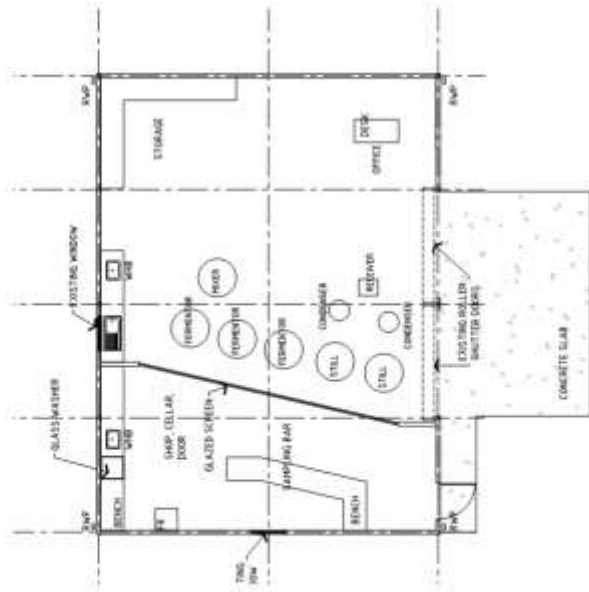
Vehicles

A single C-class vehicle (car) will be used for such activities as banking, distributing advertising brochures, picking up general supplies, delivering packaged liquor to wholesalers and retailers, etc. A forklift truck, or walkie stacker, will be used for unloading pallets of bottles and drums of molasses from trucks and to manipulate racks of barrels.

Author: John Welsh
November, 2014.



Project No.	A	Date	28.11.14	DA APPROVAL	Revision
EASTMAN POLETTI SHERWOOD ARCHITECTS					
PROPOSED DISTILLERY HOWATHARRA ROAD CHAPMAN VALLEY					
DATE	NOV 2014	SCALE	1:500	NO. A	1 of 3
PROJECT	SITE PLAN		DATE	14.38	NO. A
PROJECT	NOV 2014	SCALE	1:500	NO. A	1 of 3
<small>NOTE: THIS PLAN IS SUBJECT TO THE REQUIREMENTS OF THE LOCAL GOVERNMENT AND THE LOCAL GOVERNMENT'S PLANNING DEPARTMENT. THE LOCAL GOVERNMENT'S PLANNING DEPARTMENT IS NOT RESPONSIBLE FOR THE ACCURACY OF THIS PLAN.</small>					



A FLOOR PLAN - EXISTING SHED 1
1:100



B FLOOR PLAN - EXISTING SHED 2
1:100

A	28.11.14	(IN APPROVAL)
Rev. No.	Date	Description

PROPOSED DISTILLERY
HOWATHARRA ROAD
CHAPMAN VALLEY

PROJECT	DATE	SCALE
PROPOSED PLANS - SHED CONVERSIONS	14.38	1:100
DRAWN BY	CHECKED BY	DATE
BRUCE LMS	CAP	2014
DATE	SCALE	1:100
NO. OF SHEETS	TOTAL SHEETS	2 of 3

EASTMAN DOLETTI SHERWOOD ARCHITECTS
 SUITE 1, THE BENTLEY BUREAU, 44 BENTLEY RD, BENTLEY VIC 3084
 PH: 03 9450 1118 FAX: 03 9450 1119





A PHOTOGRAPHS - EXISTING SHED 1



B PHOTOGRAPHS - EXISTING SHED 2

Rev. No.	Date	Description
A	28.11.14	DA APPROVAL

EASTMAN DOLETTI SHERWOOD

PROJECT
PROPOSED DISTILLERY
HOWATHARRA ROAD
CHAPMAN VALLEY

EXISTING SHED ELEVATION 14.38

DATE NOV 2014 **SCALE** N/A **NO.** A3 **REV.** A

BY S. W. BAILY STREET CONSULTANTS **FOR** S. W. BAILY STREET CONSULTANTS

ARCHITECTS

AGENDA ITEM:	9.1.3
SUBJECT:	PROPOSED OUTBUILDING, WHITE PEAK
PROPONENT:	J. SUCKLING
SITE:	LOT 100 ELIZA SHAW DRIVE, WHITE PEAK
FILE REFERENCE:	A1440
PREVIOUS REFERENCE:	Nil
DATE:	25 NOVEMBER 2014
AUTHOR:	SIMON LANCASTER

DISCLOSURE OF INTEREST

Nil.

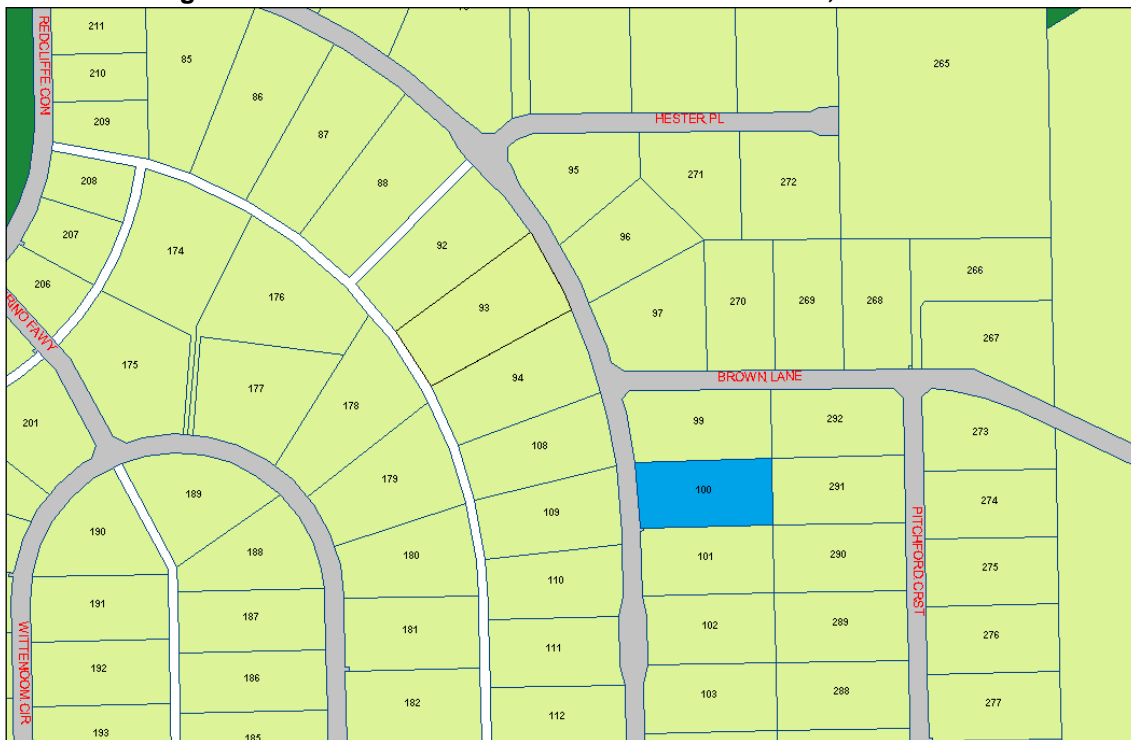
BACKGROUND

Council is in receipt of an application to construct an outbuilding upon Lot 100 Eliza Shaw Drive, White Peak. The application has been placed before Council as it exceeds the delegation limits of the Shire's 'Outbuildings' Local Planning Policy. This report recommends refusal of the application in accordance with Council's policy requirements, an alternative recommendation is provided in the event that Council consider that conditional approval should be granted to the application.

COMMENT

Lot 100 is a cleared 1ha rectangular property located on the east side of Eliza Shaw Drive with a 69.21m frontage and 140m depth. The property slopes upwards from the 100m contour at the road frontage/western boundary to the 105m contour at the rear/eastern boundary.

Figure 1 – Location Plan for Lot 100 Eliza Shaw Drive, White Peak



The applicant is seeking approval for a 239.4m² (21.28m x 11.25m) colorbond shed with a 4.5m wall height and total/apex height of 5.485m. The building pad for the shed would be cut 0.6m into the slope at its eastern end and at-level on the western end. The outbuilding would be located 8m from the nearest side (northern) property boundary, 18m from the rear (eastern) boundary and 18m to the rear of the intended future site for the residence.

The total outbuilding area of 239.4m² would exceed the 200m² maximum aggregate area under which Shire staff may approve applications under delegated authority and has therefore been presented to Council for its consideration.

Figure 2 – Aerial Photograph of Lot 100 Eliza Shaw Drive, White Peak



A copy of the submitted site, elevation and floor plans have been included as **Attachment 1** with this report for Council's information, and site photographs are included as Figures 3 and 4.

In support of their application the landowner has advised that they intend to plant screening landscaping about the shed, and would further obscure the building by lowering it into the slope, and site it behind the future residence, which would logically be built forward/west of the outbuilding even in the event that the landowner sold the property due to the ocean views afforded by the property. The applicant is seeking to build a shed of the requested size to accommodate their fishing equipment (craypots, ropes, floats etc.) which would serve the dual purpose of providing a secure environment out of the elements for the applicant but also locate a potentially unattractive storage area within an enclosed building. A copy of the applicant's submitted correspondence is included as **Attachment 2** with this report for Council's information

Figure 3 – View of Lot 100 looking north-east from Eliza Shaw Drive



Figure 4 – View of Lot 100 looking south-east from Eliza Shaw Drive



Figure 5 – View looking south across Lot 99 towards Lot 100 from Brown Lane



STATUTORY ENVIRONMENT

Lot 100 Eliza Shaw Drive, White Peak is zoned 'Rural Residential 1' under Shire of Chapman Valley Local Planning Scheme No.2 ('the Scheme').

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

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

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

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

Section 5.8 of the Scheme states:

"5.8 Appearance of Land and Buildings

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

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

- “(f) any Local Planning Policy adopted by the Local Government under clause 2.4, any heritage policy statement for a designated heritage area adopted under clause 7.2.2, and any other plan or guideline adopted by the Local Government under the Scheme;...*
- ...(i) the compatibility of a use or development with its setting;...*
- ...(n) the preservation of the amenity of the locality;*
- (o) the relationship of the proposal to development on adjoining land or on other land in the locality including but not limited to, the likely effect of the height, bulk, scale, orientation, and appearance of the proposal;...*
- ... (v) whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;...*
- (za) any other planning consideration the Local Government considers relevant.”*

POLICY IMPLICATIONS

The proposed outbuilding upon Lot 100 is 239.4m² in area, Shire of Chapman Valley Local Planning Policy ‘Outbuildings’ lists the maximum total aggregate area for Lot 100 as being 200m². Given the proposed development exceeds this policy requirement by 39.4m² (19.7%) the application cannot be determined under delegated authority and is required to be presented to Council for its consideration.

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

- “3.1 To allow for a regional variation to Section 5.4.3 of State Planning Policy 3.1 - Residential Design Codes.*
- 3.2 To provide a clear definition of what constitutes an “outbuilding”.*
- 3.3 To ensure that outbuildings are not used for habitation, commercial or industrial purposes by controlling building size and location.*
- 3.4 To limit the visual impact of outbuildings.*
- 3.5 To encourage the use of outbuilding materials and colours that complement the landscape and amenity of the surrounding areas.*
- 3.6 To ensure that the outbuilding remains an ancillary use to the main dwelling or the principle land use on the property.”*

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

"Purpose

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

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

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

Scope

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

In most circumstances the Council will adhere to the standards prescribed in a Local Planning Policy, however, the Council is not bound by the Policy provisions and has the right to vary the standards and approve development where it is satisfied that sufficient justification warrants a concession and the variation granted will not set an undesirable precedent for future development.

Council has approved only one variation to the aggregate outbuilding area in the Parkfalls Estate, this being the approval at the 20 August 2014 meeting for the extension of a 200m² outbuilding with a 20.2m² open sided balcony upon Lot 93 Eliza Shaw Drive, 200m to the north-west of Lot 100.

In the event that Council does not consider that the application for an outbuilding should be refused it may consider the following alternative wording appropriate in its determination on the application:

"That Council:

- 1 *Grant formal planning approval for a 239.4m² outbuilding upon Lot 100 Eliza Shaw Drive, White Peak subject to compliance with the following conditions:*
 - 1.1 *Development shall be in accordance with the approved plans dated 10 December 2014 and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the local government.*
 - 1.2 *Any additions to or change of use of any part of the building or land (not the subject of this consent/approval) requires further application and planning approval for that use/addition.*
 - 1.3 *The outbuilding is required to be externally clad in a colour to the approval of the local government.*

- 1.4 *The outbuilding is only to be used for general storage purposes associated with the predominant use of the land and must NOT be used for habitation, commercial or industrial purposes.*
- 1.5 *Landscaping is required to be installed and maintained between the outbuilding and the property boundaries for the purpose of softening the visual impact of the structure upon the land to the approval of the local government.*

Advice Notes:

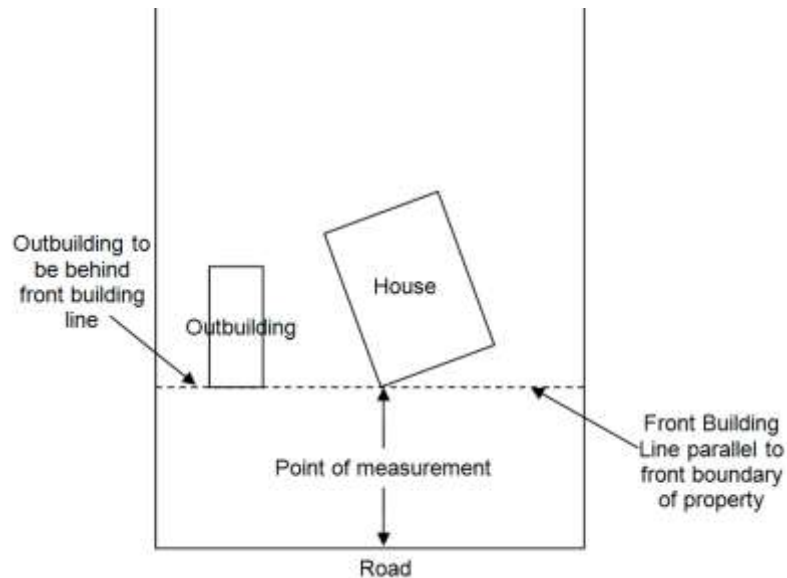
- (i) *The applicant is advised that Schedule 11 of the Shire of Chapman Valley Local Planning Scheme No.1 requires of lots within the 'Rural Residential 1' zone (including Lot 100 Eliza Shaw Drive) that:*

"For those lots which do not depict a building envelope, all structures including sheds, outbuildings, garages, storage areas and effluent disposal systems shall be sited not more than 22 metres from the closest wall of the dwelling,"

Furthermore the Shire of Chapman Valley Local Planning Policy 'Outbuildings' states that:

"An outbuilding is required to be sited behind the 'front building line' of a dwelling on lots less than 4.0 hectares in area in all zones, unless sufficient justification has been provided by the applicant and the building is consistent in design and materials with the existing dwelling.

Note: For the purpose of this statement the 'front building line' is to be measured from the closest point of the house to the front boundary drawn parallel to the boundary as illustrated below:



Therefore the siting of the outbuilding will set a location requirement for the future siting of a dwelling.

- (ii) *If the applicant is aggrieved by this determination there is a right pursuant to the Planning and Development Act 2005 to have the decision reviewed by the State Administrative Tribunal. Such application must be lodged within 28 days from the date of determination.*
- 2 *Instruct Shire staff to prepare a review of the Outbuilding Local Planning Policy for Councillor consideration at the February 2015 Forum Session."*

FINANCIAL IMPLICATIONS

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

- **Long Term Financial Plan:**

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

STRATEGIC IMPLICATIONS

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

- **Strategic Community Plan:**

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

VOTING REQUIREMENTS

Simple majority required.

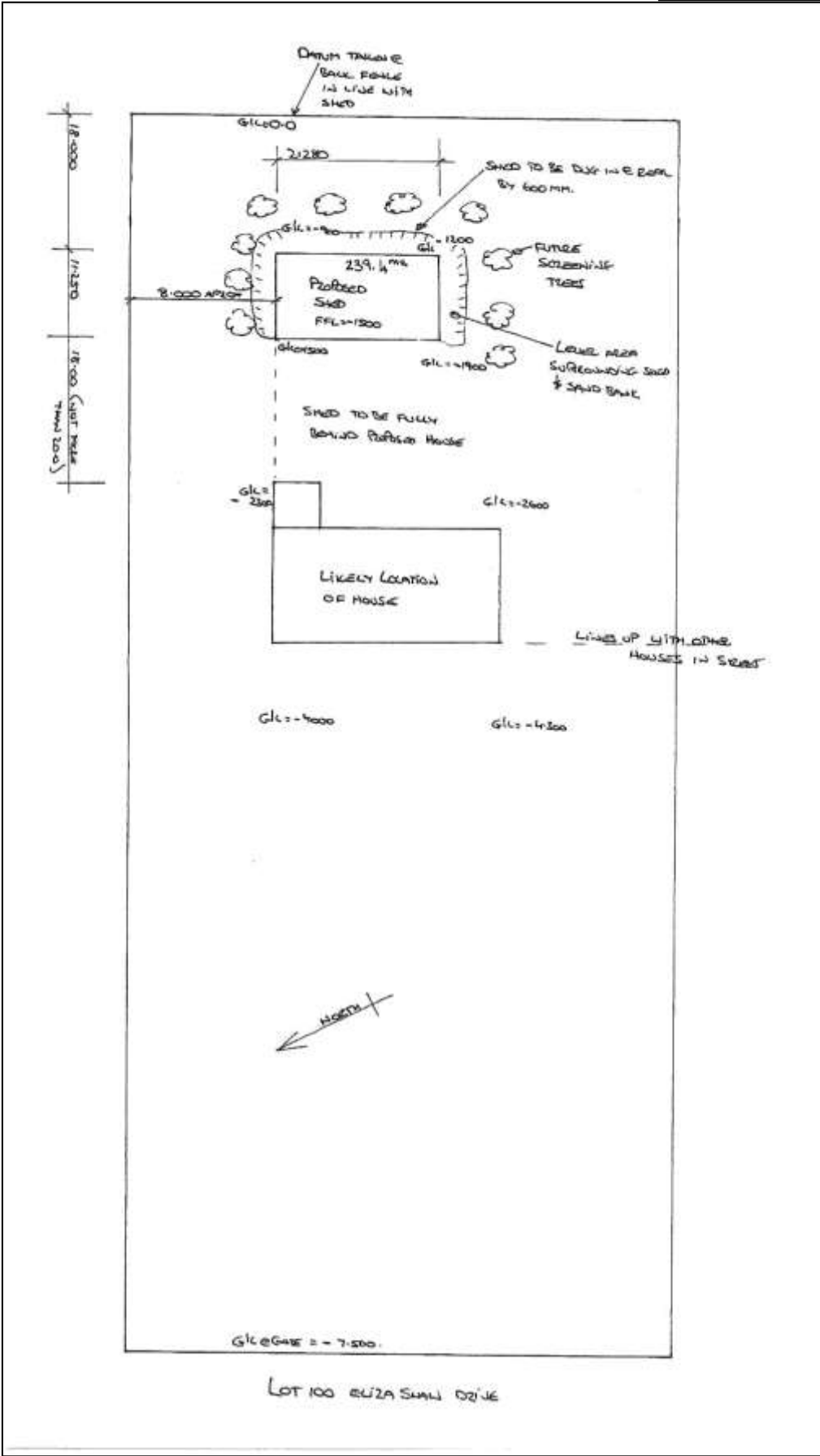
STAFF RECOMMENDATION

That Council refuse planning approval for a 239.4m² outbuilding upon Lot 100 Eliza Shaw Drive, White Peak for the following reasons:

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

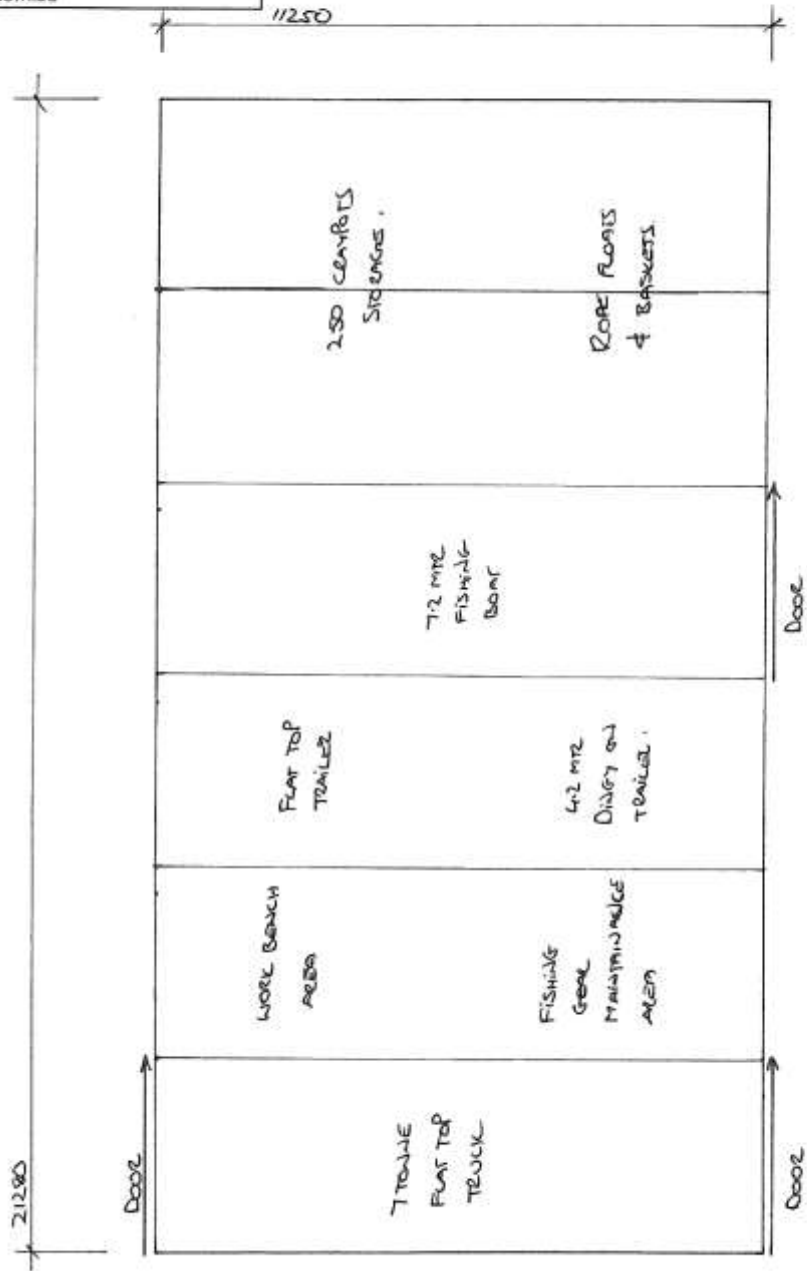
Advice Note:

- (i) If the applicant 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.



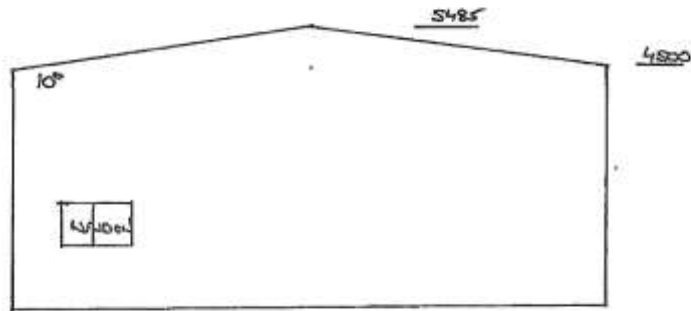
Shoreline Out Door World
 66 Flores Road, Geraldton . WA 6530
 PO Box 3223, Bluff Point, Geraldton WA
 Tel. 99644447 Fax 99217119
 leon.shorodw@westnet.com.au
 shorodw@wn.com.au

PROPOSED SHED USAGE & LAYOUT
 LOT 100 ELIZA SHAW

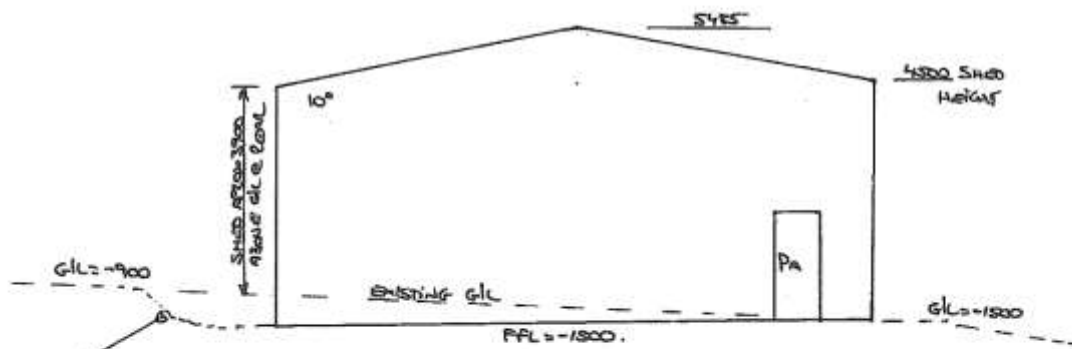


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LOT 100 ELIZA SHAW DRIVE



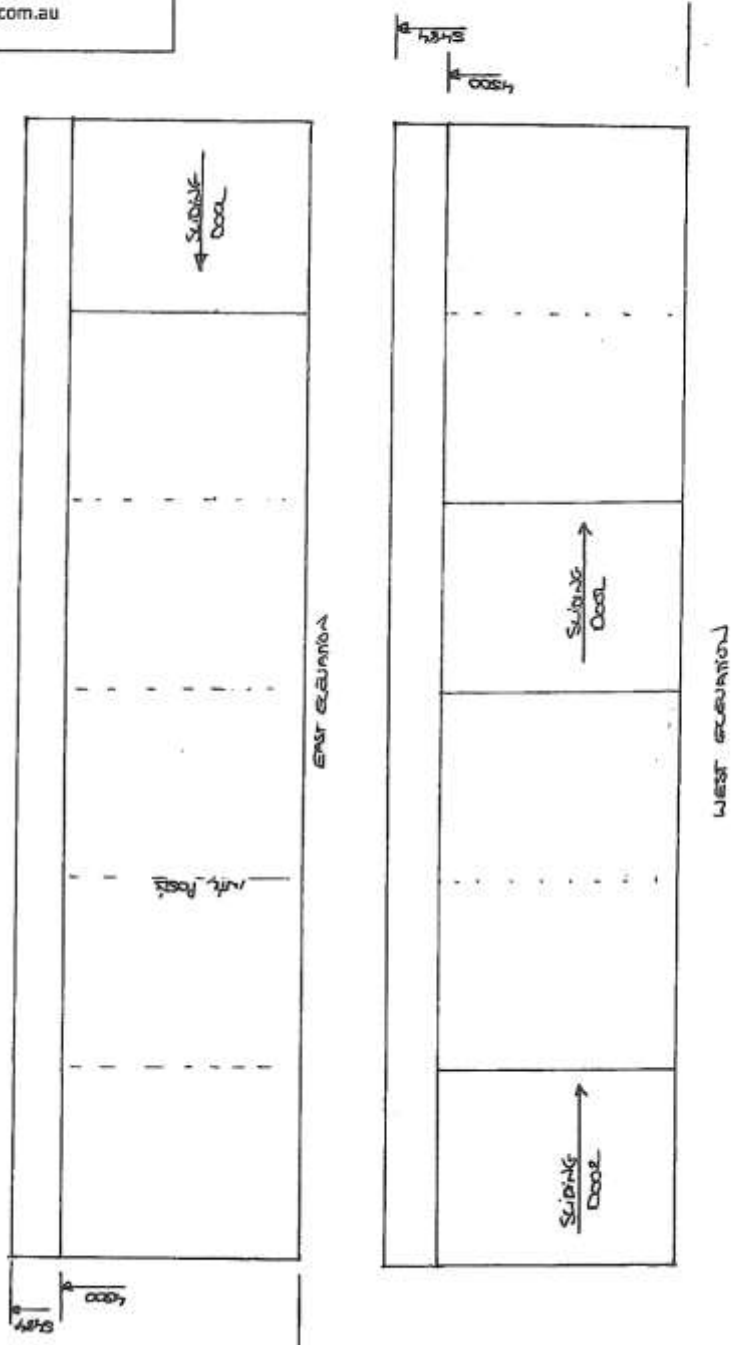
SOUTH ELEVATION



NORTH ELEVATION

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LOT 100 ELIZA SMAY DRIVE



A1440

31st October 2014

To Whom It May Concern

I am writing in regards to a shed submission on my block at Lot 100 Eliza Shaw Drive, Parkfalls.

I am submitting plans for a shed with the dimensions of 21.28 metres by 11.25 metres. The reasons I am submitting the plans for a shed of this size is due to my profession, I am a Professional Fisherman and I have to store my fishing equipment in a safe and protected environment. It is important that I be able to build a shed large enough to store my pots, ropes, floats etc. so they are out of the elements, protected and visibly pleasing to my neighbours and passing traffic.

I have been in discussions with Outdoor World in how to design and position the shed to best suit the block and neighbouring views. Whilst the length of shed matches existing sheds built in the area it is only the width which is slightly bigger.

Another consideration I have taken is to dig into the block to lower the shed's height. Please see attached documents.

I am happy to meet and discuss in detail my proposal so you can fully understand the need for my shed. Feel free to contact me on 0428 341421 or via email jakesucko@hotmail.com.

Yours sincerely

Jake Suckling



View From House Looking East



View From House Looking West



View From Rear of House Looking South at Neighbours

AGENDA ITEM:	9.1.4
SUBJECT:	REVIEW OF LOCAL PLANNING POLICY–SEA CONTAINERS
PROPONENT:	SHIRE OF CHAPMAN VALLEY
SITE:	WHOLE OF SHIRE
FILE REFERENCE:	204.05
PREVIOUS REFERENCE:	06/07-2, 10/07-2, 03/09-10, 08/09-6 & 02/14-34
DATE:	26 NOVEMBER 2014
AUTHOR:	SIMON LANCASTER

DISCLOSURE OF INTEREST

Nil.

BACKGROUND

Council resolved at its 15 October 2014 meeting that a report be presented in relation to sea containers to its Forum Session for discussion, this matter was further discussed at the 19 November 2014 Forum Session and based on general discussion a revised policy is now presented to Council for its consideration. This report recommends the advertising of the revised Shire of Chapman Valley Local Planning Policy 'Sea Containers' for public comment for a period of no less than 21 days pursuant to Section 2.4 of Shire of Chapman Valley Local Planning Scheme No.2.

COMMENT

For the most part a Local Planning Policy is formulated to align with the strategic direction as principally set by the Council and, accordingly, used by staff to disseminate information to the community and industry on the minimum standards for development as prescribed by Council.

The Shire's 'Sea Container' policy was first introduced at the 18 March 2009 Council meeting to recognise that the use of sea containers for storage purposes, whilst functional and cost effective, can be unsightly and present a visual amenity issue from the street and/or adjoining properties. Sea containers have been used to temporarily secure materials and machinery on building sites, and the 'Sea Containers' policy was originally prepared to allow for sea containers for storage purposes (typically during a dwelling construction period) to a maximum period of 12 months on residential and rural residential/lifestyle type lots without affecting the use of sea containers in industrial areas or on farms greater than 20ha in area.

At the 11 December 2013 meeting of Council it was resolved that the permanent siting of a sea container be approved at 131 (Lot 232) Parmelia Boulevard, White Peak with the subsequently issued development approval requiring that:

"Conditions:

- 1 *Development shall be in accordance with the attached approved plan(s) dated 18 February 2014 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 *The gable roof is required to be installed prior to 11 June 2014.*
- 3 *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.*
- 4 *The use hereby permitted shall not cause injury to or prejudicially affect the amenity of the locality by reason of the emission of smoke, dust, fumes, odour, noise, vibration, waste product or otherwise.*
- 5 *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 *The gable roof structure is to be clad in coated metal sheeting (i.e. colorbond) in a matching colour to the existing fence and outbuilding (i.e. cream colour). The use of uncoated metal sheeting (i.e. zincalume) or contrasting colour is not permitted.”*

At the 19 February 2014 meeting of Council it was resolved that the permanent siting of a sea container be approved at 30 (Lot 258) Cargeeg Bend, White Peak with the subsequently issued development approval requiring that:

“Conditions

- 1 *Development shall be in accordance with the attached approved plan(s) dated 26 June 2014 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 landowner is required to install a gabled roof structure on top of the sea container and affix colorbond wall cladding such that the sea container has the appearance of a permanent outbuilding (extension) to the approval of the Local Government.*
- 4 *The outbuilding extension (sea container) is required to be clad and maintained in a colour complementary to the existing outbuilding to the approval of the Local Government.*
- 5 *The outbuilding extension (sea container) is only to be used for general storage purposes associated with the predominant use of the land and shall not be used for habitation, commercial or industrial purposes.*
- 6 *Landscaping is required to be installed and maintained between the outbuilding extension (sea container) and the road for the purpose of softening the visual impact of the structure to the approval of the Local Government.”*

At the 15 October 2014 meeting of Council it was resolved that the permanent siting of a sea container be approved at 207 (Lot 79) Eliza Shaw Drive, White Peak with the subsequently issued development approval requiring that:

“Conditions:

- 1 *Development shall be in accordance with the plans included as Attachment 1 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 walls of the sea container are required to be painted, or externally clad with metal sheeting, in a colour complementary to the adjoining outbuilding to the approval of the local government.*
- 4 *The skillion roof structure on top of the sea container is to use metal sheeting in a colour complementary to the adjoining outbuilding to the approval of the local government.*

- 5 *The sea container is only to be used for general storage purposes associated with the predominant use of the land and shall not be used for habitation, commercial or industrial purposes.*
- 6 *Landscaping is required to be installed and maintained between the sea container and Eliza Shaw Drive for the purpose of softening the visual impact of the development to the approval of the local government.*
- 7 *The works must be completed prior to 15 May 2015."*

These previous motions of Council indicate a growing level of acceptance and created precedent for the permanent siting of sea containers upon 'Rural Residential' zoned properties. The common approval conditions for the permanent siting of a sea container appear to include:

- *The walls of the sea container either being painted or clad in colours and/or materials that match existing development upon the site*

This is considered a fair requirement for the permanent siting of a sea container to assist with blending the sea container in with existing development to reduce its overall visual impact as viewed from the street and neighbouring properties.

- *Being co-located with existing development upon the sites*

By imposing a requirement that a sea container be located within close proximity to existing development, and that the wall of the sea container be aligned parallel with the existing wall of a dwelling or outbuilding, this will ensure that outbuildings are neatly arranged upon the property. This will also reduce the appearance of the sea container's overall bulk and appearance by being located alongside existing structures that are generally larger in size. It is suggested by staff that the maximum separation distance be no more than 2m.

- *The installation of a roof on top of the sea container*

As per the previous Council approvals there are two instances where a gable roof has been approved and one instance where a skillion roof with a 1° pitch has been approved. Given the approval of an effectively flat roof that does not change the appearance of the 'block-like' shape of the structure it is suggested that the requirement to roof a sea container not be incorporated into the policy, and that the other suggested measures will achieve an acceptable visual outcome.

- *Landscaping*

It is suggested that the installation and maintenance of landscaping between the sea container and the road/neighbouring properties will, along with it being complementary colours to the residence/outbuilding, and being partially obscured or diminished in size due to its proximity to an existing residence/outbuilding will combine to create an effective means of reducing its visual impact.

It is suggested that the 'Sea Container' policy should be updated to address the precedents that have been set for the 'Rural Residential' zone, and the suggested revised 'Sea Container' policy is included as **Attachment 1**. A copy of the existing policy is provided as **Attachment 2** for comparative purposes.

STATUTORY ENVIRONMENT

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

It is proposed that revised Local Planning Policy 'Sea Containers' be adopted under Part 2 of Shire of Chapman Valley Local Planning Scheme No.2 which states:

“2.2 Local Planning Policies

The Local Government may prepare a Local Planning Policy in respect of any matter related to the planning and development of the Scheme area so as to apply:

- (a) generally or for a particular class or classes of matters; and*
- (b) throughout the Scheme area or in one or more parts of the Scheme area,*

and may amend or add to or rescind the Policy.

2.3 Relationship of Local Planning Policies to Scheme

2.3.1 If a provision of a Local Planning Policy is inconsistent with the Scheme, the Scheme prevails.

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

Note: Local Planning Policies are guidelines used to assist the Local Government in making decisions under the Scheme. Although Local Planning Policies are not part of the Scheme they must be consistent with, and cannot vary, the intent of the Scheme provisions, including the Residential Design Codes. In considering an application for planning approval, the Local Government must have due regard to relevant Local Planning Policies as required under clause 10.2.

2.4 Procedure for Making or Amending a Local Planning Policy

2.4.1 If a Local Government resolves to prepare a Local Planning Policy, the Local Government:

- (a) is to publish a notice of the proposed Policy once a week for 2 consecutive weeks in a newspaper circulating in the Scheme area, giving details of:
 - (i) where the draft Policy may be inspected;*
 - (ii) the subject and nature of the draft Policy; and*
 - (iii) in what form and during what period (being not less than 21 days from the day the notice is published) submissions may be made;**
- (b) may publish a notice of the proposed Policy in such other manner and carry out such other consultation as the Local Government considers appropriate.*

2.4.2 After the expiry of the period within which submissions may be made, the Local Government is to:

- (a) review the proposed Policy in the light of any submissions made; and*
- (b) resolve to adopt the Policy with or without modification, or not to proceed with the Policy.*

2.4.3 If the Local Government resolves to adopt the Policy, the Local Government is to:

- (a) publish notice of the Policy once in a newspaper circulating in the Scheme area; and*
- (b) if, in the opinion of the Local Government, the Policy affects the interests of the Western Australian Planning Commission, forward a copy of the Policy to the Western Australian Planning Commission.*

2.4.4 A Policy has effect on publication of a notice under clause 2.4.3(a).

2.4.5 A copy of each Local Planning Policy, as amended from time to time, is to be kept and made available for public inspection during business hours at the offices of the Local Government.

2.4.6 Clauses 2.4.1 to 2.4.5, with any necessary changes, apply to the amendment of a Local Planning Policy.”

The Scheme requires the Council to advertise the amendment of Local Planning Policy for a minimum period of 21 days. However, it is suggested that the revised ‘Sea Container’ policy be advertised for a lengthier period of 42 days given that the submission period will be held over the Christmas/New Year when many residents of the ‘Rural Residential’ zone may be away.

It is further suggested that advertising include the placement of a poster on the Parkfalls Estate noticeboard, and Council may even wish to discuss whether it wishes to write to all landowners within the ‘Rural Residential’ zone inviting comment on the amended ‘Sea Container’ policy.

POLICY IMPLICATIONS

In most circumstances the Council will adhere to the standards prescribed in a Local Planning Policy, however, the Council is not bound by the Policy provisions and has the right to vary the standards and approve development where it is satisfied that sufficient justification warrants a concession and the variation granted will not set an undesirable precedent for future development.

The preparation of the draft ‘Sea Container’ policy has also been undertaken with regard for the neighbouring City of Greater Geraldton Sea Container policy. It is noted that the City’s policy, adopted in 2011, makes allowance for the permanent siting of sea containers excepting upon residential zoned properties.

It is suggested that the revised ‘Sea Containers’ Local Planning Policy be initiated by Council for the purpose of advertising.

FINANCIAL IMPLICATIONS

There is a cost for the preparation of subsequent advertising of Local Planning Policies which will be covered by the Councils existing planning budget allocation.

- **Long Term Financial Plan:**

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

STRATEGIC IMPLICATIONS

For the most part Local Planning Policies are formulated and aligned with a strategic planning direction as set by Council. The establishment of Local Planning Policies aid in guiding the type and standard of development the Council views as appropriate within particular areas of the Shire. As previously mentioned, policies also provide a consistent approach to approving land use and development. Therefore, as a general rule it is important the Council not waiver from an adopted policy position without specific justification being provided and planning merit being identified.

This report and the draft updated policy highlight the importance of a continued review of Local Planning Policies to keep pace with current development trends, demands and Council expectations.

- **Strategic Community Plan:**

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

VOTING REQUIREMENTS

Simple majority of Council

STAFF RECOMMENDATION

That Council pursuant to Section 2.4 of the Shire of Chapman Valley Local Planning Scheme No.2 resolve to:

- 1 Adopt revised Local Planning Policy 'Sea Containers' for public comment and advertise it for a period of 42 days;
- 2 Should no written, author-identified objections be received during the 42 day advertising period, then adopt for final approval Local Planning Policy 'Sea Containers' and proceed to publish a notice to this effect in the local newspaper; &
- 3 Should there be any written, author-identified objections received during the advertising period, require staff to present to Council a further report.

SEA CONTAINERS

LOCAL PLANNING POLICY



1. PURPOSE

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

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

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

2. SCOPE

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

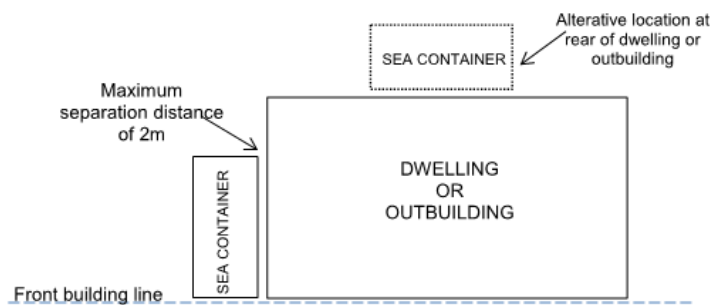
3. OBJECTIVE

- 3.1 To ensure an acceptable quality of development is achieved that does not detrimentally affect the amenity and streetscape of the locality.
- 3.2 Establish guidelines for the placement of sea containers or other similar re-locatable storage units on land within the municipality.

4. POLICY STATEMENT

- 4.1 For the purposes of this Policy a sea container shall include a sea container (both '20 foot' (6.1m in length, 2.4m in width, and 2.6m in height) and '40 foot' (12.2m in length, 2.4m in width and 2.6m in height) in dimension) or any other re-locatable 'box type' storage container or unit. A sea container modified for the purpose of human habitation is NOT addressed in this Policy but subject to the separate necessary applications and approvals for a dwelling.
- 4.2 Siting of a Sea Container
 - 4.2.1 A sea container proposed to be permanently sited upon a property is required to comply with the following criteria:
 - a. A maximum of one (1) sea container on a lot.

- b. The sea container is sited behind the front building line of an existing or under construction built development upon the property and must not impinge on any boundary setbacks as required by the Local Planning Scheme.
- c. The sea container is positioned parallel to the existing wall of a dwelling or outbuilding at a maximum separation distance of 2m.
- d. To be used for general storage purposes only associated with the predominant use of the land and shall NOT be used for habitation, commercial or industrial purposes.
- e. The sea container is required to be painted or clad in materials the same colour as the existing structure up against which the sea container is positioned.



- 4.3 A sea container proposed to be temporarily sited upon a property is not required to comply with the above criteria (excepting Clauses 4.3.1.a, 4.3.2.b & 4.3.2.d) providing the sea container is removed within 12 months of its initial siting upon property and a current building permit has been issued for that property.
- 4.4 The permanent placement of a sea container or other similar relocatable storage unit will not be permitted on land zoned residential.
- 4.5 A sea container is NOT considered in the calculation of the total aggregate outbuilding area as permitted under the Shire's 'Outbuildings' Local Planning Policy.
- 4.6 Should the sea container NOT meet the requirements of Clauses 4.3.1 & 4.3.2 of this policy a planning application is required to be lodged.

5. REFERENCES AND ADOPTION

Shire of Chapman Valley Local Planning Scheme No.2
Planning & Development Act 2005.

*Adopted for advertising for public comment 19 March 2009.
 Adopted at the 19 August 2009 Ordinary Meeting of Council.
 Amended at the 19 February 2014 Ordinary Meeting of Council.
 Amended and adopted for advertising for public comment at the 10 December 2014 meeting of Council.*

SEA CONTAINERS

LOCAL PLANNING POLICY



1. PURPOSE

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

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

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

2. SCOPE

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

3. OBJECTIVE

- 3.1 To ensure an acceptable quality of development is achieved that does not detrimentally affect the amenity and streetscape of the locality.
- 3.2 Establish guidelines for the assessment of proposals to place sea containers or other similar re-locatable storage units on land within the municipality.

4. POLICY STATEMENT

- 4.1 For the purposes of this Policy a sea container shall also include a sea container or any other re-locatable 'box type' storage container or unit. A sea container modified for the purpose of human habitation is not addressed in this Policy but subject to the necessary applications and approvals for a dwelling.
- 4.2 Sea containers are a class of development that can have an adverse effect on the visual amenity of an area. Therefore, in general the Shire carries a presumption against the use of sea containers other than in industrial and rural areas unless the Council can be satisfied a genuine need exists for temporary storage of building materials and equipment, and the use and placement of a sea container/s can meet acceptable amenity standards in the locality.

- 4.3 The placement of a sea container or similar re-locatable storage unit, other than on 'industrial' zoned land or 'rural' zoned land greater than 20 hectares in area, requires the planning approval of the local government as it is considered to fall within the definition of 'development' under the *Planning and Development Act 2005*.
- 4.4 Planning approval for a maximum period of 12 months will only be granted where:
- a. the sea container is being used for the temporary storage of plant, machinery and/or building equipment on a building site;
 - b. a building permit has been issued and remains current for the construction of a dwelling;
 - c. the construction of the dwelling has commenced; &
 - d. the sea container being removed immediately at the conclusion of the 12 month period or at the completion of the construction of the dwelling, whichever comes first.
- 4.5 Planning approval for a maximum period of 6 months will only be granted where:
- a. the sea container is being used for the temporary storage of plant, machinery and/or building equipment on a building site;
 - b. a building permit has been issued and remains current for the construction of an outbuilding;
 - c. the construction of the outbuilding has commenced; &
 - d. the sea container being removed immediately at the conclusion of the 6 month period or at the completion of the construction of the outbuilding, whichever comes first.
- 4.6 Subject to compliance with clauses 4.4 or 4.5 above the Shire will generally support an application that complies with the following criteria:
- a. A maximum of one (1) sea container on a lot;
 - b. The sea container is sited behind the front building line of a dwelling or located alongside or behind existing built development upon the property;
 - c. Maximum dimensions of 6.1m in length, 2.4m in width, and 2.6m in height for lots zoned 'Residential'; &
 - d. Maximum dimensions of 12.2m in length, 2.4m in width and 2.6m in height for lots zoned 'Rural Residential' and 'Rural Smallholdings' or for 'Rural' zoned lots less than 20ha in area.

4.7 Applications for the use of a sea container are required to address the following;

- a. The submission of:
 - i. a completed and signed planning application form and payment of application fee;
 - ii. a site plan showing the proposed location of the development in relation to boundary setbacks, natural features, existing development, and adjoining buildings, to a scale of no less than 1:100;
 - iii. a written submission detailing the use, condition, unit dimensions and visual amenity associated with the sea container;
 - iv. any elevation drawings and/or photographs illustrating the presentation and appearance of a sea container in good repair and in uniform colour with no visible rust marks.
- b. The placement of a sea container, or similar, shown on a scaled site plan located behind an existing building and/or screen vegetation to minimize the visual impact from a road and adjoining properties.

5. REFERENCES AND ADOPTION

Shire of Chapman Valley Local Planning Scheme No.2
Planning & Development Act 2005.

Adopted at the 19 February 2014 Ordinary Meeting of Council

AGENDA ITEM:	9.1.5
SUBJECT:	COASTAL MANAGEMENT STRATEGY
PROPONENT:	SHIRE OF CHAPMAN VALLEY
SITE:	COASTAL SECTION
FILE REFERENCE:	203.08
PREVIOUS REFERENCE:	05/06-15, 7/07-6 & 09/09-5
DATE:	2 DECEMBER 2014
AUTHOR:	SIMON LANCASTER

DISCLOSURE OF INTEREST

Nil

BACKGROUND

The Shire has been advised by the Department of Planning that its application under the 2014/2015 Coastal Management Plan Assistance Program to review its Coastal Management Strategy has been successful. This report recommends that Council commence the review of its Coastal Management Strategy and select 2 Councillors to lead a Steering Group to oversee the project.

COMMENT

A copy of the correspondence from the Western Australian Planning Commission ('WAPC') advising of the Shire's successful grant application has been provided to Councillors as a separate attachment and includes the Funding Agreement that contains a project program with milestones.

The Status of Coastal Planning in WA publication lists the Shire of Chapman Valley Coastal Management Strategy ('the Strategy') as being a draft document. A copy of the draft Strategy is available for viewing on the Shire website or alternatively a hard copy can be provided to Councillors upon request.

The Strategy was prepared to replace the Chapman Valley Coastal Plan (1993) and following extensive consultation reached the final point of being adopted by Council at its 18 July 2007 meeting, but was not presented to the WAPC for final endorsement.

Given the length of time that has elapsed the Strategy requires review and modification prior to being submitted to the WAPC to give regard to subsequently completed documents including the WAPC endorsed Oakajee Industrial Estate Structure Plan (LandCorp) and the Oakajee Port Master Plan (Mid West Port Authority) and the two Environmental Protection Authority Environmental Review Reports & Recommendations for the Oakajee Port (marine side) and Oakajee Port (land side) but complete overhaul of the document is not considered necessary.

The Strategy requires review as these subsequent planning documents do make recommendation in regards to coastal management and access, with one key recommendation being that cumulative emissions modelling for the Oakajee Industrial Estate demonstrates that the Buller Rivermouth should be developed for recreational day-use activity only and not nature based camping/chalets as originally envisioned by the Strategy.

The Strategy also needs updating to reflect Council's previous resolution at its 16 September 2009 meeting as follows:

"That Council:

- 1 *Receive the Coronation Beach Boat Ramp Feasibility Study prepared for the Shire of Chapman Valley by MP Rogers and Associates;*
- 2 *Endorse the option as outlined in Section 5.2.6 of the Study 'Development in Conjunction with Oakajee Port' as its preferred option based on its social, economic and environmental advantages in meeting demand for boat launching facilities in this area;*

- 3 *Resolve to not proceed with Stage 2 (the production of a conceptual plan and design with cost estimates) of the Study, as the development of a boat ramp at Coronation Beach is not considered appropriate or cost effective, based on a number of factors including wave climate, unlikelihood of achieving safe operation, the predicted sediment and weed bypassing requirements and conflicts with other beach users in an area that caters primarily for kitesurfers, windsurfers and nature based camping;*
- 4 *During any future review of either the Coastal Management Strategy or Coronation Beach Planning Study that reference to the development of a boat launching facility at Coronation Beach be deleted; &*
- 5 *Discuss with LandCorp and Oakajee Port and Rail the potential for a boat launching facility to be developed on the northern side of the Oakajee Port, with regard for the Department of Transport's advice that further funding may be available under the Recreational Boating Facilities Scheme grant funds for these investigations."*

Since the Strategy's preparation there have also been a number of climate change adaptation documents and policies released that the review will need to give regard for and there are also increasing pressures (including opening up of additional tracks, rubbish, fire risk etc.) being experienced along this section of coast through off-road vehicle use. Whilst this issue was present 8 years ago during the Strategy's drafting it would be reasonable to state that demands on this area have increased due to an expanding population and the introduction of much cheaper flat-packed quad bikes coming onto the market and making this section of coastline more accessible and open to damage and requiring improved management solutions.

To address these anomalies the Shire is required to review and complete the draft Strategy and to reduce the cost to Council the part funding of this project was applied for through the Coastal Management Plan Assistance Program.

A copy of the submitted grant application that detailed the proposed project scope, methodology, outcomes, timeline and a suggested consultation process was provided to Councillors with the 20 August 2014 Staff Information Reports (and an earlier update was provided in the 21 May 2014 Staff Information Reports).

Should Council support this project it is recommended that a Coastal Management Strategy Steering Group be established to guide the project and it is suggested that the Steering Group would comprise of the following representation:

- 2 Councillors (to serve as Chairman and Deputy Chairman)
- Shire staff (to serve as minute takers and administrative support)
- Shire of Northampton
Shire staff broached the issue of serving on the Steering Group with the Principal Planner from the Shire of Northampton whilst preparing the grant application as during the preparation of the original Strategy a section of coastline stretching northwards to Woolawar Gully (within the Shire of Northampton) was included within the study area due to the on-ground reality being that the track leading north along the coast from the Coronation Beach Road (a sealed coastal access point) was in the Shire of Chapman Valley and enables people to access the coast and head north into the Shire of Northampton to fish, surf and camp so the Strategy was designed to address and make makes recommendation in relation to managing this usage. The Department of Planning have recommended that the Strategy review address the same coastline length as the earlier draft. The two Shires are already aware of the management challenges we both face particularly in relation to off-road vehicles and fire and currently work together on emergency management and have previously informally discussed the possibility of employing a joint coastal ranger position (these discussions have also included the City of Greater Geraldton, LandCorp and Mid West Ports Authority and it is possible a recommendation of the Strategy might be for all parties to jointly fund such a position).
- LandCorp
LandCorp are the major landowner along the Shire's coastal section and as such their input on the Steering Group would be of benefit.

- **Mid-West Port Authority**
The Mid West Port Authority have management responsibility for a section of the Shire coastline and also have responsibility for the marine reserve (below the high water mark) and as such their input on the Steering Group would be of benefit.
- **Northern Agricultural Catchments Council ('NACC')**
NACC have previously chaired a working group of Batavia Coast Councils that produced the Climate Change Adaptation Plan and are currently working on further coastal hazard assessment of the coastline including erosion and inundation modelling under future climatic scenarios, and as such their input on the Steering Group would be of benefit.
- **Department of Planning**
It is considered that as a funding agency, and also the authority that will ultimately be presented with the document for endorsement the Department of Planning should be invited to serve on the Steering Group.
- **Community representation**
It is suggested that the Shire could approach various parties who may wish to serve as community representatives on the Steering Group, these could include the landowner north of Coronation Beach, indigenous groups and wind/kitesurfing representatives amongst others.
- **Consultant**

It is envisaged that the project would take approximately 12 months to complete with the following provided as a general guide on the project stages:

- Stage 1 – Funding Agreement signed by WAPC and Shire - December 2014;
- Stage 2 – Approval of project brief by WAPC - February 2015;
- Stage 3 – Approval of Progress Report by WAPC – June 2015;
- Stage 4 – Preparation of draft Strategy – August 2015;
- Stage 5 – Submission of Strategy to WAPC – October 2015.

STATUTORY ENVIRONMENT

The State Coastal Planning Policy ('SPP2.6') was prepared under Part 3 of the *Planning and Development Act 2005* to provide guidance for decision-making within the coastal zone including managing development and land use change, establishment of foreshore reserves, and to protect, conserve and enhance coastal values. The Shire's Coastal Management Strategy is required to be prepared in accordance with SPP 2.6.

Section 2.1 of SPP2.6 notes that:

"There are pressures on the coastal zone for use by different groups in the community for a variety of purposes including a mix of recreational, residential, industrial and commercial uses. Planning for coastal zone land is about balancing these often competing needs and desires in a way that takes into account the values of the coastal zone, which include its scenic, aesthetic and ecological qualities; recreational opportunities; and social, indigenous, cultural and economic importance. The overall effect of these values contributes to the psychological wellbeing and health of the Western Australian community. The presence of coastal hazards is also an important consideration."

Section 5.10 of SPP2.6 further notes that:

- "5.10 Coastal strategies and management plans**
- (i) *Ensure that at rezoning, structure planning, subdivision, strata subdivision or development – whichever arises first and is appropriate in scale, a coastal planning strategy or coastal foreshore management plan is prepared and implemented, by the local government and/or proponent, for the coastal foreshore reserve and any abutting freehold land with conservation values of the subject land.*
 - (ii) *Any structure plan, zoning, subdivision, strata subdivision or development proposal for public purposes, residential, industrial, commercial, tourist,*

special rural and similar uses on the coast is only approved based on or in conjunction with a current detailed coastal planning strategy or foreshore management plan (whichever is appropriate for the stage and scale of development).

- (iii) *Ensure that the coastal planning strategy or foreshore management plan is developed in consultation with the broad community and relevant public authorities, and achieve the approval of the local land manager and the WAPC if appropriate.*
- (iv) *The proponent should be responsible for the implementation of the foreshore management plan as well as funding, maintenance, monitoring and management of foreshore works for a period not less than five years commencing from completion of all foreshore works.*
- (v) *A coastal planning strategy or foreshore management plan should address as a minimum, the matters set out in the Coastal Planning Policy Guidelines.”*

POLICY IMPLICATIONS

Council has previously conducted a tender for environmental consultants and Land Insights were selected as one of the successful parties (a range of consultants were selected based on their relevant expertise with some firms having extensive experience in managing on-ground works e.g. gravel pit rehabilitation or baiting programs, others in the preparation of clearing permits, and others in the preparation of management plans etc.). It is noted Land Insights are also on the WALGA list of preferred suppliers.

The tender process undertaken by Council was in accordance with the Shire Policy 5.90-Purchasing and Section 3.57 of the *Local Government Act 1995* (Council Minute References 12/13-23 & 03/14-13).

Land Insights were engaged to assist in the preparation of the grant application and project brief and are recommended to now undertake the review of the Strategy.

Council Policy 5.140-Grant Applications delegates authority to the Chief Executive Officer to endorse grant applications/projects if funding resources are available within the Council's adopted budget.

FINANCIAL IMPLICATIONS

The Shire has liaised with one of Council's appointed environmental consultants (Land Insights) on a cost estimate for the review of the Coastal Management Strategy and this figure was the basis for the grant application (\$10,000 Shire contribution and \$30,000 grant funding sought; total project cost \$40,000).

Account 2203 (Protection of the Environment-Grant Income Other) in the adopted 2014/2015 budget listed an amount of \$30,000 in the event that the lodged grant application was successful.

Account 2062 (Protection of the Environment-Coastal Planning Project Expenses) lists an amount of \$30,000 sourced from the Department of Planning should the grant application be successful, and a Shire contribution of \$10,000, and it was not intended that this Shire contribution would be expended unless the grant application was successful.

- **Long Term Financial Plan:**

The Shire of Chapman Valley Long Term Financial Plan (2013) was received by Council at its 18 September 2013 meeting. It is considered that the preparation of the Coastal Management Strategy would not have impact in relation to the Long Term Financial Plan, and Council has made clear in previous discussions with the Mid West Port Authority and LandCorp it would be willing to work in partnership on social/recreation infrastructure and management where those works did not mean adverse financial implication to the Shire and its ratepayers.

STRATEGIC IMPLICATIONS

The Shire of Chapman Valley Coastal Management Strategy (2007) lists the following:

“Strategic Vision

Given the broad commitment to the Oakajee Strategic Industrial Estate, the limitations Oakajee places on future use of the Coast from Buller River to Coronation Beach and increasing pressures from population growth; to develop and manage the Drummond / Woolawar Coast to safeguard and enhance the unique recreational resources offered and sense of isolation valued by the Community.

Strategic Objectives

- *To restore equilibrium, where practical, through the provision of alternative facilities so as to minimise the longer term impacts of the Oakajee Strategic Industrial Estate on recreational choices along the Drummond / Woolawar Coast.*
- *To institute more active and sustainable management of the Drummond / Woolawar Coast to ensure retention of the broad range of recreational opportunities, environmental values and sense of isolation unique to this near City coastal resource.*
- *To proactively increase community participation and involvement in the ongoing development and management of the Drummond / Woolawar Coast.”*

The Strategy, once completed, will form a strategic planning document that will guide ongoing development and future land use and management of the Shire of Chapman Valley coastline.

- **Strategic Community Plan:**

The Shire of Chapman Valley Strategic Community Plan 2013-2023 was adopted by Council at its 19 June 2013 meeting and has the following environmental strategy:

Objective	Strategy	Outcome	Partners
We want to make the most of our environment, including the ranges, rivers and coastline	Explore opportunities to utilise key areas in the Shire by showcasing their natural and environmental characteristics	We recognise and uphold the value of our natural landscape	Shire of Chapman Valley State government Community organisations Landowners

VOTING REQUIREMENTS

Simple Majority

STAFF RECOMMENDATION

That Council resolve to:

- 1 Authorise the signing of the Funding Agreement by the CEO for the Shire of Chapman Valley Coastal Management Strategy.
- 2 Notify Land Insights that they are the selected provider for the Shire of Chapman Valley Coastal Management Strategy.
- 3 The Shire of Chapman Valley Coastal Management Strategy Steering Group be comprised of the following representatives (and write to those identified parties inviting their nomination of a representative):
 - 2 Councillors (to serve as Chairman, and Deputy Chairman)
 - Shire staff
 - Shire of Northampton
 - LandCorp
 - Mid West Port Authority
 - Northern Agricultural Catchments Council

- Department of Planning
 - Land Insights (appointed consultant)
 - Community Representative (Shire to seek expressions of interests from appropriate parties and their inclusion or otherwise to be determined at the initial Steering Group meeting)
- 4 Nominate Cr _____ and Cr _____ to be the Councillor representatives for the Shire of Chapman Valley Coastal Management Strategy Steering Group.

9.2 Finance December 2014

Contents

9.2 AGENDA ITEMS

9.2.1 Financial Reports for November 2014

AGENDA ITEM:	9.2.1
SUBJECT:	FINANCIAL REPORTS FOR NOVEMBER 2014
PROPONENT:	SHIRE OF CHAPMAN VALLEY
SITE:	SHIRE OF CHAPMAN VALLEY
FILE REFERENCE:	307.04
PREVIOUS REFERENCE:	N/A
DATE:	3 NOVEMBER 2014
AUTHOR:	KRISTY WILLIAMS & DIANNE RAYMOND

DISCLOSURE OF INTEREST

Nil

BACKGROUND

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

COMMENT

Attached to this report are the monthly financial statements for November 2014 for Council's review.

STATUTORY ENVIRONMENT

Local Government Act 1995 Section 6.4

Local Government (Financial Management) Regulations 1996 Section 34

POLICY IMPLICATIONS

Policy 5.70 Significant Accounting Policies

Extract:

"2. Monthly Reporting

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

- 1. Statement of Financial Activity*
- 2. Balance Sheet and statement of changes in equity*
- 3. Schedule of Investments*
- 4. Operating Schedules 3 – 16*
- 5. Acquisition of Assets*
- 6. Trust Account*
- 7. Reserve Account*
- 8. Loan Repayments Schedule*
- 9. Restricted Assets*
- 10. Disposal of Assets*

A value of 5 percent is set for reporting of all material variances."

FINANCIAL IMPLICATIONS

As presented in November 2014 financial statements.

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

STAFF RECOMMENDATION

That Council receive the financial report for the month of November 2014 comprising the following:

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

SHIRE OF CHAPMAN VALLEY

BANK RECONCILIATION As at 30th November 2014

SYNERGY

<u>Balance as per Cash at Bank Account GL 160000</u>	38,979.52
<u>Balance as per Cash at Bank Account GL 170000</u>	3,117,587.98
Plus Income on smt not in system	250.00
Less Expenditure on smt not in system	-
	\$3,156,817.50

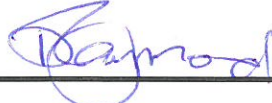
BANK

Business Account (Account No 000040)	\$ 27,427.76
Investment Accounts (Account No 305784)	\$ 2,417,095.86
Term Deposit 473702 maturing 24Nov14	\$ 100,492.12
Term Deposit 473710 maturing 25Dec14	\$ 600,000.00
	<u>3,145,015.74</u>
<i>Less Outstanding Payments</i>	-
<i>Plus Outstanding Deposits</i>	11,801.76
<i>Less Receipts Not Posted to GL</i>	
<i>Less Transfer from Muni to Trust</i>	-
	\$ 3,156,817.50

Difference Check 0.00

Date Completed: 02/12/14

Completed by: Moreen Stewart
Finance Officer 

Reviewed by: Dianne Raymond
Mgr Finance & Corporate Services 

List of Accounts Paid - November 2014

Chq/EFT	Date	Name	Amount
MUNICIPAL ACCOUNT			
4918	06/11/2014	Petty Cash	-132.50
EFT17366	06/11/2014	AMPAC Debt Recovery (WA) Pty Ltd	-1204.14
EFT17367	06/11/2014	Apprentice and Traineeship Company - Midwest	-1003.68
EFT17368	06/11/2014	Aussie Natural Spring Water Geraldton	-127.00
EFT17369	06/11/2014	Black Pepper Fencing	-10725.00
EFT17370	06/11/2014	Chapman Valley Primary School	-30.00
EFT17371	06/11/2014	Cleanpak Total Solutions	-46.39
EFT17372	06/11/2014	Courier Australia - Toll Ipec	-22.97
EFT17373	06/11/2014	GERALDTON REGIONAL CRICKET BOARD	-7360.00
EFT17374	06/11/2014	Geraldton Air Charter Pty Ltd	-1550.00
EFT17375	06/11/2014	Geraldton Bobcat	-550.00
EFT17376	06/11/2014	Glenfield IGA	-29.36
EFT17377	06/11/2014	MAURICE BATTILANA	-413.62
EFT17378	06/11/2014	MCLAY, CAMERON STIRLING	-270.00
EFT17379	06/11/2014	Northern Country Zone of WALGA - Executive Officer	-1700.00
EFT17380	06/11/2014	Oracle Energy	-279.97
EFT17381	06/11/2014	ROYCE, John Eldred and Geraldine Louise	-968.67
EFT17382	06/11/2014	SHIRE OF CV TRUST ACCOUNT	-119.00
EFT17383	06/11/2014	Universal Wreckers	-110.00
EFT17384	06/11/2014	YUNA PRIMARY SCHOOL	-30.00
EFT17387	23/11/2014	AMP Flexible Super - AMP Retirement Trust	-195.74
EFT17388	23/11/2014	Synergy	-793.55
EFT17389	13/11/2014	ARC Auto Electrical & Air Conditioning	-1391.52
EFT17390	13/11/2014	Askins & Ansell Trust	-106.96
EFT17391	13/11/2014	Australian Super - Westscheme Division	-42.75
EFT17392	13/11/2014	BT Business Super	-196.92
EFT17393	13/11/2014	Colonial Personal Super	-1298.12
EFT17394	13/11/2014	Currie, J and J	-325.00
EFT17395	13/11/2014	Five Star Business Equipment and Communications	-560.43
EFT17396	13/11/2014	Geraldton Fuel	-34789.99
EFT17397	13/11/2014	Hostplus Superannuation	-114.48
EFT17398	13/11/2014	KW & V Farrell & Sons	-7724.33
EFT17399	13/11/2014	LGSP	-7201.35
EFT17400	13/11/2014	Miralec	-5130.95
EFT17401	13/11/2014	Novus	-335.01
EFT17402	13/11/2014	Parkfalls Mowing Service	-2250.00
EFT17403	13/11/2014	Rest Superannuation	-99.39
EFT17404	13/11/2014	Shire of Chapman Valley - Muni Account	-155.00
EFT17405	13/11/2014	Wonthella Woodworks	-2200.00
EFT17406	20/11/2014	ALICIA PAWELSKI	-500.00
EFT17407	20/11/2014	Apprentice and Traineeship Company - Midwest	-1129.14
EFT17408	20/11/2014	OUR COMMUNITY PTY LTD	-330.00
EFT17409	20/11/2014	Western Australian Local Government Association.	-9700.13
EFT17410	14/11/2014	MAIN ROADS WA CANCELLED	0.00
EFT17411	14/11/2014	Midwest Quarries Pty Ltd	-55890.86
EFT17412	14/11/2014	Western Australian Treasury Corporation	-1912.70
EFT17413	21/11/2014	Australian Taxation Office	-30471.00
EFT17414	26/11/2014	AMP Flexible Super - AMP Retirement Trust	-196.92
EFT17415	26/11/2014	City of Greater Geraldton	-1320.00
EFT17416	26/11/2014	Synergy	-3527.10
EFT17417	26/11/2014	Telstra	-2235.84
EFT17418	28/11/2014	AFGRl(Waltons)	-75.11
EFT17419	28/11/2014	AMPAC Debt Recovery (WA) Pty Ltd	-30.80
EFT17420	28/11/2014	Aussie Natural Spring Water Geraldton	-76.20
EFT17421	28/11/2014	Australia Post	-381.67
EFT17422	28/11/2014	BT Business Super	-196.92
EFT17423	28/11/2014	Bridgestone Tyre Centre	-110.00
EFT17424	28/11/2014	Bunnings Group Limited	-1004.79
EFT17425	28/11/2014	Colonial Personal Super	-1172.09
EFT17426	28/11/2014	Coates Hire Operations Pty Ltd	-767.84
EFT17427	28/11/2014	Courier Australia - Toll Ipec	-124.59
EFT17428	28/11/2014	Elders	-9268.47

List of Accounts Paid - November 2014

Chq/EFT	Date	Name	Amount
EFT17429	28/11/2014	Fletcher Communications	-1130.18
EFT17430	28/11/2014	Forrester Brothers	-16500.00
EFT17431	28/11/2014	Geraldton Ag Services	-571.99
EFT17432	28/11/2014	Geraldton Decorator Centre T/A Paint Place Geraldton	-273.31
EFT17433	28/11/2014	Geraldton Mower & Repair Specialists	-173.00
EFT17434	28/11/2014	Geraldton Sign Makers	-209.00
EFT17435	28/11/2014	Geraldton Toyota	-322.21
EFT17436	28/11/2014	Glenfield IGA	-276.33
EFT17437	28/11/2014	Government of Western Australia - State Library of WA	-27.50
EFT17438	28/11/2014	Great Northern Rural Services	-740.75
EFT17439	28/11/2014	Greenfield Technical Services	-4883.45
EFT17440	28/11/2014	Hille, Thompson & Delfos Surveyors & Planners (HTD)	-715.00
EFT17441	28/11/2014	Hostplus Superannuation	-123.39
EFT17442	28/11/2014	Hygiene Solutions - Initial	-1737.88
EFT17443	28/11/2014	IT Vision	-2054.64
EFT17444	28/11/2014	JR & A Hersey Pty Ltd	-346.91
EFT17445	28/11/2014	K & M Eastough & Sons	-4950.00
EFT17446	28/11/2014	K9 Electrical	-105.15
EFT17447	28/11/2014	Kleenheat Gas	-124.08
EFT17448	28/11/2014	LANDGATE	-77.00
EFT17449	28/11/2014	LEONORA FARMS	-15675.00
EFT17450	28/11/2014	LGIS Insurance Broking - JLT P/L A/c	-779.47
EFT17451	28/11/2014	LGSP	-7800.53
EFT17452	28/11/2014	M & B Quality Building Products	-7481.14
EFT17453	28/11/2014	MIDWEST LANDSCAPING SERVICES	-6479.00
EFT17454	28/11/2014	Midwest Chemical & Paper	-511.53
EFT17455	28/11/2014	Midwest Fire Protection Service- Deltazone	-3797.84
EFT17456	28/11/2014	Mike Hopkins Office Furniture	-331.00
EFT17457	28/11/2014	Mitchell & Brown	-47.00
EFT17458	28/11/2014	NEVILL & CO PTY LTD	-833.35
EFT17459	28/11/2014	O'BRIEN 4WD CENTRE	-990.00
EFT17460	28/11/2014	O'Donnell, Earl	-119.85
EFT17461	28/11/2014	Option Refrigeration & Air Conditioning	-506.00
EFT17462	28/11/2014	Paper Plus Office National	-575.64
EFT17463	28/11/2014	Purcher International	-8455.76
EFT17464	28/11/2014	Queens Iga	-952.63
EFT17465	28/11/2014	Reece Pty Ltd	-139.61
EFT17466	28/11/2014	Rest Superannuation	-99.39
EFT17467	28/11/2014	STAPLES AUSTRALIA PTY LIMITED	-761.05
EFT17468	28/11/2014	Shire of Chapman Valley - Muni Account	-155.00
EFT17469	28/11/2014	Southside Mechanical Services	-498.00
EFT17470	28/11/2014	Statewide Bearings	-28.60
EFT17471	28/11/2014	ThinkWater Geraldton	-105.50
EFT17472	28/11/2014	Totally Work Wear	-417.69
EFT17473	28/11/2014	Valley Tavern	-506.00
EFT17474	28/11/2014	Western Australian Local Government Association.	-66.00
EFT17475	28/11/2014	Western Australian Treasury Corporation	-11712.89
EFT17476	28/11/2014	Westrac Pty Ltd	-202.35
EFT17477	28/11/2014	Whipintarra Springs Pty Ltd-Nukara Farm	-220.00
EFT17478	28/11/2014	Young Motors	-35915.30
DD14658.1	03/11/2014	Westpac - Commercial Cards	-88.20
			-353599.05
TRUST ACCOUNT			
EFT17385	06/11/2014	Shire of Chapman Valley - Muni Account	-10690.00
EFT17386	06/11/2014	Williamson, Ross Kenneth	-37855.28
			-48545.28

SHIRE OF CHAPMAN VALLEY
 THE SHIRE CLERK
 ADMINISTRATION
 C/- POST OFFICE
 NABAWA W A WA 6532

Facility Number

00018023 20000001

Payment Due Date

01 December 2014

Closing Balance

\$36.50

This amount will be swept from a nominated account.

For enquiries please call 1300 650 107 (8am - 8pm, Monday to Friday). Lost or stolen cards service available 24 hours a day, 7 days a week.

Any statement entries for purchases or cash advances made in a foreign currency include the following: (1) the foreign currency transaction amount converted into Australian dollars by the applicable credit card scheme and (2) the Westpac Foreign Transaction Fee (FX Fee), being the applicable Westpac Processing Fee and the applicable Westpac On-Charged Scheme Fee.

Company Name Shire Of Chapman Valley	Number of Cards 2	Annual % Rate 15.65%
Contact Name The Shire Clerk	Facility Number 00018023 20000001	Credit Limit 10,000
Statement From 21 Oct 2014	Statement To 20 Nov 2014	Payment Due Date 01 Dec 2014
Opening Balance 88.20	Closing Balance 36.50	Available Credit 9,963.50

Summary of Changes in Your Account Since Last Statement

From Your Opening Balance of	We Deducted Payments and Other Credits	And We Added				To Arrive at Your Closing Balance of	Total Past Due / Overlimit balances
		New purchases	Cash advances	Fees, Interest & Government Charges	Miscellaneous Transactions		
88.20	88.20 -	0.00	0.00	36.50	0.00	36.50	0.00

GL 107020 Card Fees

Summary of Changes in Your Account Since Last Statement

From Your Opening Balance of	We Deducted Payments and Other Credits	And We Added				To Arrive at Your Closing Balance of	Total Past Due / Overlimit balances
		New purchases	Cash advances	Fees, Interest & Government Charges	Miscellaneous Transactions		
88.20	88.20 -	0.00	0.00	18.25	0.00	18.25	0.00

I have checked the above details and verify that they are correct.

Cardholder Signature _____

Date 28.11.14

Transactions examined and approved.

Manager/Supervisor Signature _____

Date 28.11.2014

SHIRE OF CHAPMAN VALLEY

MONTHLY FINANCIAL REPORT

For the Period Ended 30 November 2014

LOCAL GOVERNMENT ACT 1995

LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

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Shire of Chapman Valley

Compilation Report

For the Period Ended 30 November 2014

Report Purpose

This report is prepared to meet the requirements of *Local Government (Financial Management) Regulations 1996*, Regulation 34 .

Statement of Financial Activity by reporting program

Is presented on the following page and shows a surplus as at 30 November 2014 of \$3,480,705.

Note: The Statements and accompanying notes are prepared based on all transactions recorded at the time of preparation and may vary.

Preparation

Prepared by: Kristy Williams

Reviewed by: Dianne Raymond

Date prepared: 2nd December 2014

SHIRE OF CHAPMAN VALLEY
STATEMENT OF FINANCIAL ACTIVITY
(Statutory Reporting Program)
For the Period Ended 30 November 2014

Note	Original Budget	Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
Operating Revenues							
	\$		\$	\$	\$	%	
Governance	32,500	32,500	3,115	3,770	655	21.03%	
General Purpose Funding - Rates	2,199,837	2,199,837	2,199,837	2,179,617	(20,220)	(0.92%)	
General Purpose Funding - Other	906,081	906,081	451,050	480,617	29,567	6.56%	
Law, Order and Public Safety	36,365	36,365	15,145	14,487	(658)	(4.34%)	
Health	5,450	5,450	2,260	5,033	2,773	122.70%	
Education and Welfare	7,320	7,320	0	0	0		
Housing	9,360	9,360	3,900	8,051	4,151	106.44%	
Community Amenities	388,149	403,697	218,106	316,193	98,087	44.97%	▲
Recreation and Culture	73,610	73,610	30,660	41,372	10,712	34.94%	▲
Transport	131,934	131,934	107,171	103,100	(4,071)	(3.80%)	
Economic Services	20,400	20,400	8,480	16,309	7,829	92.32%	
Other Property and Services	72,750	72,750	30,310	59,784	29,474	97.24%	▲
Total Operating Revenue	3,883,756	3,899,304	3,070,034	3,228,333	158,299		
Operating Expense							
Governance	(443,203)	(443,203)	(161,475)	(121,657)	39,818	24.66%	▲
General Purpose Funding	(239,620)	(239,620)	(99,825)	(80,025)	19,800	19.83%	▲
Law, Order and Public Safety	(171,819)	(171,819)	(79,507)	(52,583)	26,924	33.86%	▲
Health	(21,333)	(21,333)	(8,880)	(6,950)	1,930	21.73%	▲
Education and Welfare	(7,839)	(7,839)	(3,260)	(523)	2,737	83.96%	▲
Housing	(32,786)	(32,786)	(13,645)	(9,599)	4,046	29.65%	▲
Community Amenities	(1,075,741)	(1,154,033)	(383,576)	(334,665)	48,911	12.75%	▲
Recreation and Culture	(515,697)	(515,697)	(209,967)	(139,845)	70,122	33.40%	▲
Transport	(1,293,611)	(1,293,611)	(553,395)	(301,483)	251,912	45.52%	▲
Economic Services	(184,995)	(184,995)	(77,040)	(59,817)	17,223	22.36%	▲
Other Property and Services	(253,407)	(253,407)	(85,627)	970	86,597	101.13%	▲
Total Operating Expenditure	(4,240,051)	(4,318,343)	(1,676,197)	(1,106,177)	570,020		
Funding Balance Adjustments							
Add back Depreciation	1,098,985	1,098,985	457,885	0	(457,885)	(100.00%)	▼
Adjust (Profit)/Loss on Asset Disposal	(10,549)	(10,549)	(10,549)	0	10,549	(100.00%)	
Adjust Provisions and Accruals	0	0	0	0	0		
Net Cash from Operations	732,141	669,397	1,841,173	2,122,156	280,983		
Capital Revenues							
Grants, Subsidies and Contributions	3,191,720	3,191,720	638,045	1,146,264	508,219	79.65%	▲
Proceeds from Disposal of Assets	85,000	85,000	0	0	0		
Total Capital Revenues	3,276,720	3,276,720	638,045	1,146,264	508,219		
Capital Expenses							
Land Held for Resale	0	0	0	0	0		
Land and Buildings	(980,748)	(980,748)	(171,467)	(25,576)	145,891	85.08%	▲
Infrastructure - Roads	(3,180,843)	(3,180,843)	(358,325)	(612,770)	(254,445)	(71.01%)	▼
Infrastructure - Parks	(272,727)	(272,727)	0	0	0		
Plant and Equipment	(743,985)	(743,985)	0	(32,453)	(32,453)		▼
Tools and Equipment	(24,136)	(24,136)	0	(13,509)	(13,509)		▼
Total Capital Expenditure	(5,202,439)	(5,202,439)	(529,792)	(684,308)	(154,516)		
Net Cash from Capital Activities	(1,925,719)	(1,925,719)	108,253	461,956	353,703		
Financing							
Proceeds from New Debentures	0	0	0	0	0		
Proceeds from Advances	0	0	0	0	0		
Self-Supporting Loan Principal	0	0	0	0	0		
Transfer from Reserves	782,462	845,206	0	0	0		
Advances to Community Groups	0	0	0	0	0		
Repayment of Debentures	(151,608)	(151,608)	(72,506)	(72,506)	0	0.00%	
Transfer to Reserves	(301,765)	(301,765)	(158,803)	(15,904)	142,899	89.99%	▲
Net Cash from Financing Activities	329,089	391,833	(231,309)	(88,410)	142,899		
Net Operations, Capital and Financing	(864,489)	(864,489)	1,718,117	2,495,702	777,585		
Opening Funding Surplus(Deficit)	864,489	864,489	864,489	985,003	120,514	13.94%	▲
Closing Funding Surplus(Deficit)	0	0	2,582,606	3,480,705	898,099		

Indicates a variance between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold. Refer to Note 2 for an explanation of the reasons for the variance.

This statement is to be read in conjunction with the accompanying Financial Statements and notes.

SHIRE OF CHAPMAN VALLEY
STATEMENT OF FINANCIAL ACTIVITY
(By Nature or Type)
For the Period Ended 30 November 2014

	Note	Annual Budget	Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$	\$	\$	\$	\$	%	
Operating Revenues								
Rates	9	2,199,837	2,199,837	2,199,837	2,179,617	(20,220)	(0.92%)	
Operating Grants, Subsidies and Contributions	11	1,215,030	1,230,578	622,105	773,085	150,980	24.27%	▲
Fees and Charges		392,040	392,040	206,149	221,407	15,258	7.40%	
Interest Earnings		65,800	65,800	27,400	46,799	19,399	70.80%	▲
Other Revenue		500	500	205	1,494	1,289	628.78%	
Profit on Disposal of Assets	8	14,338	14,338	14,338		(14,338)		
Total Operating Revenue		3,887,545	3,903,093	3,070,034	3,222,402	152,368		
Operating Expense								
Employee Costs		(1,223,219)	(1,223,219)	(509,470)	(487,669)	21,801	4.28%	
Materials and Contracts		(1,623,816)	(1,671,912)	(497,713)	(378,677)	119,036	23.92%	▲
Utility Charges		(75,975)	(75,975)	(31,625)	(14,510)	17,115	54.12%	▲
Depreciation on Non-Current Assets		(1,098,985)	(1,098,985)	(457,885)	0	457,885	100.00%	▲
Interest Expenses		(19,031)	(19,031)	(7,915)	(7,416)	499	6.30%	
Insurance Expenses		(167,025)	(167,025)	(167,025)	(170,568)	(3,543)	(2.12%)	
Other Expenditure		(32,000)	(62,196)	(775)	(41,406)	(40,631)	(5242.71%)	▼
Loss on Disposal of Assets	8	(3,789)	(3,789)	(3,789)		3,789		
Total Operating Expenditure		(4,243,840)	(4,322,132)	(1,676,197)	(1,100,246)	575,951		
Funding Balance Adjustments								
Add back Depreciation		1,098,985	1,098,985	457,885	0	(457,885)	(100.00%)	▼
Adjust (Profit)/Loss on Asset Disposal	8	(10,549)	(10,549)	(10,549)	0	10,549	(100.00%)	
Adjust Provisions and Accruals		0	0	0	0	0		
Net Cash from Operations		732,141	669,397	1,841,173	2,122,156	280,983		
Capital Revenues								
Grants, Subsidies and Contributions	11	3,191,720	3,191,720	638,045	1,146,264	508,219	79.65%	▲
Proceeds from Disposal of Assets	8	85,000	85,000	0	0	0		
Total Capital Revenues		3,276,720	3,276,720	638,045	1,146,264	508,219		
Capital Expenses								
Land Held for Resale		0	0	0	0	0		
Land and Buildings	13	(980,748)	(980,748)	(171,467)	(25,576)	145,891	85.08%	▲
Infrastructure - Roads	13	(3,180,843)	(3,180,843)	(358,325)	(612,770)	(254,445)	(71.01%)	▼
Infrastructure - Parks	13	(272,727)	(272,727)	0	0	0		
Plant and Equipment	13	(743,985)	(743,985)	0	(32,453)	(32,453)		▼
Tools and Equipment	13	(24,136)	(24,136)	0	(13,509)	(13,509)		▼
Total Capital Expenditure		(5,202,439)	(5,202,439)	(529,792)	(684,308)	(154,516)		
Net Cash from Capital Activities		(1,925,719)	(1,925,719)	108,253	461,956	353,703		
Financing								
Transfer from Reserves	7	782,462	845,206	0	0	0		
Repayment of Debentures	10	(151,608)	(151,608)	(72,506)	(72,506)	0	0.00%	
Transfer to Reserves	7	(301,765)	(301,765)	(158,803)	(15,904)	142,899	89.99%	▲
Net Cash from Financing Activities		329,089	391,833	(231,309)	(88,410)	142,899		
Net Operations, Capital and Financing		(864,489)	(864,489)	1,718,117	2,495,702	777,585		
Opening Funding Surplus(Deficit)	3	864,489	864,489	864,489	985,003	120,514	13.94%	▲
Closing Funding Surplus(Deficit)	3	0	0	2,582,606	3,480,705	898,099		

Indicates a variance between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold. Refer to Note 2 for an explanation of the reasons for the variance.

This statement is to be read in conjunction with the accompanying Financial Statements and notes.

Shire of Chapman Valley
STATEMENT OF CAPITAL ACQUISITIONS AND CAPITAL FUNDING
 For the Period Ended 30 November 2014

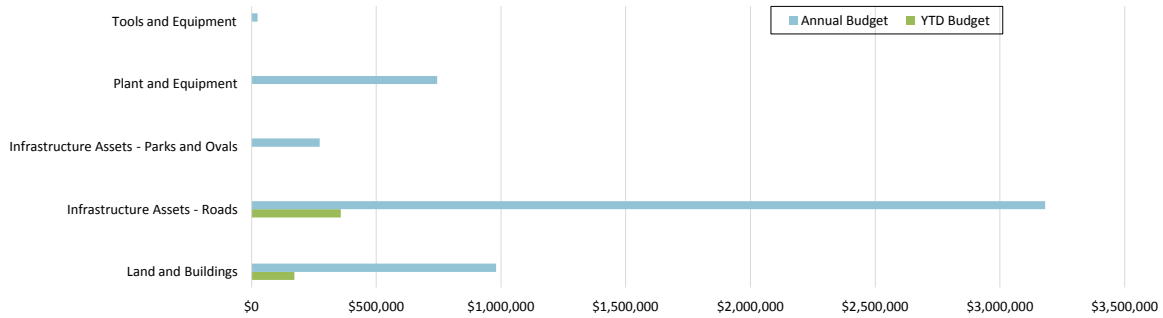
YTD 30 11 2014							
Capital Acquisitions	Note	YTD Actual New /Upgrade (a)	YTD Actual (Renewal Expenditure) (b)	YTD Actual Total (c) = (a)+(b)	YTD Budget (d)	Annual Budget	Variance (d) - (c)
		\$	\$	\$	\$	\$	\$
Land and Buildings	13		25,576	25,576	171,467	980,748	(145,891)
Infrastructure Assets - Roads	13		612,770	612,770	358,325	3,180,843	254,445
Infrastructure Assets - Parks and Ovals	13		0	0	0	272,727	0
Plant and Equipment	13		0	0	0	743,985	0
Tools and Equipment	13	13,509	0	13,509	0	24,136	13,509
Capital Expenditure Totals		13,509	638,346	651,855	529,792	5,202,439	122,063

Funded By:

Capital Grants and Contributions	1,146,264	638,045	3,191,720	508,219
Borrowings	0	0	0	0
Other (Disposals & C/Fwd)	0	0	0	0
Own Source Funding - Cash Backed Reserves				
Building Reserve	0	0	182,744	0
Unspent Grants Reserve	0	0	542,462	0
Plant Replacement Reserve	0	0	120,000	0
Total Own Source Funding - Cash Backed Reserves	0	0	845,206	0
Own Source Funding - Operations	(494,409)	(108,253)	320,307	(386,156)
Capital Funding Total	651,855	529,792	5,202,439	122,063

Comments and graphs

Capital Expenditure Program YTD



Shire of Chapman Valley
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2014

1. SIGNIFICANT ACCOUNTING POLICIES

(a) Basis of Accounting

This statement comprises a special purpose financial report which has been prepared in accordance with Australian Accounting Standards (as they apply to local governments and not-for-profit entities), Australian Accounting Interpretations, other authoritative pronouncements of the Australian Accounting Standards Board, the Local Government Act 1995 and accompanying regulations. Material accounting policies which have been adopted in the preparation of this statement are presented below and have been consistently applied unless stated otherwise.

Except for cash flow and rate setting information, the report has also been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.

Critical Accounting Estimates

The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect the application of policies and reported amounts of assets and liabilities, income and expenses.

The estimates and associated assumptions are based on historical experience and various other factors that are believed to be reasonable under the circumstances; the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

(b) The Local Government Reporting Entity

All Funds through which the Council controls resources to carry on its functions have been included in this statement.

In the process of reporting on the local government as a single unit, all transactions and balances between those funds (for example, loans and transfers between Funds) have been eliminated.

All monies held in the Trust Fund are excluded from the statement, but a separate statement of those monies appears at Note 12.

(c) Rounding Off Figures

All figures shown in this statement are rounded to the nearest dollar.

(d) Rates, Grants, Donations and Other Contributions

Rates, grants, donations and other contributions are recognised as revenues when the local government obtains control over the assets comprising the contributions. Control over assets acquired from rates is obtained at the commencement of the rating period or, where earlier, upon receipt of the rates.

(e) Goods and Services Tax

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO).

Receivables and payables are stated inclusive of GST receivable or payable.

The net amount of GST recoverable from, or payable to, the ATO is included with receivables or payables in the statement of financial position.

Cash flows are presented on a gross basis. The GST components of cash flows arising from investing or financing activities which are recoverable from, or payable to, the ATO are presented as operating cash flows.

SHIRE OF CHAPMAN VALLEY
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2014

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(f) Cash and Cash Equivalents

Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks and other short term highly liquid investments that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value and bank overdrafts.

Bank overdrafts are reported as short term borrowings in current liabilities in the statement of financial position.

(g) Trade and Other Receivables

Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business.

Receivables expected to be collected within 12 months of the end of the reporting period are classified as current assets. All other receivables are classified as non-current assets.

Collectability of trade and other receivables is reviewed on an ongoing basis. Debts that are known to be uncollectible are written off when identified. An allowance for doubtful debts is raised when there is objective evidence that they will not be collectible.

(h) Inventories

General

Inventories are measured at the lower of cost and net realisable value.

Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

Land Held for Resale

Land held for development and sale is valued at the lower of cost and net realisable value. Cost includes the cost of acquisition, development, borrowing costs and holding costs until completion of development. Finance costs and holding charges incurred after development is completed are expensed.

Gains and losses are recognised in profit or loss at the time of signing an unconditional contract of sale if significant risks and rewards, and effective control over the land, are passed on to the buyer at this point.

Land held for sale is classified as current except where it is held as non-current based on Council's intentions to release for sale.

(i) Fixed Assets

All assets are initially recognised at cost. Cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the local government includes the cost of all materials used in the construction, direct labour on the project and an appropriate proportion of variable and fixed overhead.

Certain asset classes may be revalued on a regular basis such that the carrying values are not materially different from fair value. Assets carried at fair value are to be revalued with sufficient regularity to ensure the carrying amount does not differ materially from that determined using fair value at reporting date.

SHIRE OF CHAPMAN VALLEY
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2014

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(j) Depreciation of Non-Current Assets

All non-current assets having a limited useful life are systematically depreciated over their useful lives in a manner which reflects the consumption of the future economic benefits embodied in those assets.

Depreciation is recognised on a straight-line basis, using rates which are reviewed each reporting period. Major depreciation rates and periods are:

Buildings	30 to 50 years
Furniture and Equipment	4 to 10 years
Plant and Equipment	5 to 15 years
Roads	12 to 50 years
Footpaths	40 years
Sewerage Piping	100 years
Water Supply Piping and Drainage Systems	75 years

(k) Trade and Other Payables

Trade and other payables represent liabilities for goods and services provided to the Council prior to the end of the financial year that are unpaid and arise when the Council becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are normally paid within 30 days of recognition.

(l) Employee Benefits

The provisions for employee benefits relates to amounts expected to be paid for long service leave, annual leave, wages and salaries and are calculated as follows:

(i) Wages, Salaries, Annual Leave and Long Service Leave (Short-term Benefits)

The provision for employees' benefits to wages, salaries, annual leave and long service leave expected to be settled within 12 months represents the amount the Shire has a present obligation to pay resulting from employees services provided to balance date. The provision has been calculated at nominal amounts based on remuneration rates the Shire expects to pay and includes related on-costs.

(ii) Annual Leave and Long Service Leave (Long-term Benefits)

The liability for long service leave is recognised in the provision for employee benefits and measured as the present value of expected future payments to be made in respect of services provided by employees up to the reporting date using the project unit credit method. Consideration is given to expected future wage and salary levels, experience of employee departures and periods of service. Expected future payments are discounted using market yields at the reporting date on national government bonds with terms to maturity and currency that match as closely as possible, the estimated future cash outflows. Where the Shire does not have the unconditional right to defer settlement beyond 12 months, the liability is recognised as a current liability.

SHIRE OF CHAPMAN VALLEY
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2014

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(m) Interest-bearing Loans and Borrowings

All loans and borrowings are initially recognised at the fair value of the consideration received less directly attributable transaction costs.

After initial recognition, interest-bearing loans and borrowings are subsequently measured at amortised cost using the effective interest method. Fees paid on the establishment of loan facilities that are yield related are included as part of the carrying amount of the loans and borrowings.

Borrowings are classified as current liabilities unless the Council has an unconditional right to defer settlement of the liability for at least 12 months after the balance sheet date.

Borrowing Costs

Borrowing costs are recognised as an expense when incurred except where they are directly attributable to the acquisition, construction or production of a qualifying asset. Where this is the case, they are capitalised as part of the cost of the particular asset.

(n) Provisions

Provisions are recognised when: The council has a present legal or constructive obligation as a result of past events; it is more likely than not that an outflow of resources will be required to settle the obligation; and the amount has been reliably estimated. Provisions are not recognised for future operating losses.

Where there are a number of similar obligations, the likelihood that an outflow will be required in settlement is determined by considering the class of obligations as a whole. A provision is recognised even if the likelihood of an outflow with respect to any one of item included in the same class of obligations may be small.

(o) Current and Non-Current Classification

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. The asset or liability is classified as current if it is expected to be settled within the next 12 months, being the Council's operational cycle. In the case of liabilities where Council does not have the unconditional right to defer settlement beyond 12 months, such as vested long service leave, the liability is classified as current even if not expected to be settled within the next 12 months. Inventories held for trading are classified as current even if not expected to be realised in the next 12 months except for land held for resale where it is held as non current based on Council's intentions to release for sale.

SHIRE OF CHAPMAN VALLEY
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2014

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(p) Nature or Type Classifications

Rates

All rates levied under the Local Government Act 1995. Includes general, differential, specific area rates, minimum rates, interim rates, back rates, ex-gratia rates, less discounts offered. Exclude administration fees, interest on instalments, interest on arrears and service charges.

Operating Grants, Subsidies and Contributions

Refer to all amounts received as grants, subsidies and contributions that are not non-operating grants.

Non-Operating Grants, Subsidies and Contributions

Amounts received specifically for the acquisition, construction of new or the upgrading of non-current assets paid to a local government, irrespective of whether these amounts are received as capital grants, subsidies, contributions or donations.

Profit on Asset Disposal

Profit on the disposal of assets including gains on the disposal of long term investments. Losses are disclosed under the expenditure classifications.

Fees and Charges

Revenues (other than service charges) from the use of facilities and charges made for local government services, sewerage rates, rentals, hire charges, fee for service, photocopying charges, licences, sale of goods or information, fines, penalties and administration fees. Local governments may wish to disclose more detail such as rubbish collection fees, rental of property, fines and penalties, other fees and charges.

Service Charges

Service charges imposed under Division 6 of Part 6 of the Local Government Act 1995. Regulation 54 of the Local Government (Financial Management) Regulations 1996 identifies the These are television and radio broadcasting, underground electricity and neighbourhood surveillance services. Exclude rubbish removal charges. Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

Interest Earnings

Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

Other Revenue / Income

Other revenue, which can not be classified under the above headings, includes dividends, discounts, rebates etc.

Employee Costs

All costs associate with the employment of person such as salaries, wages, allowances, benefits such as vehicle and housing, superannuation, employment expenses, removal expenses, relocation expenses, worker's compensation insurance, training costs, conferences, safety expenses, medical examinations, fringe benefit tax, etc.

Materials and Contracts

All expenditures on materials, supplies and contracts not classified under other headings. These include supply of goods and materials, legal expenses, consultancy, maintenance agreements, communication expenses, advertising expenses, membership, periodicals, publications, hire expenses, rental, leases, postage and freight etc. Local governments may wish to disclose more detail such as contract services, consultancy, information technology, rental or lease expenditures.

Utilities (Gas, Electricity, Water, etc.)

Expenditures made to the respective agencies for the provision of power, gas or water. Exclude expenditures incurred for the reinstatement of roadwork on behalf of these agencies.

SHIRE OF CHAPMAN VALLEY
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2014

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(q) Nature or Type Classifications (Continued)

Insurance

All insurance other than worker's compensation and health benefit insurance included as a cost of employment.

Loss on asset disposal

Loss on the disposal of fixed assets.

Depreciation on non-current assets

Depreciation expense raised on all classes of assets.

Interest expenses

Interest and other costs of finance paid, including costs of finance for loan debentures, overdraft accommodation and refinancing expenses.

Other expenditure

Statutory fees, taxes, provision for bad debts, member's fees or levies including WA Fire Brigade Levy and State taxes. Donations and subsidies made to community groups.

(r) Statement of Objectives

Council has adopted a 'Plan for the future' comprising a Strategic Community Plan and Corporate Business Plan to provide the long term community vision, aspirations and objectives.

Based upon feedback received from the community the vision of the Shire is:

"We are a thriving community, making the most of our coastline, ranges and rural settings to support us to grow and prosper".

The Strategic Community Plan defines the key objectives of the Shire as:

Economic: Business development and attraction.

Leadership: Engagement and communication

Community: Maintaining and growing the population

Environment: Protection and sustainability

(s) Reporting Programs

Council operations as disclosed in this statement encompass the following service orientated activities/programs:

GOVERNANCE

Expenses associated with provision of services to members of council and elections. Also included are costs associated with computer operations, corporate accounting, corporate records and asset management. Costs reported as administrative expenses are redistributed in accordance with the principle of activity based costing (ABC).

GENERAL PURPOSE FUNDING

Rates and associated revenues, general purpose government grants, interest revenue and other miscellaneous revenues such as commission on Police Licensing. The costs associated with raising the above mentioned revenues, eg. Valuation expenses, debt collection and overheads.

LAW, ORDER, PUBLIC SAFETY

Enforcement of Local Laws, fire prevention, animal control and provision of ranger services.

HEALTH

Health inspection services, food quality control, mosquito control and contributions towards provision of medical health services.

SHIRE OF CHAPMAN VALLEY
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2014

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(s) Reporting Programs (Continued)

HOUSING

Provision and maintenance of rented housing accommodation for pensioners and employees.

COMMUNITY AMENITIES

Sanitation, sewerage, stormwater drainage, protection of the environment, public conveniences, cemeteries and town planning.

RECREATION AND CULTURE

Parks, gardens and recreation reserves, library services, television and radio re-broadcasting, swimming facilities, walk trails, youth recreation, Shark Bay World Heritage Discovery and Visitor Centre, boat ramps, foreshore, public halls and Shark Bay Recreation Centre.

TRANSPORT

Construction and maintenance of roads, footpaths, drainage works, parking facilities, traffic control, depot operations, plant purchase, marine facilities and cleaning of streets.

ECONOMIC SERVICES

Tourism, community development, pest control, building services, caravan parks and private works.

OTHER PROPERTY & SERVICES

Plant works, plant overheads and stock of materials.

Shire of Chapman Valley
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2014

Note 2: EXPLANATION OF MATERIAL VARIANCES

Reporting Program	Var. \$	Var. %	Var.	Timing/ Permanent	Explanation of Variance
Operating Revenues	\$	%			
Governance	655	21.03%			Below \$10,000
General Purpose Funding - Rates	(20,220)	(0.92%)			Excess rates recognised in 13/14
General Purpose Funding - Other	29,567	6.56%	▲	Timing	Grant funding received earlier than expected
Law, Order and Public Safety	(658)	(4.34%)	▲		Below \$10,000
Health	2,773	122.70%			Below \$10,000
Education and Welfare	0				On budget
Housing	4,151	106.44%	▲		Below \$10,000
Community Amenities	98,087	44.97%		Timing	Landcare grants received earlier than expected
Recreation and Culture	10,712	34.94%		Timing	Camping fees received are higher than YTD budget
Transport	(4,071)	(3.80%)	▲	Permanent	Below \$10,000
Economic Services	7,829	92.32%	▲		Below \$10,000
Other Property and Services	29,474	97.24%	▲	Permanent	Insurance claims/workers comp received
Operating Expense					
Governance	39,818	19.83%	▲		Depreciation not calculated until after audit (Dec 2014)
General Purpose Funding	19,800	33.86%	▲	Timing	Admin allocation are under due to depreciation
Law, Order and Public Safety	26,924	21.73%	▲	Timing	Depreciation not calculated until after audit (Dec 2014)
Health	1,930	83.96%	▲	Timing	Below \$10,000
Education and Welfare	2,737	29.65%	▲	Timing	Below \$10,000
Housing	4,046	12.75%	▲	Timing	Below \$10,000
Community Amenities	48,911	33.40%	▲	Timing	Refuse collection costs have been delayed
Recreation and Culture	70,122	45.52%	▲	Timing	A number of areas are lower than YTD budget
Transport	251,912	22.36%	▲	Timing	Depreciation not calculated until after audit (Dec 2014)
Economic Services	17,223	101.13%	▲	Timing	Depreciation not calculated until after audit (Dec 2014)
Other Property and Services	86,597	0.00%		Timing	Timing difference for allocations
Capital Revenues					
Grants, Subsidies and Contributions	508,219	79.65%	▲	Timing	Roadwork and Yuna Community Centre grants received earlier than expected
Proceeds from Disposal of Assets	0				
Capital Expenses					
Land and Buildings	145,891	85.08%	▲	Timing	Timing, projects yet to commence
Infrastructure - Roads	(254,445)	(71.01%)	▼	Timing	Timing of works program
Infrastructure - Parks	0				
Plant and Equipment	(32,453)		▼		Ranger utility purchased earlier than YTD prediction
Tools and Equipment	(13,509)		▼		Autocad purchased earlier than YTD budget
Financing					
Loan Principal	0	0.00%		Timing	Below \$10,000
Transfers to reserves	142,899	89.99%	▲	Timing	Reserve transfers to occur in December

Shire of Chapman Valley
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2014

Note 3: NET CURRENT FUNDING POSITION

				Positive=Surplus (Negative=Deficit)		
				YTD 30 Nov	30th June 2013	YTD 30 Nov
				2014	2013	2013
Note	\$	\$	\$			
Current Assets						
Cash Unrestricted	4	3,157,268	1,187,960	2,079,243		
Cash Restricted	4	1,667,648	1,159,147	1,144,906		
Receivables - Rates	6	349,271	93,351	407,568		
Receivables -Other	6	32,324	99,566	306,228		
Interest / ATO Receivable/Trust		4,702	99,753	0		
Inventories		3,653	10,600	10,600		
		5,214,866	2,650,377	3,948,545		
Less: Current Liabilities						
Payables		(66,513)	(418,309)	(50,751)		
ATO Payable		0	0	(29,046)		
Provisions		(343,551)	(256,491)	(256,491)		
		(410,064)	(674,800)	(336,288)		
Less: Cash Reserves	7	(1,667,648)	(1,147,048)	(1,144,906)		
Add: Leave Provisions		343,551	256,491	256,491		
Net Current Funding Position		3,480,705	1,085,020	2,723,842		

Shire of Chapman Valley
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2014

Note 4: CASH AND INVESTMENTS

	Interest Rate	Unrestricted \$	Restricted \$	Trust \$	Total Amount \$	Institution	Maturity Date
(a) Cash Deposits							
At Call (000040)		38,080			38,080	WBC	
At Call (305784)		2,417,996			2,417,996	WBC	
TD 473702		100,492					
TD 473710		600,000					
At Call (000067)				120,844	120,844	WBC	
Cash On Hand		700			700		
(b) Term Deposits							
TD 39-6911 - Leave	2.10%		41,695		41,695	WBC	
TD 39-6938 - Water	2.10%		13,666		13,666	WBC	
TD 39-6903 - Office	2.10%		8,197		8,197	WBC	
TD 39-2531 - Vehicle	2.10%		121,555		121,555	WBC	
TD 39-2582 - Legal	2.10%		28,077		28,077	WBC	
TD 39-6946 - Grants	2.10%		547,711		547,711	WBC	
TD 39-2574 - Land	2.10%		118,782		118,782	WBC	
TD 39-2590 - Roadworks	2.10%		111,261		111,261	WBC	
TD 39-2582 - Landcare	2.10%		83,889		83,889	WBC	
TD 39-2558 - Building	2.10%		592,815		592,815	WBC	
TD 462763 - POS Bill Hemsley P	3.42%			279,001	279,001	WBC	11.02.2015
TD 454181 - POS Wokarena	3.38%			125,070	125,070	WBC	30.01.2015
TD 454202 - Wokarena Interse	3.38%			111,051	111,051	WBC	30.01.2015
Total		3,157,268	1,667,648	635,966	4,760,390		

Comments/Notes - Investments

Shire of Chapman Valley
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2014

Note 5: BUDGET AMENDMENTS

Amendments to original budget since budget adoption. Surplus/(Deficit)

GL Account Code	Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
				\$	\$	\$	\$
	Budget Adoption		Opening Surplus				0
	Permanent Changes						
	Opening surplus adjustment				0		0
122130.19	Declared Species Grant Income		Operating Revenue		15,548		15,548
120420.02	Declared Species Group Expense		Operating Expenses			(31,096)	(15,548)
120220.02	Landcare Expenditure		Operating Expenses			(2,000)	(17,548)
120550.99	Transfer from Landcare Reserve		Capital Revenue		47,744		30,196
119320.09	Reimbursement of Grant Funds		Operating Expenses			(30,196)	0
131320.02	Community Development Expenses		Operating Expenses			(5,226)	(5,226)
171550.99	Transfer from Building Reserve		Capital Revenue		14,926		9,700
136330.18	Community Development Expenses		Operating Revenue			(9,700)	0
171550.99	Transfer from Building Reserve		Capital Revenue				0
				0	78,218	(78,218)	

Shire of Chapman Valley
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2014

Note 6: RECEIVABLES

Receivables - Rates Receivable

	YTD 30 Nov 2014	30 June 2013
	\$	\$
Opening Arrears Previous Years	74,593	93,351
Levied this year	2,179,617	2,073,347
Refuse levied this year	96,850	
<u>Less</u> Collections to date	(2,001,789)	(2,092,105)
Equals Current Outstanding	349,271	74,593
Net Rates Collectable	349,271	74,593
% Collected	88.80%	96.56%

Receivables - General

	Current	30 Days	60 Days	90+Days
	\$	\$	\$	\$
Receivables - General	1,906	27,500	0	2,918
Total Receivables General Outstanding				<u>32,324</u>

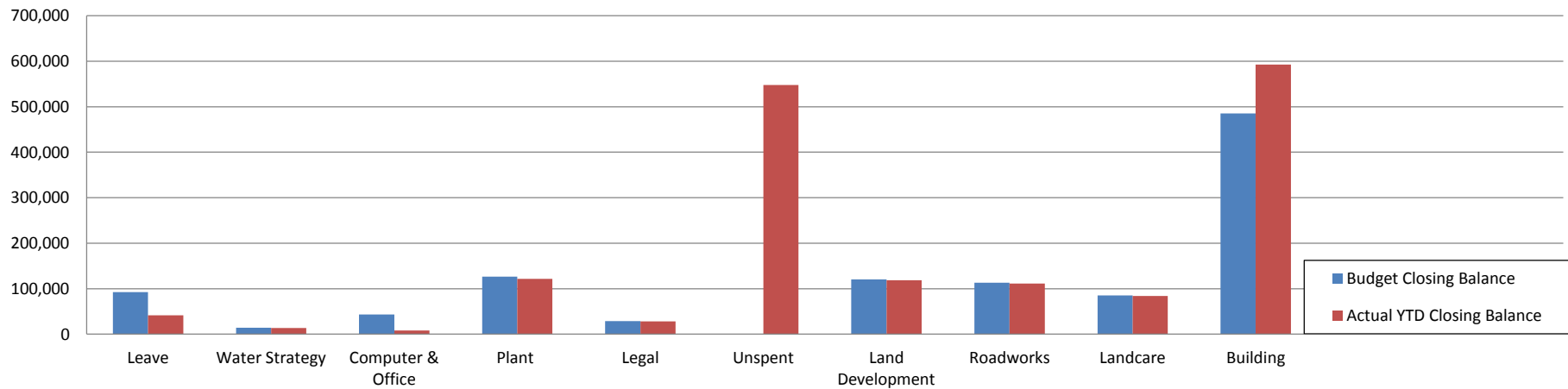
Amounts shown above include GST (where applicable)

Shire of Chapman Valley
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2014

Note 7: Cash Backed Reserve

2014-15										
Name	Opening Balance	Budget Interest Earned	Actual Interest Earned	Budget Transfers In (+)	Actual Transfers In (+)	Budget Transfers Out (-)	Actual Transfers Out (-)	Transfer out Reference	Budget Closing Balance	Actual YTD Closing Balance
	\$	\$	\$	\$	\$	\$	\$		\$	\$
Leave	41,295	1,000	400	50,000	0	0	0		92,295	41,695
Water Strategy	13,535	350	131	0	0	0	0		13,885	13,666
Computer & Office	8,197	300	0	35,065	0	0	0		43,562	8,197
Plant	120,390	1,000	1,165	125,000		(120,000)	0		126,390	121,555
Legal	27,808	650	269	0	0	0	0		28,458	28,077
Unspent	542,462	0	5,249	0	0	(542,462)	0		0	547,711
Land Development	117,644	2,700	1,138	0	0	0	0		120,344	118,782
Roadworks	110,195	2,700	1,066	0	0	0	0		112,895	111,261
Landcare	83,085	2,000	804	0		0	0	08/14-8	85,085	83,889
Building	587,133	16,000	5,682	65,000		(182,744)	0	08/14-8	485,389	592,815
	1,651,744	26,700	15,904	275,065	0	(845,206)	0		1,108,303	1,667,648

Note 7 - Year To Date Reserve Balance to End of Year Estimate



Shire of Chapman Valley
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2014

Note 8 CAPITAL DISPOSALS

Actual YTD Profit/(Loss) of Asset Disposal				Disposals	Current Budget			Comments
Cost	Accum Depr	Proceeds	Profit (Loss)		Full Year			
					Annual Budget Profit/(Loss)	Actual Profit/(Loss)	Variance	
\$	\$	\$	\$	\$	\$	\$		
0	0	0	0	Plant and Equipment				
0	0	0	0	Kubota Mower (2008)	(14,338)	0	14,338	
				Isuzu Tip Truck (2000)	3,789	0	(3,789)	
				Housing				
0	0	0	0	Yuna Residence	0	0	0	
0	0	0	0		(10,549)	0	10,549	

Comments - Capital Disposal/Replacements

Shire of Chapman Valley
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2014

Note 9: RATING INFORMATION

RATE TYPE	Rate in \$	Number of Properties	Rateable Value \$	Rate Revenue \$	Interim Rates \$	Back Rates \$	Total Revenue \$	Budget Rate Revenue \$	Budget Interim Rate \$	Budget Back Rate \$	Budget Total Revenue \$
Differential General Rate											
GRV	6.9473	232	4,301,956	298,870	14,820	2,264	315,954	298,870	0	0	298,870
UV Rural	0.9067	399	177,982,013	1,613,763	(320)	0	1,613,443	1,613,763	0	0	1,613,763
UV Oakajee	1.8134	3	9,134,000	165,636	0	0	165,636	165,636	0	0	165,636
Sub-Totals		634	191,417,969	2,078,269	14,500	2,264	2,095,033	2,078,269	0	0	2,078,269
	Minimum \$										
Minimum Payment											
GRV	516.00	221	1,214,434	115,068	0	0	115,068	115,068	0	0	115,068
UV Rural	325.00	20	123,690	6,500	0	0	6,500	6,500	0	0	6,500
UV Oakajee Industrial Estate	325.00	0	0	0	0	0	0	0	0	0	0
Sub-Totals		241	1,338,124	121,568	0	0	121,568	121,568	0	0	121,568
Concession							2,216,601				2,199,837
Amount from General Rates							0				0
Ex-Gratia Rates											0
Excess Rates							(36,984)				0
Totals							2,179,617				2,199,837

Comments - Rating Information

Shire of Chapman Valley
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2014

10. INFORMATION ON BORROWINGS

(a) Debenture Repayments

Particulars	Principal 1-Jul-13	New Loans	Principal Repayments		Principal Outstanding		Interest Repayments	
			Actual \$	Budget \$	Actual \$	Budget \$	Actual \$	Budget \$
Loan 89 - Stadium Upgrade	54,293		1,723	7,050	52,570	47,243	828	3,154
Loan 94 - Buller Study	22,379		11,027	21,120	11,352	1,259	686	2,248
Loan 93 - Plant	75,377		37,190	75,377	38,187	0	2,117	3,238
Loan 95 - Plant	43,293		8,635	19,941	34,658	23,352	929	2,958
Loan 96 - Plant	151,500		13,931	28,120	137,569	123,380	2,846	5,433
	346,842	0	72,506	151,608	274,336	195,234	7,406	17,031

All debenture repayments were financed by general purpose revenue.

(b) New Debentures

No new debentures were raised during the reporting period.

Shire of Chapman Valley
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2014

Note 11: GRANTS AND CONTRIBUTIONS

Program/Details GL	Grant Provider	Approval	2014-15 Budget	Variations Additions (Deletions)	Operating	Capital	Recoup Status	
							Received	Not Received
		(Y/N)	\$	\$	\$	\$	\$	\$
GENERAL PURPOSE FUNDING								
Grants Commission - General	WALGGC		494,172	0	494,172	0	248,808	245,364
Grants Commission - Roads	WALGGC		325,091	0	325,091	0	163,433	161,658
Ex Gratia Rates	CBH	Y	9,018	0	9,018	0	9,551	(533)
GOVERNANCE								
Minor Income Received	Not specified		500	0	500	0	314	186
Experience Funds	LGIS		6,500	0	6,500	0	2,816	3,684
Workforce Planning	Dept of Local Gov & Reg Development		25,000	0	25,000	0	0	25,000
Other / Minor							639	
LAW, ORDER, PUBLIC SAFETY								
FESA Capital Grant	Dept. of Fire & Emergency Serv.		550,000	0	0	550,000	0	550,000
FESA Grant - Operating Bush Fire Brigade	Dept. of Fire & Emergency Serv.		28,140	0	28,140	0	8,000	20,140
				0	0	0	0	0
HOUSING								
Other / Minor				0	0	0	0	0
COMMUNITY AMENITIES								
Waste Management Improvement Plan	BROC		18,400	0	18,400	0	0	18,400
Invasive Species Project	Midwest Ports Authority		26,300	0	26,300	0	19,100	7,200
Invasive Species Project	Landcorp		10,000	0	10,000	0	10,000	0
Invasive Species Project	Dept of Agriculture & Food WA						22,000	(22,000)
Protecting Waterways & Remnant Vegetation	Chapman River		25,000	0	25,000	0	25,000	0
Moresby Ranges Stage 4			25,000	0	25,000	0	25,000	0
Coastal Management Plan	Dept of Planning		30,000	0	30,000	0	0	30,000
Declared Species			7,449	15,548	22,997	0	22,996	1
Dolby Creek Management Plan	Trust recoup						10,690	
Eliza Shaw Fencing Project	Main Roads WA		0	0	0	0	26,044	0
Buller Development Zone Structure Plan	Dept of Planning	See Note	41,696	(41,696)	0	0	0	0
Nabawa Townsite Revitalisation Plan	Dept of Planning	below	30,779	(30,779)	0	0	0	0
Mens Shed Project	Lotterywest		42,974	0	0	42,974	0	42,974
Mens Shed Project	National Menshed		7,500	(7,500)	0	0	0	0
Mens Shed Project	FRRR		2,200	(2,200)	0	0	0	0
Community Awareness Event	Mental Health Commission						9,600	
Dept of Sport and Rec	Pool revitalisation						8,128	
Other / Minor							2,066	

Program/Details GL	Grant Provider	Approval	2014-15 Budget	Variations Additions (Deletions)	Operating	Capital	Recoup Status	
							Received	Not Received
RECREATION AND CULTURE								
Transfer from Trust	Developer Contribution		272,727	0	0	272,727	0	272,727
Yuna Community Centre	YFIG		100,000	0	0	100,000	100,470	(470)
Yuna Community Centre	Lotterywest		200,000	0	0	200,000	0	200,000
Yuna Community Centre	MW Development Commission		250,000	0	0	250,000	125,000	125,000
Yuna Community Centre	Dept of Sport and Rec		150,000	0	0	150,000	0	150,000
Museum Extension	CVHS and other		60,000	0	0	60,000	0	60,000
Heritage Trails	Community Heritage Programs		25,000	0	0	25,000	0	25,000
TRANSPORT								
Insurance Reimbursement							15,606	
Dartmoor Road	Hudson Resources		12,585	0	12,585	0	0	12,585
Direct Road Grant	Main Roads WA		99,400	0	99,400		99,400	0
Commodity Route Funding - East Nabawa Road	Main Roads WA		50,000	0	0	50,000	20,000	30,000
RRG - Dartmoor Road (13/14 project)	Main Roads WA		117,986	0	0	117,986	91,461	26,525
RRG - Dartmoor Road (14/15 project)	Main Roads WA		300,000	0	0	300,000	120,000	180,000
RRG - Yuna Tenindewa Road	Main Roads WA		223,333	0	0	223,333	89,333	134,000
Roads to Recovery - East Bowes Road			240,000	0	0	240,000	0	240,000
Royalties for Regions - East Bowes Road			600,000	0	0	600,000	600,000	0
OTHER								
Workers Compensation			0	0	0	0	28,270	0
Diesel Fuel Rebate							15,624	
TOTALS			4,406,750	(66,627)	1,158,103	3,182,020	1,919,349	2,537,441

Operating	Operating	1,215,030	1,158,103	0	773,085
Non-Operating	Non-operating	3,191,720	0	3,182,020	1,146,264
Note:		<u>4,406,750</u>	<u>1,158,103</u>	<u>3,182,020</u>	<u>1,919,349</u>

Buller Development Structure Plan and Nabawa Townsite Revitalisation Plan were incorrectly budgeted for as grant income. There has been a duplication in that the funds were received in 13/14 and carried forward in the Unspent Grant Funds Reserve. This duplication creates a shortfall in the budget of \$72,475. This was identified by staff at the same time as it was realised that \$130,210 of 13/14 road grant funds was not included in the estimated closing position of 13/14. During the process of the audit there are other changes that affect the closing position, it is only ever an estimate at the time for the budget. Staff have been tracking all changes/amendments and as the net effect is a small positive affect on the 14/15 budgeted closing position there has been no need for Council to amend any budgeted projects. Once the audit is finalised the changes will be presented to Council at the December meeting to approve budget amendments.

Shire of Chapman Valley
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2014

Note 12: TRUST FUND

Funds held at balance date over which the Shire has no control and which are not included in this statement are as follows:

Description	Opening Balance 1 Jul 14	Amount Received	Amount Paid	Closing Balance 30-Nov-14
	\$	\$	\$	\$
Bonds - Hall Hire	0	(1,050)	525	(525)
Nomination Deposits	0	0	0	0
Building Commission	(86)	(5,719)	3,577	(2,228)
CTF Levy	(100)	(11,276)	5,875	(5,501)
Yuna Swimming Pool Subsidy	0	0	0	0
Sale of Land	0	0	0	0
Social Club	(90)	0	90	0
Refundable Deposit	0	(4,000)	0	(4,000)
Contribution from Sub-divider	(736,425)	(5,101)	48,545	(692,981)
Post Office Deposit Income	(940)	0	0	(940)
Engineering Bond	0	0	0	0
Engineering Bond	(10,000)	0	0	(10,000)
Unclaimed Monies	0	0	0	0
Standpipe Card Bond Income	(100)	0	0	(100)
Wokarena Height Development	80,809	0	0	80,809
Bonds - Council Houses	0	(1,940)	1,440	(500)
	(666,932)	(29,086)	60,052	(635,966)

- Level of Completion Indicators
- 0% ○
 - 20% ○
 - 40% ●
 - 60% ●
 - 80% ●
 - 100% ●

SHIRE OF CHAPMAN VALLEY
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2014

Note 13: CAPITAL ACQUISITIONS

YTD 31 July 2014									
Level of Completion Indicator	Infrastructure Assets	Responsible Officer	Annual Budget	Revised Budget	YTD Budget	YTD Actual	Variance (Under)/Over	YTD Actual (Renewal Exp)	Strategic Reference / Comment
Land and Buildings									
Governance									
○	Install small shed to store generator	A Abbott	105640	6,000	5,000	0	(5,000)	0	Complete during close down
○	Repair and Repaint Office	A Abbott	105640	9,000	0	0	0	0	
○	Governance Total			15,000	5,000	0	(5,000)	0	
Community Amenities									
○	Nabawa Cemetery parking / entry statement	E Kelly	124150	29,748	9,916	0	(9,916)	0	
○	Community Amenities Total			29,748	9,916	0	(9,916)	0	
Recreation and Culture									
○	Yuna Community Centre Construction	A Abbott	126440	805,000	0	12,689	12,689	0	Grant approved - tender process complete; construction commence Jan 15
○	Ticket Box at the Nabawa Showgrounds	A Abbott	126440	5,000	0	0	0	0	
○	Nabawa Sports Complex (deck, power, concrete slab)	A Abbott	128340	24,500	126,555	12,887	(113,668)	0	Onsite meeting Building Committee; deck 40% complete; power 95% complete
○	BBQ at Centenary Park	A Abbott	128340	6,500	0	0	0	0	
○	Nanson Museum Extensions	A Abbott	136040	80,000	26,664	0	(26,664)	0	
○	Coronation Beach Campground - additional sites	E Kelly	171640	5,000	0	0	0	0	
○	Recreation And Culture Total			926,000	153,219	25,576	(127,643)	0	
Transport									
○	Power to Yuna Depot	S Lancaste	132640	10,000	3,332	0	(3,332)	0	
○	Transport Total			10,000	3,332	0	(3,332)	0	
○	Buildings Total			980,748	171,467	25,576	(145,391)	0	
Infrastructure - Roads									
Transport									
○	East Bowes Road	E Kelly	131250	1,061,641	0	67,687	67,687	0	Grants rec'd; seal scheduled Jan/Feb 15
●	Yuna Tenindewa Road	E Kelly	131260	335,000	250,000	232,282	(17,718)	0	Completion November
●	Dartmoor Road - finish 13/14 job	E Kelly	131260	0	0	76,454	76,454	0	
●	Dartmoor Road	E Kelly	131260	450,000	108,325	214,670	106,345	0	Completion November
○	East Nabawa Raod	E Kelly	131260	75,000	0	304	304	0	Grant funded projects to be completed prior to commencing Shire works
○	Valentine Road	E Kelly	131840	198,333	0	0	0	0	
○	Nolba Road	E Kelly	131840	197,461	0	0	0	0	
○	Wandana Road	E Kelly	131840	229,107	0	6,800	6,800	0	
○	Cannon Whelarra Road	E Kelly	131840	73,747	0	0	0	0	
○	Richards Road	E Kelly	131840	94,064	0	1,187	1,187	0	
○	Dolby Road	E Kelly	131840	89,713	0	6,290	6,290	0	
○	Bella Vista	E Kelly	131840	116,129	0	0	0	0	
○	Parkfalls Estate	E Kelly	131840	26,694	0	0	0	0	
○	Wheeldon Hosking/Naralling East intersection	E Kelly	131840	133,026	0	4,440	4,440	0	
○	Nanson Showground driveway	E Kelly	131840	26,781	0	2,656	2,656	0	
○	Contingency	E Kelly	131840	74,147	0	0	0	0	
○	Transport Total			3,180,843	358,325	612,770	254,445	0	
○	Infrastructure - Roads Total			3,180,843	358,325	612,770	254,445	0	

SHIRE OF CHAPMAN VALLEY
 NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
 For the Period Ended 30 November 2014

Note 13: CAPITAL ACQUISITIONS

YTD 31 July 2014									
Level of Completion Indicator	Infrastructure Assets	Responsible Officer	Annual Budget	Revised Budget	YTD Budget	YTD Actual	Variance (Under)/Over	YTD Actual (Renewal Exp)	Strategic Reference / Comment
	Infrastructure - Parks and Ovals								
	Recreation and Culture								
○	Bill Hemsley Park	S Lancast	128340	272,727	0	0	0	0	Subject to MOU & Council Endorsement; Meeting 7/11 for Draft Concept Plan
○	Recreation and Culture Total			272,727	0	0	0	0	
○	Infrastructure - Parks and Ovals Total			272,727	0	0	0	0	
	Tools and Equipment								
	Transport								
○	2 x Traffic Classifiers	E Kelly	175740	9,700	0	0	0	0	Complete November
●	Auto Cad Network Licence	E Kelly	175740	14,436	0	13,509	13,509	0	
○	Transport Total			24,136	0	13,509	13,509	0	
○	Tools and Equipment Total			24,136	0	13,509	13,509	0	
	Plant , Equip. & Vehicles								
	Law, Order And Public Safety								
●	Rangers Vehicle		108740	35,000	0	32,453	32,453	0	Grant Unsuccessful - not to proceed Grant approved - tender process complete
○	2.4 Rural Fire Appliance (Howatharra)		108840	350,000	0	0	0	0	
○	2 Bay Shed (Howatharra)		108840	200,000	0	0	0	0	
○	Law, Order And Public Safety Total			585,000	0	32,453	32,453	0	
○	Economic Services								
○	Spray Unit		144040	15,000	0	0	0	0	
○	Economic Services Total			15,000	0	0	0	0	
	Recreation And Culture								
○	Slasher and Minor Equipment - Western Regions Maintenance in-ho	E Kelly	113040	0	8,000	0	0	0	
○	Recreation And Culture Total			0	8,000	0	0	0	
	Transport								
○	Tandem Trailer		135540	2,000	0	0	0	0	
○	RO Mower		135540	27,463	0	0	0	0	
○	Tipper Truck		135540	65,000	0	0	0	0	
○	Utility (Works Supervisor)		135540	49,522	0	0	0	0	
○	Transport Total			143,985	0	0	0	0	
○	Plant , Equip. & Vehicles Total			743,985	8,000	32,453	32,453	0	
○	Capital Expenditure Total			5,202,439	8,000	529,792	684,308	154,516	0

9.3

Chief Executive Officer

December 2014

Contents

9.3 AGENDA ITEMS

- 9.3.1 2013/2014 Annual Report and Annual General Meeting of Electors
- 9.3.2 Internal Audit
- 9.3.3 Donation - Australia Day 2015 Function
- 9.3.4 Yuna Multipurpose Community Centre
- 9.3.5 Waste Oil Facilities
- 9.3.6 Monsignor Hawes Interpretative Signage Project Plan
- 9.3.7 Mid West Development Commission - Grant Applications

AGENDA ITEM:	9.3.1
SUBJECT:	2013/2014 ANNUAL REPORT AND ANNUAL GENERAL MEETING OF ELECTORS
PROPONENT:	CHIEF EXECUTIVE OFFICER
SITE:	WHOLE OF SHIRE
FILE REFERENCE:	413.01
PREVIOUS REFERENCE:	NA
AUTHOR:	MAURICE BATTILANA

DISCLOSURE OF INTEREST

Nil

REPORT PURPOSE

To accept the Shire of Chapman Valley 2013/2014 Annual Report, receive the Auditors Report and Management Letter (provided under separate cover).

Council is also being requested to set a date for the Annual General Meeting of Electors as required by s5.27 'Electors General Meeting' of the *Local Government Act 1995* no later than 3rd February 2015.

BACKGROUND

The Shire of Chapman Valley received the Auditors report from UHY Haines Norton for the 2013/2014 Annual Financial Report early December 2014.

The Shire of Chapman Valley last held the Annual General Meeting of Electors for 2012/2013 on the 4th February 2014 at the Council Chambers, Nabawa. This meeting commenced at 6.00pm.

The Local Government Act 1995 states the following;

“5.27. Electors’ general meetings

- (1) *A general meeting of the electors of a district is to be held once every financial year.*
- (2) *A general meeting is to be held on a day selected by the local government but not **more than 56 days after the local government accepts the annual report** for the previous financial year.*
- (3) *The matters to be discussed at general electors’ meetings are to be those prescribed.”*

5.29. Convening electors’ meetings

- (1) *The CEO is to convene an electors’ meeting by giving —*
 - (a) *at least 14 days’ local public notice; and*
 - (b) *each council member at least 14 days’ notice, of the date, time, place and purpose of the meeting.*
- (2) *The local public notice referred to in subsection (1)(a) is to be treated as having commenced at the time of publication of the notice under section 1.7(1)(a) and is to continue by way of exhibition under section 1.7(1)(b) and (c) until the meeting has been held.*

5.32. Minutes of electors’ meetings

The CEO is to —

- (a) *cause minutes of the proceedings at an electors’ meeting to be kept and preserved; and*

- (b) ensure that copies of the minutes are made available for inspection by members of the public before the council meeting at which decisions made at the electors' meeting are first considered.

5.33. Decisions made at electors' meetings

- (1) All decisions made at an electors' meeting are to be considered at the next ordinary council meeting or, if that is not practicable —
- (a) at the first ordinary council meeting after that meeting; or
- (b) at a special meeting called for that purpose, whichever happens first.
- (2) If at a meeting of the council a local government makes a decision in response to a decision made at an electors' meeting, the reasons for the decision are to be recorded in the minutes of the council meeting.

5.54. Acceptance of annual reports

- (1) Subject to subsection (2), the annual report for a financial year is to be accepted* by the local government **no later than 31 December after that financial year.**

* Absolute majority required.

5.55. Notice of annual reports

The CEO is to give local public notice of the availability of the annual report as soon as practicable after the report has been accepted by the local government.

COMMENT

The Staff Recommendation below is suggesting the date, time and location to hold the Annual Electors Meeting as being:

- ~ **Tuesday 3rd February 2015**
- ~ **Commencing at 6.00pm**
- ~ **Council Chambers, Nabawa**

Bearing in mind the Act stipulates the Annual Electors Meeting must be held not more than 56 days after the local government accepts the annual report for the previous financial year. Therefore the latest date the meeting could be held is the 3rd February 2015.

It is important to maximise attendances at the Annual Electors Meeting by constituents, hence the Staff Recommendation has suggested a date and time, which is after the harvest and school holiday periods.

STATUTORY ENVIRONMENT

Local Government Act 1995

POLICY IMPLICATIONS

No existing Policy/procedure relevant.

FINANCIAL IMPLICATIONS

Nil affect

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

Nil affect

STRATEGIC IMPLICATIONS

It is appropriate to conduct the Annual Meeting of Electors to retain open and accountable procedures and communication with the Shire's constituents

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

Nil affect

VOTING REQUIREMENTS

Absolute Majority Vote Required

STAFF RECOMMENDATION

Council:

- 1 Accepts the Annual Report for the 2013/2014 Financial Year as required by s5.54 of the *Local Government Act 1995*. (Absolute Majority Vote Required);
- 2 Receives the Auditors report for 2013/2014;
- 3 Receives the Auditors Management letter 2013/2014;
- 4 Sets the date for the Annual Electors Meeting for Tuesday 3rd February 2015 commencing 6.00pm at the Nabawa Council Chamber;
- 5 Advertises the AGM for at least two weeks;
- 6 Approves the CEO to give local public notice of the availability of the Annual Report as required by s5.55 of the Act;
- 7 Provides a copy of the Shire of Chapman Valley 2013/2014 Annual Report to the Director General of the Department of Local Government.

AGENDA ITEM:	9.3.2
SUBJECT:	INTERNAL AUDIT
PROPONENT:	CHIEF EXECUTIVE OFFICER
SITE:	WHOLE OF SHIRE
FILE REFERENCE:	305.00
PREVIOUS REFERENCE:	NA
AUTHOR:	MAURICE BATTILANA

DISCLOSURE OF INTEREST

Nil

REPORT PURPOSE

To comply with the requirements the *Local Government (Audit) Regulations, 1996* for an internal control audit to be undertaken at least once every two years.

BACKGROUND

The State Government gazetted new legislation in February 2013 under Clause 17 of the *Local Government (Audit) Regulations, 1996*, which requires a local government authority to undertake internal control audit at least once every two years, with the first of these audits to be completed by the 31st December 2014.

COMMENT

The Local Government Act 1995 (the Act) requires that all local governments establish an audit committee. An audit committee plays a key role in assisting a local government to fulfil its governance and oversight responsibilities in relation to financial reporting, internal control structure, risk management systems, legislative compliance, ethical accountability and the internal and external audit functions.

The CEO is required to provide biennial reviews of the appropriateness and effectiveness of the Shire's systems and procedures in regard to risk management, internal control and legislative compliance to the Audit Committee, who will review this along with the results of the annual Compliance Audit Return.

The biennial review will require an internal audit carried out by a person who is not involved in the operational management of the Shire or the functions being audited. Internal auditing is an independent, objective assurance and consulting activity designed to add value and improve an organisation's operations. It helps an organisation accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control, and governance processes. The attached reporting tool has been developed by an external local government consultant (in good faith) to assist local governments in addressing the legislative requirements of Regulation 17 of *Local Government (Audit) Regulations, 1996*.

The reporting tool will assist local governments to assess and report on their internal environment, functions and procedures for inclusion in the CEO biennial review, and to support organisational development and continuous improvement.

After discussions with the local government consultant it was agreed Kristy Williams was far enough removed from the Shire of Chapman Valley's operational management and functions as well as being familiar with the Shire to be able to independently undertake the audit.

The intention of this Agenda Item is to advise Council the internal audit has been completed and will be presented to the Finance & Audit Committee in early 2015 for review and report back to Council on its comments/recommendations. This timing was considered appropriate as the internal audit review can be considered by the Finance & Audit Committee at the same time the Committee considers the annual Compliance Audit Return.

STATUTORY ENVIRONMENT

Local Government (Audit) Regulations, 1996

17. CEO to review certain systems and procedures
- (1) The CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to —
 - (a) risk management; and
 - (b) internal control; and
 - (c) legislative compliance.
 - (2) The review may relate to any or all of the matters referred to in subregulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review at least once every 2 calendar years.
 - (3) The CEO is to report to the audit committee the results of that review.

[Regulation 17 inserted in Gazette 8 Feb 2013 p. 868.]

POLICY IMPLICATIONS

No existing policy/procedure affected.

FINANCIAL IMPLICATIONS

Nil affect

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

Nil affect

STRATEGIC IMPLICATIONS

It is sound practice to undertake an internal review of operations to ensure maximum compliance and efficiencies are in place and adhered to.

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

Nil affect

VOTING REQUIREMENTS

Simple Majority

STAFF RECOMMENDATION

Council receives the Internal Audit Report as presented and request the Chief Executive Officer present this to the Finance & Audit Committee in accordance with Clause 17 (3) of the *Local Government (Audit) Regulations, 1996* for review, comments and recommendations to back to Council for consideration.

Internal Audit - Addressing WA Local Government (Audit) Regulations 1996	Audit Start Date: 20th November 2014	Auditor : Kristy Williams	Audit End Date: 20th November 2014
<p>The Local Government Act 1995 (the Act) requires that all local governments establish an audit committee. An audit committee plays a key role in assisting a local government to fulfil its governance and oversight responsibilities in relation to financial reporting, internal control structure, risk management systems, legislative compliance, ethical accountability and the internal and external audit functions. The CEO is required to provide Biennial reviews of the appropriateness and effectiveness of the Shire's systems and procedures in regard to risk management, internal control and legislative compliance to the Audit Committee, who will review this along with the results of the annual CEOs report and Compliance Audit Return. The biennial review will require an internal audit carried out by a person who is not involved in the operational management of the Shire or the functions being audited. Internal auditing is an independent, objective assurance and consulting activity designed to add value and improve an organisation's operations. It helps an organisation accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control, and governance processes. This tool has been developed in good faith, addressing Appendix 3 of the Local Government Operational Guidelines - Number 9 - Audit in local government. This will assist local governments to assess and report on their internal environment, functions and procedures for inclusion in the CEO biennial review, and to support organisational development and continuous improvement. This tool is to be used in conjunction with Section 7 (Internal Control Framework) of the Western Australian Local Government Accounting Manual which provides guidelines on specific areas of controls to review.</p>			
Risk Management Systems and Processes			
Internal control and risk management systems and programs are a key expression of a local government's attitude to effective controls. Good audit committee practices in monitoring internal control and risk management programs	Usure	Not in place	Annually reviewed
Does the Shire have a Risk Management Policy, with formal risk appetite and tolerance levels included?			Adopted June 2014.
Does the Shire have an organisational wide risk management framework in place?			
Does the Shire have a risk register that is regularly reviewed to ensure that risks are addressed and closed out?			
Is this policy communicated to all current staff, and included in induction processes with responsibility assigned?			Implemented in April 2014 and reviewed every 6 months.
Are strategic risks considered, evaluated and reviewed in annual planning processes?			Council and management staff are aware of the policy. Responsibility has been assigned to management but it has not yet been communicated to remaining staff adequately or included in the induction process.
Are material operating risks appropriately considered in the Shire?			This is a process included in the review of Council's strategic plan.
Does risk management form part of the Council agenda item requirements?			To be considered.
Is risk management an agenda item at staff or stakeholder meetings?			Not currently an agenda item, however it is being considered to include at future project management meetings.
Is risk management a key performance indicator on all senior management position descriptions?			To be considered in future position description reviews.
Does the Shire have a regular risk identification, review and reporting process overseen by senior management?			Review and reporting process is in place for existing areas, however there is not a process in place for identifying risks relating to new projects. This is to be considered as part of the project management meetings.
Does the Shire have a business continuity plan?			May 2015 - CEO.
Is the Business Continuity Plan tested from time to time?			Plan is not yet in place to test.
Does the Shire have a disaster recovery plan?			Local Emergency Management Arrangements.
Is the Disaster Recovery Plan tested from time to time?			As an example, Corronation Beach Evacuation Plan.
Determining and Managing Material Operating Risks			
Does the Shire have a system or processes to ensure compliance with Legislation, regulations, Standards and Shire Policies?			A "Dates to Remember" list for all recurring legislative and policy requirements.
Does the Shire have a process to address accounting judgements or estimates that prove to be wrong?			This is not formally written however it is addressed as part of the required budget review process.
Does the Shire have a formal process to deal with claims and litigations?			No formal process is in place. The CEO has a delegation to issue infringements and commence any proceedings with budget constraints.
Is there a process in place to identify misconduct, fraud or theft risks that includes monitoring, review and a treatment plan should they eventuate?			Complaints and Grievance Procedure, Sexual Harassment Policy, Bullying Policy. There is a segregation of accounting procedures to reduce theft risk. Fuel cards and flow meters are used to reduce fuel theft risk. CEO to determine if all vessels used to transport fuel are marked "Shire of Chapman Valley".
Does the Shire have systems and processes to prevent or uncover misconduct, fraud and theft?			This is set out in the risk register as per the template supplied by LGIS.
Does the Shire have systems in place to address Occupational Safety and Health risks?			Service provided by LGIS.
Does the Shire have systems in place to address environmental risks?			Eg: environmental clearances for roadworks plans; bunding around fuel and waste oil; and transfer stations.
Does the Shire have systems and processes in place to address business risks?			Set in the risk register.
Does the Shire have a process to manage insurable risks and ensure the adequacy of insurance?			Set in the risk register and reviewed annually with the insurance review.
Does the Shire have formal processes to review the effectiveness of the internal control systems with management, internal and external auditors?			Regulations require a four-yearly internal audit of financial management procedures. The Audit Committee meets with the external auditor once per year and discusses the audit.
Does management have controls in place for unusual types of transactions or transactions that may carry more than acceptable degrees of risk?			This is covered with the procurements policy. The electronic purchase order system also ensures staff do not spend outside the authorised budget.
Does the Shire have a formal tenders and procurement system and process in place with a focus on probity and transparency of policies and procedures?			Procurement Policy is in place and the WALGA tender process is used.
Does the Shire have a process / checklist approach to ensure the tenders and procurements policies and processes are being applied at all times?			Creditors clerk checks purchase orders however a checklist needs to be included with the purchase order to ensure compliance with the the entire procurement policy. Eg if the purchase is for more than \$3,000 purchasing staff should be signing off on getting the requirement number of quotes and reasons for choosing a particular supplier.

Legislative Compliance

The compliance programs of a local government are a strong indication of attitude towards meeting legislative requirements. Audit committee practices in regard to monitoring compliance programs typically include the following that should be audited.

	Unsure	Not in place	Planned	Progressing	Not yet implemented	Partially implemented	In place and embedded	Annually reviewed	Comments
Is there a process in place for monitoring compliance with legislation and regulations? Is there a process in place to review the annual Compliance Audit Return and report to Council the results of that review?							✓		"Dates to Remember" list and also the statutory section of all agenda items.
Is there a process for the audit committee to stay informed on how management is monitoring the effectiveness of its compliance and making recommendations for change as necessary? Does the Shire have procedures for it to receive, retain and treat complaints, including confidential and anonymous employee complaints?							✓		Audit Committee meetings and discussions with the auditors annually.
Is there a process that gives the Audit Committee assurance that adverse trends are identified and reviews management's plans to deal with these? Is there a process for the Audit committee review management disclosures in financial reports of the effect of significant compliance issues?							✓		Customer Complaints Policy and the Complaints Register. Grievance procedure for internal issues.
Is there a process to review whether the internal and / or external auditors have regard to compliance and ethics risks in the development of their audit plan and in the conduct of audit projects, and report compliance and ethics issues to the audit committee? Is there a process to determine the internal auditor's role in assessing compliance and ethics risks in their plan?			✓						The Audit Committee meet after the audit to discuss issues, including trends, with the external auditor and finance staff.
Is there a process to monitor the Shire's compliance frameworks dealing with relevant external legislation and regulatory requirements? Is there a process in place to ensure Audit Committee members are complying with legislative and regulatory requirements imposed on them, including not misusing their position to gain an advantage for themselves or another or to cause detriment to the Shire, and disclosing conflicts of interest?			✓				✓		Annual meeting of the Audit Committee and external auditor. To be reviewed for next re-appointment of auditors. To be reviewed for next re-appointment of auditors. Internal and external auditors meet with Audit Committee. It is in place that in every agenda item Councillors are prompted to consider if they have any disclosures to make or conflicts of interest. Councillors are offered training regularly however it is suggested that Council set for themselves a minimum standard of training. Without adequate training members of Council will not know if they are complying with legislative and regulatory requirements imposed on them.

AGENDA ITEM:	9.3.3
SUBJECT:	DONATION - AUSTRALIA DAY 2015 FUNCTION
PROPONENT:	CHIEF EXECUTIVE OFFICER
SITE:	CHAPMAN VALLEY SHIRE
FILE REFERENCE:	401.06
PREVIOUS REFERENCE:	MINUTE REFERENCE: 9/13-6
DATE:	10th DECEMBER 2014
AUTHOR:	MAURICE BATTILANA, CHIEF EXECUTIVE OFFICER

DISCLOSURE OF INTEREST

Nil

BACKGROUND

At the September 2013 OCM the following was resolved:

That Council:

- 1 *Hold a community Australia Day Event in January 2014 with a community working group, and that the selection panel for the Australia Day Awards consist of CEO, 2 x Council representatives (including Shire President), 2 x Community Representatives and CDO.*
- 2 *That funds of up to \$300 to host the event come from either 0212 Donations and Gifts, or 0462 Meeting and Refreshments Expenses.*

*Voting 7/1
CARRIED
Minute Reference 9/13-6*

Volunteers from the community, Council Elected Members and staff coordinated the 2014 Australia Day Function held at the Nabawa Stadium, which was attended by a number of local residents

The Shire of Chapman Valley has previously presented Australia Day Awards as a part of Australia Day celebrations, which is the intention again this year.

COMMENT

It is anticipated a similar group of volunteers as last year, and hopefully representatives on the Shire's *Tourism & Events Committee* will meet to discuss and plan the event for 2015, along with the Australia Day Award ceremony. Members of the Shire's *Tourism & Events Committee* are as follows:

- Cr Pauline Forrester;
- Cr Ian Maluish;
- Cr Peter Humphrey;
- CEO;
- Manager Planning;
- CDO

The Selection Panel for the 2015 Australia Day Award Nominations has met and determined the recipients, which have been sent to the Australia Day Council for certificates to be produced in readiness for the award ceremony at the Australia Day Function. As per previous years a request was made for official achievement awards to be organised for unsuccessful nominee(s) in order to recognise their dedication and efforts to the community.

STATUTORY ENVIRONMENT

Local Government Act, 1996 – s6.8(1)(b) – Incurring expenditure from the Municipal Fund for an additional purpose during a financial year after adoption of the annual budget

POLICY IMPLICATIONS

Council's current Donations Policy complements the Staff Recommendation i.e.

5.30 DONATIONS AND GRANTS

Local Nature

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

- *Of a State or National nature, or*
- *If they are not concerned or connected with the Chapman Valley area.*

Exceptions to the above will be -

- *Disaster or emergency appeals.*

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

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

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

Applications

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

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

FINANCIAL IMPLICATIONS

Council donated \$300 towards the 2014 event to host a breakfast and to supply Australia Day merchandise. It is anticipated a similar amount would be required to hold an event in 2015.

As there is no specific allocation in the 2014/2015 Adopted Budget for this expenditure purpose it is necessary to bring this item to Council for consideration. It is anticipated this donation could easily be accommodated in the 2014/2015 *Meeting & Refreshments* budget (COA 0462). It is also being recommended Council specify this as an annual donation/contribution under the Community Growth Fund annual budget allocation, rather than bringing such a trivial expenditure item back to Council each year for consideration.

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

No affect

STRATEGIC IMPLICATIONS

It is considered appropriate to support events such as the Australia Day celebrations.

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

Objective	Strategy	Outcome
We want to strengthen our community's position for the future	Maintain a resilient and independent Shire	A sustainable and progressive local government

VOTING REQUIREMENTS

Absolute Majority

STAFF RECOMMENDATION

Council:

1. Contribute an amount of \$300 towards the 2015 Australia Day Function from COA 0462;
2. Allocate an amount annually in the Community Growth Funds budget as the Shire contribution towards the annual Australia Day Function.

AGENDA ITEM:	9.3.4
SUBJECT:	YUNA MULTIPURPOSE COMMUNITY CENTRE
PROPONENT:	YUNA MULTIPURPOSE COMMUNITY CENTRE WORKING GROUP
SITE:	YUNA TOWNSITE
FILE REFERENCE:	205.03.25 & 801.14
PREVIOUS REFERENCE:	MINUTE REFERENCE 08/14-11
DATE:	10th DECEMBER 2014
AUTHOR:	MAURICE BATTILANA, CHIEF EXECUTIVE OFFICER

DISCLOSURE OF INTEREST

Nil

BACKGROUND

At the August 2014 OCM the following was resolved:

MOVED: CR FARRELL

SECONDED: CR WARR

Council establish a Working Group to oversee and steer the Yuna Community Centre Building Project under the condition any major variation to the project are to be brought back to Council for consideration.

The Working Group is to be comprised of:

- *Two Elected Members – Cr Forrester and Cr Farrell;*
- *Chief Executive Officer;*
- *Building Surveyor (as Project Facilitator);*
- *Community Development Officer;*
- *Two representative from the Creating A Better Yuna (CABY) (Yuna Building Group)*

Voting 5/0

CARRIED

Minute Reference 08/14-11

At the October 2014 OCM the following was resolved:

MOVED: CR HUMPHREY

SECONDED: CR ROYCE

Council endorse the Evaluation Panel's & WALGA's Recommendation to accept the tender submitted by Geraldton Building Services & Cabinets Pty Ltd (ABN: 27 097 773 469) for the Design and Construction of the Yuna Multi-Purpose Community Centre.

Voting 7/0

CARRIED

Minute Reference 10/14-13

COMMENT

The inaugural meeting of the Yuna Multipurpose Community Centre Working Group (*the Group*) was held on the 26th November 2014.

Attached is a copy of the Briefing Notes to this meeting with one item Council needs to consider i.e.

- Major Variation to Building designs

Air-conditioning	Kitchen Temperature considered too high when in full operation in summer as currently only budget for fan installation. This area does not meet certified regulations in Certificate of Design Compliance. The Umpire Room only just passes standards if the door is open and fan turned on.	CEO considered this a major variation and an item needs to go to Council for determination. GBSC will provide the CEO with a Variation Request in time for this to
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	\$9500 total extra cost for both air-conditioning. GBSC to come back with the nett extra cost and Maurice to take to Council.	be put to the OCM on the 10 th December 2014.
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STATUTORY ENVIRONMENT

This *Group* does not have any delegated authority. However, Council did stipulate in resolution 08/14-11 that “...any major variation to the project are to be brought back to Council for consideration.”

As the Chief Executive Officer I have determined the above requested variation is major due to the estimated costs associated with the variation (e.g. approx. \$9,500). Therefore the item has been presented to Council for consideration.

POLICY IMPLICATIONS

No Policy affected

FINANCIAL IMPLICATIONS

There is no significant financial impact on the overall Project budget constraints as the Tendered amount submitted by the contractor and endorsed by Council is \$753,080.00 with the total cash available being \$800,000.

This provides a contingency amount of \$46,920 meaning the additional cost for the variation being requested can be easily accommodated within the contingency amount and still leave a healthy amount for any future items which may arise (e.g. contingency balance after variation approx. \$37,420).

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

The Yuna Community Centre project is listed in Councils Long term Financial Plan.

STRATEGIC IMPLICATIONS

The aim of this project is to enhance the quality of life for the community of Yuna by improving the town’s basic, ageing facilities and increasing access to services for all community groups by creating a low maintenance, adequate facility for future generations that will become a community hub.

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

The Yuna Community Centre forms part of Council’s Integrated Planning and Reporting framework for the future.

VOTING REQUIREMENTS

Simple Majority

STAFF RECOMMENDATION

Council endorses the following variation being recommended by the Yuna Multipurpose Community Centre Working Group:

- Installation of air-conditioning to both the Kitchen and Umpires Room.



Shire of
Chapman Valley
Love the Rural Life

**BRIEFING NOTES
YUNA MULTI-PURPOSE COMMUNITY CENTRE
WORKING GROUP**

**26th NOVEMBER 2014
COMMENCING AT 9:30am
COUNCIL CHAMBERS**

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**YUNA MULTI-PURPOSE COMMUNITY CENTRE WORKING GROUP
26th NOVEMBER 2014
COMMENCING AT 9:30am
COUNCIL CHAMBERS**

ORDER OF BUSINESS

1.0 Election of Chairperson

Cr Forrester nominated Matt Williamson as Chairperson of the Yuna Multi-Purpose Community Centre Working Group.

Matt Williamson accepted the nomination and as there were no further nominations was duly elected to the position.

2.0 Chairperson - Declaration of Opening/Announcements of Visitors

Nil

3.0 Record of Attendance

3.1 Present

CABY/Yuna Building Group Representatives:

Matt Williamson (Chairperson)

Carisa Mincherton

Kim Batten (Proxy)

Council Elected Member Representatives:

Cr Anthony Farrell

Cr Pauline Forrester

Staff:

Chief Executive Officer

Building Surveyor/Project Manager

Community Development Officer

Observers:

Kim Batten (Proxy - CABY/Yuna Building Group)

Leon Bone GBSC

Sean Turkey GBSC

3.2 Apologies

Nil

4.0 Declarations of Interest.

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Nil

5.0 Petitions/Deputations/Presentations

Nil

6.0 Confirmation of Briefing Notes from previous meetings

(Not applicable for this meeting as this is the inaugural meeting of the Committee)

7.0 Agenda Items

7.1 Working Group Terms of Reference

The Working Group went through the *Draft Terms of Reference* and by way of consensus the following was considered appropriate and therefore adopted i.e.

Terms of Reference

The Working Group for this project has been formed to operate under the auspice of the Shire Council to assist in steering the project for the establishment of the Yuna Multi-Purpose Community Centre in accordance with the specifications, funding guidelines and conditions.

The primary function of the Working Group is to:

- 1. Afford assistance to the Chief Executive Officer and/or Building Surveyor to ensure progress of the building aligns with the specifications, funding guidelines and conditions associated with the project;*
- 2. Offer a diverse range of views and perspectives on behalf of representative organisations or groups;*
- 3. Provide input or assistance where requested by the Chief Executive Officer and Building Surveyor in relation to project;*

The project Working Group (as a whole or as individual members) is:

- a) To first and foremost endeavour to act in the best interests of the Shire of Chapman Valley with specific emphasis being the establishment of the Yuna Multi-Purpose Community Centre and where members provide comment or act on behalf of other interests they are to declare this when doing so;*
- b) To declare all financial interests associated with the project;*
- c) To maintain a standard of professionalism and confidentiality applicable to any material or documentation of a sensitive nature either marked or declared confidential by the Chair of the Working Group;*
- d) Not empowered to commit or make decisions on behalf of the Council (financial or otherwise) to any element of this project.*

7.2 – Roles, Responsibilities, Procedures & Actions:

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The Working Group went through the *Draft Roles, Responsibilities, Procedures & Actions* and by way of consensus the following was considered appropriate and therefore adopted i.e.

Item	Role, Responsibility, Procedure	Action By
Communication to all stakeholders	It is the responsibility of the Working Group representatives to communicate to the stakeholder(s) they represent the progress and development of the project.	Working Group Members
Communication to Contractor (GBSC)	Shire of Chapman Valley staff only are to communicate with and direct the Contractor. Working Group or community members are not to direct the Contractor in any way.	CEO/Building Surveyor
Site Access Conditions	The building site will be closed to all parties unless authorised by GBSC, any site inspections/discussions with GBSC will need to be authorised and organised by Shire CEO and/or Building Surveyor only.	GBSC CEO Building Surveyor
	All placements of fill, gravel & associated site access by order of GBSC site manager.	GBSC
	The site will need to be fenced & locked when builders not on site to ensure the school students are not in harm's way. Building Surveyor/Project Manager to have discussions with the school Principal to ensure the students understand they are not allowed near the site.	GBSC Building Surveyor
	Signage to be erected at specific locations advising of work site no access.	GBSC
	GBSC are satisfied Tennis matches during construction can be held.	Building Surveyor

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	<i>Install site access directional signage on Chapman Valley Road.</i>	<i>Building Surveyor</i>
<i>Record Keeping</i>	<p><i>All meetings of the Working Group will follow an Agenda and Briefing Notes kept for record and future reference.</i></p> <p><i>Council's Community Development Office will take Briefing Notes at Working Group Meeting.</i></p> <p><i>Briefing Notes will be distributed to the Working Group representatives only. It is up to the Working Group representatives to communicate the Notes to their relevant organisations.</i></p>	<p><i>CEO & CDO</i></p> <p><i>CDO</i></p> <p><i>CDO Working Group Members</i></p>
<i>Progress Reports</i>	<p><i>Progress Reports will be completed to meet all the requirements of the funding organisations and Council.</i></p> <p><i>Subject to the Funding Agreements conditions, copies of these Progress Reports will be provided to the Working Group representatives only. It is up to the Working representatives to communicate the Notes to their relevant organisations.</i></p>	<p><i>CDO & Building Surveyor</i></p> <p><i>CDO</i></p>

8.0 Project Overview

8.1 Variations

The following variations were discussed:

Item	Details	Minor or Major Variation (as determined by the CEO)
Rammed Earth	Leon Bone (GBSC explained the contractor appointed to undertake the rammed earth requirements of the project will be away all of January and	The Group considered it not appropriate to vary from the rammed earth design and this

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	part of February 2015. This will put some pressure on the completion date of 30/6/2015. Nearest alternative contractor is in Margaret River, which would result in significant cost increases to project and isn't an option.	matter should be listed for a later meeting to determine how the timeline is going before considering the need to seek an extension to the various funding bodies (if necessary).
Air-conditioning	Kitchen Temperature considered too high when in full operation in summer as currently only budget for fan installation. This area does not meet certified regulations in Certificate of Design Compliance. The Umpire Room only just passes standards if the door is open and fan turned on. \$9500 total extra cost for both air-conditioning. GBSC to come back with the nett extra cost and Maurice to take to Council.	CEO considered this a major variation and an item needs to go to Council for determination. GBSC will provide the CEO with a Variation Request in time for this to be put to the OCM on the 10 th December 2014.
Sand Pad Level	Terracing (doubles as a retainer) will be large (600mm each step) if level remain the same as per GBSC tender. Variation potentially required reducing level for terracing to be 400mm. East side level will be below the lawn level and tapered down to building, but will allow for water catchment and redirection around building. Water run off shouldn't be an issue. Cost savings won't be significant, but will make the terracing area more user-friendly.	CEO considered this a minor variation and as there will be not additional costs agreed it should proceed. GBSC will provide the CEO with a Variation Request for this item.

8.2 Project Progress Report (Verbal)

8.2.1 GBSC and Building Surveyor/Project Manager

Leon Bone gave a verbal report to the Group on the project with no actions being required from this report.

9.0 General Business

- a) Sand pad can commence immediately.
- b) Slab, terracing and drainage will begin in second week January and will be completed prior to rammed earth commencement in February.
- c) Gas Bottle placement will be moved to the West side corner rather than outside kitchen.
- d) Male Toilet – Flip male toilet floor plan and shift urinal to southern wall.
- e) Window frame colour choice to be determined within two weeks.

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Action: CABY Working Group representatives to meet with GBSC to decide on colours, etc and advise Anthony Abbot of the decision. This is occur as soon as possible.

10.0 Next Meeting

10.1 Regularity and location of Working Group Meetings.

Location of future meetings to be at Yuna and determined by Chairperson, CEO and Building Surveyor/Project Manager.

11.0 Closure

The Chairperson declared the meeting closed at 11:00am

Contract Variation Form

The Principal and the Contractor are Parties to the Contract.

The Parties agree to vary the Contract. The scope of the Variation is set out in the attached Schedule of Changes. The Variation is effective from the Effective Date stated in the Schedule of Changes.

Subject to the changes made by this Variation the terms and conditions of the Contract remain in effect.

Words used but not defined in this Variation have the same meaning as they do in the Contract.

Contract Title:		
Variation Number:		
Parties:	Principal:	Contractor:

Contract Variation Particulars

Effective Date:	
Change to Specification/Scope of Works:	
Change to Price	The price stated in the Contract is amended as follows: \$0
Deletion or replacement of specific clause	

Acceptance

Signed for and on behalf of the Principal:

Signed for and on behalf of the Contractor:

Signature
Name:
Position:
Date:

Signature
Name:
Position:
Date:

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AGENDA ITEM:	9.3.5
SUBJECT:	WASTE OIL FACILITIES
PROponent:	CHIEF EXECUTIVE OFFICER
SITE:	NABAWA & YUNA REFUSE SITES
FILE REFERENCE:	201.01 & 201.02
PREVIOUS REFERENCE:	MINUTE REFERENCES: 12/13-18 & 08/14-12
DATE:	10th DECEMBER 2014
AUTHOR:	MAURICE BATTILANA, CHIEF EXECUTIVE OFFICER

DISCLOSURE OF INTEREST

Nil

BACKGROUND

At the December 2013 OCM Council resolved the following:

Council:

- 1 *Endorses the Regional Investment Plan for the Preparation of Waste Management Facilities Improvement Plan and commences the implementation of the Plan within the Shire of Chapman Valley within the budget constraints of the grant;*
- 2 *Defers any action to repair or improve waste oil facilities at both the Nabawa and Yuna Refuse Site until the completion of the Waste Management Facilities Improvement Plan;*
- 3 *As an interim measure discontinue accepting waste oil at the Nabawa and Yuna Refuse Sites until the outcomes of the Waste Management Facilities Improvement Plan are known;*
- 4 *Defers any action on amending or removing the existing domestic & commercial rubbish collection service to the Yuna Town Site until the completion of the Waste Management Facilities Improvement Plan and the outcomes of this Plan are known.*

Voting 7/0
CARRIED
Minute Reference 12/13-18

At the August 2014 OCM Council resolved the following:

Council:

1. *Endorses the Nabawa & Yuna Waste Management Facilities Improvement Plan as presented and recommendations within;*
2. *Delegate authority to the Chief Executive Officer to prioritise aspects of the Nabawa & Yuna Waste Management Facilities Improvement Plan for implementation within the existing grant and budget constraints;*
3. *Request the Chief Executive Officer investigate other funding opportunities, including Council own resources, to fully implement the recommendations of the Nabawa & Yuna Waste Management Facilities Improvement Plan;*
4. *Include within the specifications of the proposed Regional Waste Management tender those recommendations identified within the Nabawa & Yuna Waste Management Facilities Improvement Plan relevant to a regional waste management services.*

Voting 5/0
CARRIED
Minute Reference 08/14-12

Item 1 above to “..endorses the Nabawa & Yuna Waste Management Facilities Improvement Plan as presented and recommendations within” included the following recommendations:

- *The waste oil facility at Nabawa WMF is currently in a state of disrepair and has been the subject of abuse and misuse in the past. The Shire has recently temporarily ceased*

acceptance of waste oil at Nabawa WMF. Following engagement with the local community, the Shire should decommission the waste oil facility at Nabawa and direct waste oil generators in the Nabawa region to take their waste oil to Meru, as is currently happening under the temporary arrangement.

- *The Shire should also engage in consultation with the local community in Yuna to appraise their acceptance of ceasing the Waste Oil Facility at Yuna WMF. In this case, users would be required to take their waste oil to Meru Landfill in Geraldton. As waste oil is not generated on a consistent regular basis by residents (i.e. weekly), this option may be acceptable to the community.*

COMMENT

Advertisements have been placed in the Shire's ENews and the Valley Vibes seeking comments/feedback from the Yuna community in regards to decommissioning the Waste Oil Facility (WOF) at Yuna for three months (or more) with no comments being received.

I have deferred removing the Nabawa WOF until the outcomes of community comment and feedback was finalised for the decommissioning of the Yuna WOF as there is a local government interested in acquiring the equipment from both sites for their use.

As there were no comments from the Yuna community on decommissioning of the Yuna WOF it is intended to commence the decommissioning of WOF at both locations and disposing of the equipment i.e.

- 2 x Skid Mounted Waste Oil Tanks - Original Cost \$10,965 each; and
- 2 x Mechanical Lifting Devices for 200lt and 60lt drums - Original Cost \$1,400 each.

The total original cost for the above equipment was \$24,730 (purchased in 2002 from grants) which have been depreciated to \$0 on Council's Asset Register over the past 14 years. This is a book value for accounting purposes only and there should be some market value for the equipment.

The Shire will probably use one of the Skid Mounted Waste Oil Tanks at our Nabawa Depot to replace the existing waste oil storage tank we currently have here. The Skid Mounted Waste Oil Tanks comply with Australian Standards for the storage of waste oil (AS1692 1989) whereas the existing storage tank at Nabawa would not.

STATUTORY ENVIRONMENT

Local Government (Functions & General) Regulations

- 30 (3) *A disposition of property other than land is an exempt disposition if —*
- (a) *its market value is less than \$20 000; or*
 - (b) *it is disposed of as part of the consideration for other property that the local government is acquiring for a consideration the total value of which is not more, or worth more, than \$50 000.*

As the market value of the equipment would be below the \$20,000 stipulated in the Regulations, specifically if Council retains ownership of some of the equipment, Council is not obliged to go through the legal process for the disposition of these assets.

POLICY IMPLICATIONS

DELEGATION NUMBER - 2004

LEGISLATIVE POWER	-	Local Government Act 1995 (Section 5.42)
DELEGATION SUBJECT	-	Disposal of Surplus Equipment, Materials, Tools, etc
DELEGATE	-	CHIEF EXECUTIVE OFFICER

This delegation applies only to items not included on Council's Asset Register

The Chief Executive Officer is delegated authority to sell, by calling for expressions of interest, holding of a surplus goods sale at Council's Depot, or any other fair means, items of surplus equipment, materials, tools, etc which are no longer required, or are outmoded, or are no longer serviceable. .

FINANCIAL IMPLICATIONS

There are minimal costs associated with Council continuing to operate and maintain the Nabawa and Yuna WOF. The decommissioning of both these facilities will remove this financial burden and place the responsibility back onto the owner of the waste oil to dispose of this at their costs.

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

No significant affect on the LTFP

STRATEGIC IMPLICATIONS

As stipulated in the Council adopted *Nabawa & Yuna Waste Management Facilities Improvement Plan* it is strategically sound to decommission both the Nabawa and Yuna WOFs.

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

Objective	Strategy	Outcome
Transparent decision-making is important to us	Active engagement with the community to inform decision-making	Contribution to how local issues are managed

VOTING REQUIREMENTS

Simple Majority

STAFF RECOMMENDATION

Council proceed with the decommissioning of the waste oil facilities at both Nabawa and Yuna and delegate authority to either reuse or dispose of the plant and equipment located at both these facilities.

AGENDA ITEM:	9.3.6
SUBJECT:	MONSIGNOR HAWES INTERPRETATIVE SIGNAGE PROJECT PLAN
PROPONENT:	SHIRE OF CHAPMAN VALLEY
SITE:	SHIRE OF CHAPMAN VALLEY
FILE REFERENCE:	806.00
PREVIOUS REFERENCE:	MINUTE REFERENCE: 13/4-12
DATE:	10th DECEMBER 2014
AUTHOR:	MAURICE BATTILANA, CHIEF EXECUTIVE OFFICER

DISCLOSURE OF INTEREST

Nil

BACKGROUND

At the April 2013 OCM Council resolved the following:

MOVED: CR BATTEN

SECONDED: CR DAVIDSON

That Council list \$2,000 (two thousand dollars) in the 2013/2014 Draft Budget as the Shire of Chapman Valley's contribution towards the Monsignor Hawes Interpretive Signage Project Plan.

Voting 7/0

CARRIED

Minute Reference 13/4-12

COMMENT

Correspondence has been received from Monsignor Hawes Heritage Inc. (MHHI) advising the Interpretative Signs project, for the funds were being requested, has been completed and officially launched, with not all funds donated being required for the project.

The correspondence received states the project fund has a small surplus and the MHHI is requesting permission to roll the Shire of Chapman Valley's contribution (i.e. the full \$2,000) over into their next project.

The next project the MHHI is undertaking is to develop a detailed conservation and interpretation plan for the original drawings and plans produced by Monsignor Hawes.

STATUTORY ENVIRONMENT

Not applicable

POLICY IMPLICATIONS

Council has a donations Policy which would have been taken into consideration at the time it was resolved to contribute \$2,000 towards the MHHI project i.e.

5.30 DONATIONS AND GRANTS

Local Nature

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

- Of a State or National nature, or*
- If they are not concerned or connected with the Chapman Valley area.*

Exceptions to the above will be -

- Disaster or emergency appeals.*

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

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

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

Applications

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

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

FINANCIAL IMPLICATIONS

No affect on Council current year finances as the \$2,000 contribution was made in 2013/2014.

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

No affect on the Shire's LTFP

STRATEGIC IMPLICATIONS

It is considered appropriate to support projects such as those being advocated by MHHI.

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

Objective	Strategy	Outcome
We want to strengthen our community's position for the future	Maintain a resilient and independent Shire	A sustainable and progressive local government

VOTING REQUIREMENTS

Simple Majority

STAFF RECOMMENDATION

Council advises Monsignor Hawes Heritage Incorporated (MHHI) they agree to have the \$2,000 contributed by the Shire in 2013/2014 reallocated to the MHHI project to develop a detailed conservation and interpretation plan for the original drawings and plans produced by Monsignor Hawes.

Record No

RECEIVED

27 NOV 2014

MONSIGNOR HAWES HERITAGE*...spirit from stone...*

Maurice Battilana
 Chief Executive Officer
 Shire of Chapman Valley
 PO Box 1,
 NABAWA WA 6532

Dear Mr Battilana

Re: Monsignor Hawes Heritage Incorporated Projects

The Monsignor Hawes Heritage Incorporated board would like to thank the Shire of Chapman Valley for past support and particularly for financial support for our Interpretive Signs project. As you are aware all of the signs have been installed and the project has been officially launched. We are very proud of this major achievement which could not have been achieved without the shires support.

MHHI has received wonderful support for this project both in letters of support, cash funding and in-kind services. The project budget currently has a small surplus of funds and we are writing to you to seek permission to roll the Shire of Chapman Valley's contribution over into our next project.

The next project we are working on is to develop a detailed conservation and interpretation plan for the original drawings and plans produced by Monsignor Hawes. These drawings and models are currently housed in Geraldton and Mullewa; they are slowly deteriorating as we do not have the expertise or equipment to preserve them. We hope in the future many of these beautiful works will be displayed at a new interpretive centre in Geraldton and copies will be available for display at other Hawes Buildings.

If you are agreeable the Shire will also receive full acknowledgment of financial support for this project via our website and promotional material in addition to the support acknowledged for the signage project.

If you require further information please contact me on 0417 018 036.

Kind regards

Lucinda Jose
 Project Officer
 Monsignor Hawes Heritage Incorporated

18 November 2014

—PO Box 1366 Geraldton—www.monsignorhawes.com.au—projectofficer@monsignorhawes.com.au—

AGENDA ITEM:	9.3.7
SUBJECT:	MID WEST DEVELOPMENT COMMISSION - GRANT APPLICATIONS
PROPONENT:	MID WEST DEVELOPMENT COMMISSION
SITE:	SHIRE OF CHAPMAN VALLEY
FILE REFERENCE:	205.03
PREVIOUS REFERENCE:	NIL
DATE:	10th DECEMBER 2014
AUTHOR:	MAURICE BATTILANA, CHIEF EXECUTIVE OFFICER

DISCLOSURE OF INTEREST

Nil

BACKGROUND

At the November 2014 Forum Session discussion was held on the concept of applying for grants through the Mid West Development Commission (MWDC) *Midwest Regional Grants Scheme* with the feeling being to seek grants for the following projects:

Chapman Valley Historical Society – New Shed. Application has already commenced for this by the CVHS, with the assistance of Council’s CDO.	\$20,000
Nanson Showgrounds – Bore, Additional Tank(s) & Equipment (previously investigated & costed by NSA)	\$40,000
Economic Development Plan – As identified in Councils Integrated Strategic Plan as a task to be undertaken. This Plan could incorporate (yet not limited to) the following: ~ Marketing a Tourist Drive – Northampton to Geraldton via Nabawa; ~ Annual High Profile Marque Event for the Valley; ~ Tourism Strategy; ~ Walk Trail – Old Railway Reserve; ~ Marketing Strategy ~ Update Tourist Maps ~ Establish Shire of Chapman Valley Portal (Community Hub). Subject to outcomes of current <i>needs analysis</i> about to be undertaken by the Valley Vibes.	\$50,000

COMMENT

The Chapman valley Historical Society application has been submitted and is supported by the \$20,000 conditional funding allocation made in the 2014/2015 Budget for this project.

Council’s Community Development Officer (Nicole Batten) has been in further discussions with the MWDC regarding both the Nanson Showground’s and Economic Development Plan Projects with the recommendation from the MWDC being for the Shire to focus on applying for funding for these projects under their *Community Chest Program*, rather than the *Midwest Regional Grants Scheme*. It was considered these projects would have a better chance of funding through the *Community Chest Fund*.

Like most grant schemes applications stand a better chance of success if the applicant (the Shire) makes both a cash and in-kind contribution to the project. Leveraging funds is an integral aspect to most grant schemes (including our own Community Growth Fund).

The purpose of this Agenda Item is to seek Council approval to utilise residual funds unallocated in the 2014/2015 Shire of Chapman Valley Community Growth fund as a Shire contribution towards both the Nanson Showground’s and Economic Development Plan Projects.

At the November 2014 OCM Council allocated a total of \$6,800 from the community Growth fund to:

- The Windmill Project – Grant Amount \$1,000;

- Chapman Valley Community Hub – Grant Amount \$4,290;
- Community Promotion Package for CV Ag Show – Grant Amount \$1,110;
- Chapman Valley P&C Christmas tree Bouncy Castle – Grant Amount \$400

Council has also used a small amount of funds from the Community Growth Fund for annual donation i.e.

- Primary School - Books for School Presentation Nights - \$60.00
- Mid West Ag. Society - Royal Show - \$200.00

The budget allocation to the Community Growth Fund was \$30,000; therefore the amount unallocated to date is \$22,940. Council also resolved not to run another round of the Community Growth Fund and amended the Guidelines to reflect these will only be called for once per financial year.

STATUTORY ENVIRONMENT

Local Government Act. 1995 – Section 6.8(1)(b) – Incurring expenditure from the municipal fund for an additional purpose during a financial year after the adoption of the annual budget

POLICY IMPLICATIONS

No existing policy or procedure affected.

FINANCIAL IMPLICATIONS

With a balance of almost \$23,000 remaining unallocated from the 2014/2015 Community Growth Fund it is being recommended these funds be used to leverage grants from the MWDC for other community growth ventures such as the Nanson Showground's and Economic Development Plan Projects.

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

No affect on the LTFP.

STRATEGIC IMPLICATIONS

Both the Nanson Showground's and Economic Development Plan are important to the future operations and development of the Shire, specifically the Economic Development Plan as this could open up other funding opportunities for projects identified from the Plan.

Strategic Community Plan/Corporate Business Plan:

We want to be able to spend our money locally and encourage others to do the same	Develop and implement an Economic Develop Strategy to guide economic growth.
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VOTING REQUIREMENTS

Absolute Majority

STAFF RECOMMENDATION

Council authorise the Chief Executive Officer to use the unallocated 2014/2015 Community Growth Funds as the Shire of Chapman Valley's contributions to applications for grants from the Mid West Development Commission towards the following projects:

1. Nanson Showground's Bore, Additional Tank(s) & Equipment; and
2. Shire of Chapman Valley Economic Development Plan.

10.0 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

AGENDA ITEM:	10.1
SUBJECT:	BILL HEMSLEY PARK MANAGEMENT COMMITTEE
PROPONENT:	COUNCILLOR PETER HUMPHREY
SITE:	RESERVE 49641 ELIZA SHAW DRIVE, WHITE PEAK
FILE REFERENCE:	R49641
PREVIOUS REFERENCE:	SCM - 10/13-1
DATE:	1 DECEMBER 2014
AUTHOR:	COUNCILLOR PETER HUMPHREY (text in this colour) MAURICE BATTILANA, CEO (text in this colour)

DISCLOSURE OF INTEREST

Nil

BACKGROUND

At the 21 October 2013 Special Council Meeting the Committees of Council were appointed including the Bill Hemsley Park Management Committee.

COMMENT

There has been considerable comment made from those in opposition to the current concept plan for the Bill Hemsley Park as to the representation on the Bill Hemsley Management Committee and the perception of bias towards plans presented by the Parkfalls Residents Association. The current structure of this committee appears only to revolve around a concept being developed and processed by the PRA to the detriment and involvement of residents outside the confines of the PRA.

Questions have been raised as to the role of a council on this committee and their objective ability to display a structured and balanced approach to the decisions adopted by this committee and how these decisions have attracted little input from others in the estate.

Those concerns also being compounded by the fact that the PRA's representative to this committee is also a Chapman Valley councillor.

As council representatives on committees we need to be both independent and impartial and as such we need to consider whether for the best interest of all the residents in the estate that we be prudent with our representatives to this committee and address any perceived bias by having councillors who are not members of the PRA as our representatives thus reducing the current conflict.

CEO's additional comment – I have inserted below the relevant section of the minutes from the 21 October 2013 Special Meeting of Council that addresses the appointment of this Committee:

"5.5 Bill Hemsley Park Management Committee

Purpose: The role of the Bill Hemsley Park Management Committee (Formerly Parkfalls Management Committee) as agreed at the 17 April 2013 Council meeting is to make recommendation to Council for its consideration as to development and expenditure within the park.

Nominations received:

*Cr Veronica Wood
Cr Ian Maluish
Cr Trevor Royce
Cr Kirrilee Warr*

As there were more nominations than vacancies a secret ballot was conducted and the following Councillors elected to this Committee:

Elected Committee Members:

Cr Trevor Royce (Chairman)
Cr Veronica Wood
Chief Executive Officer (observer)
Manager of Planning (observer)

Delegated Authorities: Nil”

STATUTORY ENVIRONMENT

CEO's additional comment – Division 2 Subdivision 2 of the *Local Government Act 1995* addresses committees and their meetings.

5.8. *Establishment of committees*

A local government may establish committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.*

** Absolute majority required.*

5.9. *Committees, types of*

(1) *In this section —*

other person means a person who is not a council member or an employee.

(2) *A committee is to comprise —*

(a) *council members only; or*

(b) *council members and employees; or*

(c) council members, employees and other persons; or

(d) *council members and other persons; or*

(e) *employees and other persons; or*

(f) *other persons only.*

5.10. *Committee members, appointment of*

(1) *A committee is to have as its members —*

(a) *persons appointed* by the local government to be members of the committee (other than those referred to in paragraph (b)); and*

(b) *persons who are appointed to be members of the committee under subsection (4) or (5).*

** Absolute majority required.*

(2) *At any given time each council member is entitled to be a member of at least one committee referred to in section 5.9(2)(a) or (b) and if a council member nominates himself or herself to be a member of such a committee or committees, the local government is to include that council member in the persons appointed under subsection (1)(a) to at least one of those committees as the local government decides.*

(3) *Section 52 of the Interpretation Act 1984 applies to appointments of committee members other than those appointed under subsection (4) or (5) but any power exercised under section 52(1) of that Act can only be exercised on the decision of an absolute majority of the local government.*

(4) *If at a meeting of the council a local government is to make an appointment to a committee that has or could have a council member as a member and the mayor or president informs the local government of his or her wish to be a*

member of the committee, the local government is to appoint the mayor or president to be a member of the committee.

- (5) *If at a meeting of the council a local government is to make an appointment to a committee that has or will have an employee as a member and the CEO informs the local government of his or her wish —*

- (a) *to be a member of the committee; or*
- (b) *that a representative of the CEO be a member of the committee,*

the local government is to appoint the CEO or the CEO's representative, as the case may be, to be a member of the committee.

5.11. Committee membership, tenure of

- (1) *Where a person is appointed as a member of a committee under section 5.10(4) or (5), the person's membership of the committee continues until —*

- (a) *the person no longer holds the office by virtue of which the person became a member, or is no longer the CEO, or the CEO's representative, as the case may be; or*
- (b) *the person resigns from membership of the committee; or*
- (c) *the committee is disbanded; or*
- (d) *the next ordinary elections day,*

whichever happens first.

- (2) Where a person is appointed as a member of a committee other than under section 5.10(4) or (5), the person's membership of the committee continues until —**

- (a) *the term of the person's appointment as a committee member expires; or*
- (b) the local government removes the person from the office of committee member or the office of committee member otherwise becomes vacant; or**
- (c) *the committee is disbanded; or*
- (d) *the next ordinary elections day,*

whichever happens first.

It is under the above Section 5.11 (2)(b) of the Local Government Act where the Council has the ability remove a person from the office of a committee member.

I have inserted below the relevant section of the Management Committee agreement that address the representatives of this Committee:

"2.3 Representatives

- (1) *The parties agree that the Management Committee will be comprised of the following representatives:*
- (a) *2 councillors of the Shire, appointed by the Council of the Shire at the first Council meeting following the Local Government ordinary elections; and*
 - (b) *2 representatives from the PRA appointed annually by the PRA at its annual general meeting; and*
 - (c) *a representative from the Developers appointed by the Developers in writing upon the Recreation Site being vested in the Shire.*

- The parties acknowledge and agree that if the Developers:*
- (i) dissolve their partnership following the subdivision of the Parent Lot; or*
 - (ii) no longer wish, by notice in writing to the Shire, to have a representative on the Management Committee, the Developers will cease to be a party to this Deed.*
- (2) A Party may change its nominated Committee Member by written notice to the other Parties.*
 - (3) The Chairperson of the Management Committee meetings will be one of the Shire Council representatives.*
 - (4) The Shire Chief Executive Officer (or a senior Shire officer as his or her proxy in the event they are unable to attend) will attend the meeting and perform the function of minute taker and advisor to the meeting.”*

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority - Elected Members Recommendation;

Simple Majority - Staff Recommendation 1 - If Elected Members Recommendation is carried;

Absolute Majority - Staff Recommendation 2 - If Elected Members Recommendation and Staff Recommendation 1 are carried.

ELECTED MEMBER’S RECOMMENDATION

Council resolve to amend the elected member representation on the Bill Hemsley Park Management Committee to ensure Council representatives are not also members of the Parkfalls Residents Association.

(Simple Majority Required)

STAFF RECOMMENDATION 1

(Only required if Elected Member Recommendation is carried)

Council remove Elected Member(s) from the Bill Hemsley Park Management Committee who are also members of the Parkfalls Residents Association as Council representative(s) on this Committee;

(Simple Majority Required in accordance with Section 5.11(2)(b) of the Local Government Act 1995)

STAFF RECOMMENDATION 2

(Only required if Elected Member Recommendation & Staff Recommendation 1 are carried)

Council appoints Cr(s) _____ who are not a member of the Parkfalls Residents Association to the Bill Hemsley Park Management Committee.

(Absolute Majority Required in accordance with Section 5.10(1)(a) of the Local Government Act, 1995)

11.0 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

11.1 Elected Member Reports

12.0 URGENT BUSINESS APPROVED BY THE PRESIDING MEMBER OR BY A DECISION OF THE COUNCIL

13.0 MATTERS FOR WHICH MEETING TO BE CLOSED TO MEMBERS OF THE PUBLIC

14.0 CLOSURE