



Shire of
Chapman Valley
Love the Rural Life

AGENDA

AUGUST 2013

ORDINARY COUNCIL MEETING

**Notice is hereby given that an Ordinary Meeting
of Council will be held on Wednesday 21 August 2013
at the Council Chambers, Nabawa, commencing at 10:00am.**

DISCLAIMER



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

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

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

WRITTEN CONFIRMATION

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

A handwritten signature in blue ink, appearing to read 'Barrye Thompson', is positioned above the name and title.

Barrye Thompson
ACTING CHIEF EXECUTIVE OFFICER

INDEX

1.0	DECLARATION OF OPENING/ANNOUNCEMENTS OF VISITORS	
2.0	LOYAL TOAST	
3.0	RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE (PREVIOUSLY APPROVED)	
4.0	PUBLIC QUESTION TIME	
5.0	APPLICATIONS FOR LEAVE OF ABSENCE	
6.0	DISCLOSURE OF INTEREST	
7.0	PETITIONS/DEPUTATIONS/PRESENTATIONS	
8.0	CONFIRMATION OF MINUTES FROM PREVIOUS MEETINGS	
9.0	OFFICERS REPORTS	PAGE NO.
9.1	MANAGER OF PLANNING	6
	9.1.1 Keeping of Horses – Waggrakine	
	9.1.2 Wokarena Heights Local Structure Plan	
	9.1.3 Proposed Disposal of 3 Former Water Reserves	
9.2	FINANCE	34
	9.2.1 Financial Reports for June 2013	
9.3	CHIEF EXECUTIVE OFFICER	37
	9.3.1 Red Card Red Fox	
	9.3.2 Special Council Meeting Minutes 2 August 2013	
	9.3.3 Formal Adoption of 2013/2014 Budget	
	9.3.4 CONFIDENTIAL ITEM - Nabawa Valley Tavern Lease – RS & WS Neville	

10.0 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

11.0 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

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

13.0 CLOSURE

ORDER OF BUSINESS:

1.0 DECLARATION OF OPENING/ANNOUNCEMENTS OF VISITORS

2.0 LOYAL TOAST

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

3.1 Present

3.2 Apologies

3.3 Approved Leave of Absence

4.0 PUBLIC QUESTION TIME

4.1 Questions On Notice

4.2 Questions Without Notice

5.0 APPLICATIONS FOR LEAVE OF ABSENCE

6.0 DISCLOSURE OF INTEREST

7.0 PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil

8.0 CONFIRMATION OF MINUTES FROM PREVIOUS MEETINGS

8.1 Ordinary Meeting of Council held on Wednesday 17 July 2013

That the minutes of the Ordinary Meeting of Council held Wednesday 17 July 2013 be confirmed as a true and accurate record.

9.0 OFFICERS REPORTS

Manager of Planning

August 2013

Contents

9.1 AGENDA ITEMS

- 9.1.1 Keeping of Horses – Waggrakine
- 9.1.2 Wokarena Heights Local Structure Plan
- 9.1.3 Proposed Disposal of 3 Former Water Reserves

AGENDA ITEM:	9.1.1
SUBJECT:	KEEPING OF HORSES – WAGGRAKINE
PROPONENT:	D. BADDELEY
SITE:	LOTS 167 & 172 DOLBYS DRIVE, WAGGRAKINE
FILE REFERENCE:	A1220 & A17
PREVIOUS REFERENCE:	Nil.
DATE:	13 AUGUST 2013
AUTHOR:	SIMON LANCASTER

DISCLOSURE OF INTEREST

Nil.

BACKGROUND

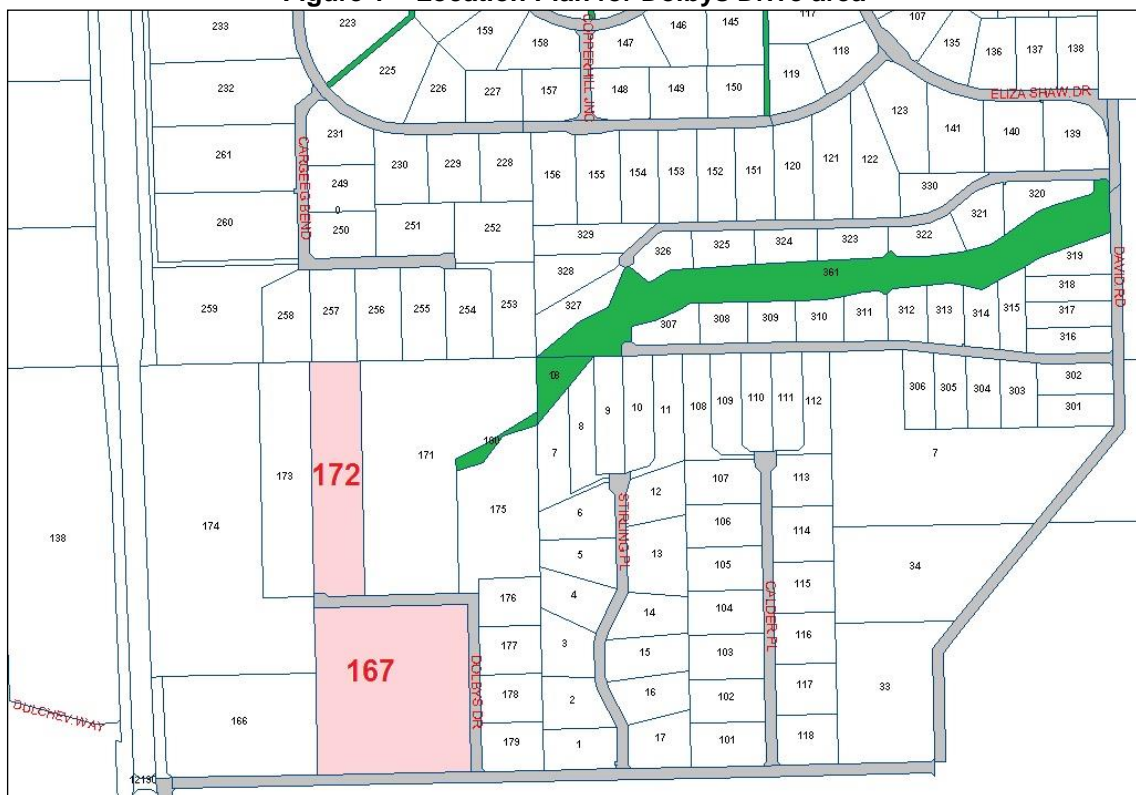
The Shire has received a written complaint concerning the amount of horses being kept upon various Dolbys Drive properties. This report recommends that the owner of the horses be required to reduce the number of horses to comply with the requirements of the Scheme within a period of 60 days.

COMMENT

The Shire Ranger received a written complaint on 12 June 2013 concerning the number of horses being kept by the owner of Lot 172 Dolbys Drive.

The Shire Manager of Planning inspected Dolbys Drive on 13 June 2013 and confirmed that 1 horse and 2 sheep were being kept upon the 4.001ha Lot 172 Dolbys Drive, 5 horses were being kept upon the 8.6122ha Lot 167 Dolbys Drive (1 horse per 1.72244ha) and 2 horses were being kept upon the 1.0026ha Lot 177 Dolbys Drive (1 horse per 5013m²).

Figure 1 – Location Plan for Dolbys Drive area

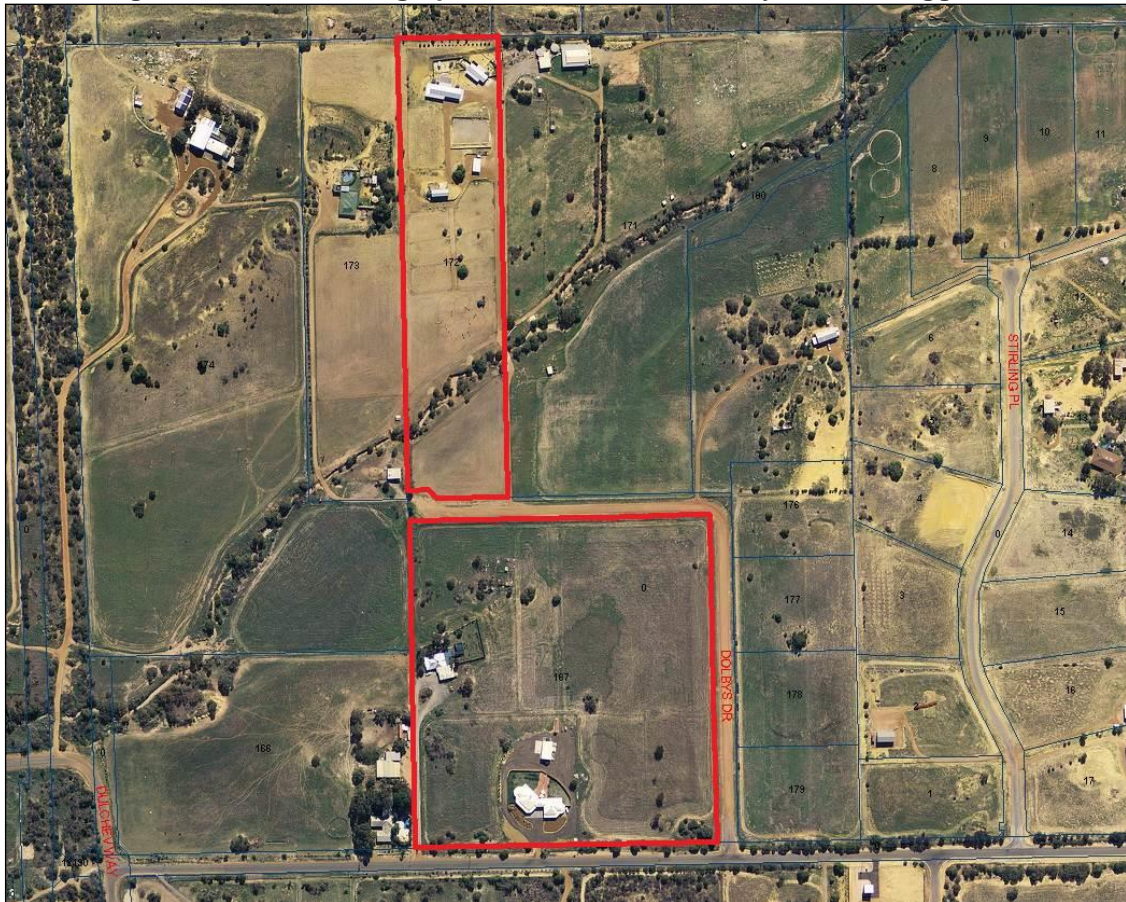


The Shire of Chapman Valley Town Planning Scheme No.1 requires that the keeping of animals shall accord with a series of animal based stocking rates with the maximum stocking rate for horses in the Dolbys Drive area listed as being 1 horse per 2 hectares.

The Shire therefore wrote to the landowner of Lot 167 Dolbys Drive on 14 June 2013 advising that they were in excess of the maximum stocking rate and were required to reduce the amount of horses

to no more than 4 within 30 days. The Shire also wrote on 14 June 2013 to the landowner of Lot 177 Dolbys Drive advising that they were in excess of the maximum stocking rate and were required to reduce the amount of horses to no more than 1 within 30 days. The Shire also wrote on 14 June 2013 to the landowner of Lot 172 Dolbys Drive, being the owner of the horses, advising them that the Shire had written to the landowners of Lots 167 and 177 and the content of the correspondence.

Figure 2 – Aerial Photograph of Lots 167 & 172 Dolbys Drive, Waggrakine



The landowner of Lot 172 Dolbys Drive responded to the Shire on 4 July 2013 advising that:

“Just getting back to you about the letter dated 14th June about my ponies. I have moved the two ponies on Lot 177 and will be keeping them on Mick Tozer's 10 acres (Lot 170).

The five ponies on Lot 167 are still there and I am asking if I can have it put to Council that they remain as is. These five are pregnant mares and moving them away from the herd can at times stress them leading to aborting the foal. As these animals are expensive and breeding helps me maintain our property and my animals I would be very against moving them.

I am only asking to keep them, as is, until the end of September as they will all be within a safe period to move. (i.e. if the mare aborted the foal is developed enough to pull through)

My other positive is that I maintained this paddock throughout summer, with 6 ponies on there and with no degrading of paddock at all.

Am not sure if this would go in my favour but it is worth a try. During winter it will be so much easier.

I also am not sure if you are aware but there are two horses and three ponies (although one pony is heavily pregnant and would go over the 250kg mark) in Lot 167 and I believe that would make it quite within the stocking rate.

I am at present sourcing other paddocks to use in the future.”

Figure 3 – Lot 167 Dolbys Drive, Waggrakine



Figure 4 – Lot 172 Dolbys Drive, Waggrakine (agistment area south of Dolby Creek)



Figure 4 – Lot 172 Dolbys Drive, Waggrakine (agistment area north of Dolby Creek)



The Shire Manager of Planning and Shire Ranger inspected Dolbys Drive on 22 July 2013 and met with the landowner of Lot 172 Dolbys Drive onsite and confirmed that 4 horses and 2 sheep were being kept upon Lot 172 Dolbys Drive (1 horse per ha) and 5 horses were being kept upon Lot 167 Dolbys Drive (1 horse per 1.72244ha).

The Shire wrote to the landowner of Lot 172 Dolbys Drive on 23 July 2013 advising that their 4 July 2013 request to keep the current level of horses exceeded the delegated authority of staff and this matter was therefore required to be placed before the meeting of Council to be held on 21 August 2013.

The landowner of Lot 172 Dolbys Drive submitted additional information on 27 July 2013 seeking Council support for a 6 month trial period and this has been included as **Attachment 1**. The correspondence details the land management practices undertaken by the applicant, including supplementary feeding, fence maintenance, stabling, and rotation of horses to maintain pasture.

The complainant again wrote to the Shire on 29 July 2013 noting that the number of horses had not been reduced upon Lots 167 and 177 and the Shire advised the complainant on 31 July 2013 that the matter would be deliberated at the 21 August 2013 Council meeting.

STATUTORY ENVIRONMENT

Lots 167 & 172 Dolbys Drive, Waggrakine were zoned 'Special Rural 12' by Scheme Amendment No.24 to Shire of Chapman Valley Town Planning Scheme No.1 that was gazetted on 2 June 2000. The Policy Statement for the 'Special Rural' zone notes:

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

Appendix 6 of the Scheme requires for the 'Special Rural 12' zone that:

"5 Stocking Rates

- (a) *The keeping of animals (other than domestic pets) shall accord with the following maximum stocking rates;
5 sheep / 1 hectare
1 horse / 2 hectares
1 pony / 1.6 hectares
1 milking cow / 2 hectares
1 heifer / 1.6 hectares
1 dairy goat / 0.4 hectares
5 cashmere goats / 1 hectare
1 deer / 0.3 hectares*
- (b) *Application for approval for an increased stocking rate above the minimum prescribed is to be submitted to and determined by the Shire of Chapman Valley. The Shire in determining an application for an increase in the stocking rate may consult with Agriculture Western Australia and affected surrounding land owners on desirable rates and applicable pasture type; and*
- (c) *Where the keeping of animals other than (other than domestic pets) result in problems due to land degradation, nutrient enrichment/leaching, animal welfare or public nuisance, the Shire of Chapman Valley may require approved stocking rates to be suitably reduced to a level that minimises such problems."*

The owner of the horses is seeking Council's consent to keep 5 horses upon Lot 167 Dolbys Drive which equates to a stocking rate of 1 horse per 1.72244ha and up to 4 horses upon Lot 172 Dolbys Drive which equates to a maximum stocking rate of 1 horse per hectare.

It should be noted that Lot 167 is currently being subdivided into 6 lots and the landowner of Lot 172 would need to obtain the approval of the future purchasers of the subdivided lots to continue to agist horses on this land.

Section 1.3 sets out the general objects of the Scheme, for which Council should have regard for, and this includes:

“1.3.1(b) To secure the amenity, health and convenience of the Scheme Area and the inhabitants thereof.”

The separate requirements concerning the keeping of keeping stock under the *Agriculture and Related Resources Protection Act 1976* must also be complied with even by rural-residential landowners.

It is an offence to contravene the stocking requirements prescribed within the Scheme pursuant to Section 218(a) of the *Planning and Development Act 2005* which carries a maximum penalty under Section 223 of \$200,000 along with a maximum daily penalty of \$25,000 for each day during which the offence continues.

Draft Shire of Chapman Valley Local Planning Scheme No.2 has completed its advertising and was adopted by Council at its 17 July 2013 meeting and forwarded to the Minister for Planning seeking final approval. Scheme No.2 zones Lots 167 & 172 Dolbys Drive, Waggrakine as ‘Rural Residential 1’ and Schedule 11 sets the stocking rates as follows:

“6 With the objective of maintaining sustainable land use practices, and preventing land degradation through wind and water erosion, the keeping of animals is permitted in accordance with the following or such density as approved by the local government following consultation with the Department of Agriculture and Food, with conditions if appropriate:

5 sheep / 1ha of agistment area

1 horse / 2ha of agistment area

1.6 pony / 2ha of agistment area

1 milking cow / 2ha of agistment area

1.6 heifer / 2ha of agistment area

5 goats / 1ha of agistment area

Only one stock option as specified above will be permitted or a combination equivalent of one option.

7 Notwithstanding the above, the Local Government may reduce or vary the limit on stocking or place any other conditions in light of prevailing seasonal conditions to prevent overstocking, erosion, or other practices detrimental to the environment or amenity of the neighbouring properties from those rates described in Clause (6) above.”

POLICY IMPLICATIONS

Nil, the issue of stocking rates is addressed by the Scheme.

FINANCIAL IMPLICATIONS

Nil, expenditure to date has been limited to staff time only.

STRATEGIC IMPLICATIONS

Many landowners who move into rural-residential areas do so seeking to pursue a semi-rural lifestyle and keep stock but given the smaller lot sizes involved in such areas it requires careful land management. It is not uncommon for issues to arise in rural-residential areas where animals are stocked at rates that neighbouring landowners feel cause undue odour or dust emissions, or higher than the land can sustain, leading to degradation such as soil erosion, water pollution and damage to vegetation. To manage these problems, many Schemes introduce at time of rezoning, provisions requiring that stocking rates in rural-residential zones be restricted.

Scheme No.1 specifies a stocking rate per hectare and it was considered prudent during the Scheme review to instead specifically base the stocking rate on the agistment area, thereby removing land 'lost' to buildings, driveways and front gardens from being included within the stocking rate calculation.

Stocking rates are the numbers of stock, e.g. sheep, cows, goats, horses etc. that can consistently be kept on a piece of pasture all year round with minor additional feed and without causing environmental degradation. The stocking rate is generally associated with broad acre farming practices and thus gives a baseline value for the management of land on rural-residential properties. Stocking rates are largely based on the amount of pasture that each particular type of animal will consume, but are also influenced by feeding patterns, animal weight, foot structure, soil type and activity.

The Department of Agriculture and Food recommends that the base stocking rate should:

- provide enough feed to maintain animals in good condition;
- avoid soil erosion by providing enough pasture cover to protect the soil throughout the year (management such as stock rotation may be necessary); &
- be sustainable through average years.

The landowner of Lot 172 has submitted additional information outlining their land management practices and part 5(b) of the 'Special Rural 12' provisions contained within Appendix 6 of Scheme No.1 does make allowance for Council to consider the landowner's request. Should Council feel that the additional information provided by the applicant has some merit it might consider either of the following alternative courses of action appropriate:

"That Council write to all landowners on Dolbys Drive, the 3 landowners abutting the rear of Lot 172 on Cargeeg Bend, the Department of Agriculture and Food, and the Department of Water inviting comment on the request by the landowner of Lot 172 seeking to keep 4 horses and 2 sheep upon Lot 172 Dolbys Drive (1 horse per ha) and 5 horses upon Lot 167 Dolbys Drive (1 horse per 1.72244ha) within a submission period of 30 days and return this matter to the 16 October 2013 meeting of Council for its consideration of any received submissions."

or

"That Council approve the temporary keeping of 4 horses and 2 sheep upon Lot 172 Dolbys Drive (1 horse per ha) and 5 horses upon Lot 167 Dolbys Drive (1 horse per 1.72244ha) for a trial period of 6 months, subject to the management of the land being undertaken in accordance with the applicant's correspondence dated 27 July 2013, at the conclusion of which the matter is to be returned to the March 2014 meeting of Council for its further consideration."

VOTING REQUIREMENTS

Simple majority of Council.

STAFF RECOMMENDATION

That Council advise the landowners of Lot 172 Dolbys Drive, Waggrakine and Lot 167 Dolbys Drive, Waggrakine that:

- 1 Appendix 6 of the Shire of Chapman Valley Town Planning Scheme No.1 requires for the 'Special Rural 12' zone that the maximum stocking rate is 1 horse per 2 hectares and that both landowners are required to comply with this requirement within a period of 60 days from the date of this Council resolution.
- 2 Instruct Shire staff that should the keeping of horses not comply with the 1 horse per 2 hectares stocking rate requirements of the Scheme by 21 October 2013 then it engage the Shire's solicitors to commence prosecution proceedings against the landowners of Lot 172 Dolbys Drive, Waggrakine and Lot 167 Dolbys Drive, Waggrakine.

27th July 2013

To Chapman Valley Council for review at the meeting scheduled for 21st August 2013.

Dear Ladies and Gentlemen of the Council,

This letter is in answer to the letter dated 22nd July 2013. Many thanks for your return correspondence and the chance to explain my stocking rates.

Firstly, on Lot 167 Cooper Street, (J & S Webb), the stock level is at 1 horse per 1.72ha. I understand this is a little higher than the required level of 1 horse per 2 ha however I have maintained this block for 12 months now (even over Summer) without ever having any degraded areas or any problems with my stock escaping or being a problem. Over summer if we experienced rain I moved the stock to other paddocks to refresh the couch present at Lot 167.

The paddock is slashed, to maintain tidiness, when needed and firebreaks are sprayed and maintained. I even spray on the outside of the fence line, on Shire land, (3/4 metres) to keep it free of weeds. This enables fences to stay intact and keeps our road verges looking neat.

I have only been utilising an area of 12/13 acres up to now, but as Mr Webb is subdividing I will have access to more area with large amounts of couch. (Titles will not be available until March 2014)

I also hard feed the stock on Lot 167 daily with nutrients (chaff, Lucerne chaff, stud master, bran and a mineral supplement) and 1 large round bale per week.

I would like to put forward a trail period whereby a monthly viewing is done and if in 6 months, the Shire feel my management of the land is unacceptable I will look for alternative paddocking. If time is an issue I am happy to take photos on a monthly basis to submit to your office for viewing.

Secondly, my property at Lot 172 Dolby Drive. The majority of the time I have my stallion on site; however at different intervals I have youngsters there whilst training. One to three extra's for a week at a time is all I have. Some of these are 6 month old foals whilst they are being weaned for re-homing.

I have two stables and five day paddocks where these ponies are kept. They have access to hay constantly and hard fed twice a day (occasionally three times a day if required).

I also have access to Lots 176,177,178 and 179 Dolby Drive. At present I have cropped these to use in August, September, October, November and December. Also Lot 170 Dolby Drive has just been acquired to use for two other ponies. Lot 170 has couch so is a great paddock as summer rain replenishes the ground cover. Again all ponies no matter where they are paddocked are supplement fed on a daily basis.

I have a good stock of round bales, even now when many are short of hay and I have several good suppliers. I always pre-purchase my hay so I am never left short.

My 4 ha property has been divided into 3 large paddocks (2 acres each) and 6 smaller paddocks (40m x 50 m). These are cropped annually so that nutrients are put back into the soil. I also have the 2 stables (4m x 12 m) and 5 day paddocks (20mx20m) Some paddocks are electrified if not post and rail to assure no animals are a nuisance.

The complaint against me, by my neighbour, was not because of degradation of land it was sour grapes as the Shire had years of problems with him and acted accordingly. I believe he thought I was responsible for the complaint.

I am hoping to invite at least two Councillors to view my property prior to the meeting so they can view for themselves the set up I have which arms them with information to make a judgement. Also any councillor here who wishes to do the same before making a judgement is most welcome.

Again I ask, after 10 years on this property and annual cropping to replenish the "gutless sandy soil" I be given a trail period to prove degradation is not taking place and I am a responsible land owner able to rotate stock to benefit my property. The fact I have sourced alternative paddocks from my neighbours shows I have sufficient land to rotate successfully.

I will be present at the meeting on 21st August at 10 am if any questions need to be answered.

Many thanks for your time.
Dana Baddeley

AGENDA ITEM:	9.1.2
SUBJECT:	WOKARENA HEIGHTS LOCAL STRUCTURE PLAN
PROONENT:	D & L PATTEN
SITE:	LOT 10 RICHARDS ROAD, BULLER
FILE REFERENCE:	A82 & 204.06.04
PREVIOUS REFERENCE:	2/07-11, 12/10-2, 6/11-9, 9/11-14, 04/12-3, 04/12-21, 07/12-9, 09/12-6 & 07/13-3
DATE:	12 AUGUST 2013
AUTHOR:	KATHRYN JACKSON

DISCLOSURE OF INTEREST

Nil.

BACKGROUND

Council is in receipt of correspondence from the landowners of Lot 10 Richards Road seeking minor modification to the Wokarena Heights Local Structure Plan relevant to their property. This report recommends support for the amendment of the Wokarena Heights Local Structure Plan relevant to the subdivision design for Lot 10 Richards Road, Buller.

COMMENT

Council resolved at its 19 September 2012 meeting:

“That Council adopt the Wokarena Heights Residential R2.5 Structure Plan and write to the Western Australian Planning Commission seeking its final approval.”

The Shire was notified by the Western Australian Planning Commission on 22 October 2012 that the Wokarena Heights Local Structure Plan had been formally endorsed.

Council is now in receipt of an application for the amendment of the Structure Plan for the portion of the subdivisional design contained within the boundary of Lot 10 Richards Road, Buller. Lot 10 is 12.0712ha in area with its western boundary fronting Richards Road and contains an existing residence and outbuilding which are located towards the south-east portion of the lot and are surrounded by mature vegetation.

Figure 1 - Location Plan for Lot 10 Richards Road, Buller



Figure 2 – Currently endorsed Structure Plan layout relevant to Lot 10



The endorsed Wokarena Heights Local Structure Plan currently demonstrates Lot 10 as being able to be subdivided into 23 lots as shown in **Figure 2**. The submitted amended plan for Lot 10 proposes that the lot be subdivided into 25 lots, 24 lots ranging between 4000m² to 4056m² and a 5473m² lot containing the existing residence and outbuilding. The plan varies from the Structure Plan previously adopted by Council, however, it is considered that the revised plan is an improvement on the previous plan by allowing the lot to be subdivided independently of surrounding properties.

The submitted amended plan for Lot 10 has been included as **Attachment 1** for Council's further information.

The amended plan proposes to create a new subdivisional road that is aligned east-west across the lot bisecting another subdivisional road that would be constructed north-south through the centre of the lot. The roads have sufficient intersection offset from other proposed intersections within the Structure Plan area and will also maintain the connection points with the existing subdivision designs for the adjoining lots. Given the location of the new subdivisional roads the plan will require some minor recalculation to the drainage design for this immediate area, however these changes are considered to be minor in nature and can be dealt with sufficiently at the subdivision stage through standard approval conditions.

STATUTORY ENVIRONMENT

Shire of Chapman Valley Town Planning Scheme No.1 was gazetted on 20 August 1982 and designates the Wokarena Heights area as being zoned 'General Farming'. Shire of Chapman Valley Local Planning Scheme No.2 proposes to rezone the Wokarena Heights area to the 'Residential R2.5' zone that would allow for the subdivision of the area into 4,000m² sized residential lots.

Shire of Chapman Valley Local Planning Scheme No.2 was formally adopted by Council at its 17 July 2013 meeting and subsequently forwarded to the Western Australian Planning Commission seeking final endorsement.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Should Council support the amendment of the Structure Plan, a fee will be required to be paid for the updating of the Wokarena Heights Local Structure Plan to reflect the endorsed changes to the document. A quote received from GHD has indicated that this cost would be approximately \$1948.00 (GST incl).

For the minor modification of an endorsed Local Structure Plan there is an applicable fee of \$2695.00 + GST payable to the Shire per the Schedule of Planning Services Fees.

STRATEGIC IMPLICATIONS

The Geraldton Region Plan (1999) provides a framework for the future management, protection and coordination of regional planning in the region. The Region Plan incorporates a Structure Plan for the Greater Geraldton area that was updated by the WAPC in 2011. The updated Greater Geraldton Structure Plan identifies the Wokarena Heights area as 'Future Urban'.

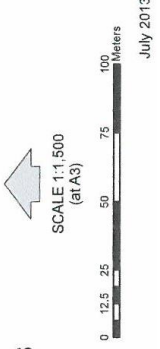
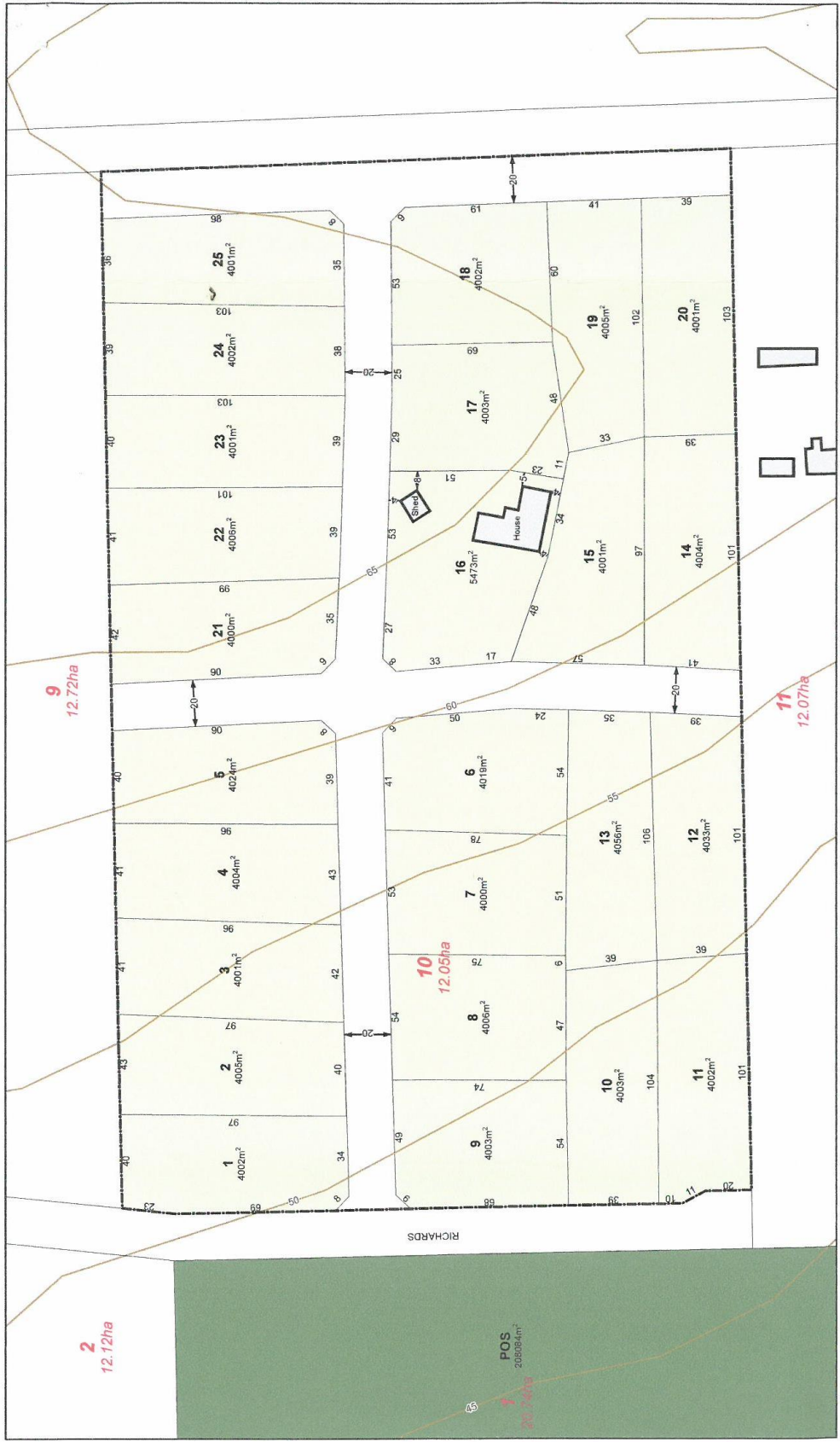
The Wokarena Heights Local Structure Plan would ultimately create approximately 253 lots with a total resident population of approximately 658 persons (based on the 2011 Census data for average household size in Chapman Valley). The Structure Plan area would be accessed by an internal subdivisional road network that would primarily connect into the greater road network via Wokarena Road but with some potential for ancillary connection into Beattie Road to the south and Eliza Shaw Drive to the north. The Structure Plan area would be serviced by scheme water, underground power and fibre optic telecommunications, and have a district level park and two smaller neighbourhood parks.

VOTING REQUIREMENTS

Simple majority of Council.

STAFF RECOMMENDATION

That Council adopt the landowner's submitted amended subdivisional design for Lot 10 Richards Road, Buller provided as **Attachment 1** for insertion into the Wokarena Heights Local Structure Plan and write to the Western Australian Planning Commission seeking its final approval.



AREAS AND DIMENSIONS
SUBJECT TO SURVEY



Shire of Chapman Valley
Lot 10 Wokarena Road, BULLER

PLANWEST (WA) Pty Ltd

July 2013

AGENDA ITEM:	9.1.3
SUBJECT:	PROPOSED DISPOSAL OF 3 FORMER WATER RESERVES
PROPONENT:	DEPARTMENT OF LANDS
SITE:	RESERVE 12648 DARTMOOR-LAKE NERRAMYNE ROAD, DARTMOOR RESERVE 16124 CHAPMAN VALLEY ROAD, ROCKWELL RESERVE 17216 PROTHEROE ROAD, NABAWA
FILE REFERENCE:	R12648, R16124 & R17216
PREVIOUS REFERENCE:	Nil.
DATE:	12 AUGUST 2013
AUTHOR:	SIMON LANCASTER

DISCLOSURE OF INTEREST

Nil.

BACKGROUND

The Shire have been approached by the Department of Lands enquiring whether it would be prepared to accept the management orders for 3 reserves with the current management purpose of 'Water' that the Department of Water have identified as surplus to their operational requirements. This report recommends that Council advise the Department of Lands that it would accept the management orders for the 3 reserves.

COMMENT

Reserve 12648 is a 59.929ha reserve bisected by the Dartmoor-Lake Nerramyne Road, 26.75ha is located north of the road and 33.175ha south of the road. Reserve 12648 is currently under the management of the Department of Water for the purpose of 'Water'. The reserve is located immediately west of a portion of Unallocated Crown Land that the Shire approached the Department of Lands over on 26 May 2011 seeking access to a gravel resource located within the UCL. It is recommended that the Shire accept the management order for Reserve 12648 and request the reserve purpose be changed to 'Gravel'.

The correspondence received from the Department of Lands relevant to Reserve 12648 Dartmoor-Lake Nerramyne Road, Dartmoor has been included as **Attachment 1**.

Figure 1 – Location Map for Reserve 12648 Dartmoor-Lake Nerramyne Road, Dartmoor

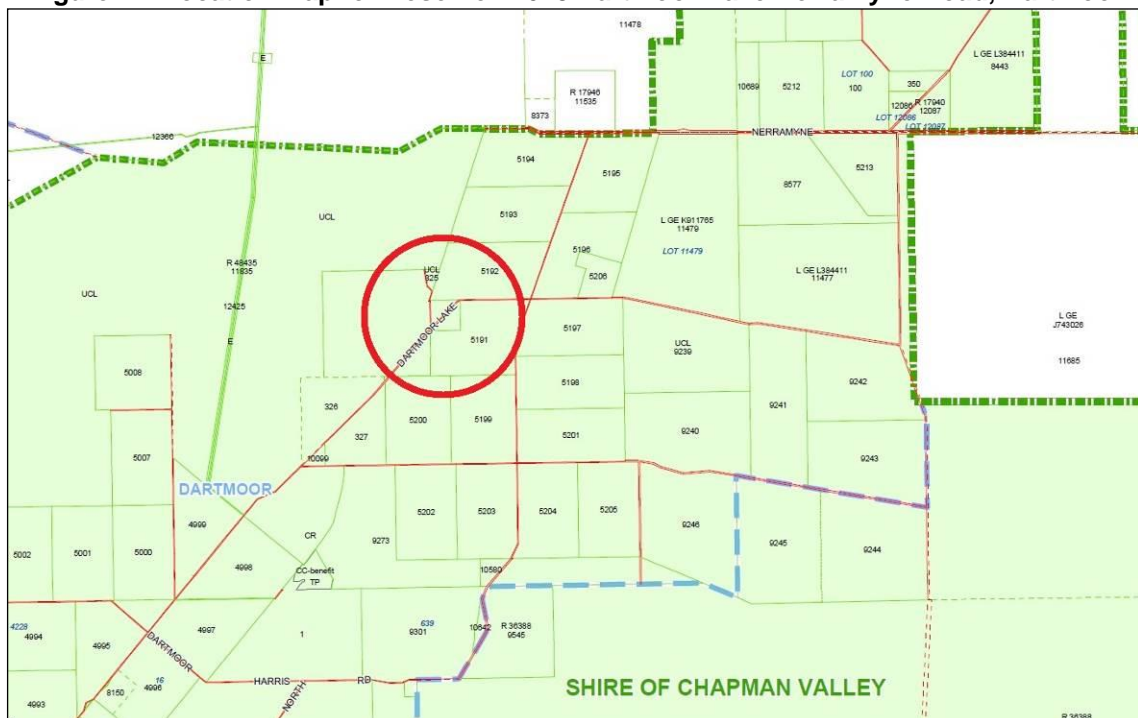


Figure 2 – Aerial Photo of Reserve 12648 Dartmoor-Lake Nerramyne Road, Dartmoor



Reserve 16124 is a 2.074ha reserve bisected by the Chapman Valley Road, 1.7318ha is located east of the road and 0.3422ha west of the road. Reserve 12648 is currently under the management of the Department of Water for the purpose of ‘Water’. A section of the onground alignment of Nolba Rockwell Road also bisects Reserve 16124 and the Department of Lands are enquiring whether Council seeks the dedication of this portion of Nolba Rockwell Road as public road. It is recommended that the Shire support the subject road dedication and accept the management order for Reserve 16124 again with the requested reserve purpose change to ‘Gravel’.

The correspondence received from the Department of Lands relevant to Reserve 16124 Chapman Valley Road, Rockwell has been included as **Attachment 2**.

Figure 3 – Location Map for Reserve 16124 Chapman Valley Road, Rockwell

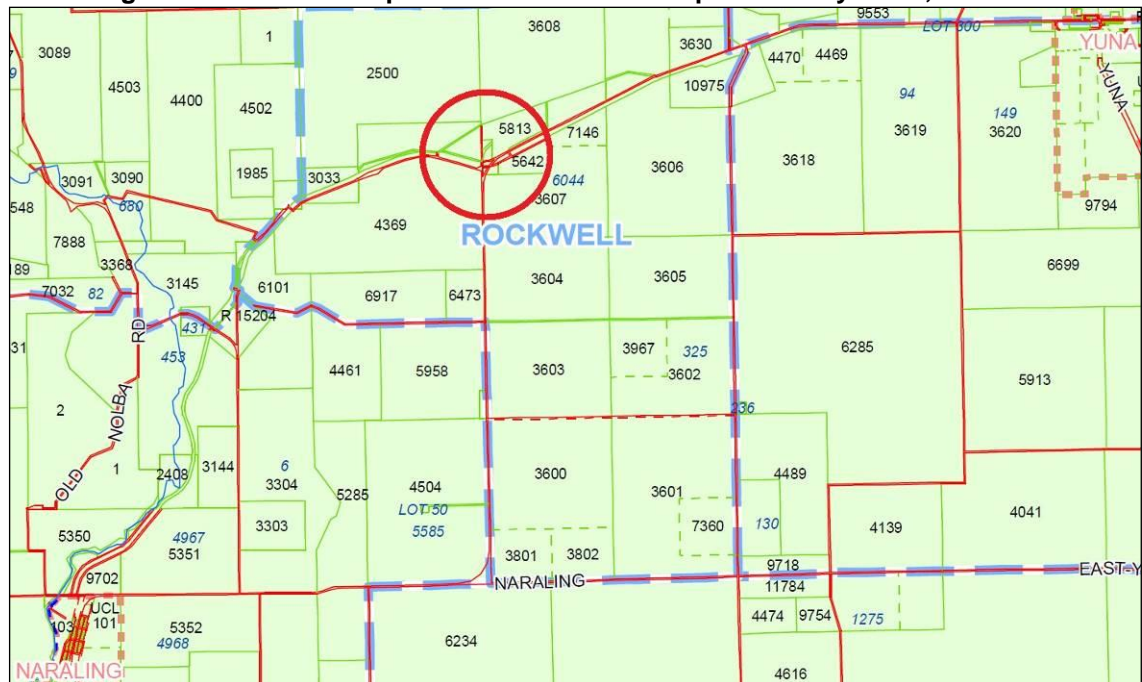


Figure 4 – Aerial Photo of Reserve 16124 Chapman Valley Road, Rockwell



Reserve 17216 is a 145m² reserve fronting an unconstructed portion of Protheroe Road and is north of the Protheroe Nature Reserve. Reserve 17216 is currently under the management of the Department of Water for the purpose of 'Water'. The reserve contains Government Well No.AA406 and the Department of Lands are proposing that the reserve purpose be amended to 'Historic Well Site'.

The well upon Reserve 17216 is not listed on the Shire of Chapman Valley Municipal Inventory of Heritage Places and is not accessible to the public due to the relevant section of Protheroe Road not being formed. The constructed section of Protheroe Road ceases approximately 1km to the north-east of the well site, and the other means of access is via farm tracks across private land linking back to Nabawa-Yetna Road approximately 3km south-west of the well site. The well is unfenced and has collapsed and is setback from the farm track that runs along the immediately adjacent section of the Protheroe Road reserve.

The correspondence received from the Department of Lands relevant to Reserve 17216 Protheroe Road, Nabawa has been included as **Attachment 3**.

Figure 5 – Location Map for Reserve 17216 Protheroe Road, Nabawa

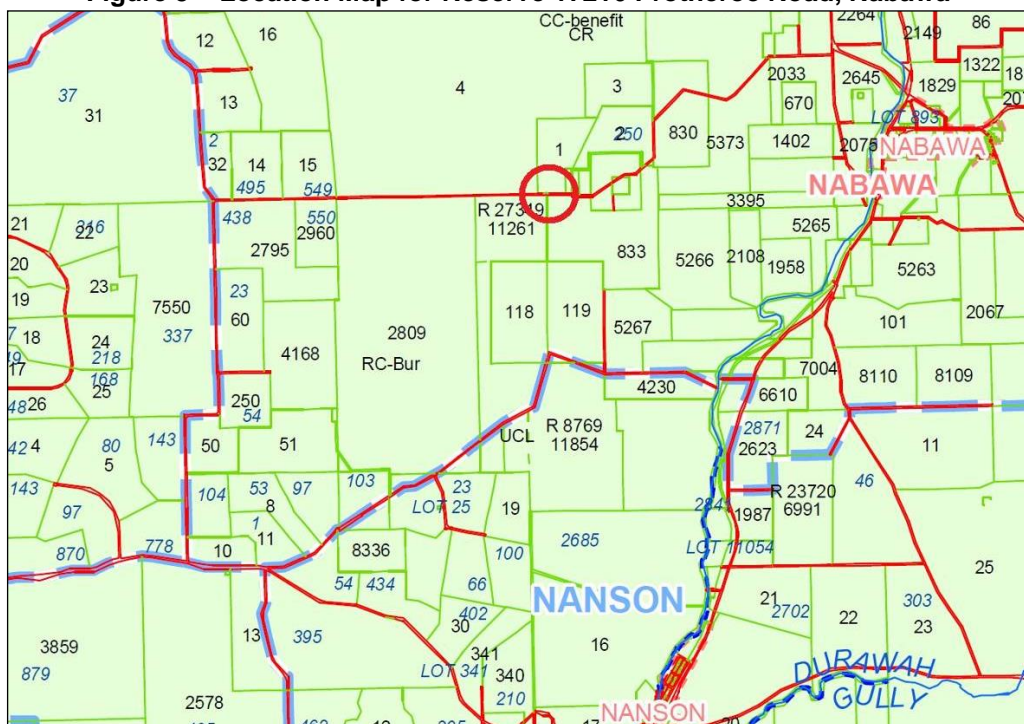


Figure 6 – Aerial Photo of Reserve 17216 Protheroe Road, Nabawa



Figure 7 – Well Site upon Reserve 17216 Protheroe Road, Nabawa



Figure 8 – Well Site upon Reserve 17216 Protheroe Road, Nabawa



STATUTORY ENVIRONMENT

Shire of Chapman Valley Town Planning Scheme No.1 identifies Reserve 12648 Dartmoor-Lake Nerramyne Road, Dartmoor as zoned 'Recreation', Reserve 16124 Chapman Valley Road, Rockwell as zoned 'Recreation' and Reserve 17216 Protheroe Road, Nabawa as zoned 'General Farming'.

Draft Shire of Chapman Valley Local Planning Scheme No.2 identifies Reserve 12648 Dartmoor-Lake Nerramyne Road, Dartmoor as zoned 'Parks & Recreation', Reserve 16124 Chapman Valley Road, Rockwell as zoned 'Parks & Recreation' and Reserve 17216 Protheroe Road, Nabawa as zoned 'Rural'.

In the event that Council accepts management for Reserves 12648, 16124 & 17216 and the Department of Lands agrees to the Shire's requested reserve purposes then the reserves should be identified on the Scheme No.2 Map as 'Public Purposes-Gravel' (Reserves 12648 & 16124) and 'Public Purposes-Water' either through the Scheme Review process if still ongoing or a later omnibus Scheme Amendment to Scheme No.2.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Should Council accept the management for Reserves 12648, 16124 & 17216 from the Department of Lands then the Shire will be responsible for ongoing management (similar to its other reserves) this would include fire, rubbish, access and environmental responsibilities.

STRATEGIC IMPLICATIONS

Section 5.11.1 of the Shire of Chapman Valley Local Planning Strategy (2008) notes that:

"5.11.1 Reserves and National Parks - Major reserves and remnant vegetation within the Chapman Valley Shire are in the east and north east and the steeper slopes and mesa tops of the Moresby Ranges. The East Yuna and Wandana Reserves are the most notable and are included in System 5. Protection measures are planned for the Moresby Ranges, which were also recognised in System 5. Here vegetation

communities are significant and contain a number of Rare and Priority species. Some land has been acquired by Government and other land may be taken up as the opportunities are presented.

There is merit in retaining strips of indigenous vegetation as wind and wildlife belts between cleared arable land, and consideration should be given to preserving additional areas of remnant vegetation, with Government now tending to a 'No Clearing Policy'."

Section 5.12.4 of the Shire of Chapman Valley Local Planning Strategy (2008) notes that:

"5.12.4 Gravel - Laterite gravel is present on mesa tops and on the plateau remnants. However these areas also frequently remain covered by remnant vegetation. There is a current trend to produce road making materials by crushing laterite (ferricrete duricrust) using portable crushing equipment. Consideration should be given for the protection of strategic gravel sources by the planning process."

Reserve 12648 Dartmoor-Lake Nerramyne Road, Dartmoor and Reserve 16124 Chapman Valley Road, Rockwell are located within Precinct No.1 – Yuna East of the Local Planning Strategy and by assuming responsibility for the reserves Council would be in position to implement either of the following Precinct No.1 objectives, or a combination thereof:

"Economic Objective 1.2.4 - Support the extraction of basic raw materials (except radioactive materials or minerals), pursuant to the provisions of the Mining Act 1978 and conducted in accordance with the 'Mining Code of Conduct' and 'Farmer Mining Guide'."

"Environmental Objective 1.3.1 - Encourage re-vegetation and retention of existing vegetation in order to minimise soil erosion and salinity levels through the promotion of natural resource management measures."

"Environmental Objective 1.3.5 - Ensure fire prevention measures are implemented and maintained in accordance with statutory requirements."

Reserve 17216 Protheroe Road, Nabawa is located within Precinct No.3 - Chapman Valley of the Local Planning Strategy and by assuming responsibility for Reserve 17216 Council would be in position to implement the following Precinct No.3 objective:

"Community Objective 3.1.4 Encourage the protection and restoration of places and buildings of heritage/historical significance."

VOTING REQUIREMENTS

Simple majority of Council.

STAFF RECOMMENDATION

That Council write to the Department of Lands advising of the following:

- 1 Council accepts the management order for Reserve 17216 Protheroe Road, Nabawa for the purpose of 'Historic Well Site';
- 2 Council accepts the management order for Reserve 12648 Dartmoor-Lake Nerramyne Road, Dartmoor for the purpose of 'Gravel';
- 3 Council accepts the management order for Reserve 16124 Chapman Valley Road, Rockwell for the purpose of 'Gravel'; &
- 4 Council supports the dedication of the portion of Nolba Rockwell Road bisecting Reserve 16124 as public road.



Government of Western Australia
Department of Lands

Regional and Metropolitan Services

RECEIVED
1 AUG 2013

Your ref: File BY: _____
Our ref: 02522-1910 Job No: 104072
Enquiries: Jaimie Eidsvold
Ph: (08) 6552 4713 Fax: (08)6552 4417
Email: Jaimie.eidsvold@lands.wa.gov.au

26th July 2013
Chief Executive Officer
Shire of Chapman Valley
PO Box 1
NABAWA WA 6532

Dear Sir

**PROPOSED DISPOSAL OF SURPLUS DEPARTMENT OF WATER RESERVE
12648 LOT 5190 ON DP 232573, SHIRE OF CHAPMAN VALLEY**

The Department of Water has identified Reserve 12648 Lot 5190 on DP 232573 for the purpose of 'Water', under management of the Department of Water to be surplus to their operational requirements. I have attached a copy of Smartplan and an aerial image showing Reserve 12648.

It would be beneficial if you could please advise if the Shire of Chapman Valley will accept Management of Reserve 12648.

If you have any queries or require further information please do not hesitate to contact me on 6552 4713.

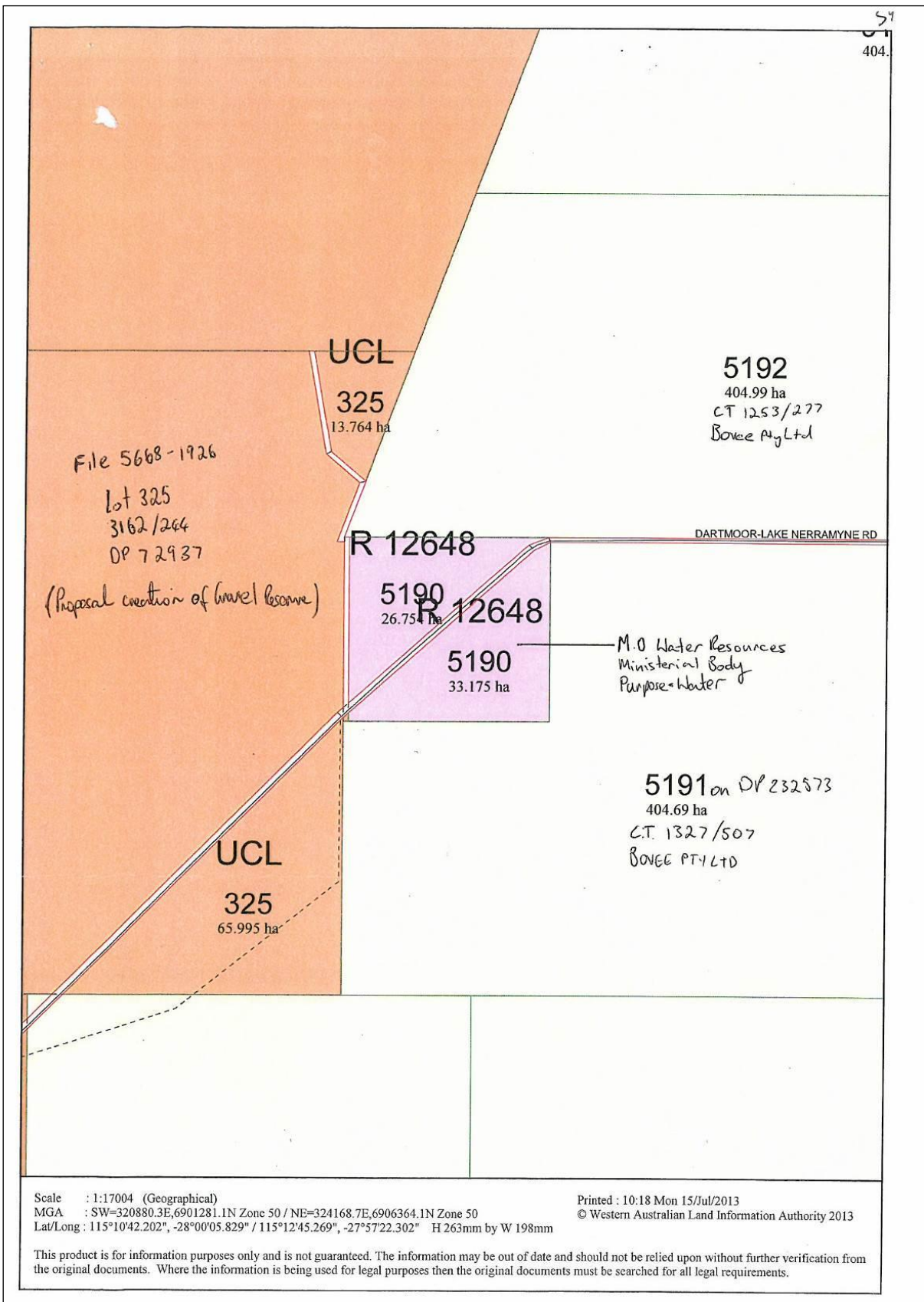
Yours sincerely

JAIMIE EIDSVOLD
ASSITANT STATE LAND OFFICER
MID WEST GASCOYNE
REGIONAL AND METROPOLITAN SERVICES

Att: (2)

Gordon Stephenson House, 140 William Street, Perth Western Australia 6000 PO Box 1143, West Perth Western Australia 6872
Telephone: (08) 6552 4400 Facsimile: (08) 6552 4417 Freecall: 1800 735 784 (Country only)
Email: info@lands.wa.gov.au Website: www.lands.wa.gov.au
ABN: 68 565 723 848

20130801



85

Map Viewer

Created 15 Jul 2013



Scale: 1:33,017

Description

Map Projection: GDA 94 (Lat/Long)

Datum: Geocentric Datum of Australia 1994

1 Midland Square
 Midland WA 6056
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 customerservice@landgate.wa.gov.au
 www.landgate.wa.gov.au



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Government of **Western Australia**
Department of **Lands**

Regional and Metropolitan Services

RECEIVED
31 AUG 2013

BY: _____

Your ref:

Our ref: 01062-1917 Job: 104073

Enquiries: Jaimie Eidsvold

Ph: (08) 6552 4713 Fax: (08) 6552 4417

Email: jaimie.eidsvold@rdl.wa.gov.au

29th July 2013

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

Dear Sir/Madam

***PROPOSED DISPOSAL OF SURPLUS DEPARTMENT OF WATER RESERVE
16124 LOT 4205 ON DP 143215, SHIRE OF CHAPMAN VALLEY***

The Department of Water has identified Reserve 16124 Lot 4205 on DP 143215 for the purpose of 'Water', under Management Order of the Department of Water to be surplus to their operational requirements. I have attached a copy of Smartplan and aerial showing Reserve 16124 for your information.

The western portion of Reserve 16124 is bisected by Nolba Rockwell Road. The portion of road that bisects through the Reserve is yet to be dedicated. It would be beneficial if you could please advise whether the Shire is planning on dedicating the subject portion of Nolba Rockwell Road. Please also advise whether the Shire is willing to accept the Management Order for Reserve 16124.

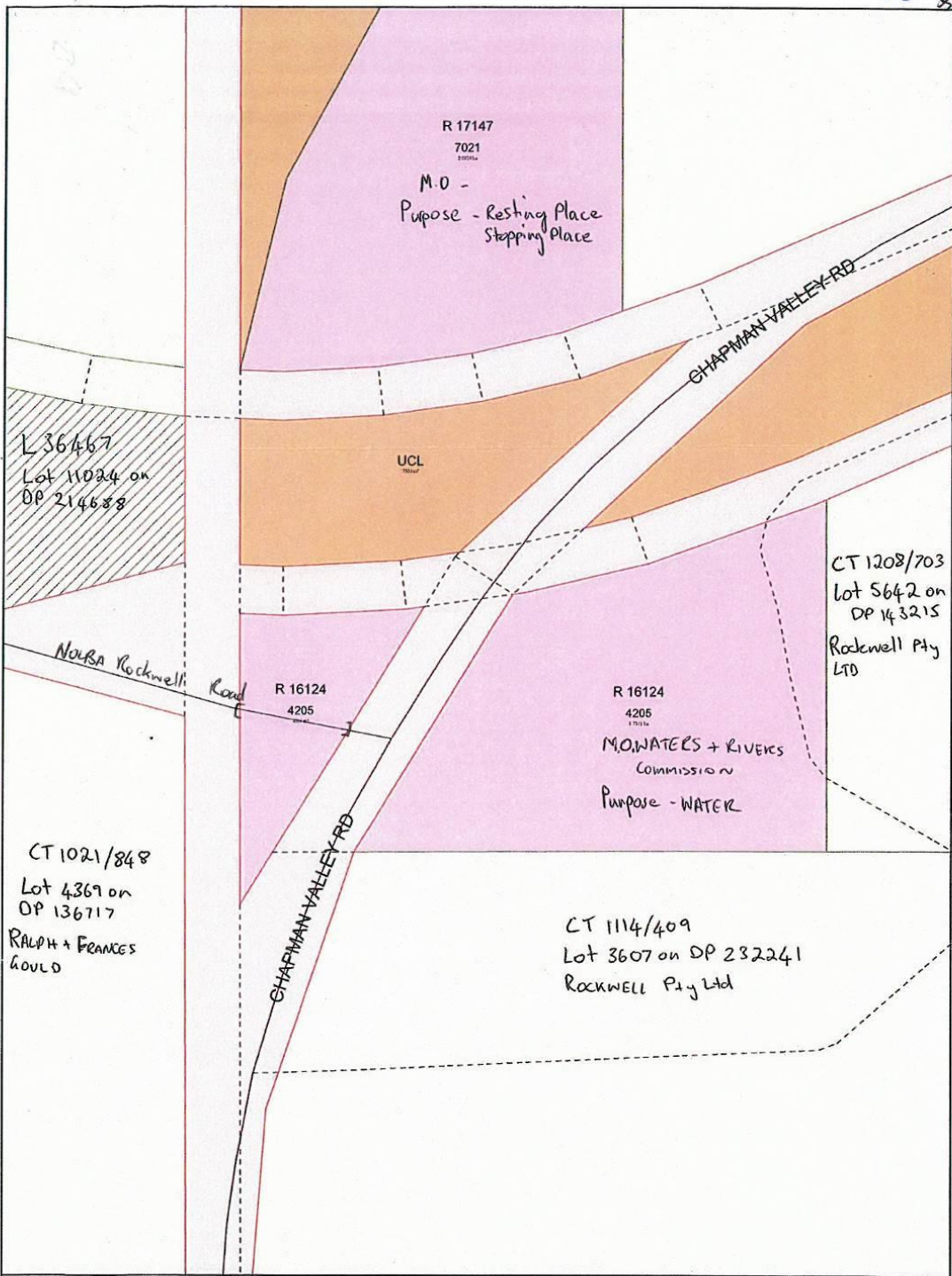
Please do not hesitate to contact me on 6552 4713 if you have any queries or require further information.

Yours sincerely,

**JAIMIE EIDSVOLD
ASSISTANT STATE LAND OFFICER
MIDWEST GASCOYNE
REGIONAL AND METROPOLITAN SERVICES**

Att: (2)

48



Scale : 1:1765 (Geographical)
 MGA : SW=295515.5E,6862438.2N Zone 50 / NE=295855.7E,6862968.8N Zone 50
 Lat/Long : 114°54'49.588" , -28°20'54.118" / 114°55'02.412" , -28°20'37.077" H 263mm by W 198mm

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Created 12 Jul 2013





Government of Western Australia
Department of Lands

Regional and Metropolitan Services

RECEIVED
01 AUG 2013
BY: _____

Your ref: File
Our ref: 02326-1918 Job No: 110127
Enquiries: Jaimie Eidsvold
Ph: (08) 6552 4713 Fax: (08)6552 4417
Email: Jaimie.eidsvold@lands.wa.gov.au

26th July 2013
Chief Executive Officer
Shire of Chapman Valley
PO Box 1
NABAWA WA 6532

Dear Sir

**PROPOSED DISPOSAL OF SURPLUS DEPARTMENT OF WATER RESERVE
17216, SHIRE OF CHAPMAN VALLEY**

The Department of Water has identified Reserve 17216 for the purpose of 'Water', under management of the Department of Water to be surplus to their operational requirements. I have attached a copy of Smartplan and an aerial image showing Reserve 17216.

Government Well No AA 406 is located within Reserve 17216. It is therefore proposed to change the purpose of Reserve 17216 to 'Historic Well Site'. It would be beneficial if you could advise if the Shire of Chapman Valley will accept the Management Order for Reserve 17216 for the purpose of 'Historic Well Site'.

If you have any queries or require further information please do not hesitate to contact me on 6552 4713.

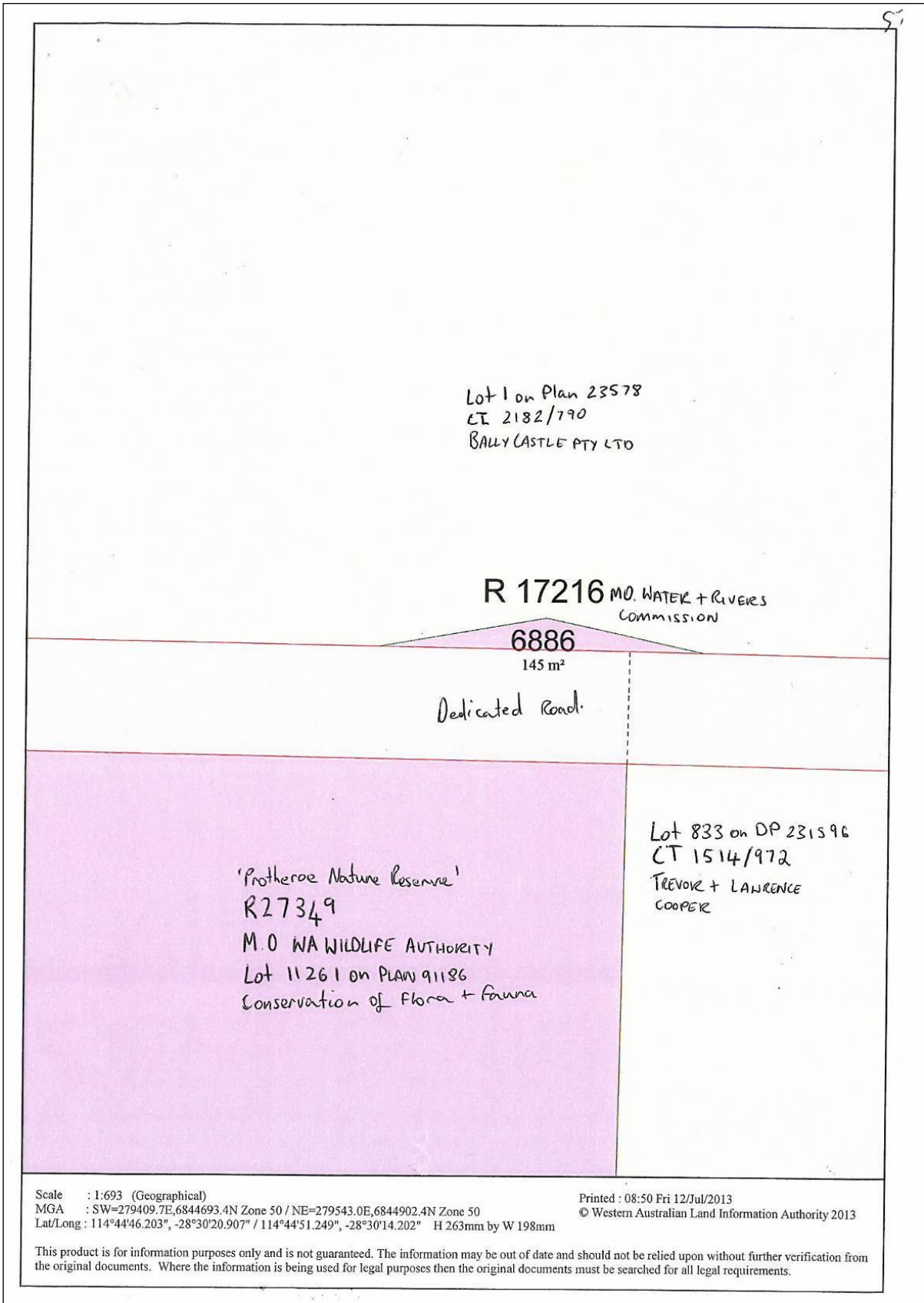
Yours sincerely

JAIMIE EIDSVOLD
ASSITANT STATE LAND OFFICER
MID WEST GASCOYNE
REGIONAL AND METROPOLITAN SERVICES

Att: (2)

Gordon Stephenson House, 140 William Street, Perth Western Australia 6000 PO Box 1143, West Perth Western Australia 6872
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Email: info@lands.wa.gov.au Website: www.lands.wa.gov.au
ABN: 68 565 723 848

XEROLOG



Lot 1 on Plan 23578
 CT 2182/790
 BALLYCASTLE PTY LTD

R 17216 MO. WATER + RIVERS
 COMMISSION

6886
 145 m²

Dedicated Road

'Protheroe Nature Reserve'
 R27349
 M.O WA WILDLIFE AUTHORITY
 Lot 11261 on Plan 91186
 Conservation of Flora + Fauna

Lot 833 on DP 231596
 CT 1514/972
 TREVOR + LAWRENCE
 COOPER

Scale : 1:693 (Geographical)
 MGA : SW=279409.7E,6844693.4N Zone 50 / NE=279543.0E,6844902.4N Zone 50
 Lat/Long : 114°44'46.203", -28°30'20.907" / 114°44'51.249", -28°30'14.202" H 263mm by W 198mm

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9.2 FINANCE August 2013

Contents

9.2 AGENDA ITEMS

9.2.1 Financial Reports for June 2013

AGENDA ITEM:	9.2.1
SUBJECT:	FINANCIAL REPORTS FOR JUNE 2013
PROPONENT:	MID WEST REGIONAL COUNCIL
SITE:	SHIRE OF CHAPMAN VALLEY
FILE REFERENCE:	307.04
PREVIOUS REFERENCE:	N/A
DATE:	13 AUGUST 2013
AUTHOR:	KRISTY WILLIAMS

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 June 2013 for Council's review.

STATUTORY ENVIRONMENT

Local Government Act 1995 Section 6.4

Local Government (Financial Management) Regulations 1996 Section 34

POLICY IMPLICATIONS

Policy 5.70 Significant Accounting Policies

Extract:

"2. Monthly Reporting

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

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

FINANCIAL IMPLICATIONS

As presented in June 2013 financial statement.

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority required.

STAFF RECOMMENDATION

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

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

9.3 Chief Executive Officer August 2013

Contents

9.3 AGENDA ITEMS

- 9.3.1 Red Card Red Fox
- 9.3.2 Special Council Meeting Minutes 2 August 2013
- 9.3.3 Formal Adoption of 2013/2014 Budget
- 9.3.4 **CONFIDENTIAL ITEM** Nabawa Valley Tavern Lease – RS & WS Neville

AGENDA ITEM:	9.3.1
SUBJECT:	RED CARD RED FOX
PROPONENT:	CHAPMAN VALLEY LCDC
SITE:	SHIRE OF CHAPMAN VALLEY
FILE REFERENCE:	207.00
PREVIOUS REFERENCE:	N/A
DATE:	13 AUGUST 2013
AUTHOR:	MARIEKE JANSEN

DISCLOSURE OF INTEREST

Nil

BACKGROUND

In March 2013 the Chapman Valley LCDC with support from the Shire of Chapman Valley organised a very successful "Red Card for the Red Fox" event. 121 people registered to participate in the shooting that resulted in 113 foxes, 29 cats, 371 rabbits. 6 pigs and 2 goats were shot in the event.

Since the original Red Card for the Red Fox land managers have been baiting for rabbits, foxes and pigs. Another event in August will help to further reduce pest animal numbers in the local area that have a deteriorating effect on our local biodiversity and growing crops.

COMMENT

The Chapman Valley LCDC is contacting sponsors to support "Red Card for the Red Fox".

Council donated \$100, towards prize money at the previous shoot. Would they support the event again?

STATUTORY ENVIRONMENT

Local Government Act 1995 – General Provisions

POLICY IMPLICATIONS

Council's Policy Manual relating to donations provides:-

"5.30 DONATIONS AND GRANTS

Local Nature

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

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

Exceptions to the above will be -

Disaster or emergency appeals.

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

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

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

FINANCIAL IMPLICATIONS

Currently no financial provision in the 2013/2014 budget

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

STAFF RECOMMENDATION

That Council donates \$100 towards the Red Card Red Fox day.

AGENDA ITEM:	9.3.2
SUBJECT:	SPECIAL COUNCIL MEETING MINUTES 2 AUGUST 2013
PROPONENT:	SHIRE OF CHAPMAN VALLEY
SITE:	N/A
FILE REFERENCE:	306.13
PREVIOUS REFERENCE:	
DATE:	8 AUGUST 2013
AUTHOR:	BARRYE THOMPSON

DISCLOSURE OF INTEREST

Nil

BACKGROUND

The Shire of Chapman Councillors met for a Special Council Meeting on Friday 2 August 2013 at 9.00am in the Council Chambers Nabawa. The minutes of the meeting have been included as **Attachment 1**.

COMMENT

The minutes and recommendations from the Special Council meeting dated 2 August 2013 are presented for Council consideration.

COUNCIL RESOLUTION

MOVED: CR FARRELL

SECONDED: CR HUMPHREY

That Council authorise the Acting Chief Executive Officer to make application for a provision of an overdraft facility through Westpac Bank for the amount of \$250,000.

Voting 5/0

***CARRIED BY ABSOLUTE MAJORITY
Minute Reference SC 8/13-3***

STATUTORY ENVIRONMENT

*Local Government Act 1995
Local Government Audit Regulations 1996.*

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

2013/14 Budget

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Absolute Majority

STAFF RECOMMENDATION

That Council receives the minutes of the Special Council meeting 2 August 2013.



Shire of
Chapman Valley
Love the Rural Life

UNCONFIRMED MINUTES

2 AUGUST 2013

SPECIAL COUNCIL MEETING

**Notice is hereby given that a Special Meeting
of Council will be held on Friday 2 August 2013
in the Council Chambers, Nabawa, commencing at 9.00am**

Barrye Thompson
ACTING CHIEF EXECUTIVE OFFICER

DISCLAIMER



Shire of
Chapman Valley
Love the Rural Life

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 blue ink, appearing to read 'Barrye Thompson', is written over a light blue horizontal line.

Barrye Thompson
ACTING CHIEF EXECUTIVE OFFICER

**SHIRE OF CHAPMAN VALLEY
UNCONFIRMED MINUTES FOR SPECIAL MEETING OF COUNCIL HELD IN THE COUNCIL
CHAMBERS, NABAWA 9.00AM FRIDAY 2 AUGUST 2013**

Disclaimer (To be provided to Visitors Present)

ORDER OF BUSINESS:

1.0 DECLARATION OF OPENING/ANNOUNCEMENTS OF VISITORS

The Chairman, Cr Collingwood welcomed Elected Members and Staff and declared the meeting open at 9.12am.

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

2.1 Present

a. Councillors

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

b. Staff

Officer	Position
Mr Barrye Thompson	Acting Chief Executive Officer
Mrs Karen McKay	Executive Assistant (Minute Taker)
Mrs Dianne Raymond	Office Manager
Mrs Nita Jane	Accountant Midwest Regional Council
Mrs Kristy Williams	Midwest Regional Council

2.2 Apologies

Councillor	Ward
Cr Peter Batten (Leave of Absence)	North East Ward
Cr Pauline Forrester	North East Ward
Mr Simon Lancaster	Manager of Planning

3.0 DISCLOSURE OF INTEREST

Nil

4.0 AGENDA ITEM

Draft Budget 2013/2014 Workshop

COUNCIL RESOLUTION

MOVED: CR FARRELL SECONDED: CR DAVIDSON

That Council go behind closed doors to workshop the 2013/2014 Budget.

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

Meeting adjourned for lunch at 12.00pm.

Meeting recommenced at 12.45pm and Cr Bell did not rejoin the meeting.

COUNCIL RESOLUTION

MOVED: CR FARRELL SECONDED: CR HUMPHREY

That Council come out from behind closed doors.

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

AGENDA ITEM:	4.1
SUBJECT:	APPLICATION FOR OVERDRAFT FACILITY
PROPONENT:	SHIRE OF CHAPMAN VALLEY
SITE:	SHIRE OF CHAPMAN VALLEY
FILE REFERENCE:	304.00
PREVIOUS REFERENCE:	
DATE:	1 AUGUST 2013
AUTHOR:	BARRYE THOMPSON

DISCLOSURE OF INTEREST

Nil

BACKGROUND

For Council to consider application for an overdraft facility.

COMMENT

The Shire of Chapman Valley current has no overdraft facility in place. The overdraft would only need to be used in the event that the budget is delayed and income from rates is not forthcoming right away. This facility would cover the wages and creditors during this period.

STATUTORY ENVIRONMENT

Local Government Act 1995 6.20 (2) (a) & (b)

Subdivision 3 — Borrowings

6.20. Power to borrow

- (1) Subject to this Act, a local government may —
- (a) borrow or re-borrow money; or
 - (b) obtain credit; or
 - (c) arrange for financial accommodation to be extended to the local government in ways additional to or other than borrowing money or obtaining credit, to enable the local government to perform the functions and exercise the powers conferred on it under this Act or any other written law.

**Absolute majority required.*

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Interest incurred on facility

STRATEGIC IMPLICATIONS

Facility available should Municipal account be overdrawn

VOTING REQUIREMENTS

Absolute Majority

STAFF RECOMMENDATION

That Council authorise the Acting Chief Executive Officer to make application for a provision of an overdraft facility through Westpac Bank for the amount of \$250,000.

COUNCIL RESOLUTION

MOVED: CR FARRELL SECONDED: CR HUMPHREY

That Council authorise the Acting Chief Executive Officer to make application for a provision of an overdraft facility through Westpac Bank for the amount of \$250,000.

**Voting 5/0
CARRIED BY ABSOLUTE MAJORITY
Minute Reference SC 8/13-3**

5.0 CLOSURE

The Chairman thanked the Elected Members and Staff for their attendance. The meeting was declared closed at 2.22pm.

AGENDA ITEM:	9.3.3
SUBJECT:	FORMAL ADOPTION OF 2013/2014 BUDGET
PROPONENT:	ACTING CHIEF EXECUTIVE OFFICER
SITE:	SHIRE OF CHAPMAN VALLEY
FILE REFERENCE:	306.08
PREVIOUS REFERENCE:	
AUTHOR:	BARRYE THOMPSON

DISCLOSURE OF INTEREST

Nil

REPORT PURPOSE

To present to Council the Final Draft of the 2013/2014 Annual Budget for consideration of formal adoption.

BACKGROUND

The Draft 2013/2014 Annual Budget schedules were presented to a Special Meeting of Council on the 2 August 2013. Perth Consumer Price Index (CPI) for the Year to 31 March 2013 is running at 2.4%. WALGA Economic Briefing May 2013 shows the Local Government cost Index increased to 2.5% to March 2013.

Utilities

- Electricity: State Government to increase electricity charges between 4% for residential.
- Water: State Government to increase water charges by 6.0% in 2013/14.

(1) Amendments to the draft Budget document

All changes as directed by Council at the Special Council Meeting on the 2 August 2013 have been incorporated into the final budget document as presented.

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

(2) Monthly Reporting Variances

Each financial Year Council is required to adopt a percentage or value, calculated in accordance with Australian Accounting Standard (AAS) 5, to be used in the statements of financial activity for reporting material variances between the budget allocations and the actual revenue and expenditure incurred for the month under review. The percentage (10%) or \$10,000 whichever is the greater is recommended for the 2013/2014 financial year

(3) Rates

Council at the 15 May 2013 Ordinary Council, item 9.4.3 meeting agreed to advertise differential rates incorporating a 7% rate increase. The Final Budget incorporates a 7% rate increase.

(4) Schedule of Fees & Charges

Draft Schedule of Fees and Charges presented to the Ordinary Council meeting 19 June 2013, item 9.3.2 are represented with the following amendments:

Rubbish charges increased to \$300.00 per bin per annum; Council will need to adopt the fees and charges with the amendment.

COMMENT

Shire staff as per the resolution of Council at the Special Council Meeting, 2 August 2013 have prepared a balance Budget for consideration by Council for formal adoption.

STATUTORY ENVIRONMENT

Local Government Act 1995

Local Government (Financial Management) Regulations 1996

POLICY IMPLICATIONS

Corporate Business Plan
Strategic Community Plan
Long Term Financial Plan
Asset Management Plan
Workforce Plan

FINANCIAL IMPLICATIONS

The Shire of Chapman Valley 2013/14 Annual Budget

STRATEGIC IMPLICATIONS

Long term financial planning

VOTING REQUIREMENTS

Absolute Majority Vote required.

STAFF RECOMMENDATIONS

That Council adopt the 2013/2014 budget document as presented and this document includes the following details:

1) Rates and Charges

The following rates and charges be adopted for the 2013/2014 financial year in accordance with Section 6.32 of the Local Government Act 1995:-

GRV	10.4802c:\$
GRV Minimum	\$630.00
UV Rural	0.8729c:\$
UV Minimum	\$320.00
UV Oakajee Industrial Estate	
Differential	1.8399c:\$
Oakajee Minimum	\$320.00

Recommendation 1:

MUNICIPAL FUND BUDGET

That the Municipal Fund Budget, showing rates to be levied at \$2,069,801.89 be applied by the Shire of Chapman Valley for the 2013/2014 financial year.

STRIKING OF RATES

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

Valuation	Rate cents/dollar	Minimum Rate \$
Gross Rental Value	10.4802	630.00
Unimproved Value		
UV Rural General	0.8729	320.00
UV Oakajee Industrial Estate	1.8399	320.00

Recommendation 2:

INSTALMENT PLAN INTEREST RATE

- That as prescribed under the Local Government Act council impose an interest rate of 5.5% on rates paid by instalments. Deferred Pensioners Rates' are excluded;

Recommendation 3:

LATE PAYMENT INTEREST RATE

- That as prescribed under the Financial Management Regulation clause 70 and section 6.51 of the Local Government Act 1995 council impose an interest rate of 11% per annum calculated by simple interest method and be applied where the instalment option is not in place, (35 days after the date of issue of the rate notice), to all overdue rates and charges, Deferred Pensioners Rates' are excluded;

Recommendation 4:

INSTALMENT PLAN ADMINISTRATION CHARGE

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

Recommendation 5:

INSTALMENT PLAN DATES

- the due date for instalments of rates payments be set as follows; issued date 23rd August 2013

Two Instalment Option

1 st Instalment due	27th September 2013
2 nd Instalment due	27th November 2013

Four Instalment Option

1 st Instalment due	27th September 2013
2 nd Instalment due	27th November 2013
3 rd Instalment due	28th January 2014
4 th Instalment due	31st March 2014

Recommendation 6:

Waiver of Rates

That Council grants a waiver of shire rates for 2013/2014 financial year to the following non-profit organisations holding property within the Shire of Chapman Valley. (NB: These properties will still be required to pay the Emergency Services Levy)

- The Yuna CWA

Recommendation 7:

ADOPTION OF 2013/14 FEES AND CHARGES

- That Council adopt the 2013/14 Schedule of Fees and Charges.
- Rubbish Removal Service Charges

That rubbish service charges of:

Domestic Rubbish Removal

\$300.00* first weekly service 240 Litre MGB (Previously \$220.00 12/13)

\$225.00* extra weekly service 240 Litre MGB (Previously \$220.00 12/13)

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

*indicates GST free

VARIOUS FEES AND CHARGES

RECOMMENDATION

That the following items be adopted:

i) Councillors' Meeting attendance fees

Attendance at Council meetings \$225.00

ii) Shire President's Attendance Fee and Allowances as per s5.98

Attendance at Council meetings \$463.00

Local Government Allowance for 2013/2014 of \$12,500.00

iii) Deputy President's Attendance Fee and Allowances

Attendance at Council meetings \$225.00

Local Government Allowance for 2013/2014 be 25% of the Shire President's Local Government Allowance \$3,125.00

iv) Allowance for Information Technology expenses

That an amount of \$1,000 per elected member for the 2013/2014 Budget.

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

Recommendation 8:

That Council adopt the Revenue and Expenditure as detailed in the 2013/2014 Budget.

Recommendation 9:

LEVELS OF MATERIALITY 2013/2014

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



CONFIDENTIAL ITEM

9.3.4

NABAWA VALLEY TAVERN LEASE RS & WS NEVILLE

August 2013

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

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

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

CONFIDENTIAL ITEM

AGENDA ITEM	9.3.4
SUBJECT:	NABAWA VALLEY TAVERN LEASE – RS & WS NEVILLE
PROPONENT:	CHIEF EXECUTIVE OFFICER
SITE:	NOT APPLICABLE
FILE REFERENCE:	902.05
PREVIOUS REFERENCE:	12/2-13, 11/12-8, 13/3-15
DATE:	9 AUGUST 2013
AUTHOR:	BARRYE THOMPSON

COMMENT

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

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

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

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

STAFF RECOMMENDATION

That Council:

- 1 Resolve to “Meet behind Closed Doors” to discuss Agenda Item 9.3.4 as it is considered to be a matter that affects personal affairs; and
- 2 Reopen the meeting once discussion and voting on Item 9.3.4 is complete.

10.0 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

11.0 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

11.1 Elected Member Reports

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

12.1 Elected Members

12.2 Officers

13.0 CLOSURE