



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

# **AGENDA**

## **NOVEMBER 2013**

### **ORDINARY COUNCIL MEETING**

**Notice is hereby given that an Ordinary Meeting  
of Council will be held on Wednesday 20 November 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 black ink, appearing to be 'M. Battilana', written in a cursive style.

Maurice Battilana  
**CHIEF EXECUTIVE OFFICER**

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

# UNCONFIRMED MINUTES

**OCTOBER 2013**

**SPECIAL COUNCIL MEETING**

Notice is hereby given that a special meeting  
of Council will be held on Monday 21<sup>st</sup> October 2013  
at the Council Chambers Nabawa, starting at 6:30pm

Maurice Battilana  
**CHIEF EXECUTIVE OFFICER**

## DISCLAIMER



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### 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 written over a faint circular stamp.

**Maurice Battilana**  
**CHIEF EXECUTIVE OFFICER**

**SHIRE OF CHAPMAN VALLEY**  
**AGENDA FOR THE SPECIAL MEETING OF COUNCIL TO BE HELD IN THE COUNCIL**  
**CHAMBERS NABAWA ON MONDAY 21<sup>ST</sup> OCTOBER 2013 AT 6:30pm**

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**Disclaimer (To be provided to Visitors Present)**

**Order of Business:**

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

The Chief Executive Officer, Mr Maurice Battilana welcomed Elected Members and Staff and declared the meeting open at 6.34pm.

**2.0 LOYAL TOAST**

The Chief Executive Officer proposed a loyal toast to her Majesty the Queen.

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

Present

a. Councillors

Member	Ward
Cr Trevor Royce	North East Ward
Cr Pauline Forrester	North East Ward
Cr Anthony Farrell	North East Ward
Cr Peter Humphrey	South West Ward
Cr Kirilee Warr	North East Ward
Cr John Collingwood	North East Ward
Cr Veronica Wood	South West Ward
Cr Ian Maluish	South West Ward

b. Staff

Officer	Position
Mr Maurice Battilana	Chief Executive Officer
Mr Simon Lancaster	Manager of Planning
Mrs Karen McKay	Executive Assistant (Minute Taker)

c. Visitors

Name	
Linda Maluish	Garry Wood
Brett Warr	

Apologies

Councillor	Ward
Nil	

*Unconfirmed Minutes Special Meeting of Council- 21 October 2013*

#### 4.0 SWEARING IN OF COUNCILLORS

The Chief Executive Officer to conduct the swearing in of Councillors:

Cr Veronica Wood      South West Ward  
Cr Ian Maluish        South West Ward  
Cr Kirrilee Warr       North East Ward  
Cr John Collingwood   North East Ward

#### ELECTIONS

##### 4.1 President – 2 year term

The Chief Executive Officer advised that the following nominations had been received (and accepted) for the position of President:

Cr John Collingwood  
Cr Pauline Forrester

The Chief Executive Officer called for further nominations of which none were forthcoming.

After conducting a secret ballot in accordance with legislation Cr John Collingwood was declared as President of the Shire of Chapman Valley for a two year period expiring October 2015 and undertook the declaration in accordance with the Local Government (Constitution) Regulation 1998. The CEO vacated the chair and the newly elected President presided over the remainder of the meeting.

##### 4.2 Deputy President – 2 year term

The President advised that the following nominations had been received (and accepted) for the position of Deputy President:

Cr Peter Humphrey  
Cr Pauline Forrester  
Cr Anthony Farrell

The President called for further nominations of which none were forthcoming.

After conducting a secret ballot in accordance with legislation Cr Anthony Farrell was declared as Deputy President of the Shire of Chapman Valley for a two year period expiring October 2015 and undertook the declaration in accordance with the Local Government (Constitution) Regulation 1998.

#### 5.0 COMMITTEES

The President to call for nominations from Councillors for the following Committees:

##### 5.1 Building and Disability Services Committee

Purpose: will meet in March to inspect all Shire Buildings and then subsequently to review preliminary costings for proposed works for

consideration in draft Council Budget. All other Committee Meetings will be on an 'as needs' basis to discuss items referred to the Committee by Council in the area of Shire buildings and properties.

Nominations received:

Cr Anthony Farrell  
Cr Ian Maluish  
Cr Pauline Forrester  
Cr Peter Humphrey  
Cr Kirilee Warr

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

Elected Committee:

Cr Anthony Farrell  
Cr Pauline Forrester  
Cr Peter Humphrey  
Cr Kirilee Warr  
Chief Executive Officer (observer)  
Building Surveyor / Project Officer (observer)

**Delegated Authorities: Nil**

#### **5.2 Finance and Audit Committee**

Purpose: will meet on an annual basis to provide a review of Council's ongoing financial situation, provide a forum for ongoing review of strategic management plan for Council operations and discuss the Audit System.

Elected Committee:

Cr John Collingwood  
Cr Ian Maluish  
Cr Pauline Forrester  
Cr Kirilee Warr  
Chief Executive Officer (observer)  
Office Manager (observer)  
Mid West Regional Council (observer)

**Delegated Authorities: Nil**

#### **5.3 Tourism and Events Committee**

(Includes Chapman Valley Agricultural Show / Australia Day Functions)

Purpose: will meet on an 'as needs' basis only to discuss items referred to them by Council in the areas of tourism and Visitor Centre Management.

Elected Committee Members:

Cr Pauline Forrester  
Cr Ian Maluish  
Cr Peter Humphrey  
Chief Executive Officer (observer)  
Manager of Planning (observer)  
Community Development Officer (observer)

**Delegated Authorities: Nil**

**5.4 Occupational Health and Safety Committee**

Purpose: will meet every three months to discuss Occupational Health and Safety issues in accordance with requirement of Occupational Health and Safety Act 1984 and make recommendations to Council.

Elected Committee Members:

Cr Peter Humphrey  
Cr Veronica Wood  
Chief Executive Officer  
Works Supervisor  
Administration Representative  
Works Crew Representative  
Ranger/Builder/Gardener Representative

**Delegated Authorities: Nil**

**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**

*Unconfirmed Minutes Special Meeting of Council- 21 October 2013*

## **5.6 Landcare and Environmental Committee**

Purpose: The objective of the Committee is to advise Council on matters within the scope of the Committee's duties and responsibilities and, where powers have been delegated to the Committee, make decisions about such matters.

Elected Committee Members:

Cr John Collingwood  
Cr Trevor Royce  
Cr Anthony Farrell  
Chief Executive Officer (observer)  
NRMO Officer (observer)  
Landcare & Environment Consultant (observer)

**Delegated Authorities: Yes**

The duties and responsibilities of the Committee are:

- 1. Landcare and Environment**
  - a. Provide advice and recommendations to Council and Chief Executive Officer on matters pertaining to Landcare and the Environment.
  - b. Strategic direction on Landcare and Environment matters.
  - c. Regional Landcare initiatives and partnerships.
  - d. Other matters that may be referred by the Chairman of the Committee or Chief Executive Officer.
- 2. Finance**
  - a. Delegated Authority to apply for grant funding from third party sources to finance projects within the Shire of Chapman Valley. (ref Council Item 10.4.14 21 September 2011)
  - b. Provide advice and assistance to the CEO and Shire staff in the managing of the Landcare Grant funds.
  - c. Provide recommendations to Council on any Landcare Contracts and Consultancy agreements.
  - d. Provide a Draft Annual Budget for Landcare to Council for consideration as part of the Annual Budget process.
- 3. Human Resources**
  - a. Provide a forum to assist the CEO for the advertising, selection and recruitment of the Natural Resource Management Officer (NRMO) position.

## REPRESENTATIVES ON OUTSIDE COMMITTEES / ORGANISATIONS

### 5.7 Northern Country Zone WALGA

Elected Committee:

Cr John Collingwood (President)  
Cr Anthony Farrell (Deputy President)  
Chief Executive Officer

(NOTE: See attached correspondence regarding Zone Representation to WALGA State Council)

### 5.8 Bush Fire Brigades Group Management Advisory Committee

Elected Committee:

Cr John Collingwood (President)  
Cr Pauline Forrester  
Senior Ranger

### 5.9 SES Disaster Plan / Local Emergency Management Committee

Elected Committee:

Cr John Collingwood (President)  
Cr Pauline Forrester  
Cr Peter Humphrey  
Chief Executive Officer  
Senior Ranger

### 5.10 Sub-Regional Road Group Committee

Elected Committee

Cr John Collingwood (President or their delegated elected member)  
Cr Anthony Farrell  
Chief Executive Officer

### 5.11 Chapman Valley Land Care District Committee

Elected Committee:

Cr Trevor Royce

**5.12 Northern Barrier Fence Committee**

Elected Committee:

Cr Anthony Farrell

**5.13 Mid West Development Assessment Panel (DAP)**

Elected Committee:

Cr John Collingwood (Member)

Cr Pauline Forrester (Member)

Cr Anthony Farrell (Proxy)

Cr Kirnlee Warr (Proxy)

**COUNCIL RESOLUTION**

- 1 That the abovementioned Committees and Representatives as listed be endorsed.
- 2 Council endorse changing the name of the Parkfalls Park Management Committee to the Bill Hemsley Park Committee subject to final approval from the Department of Lands.

**MOVED: CR FARRELL    SECONDED: CR FORRESTER  
CARRIED 8/0  
Minute Ref: 10/13-1**

**6.0 CLOSURE**

Cr Collingwood expressed his appreciation to having been re-elected as President for a further 2 years. Cr Collingwood congratulated the newly elected members and thanked all elected members for their continued support.

The President declared the meeting closed at 7.28pm.

## **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 16 October 2013

That the minutes of the Ordinary Meeting of Council held Wednesday 16 October 2013 be confirmed as a true and accurate record.

8.2 Special Meeting of Council held on Monday 21 October 2013

That the minutes of the Ordinary Meeting of Council held on Monday 21 October 2013 be confirmed as a true and accurate record.

### **9.0 OFFICERS REPORTS**

# **9.1 Manager of Planning November 2013**

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## **Contents**

### **9.1 AGENDA ITEMS**

9.1.1 Proposed Outbuilding

9.1.2 Dolby Creek Management Plan

<b>AGENDA ITEM:</b>	<b>9.1.1</b>
<b>SUBJECT:</b>	<b>PROPOSED OUTBUILDING</b>
<b>PROPONENT:</b>	<b>M. THOMAS</b>
<b>SITE:</b>	<b>1577 (LOT 9) NORTH WEST COASTAL HIGHWAY, BULLER</b>
<b>FILE REFERENCE:</b>	<b>A97</b>
<b>PREVIOUS REFERENCE:</b>	<b>02/06-21, 8/11-18, 11/11-13, 08/12-6 &amp; 13/4-3</b>
<b>DATE:</b>	<b>7 NOVEMBER 2013</b>
<b>AUTHOR:</b>	<b>SIMON LANCASTER</b>

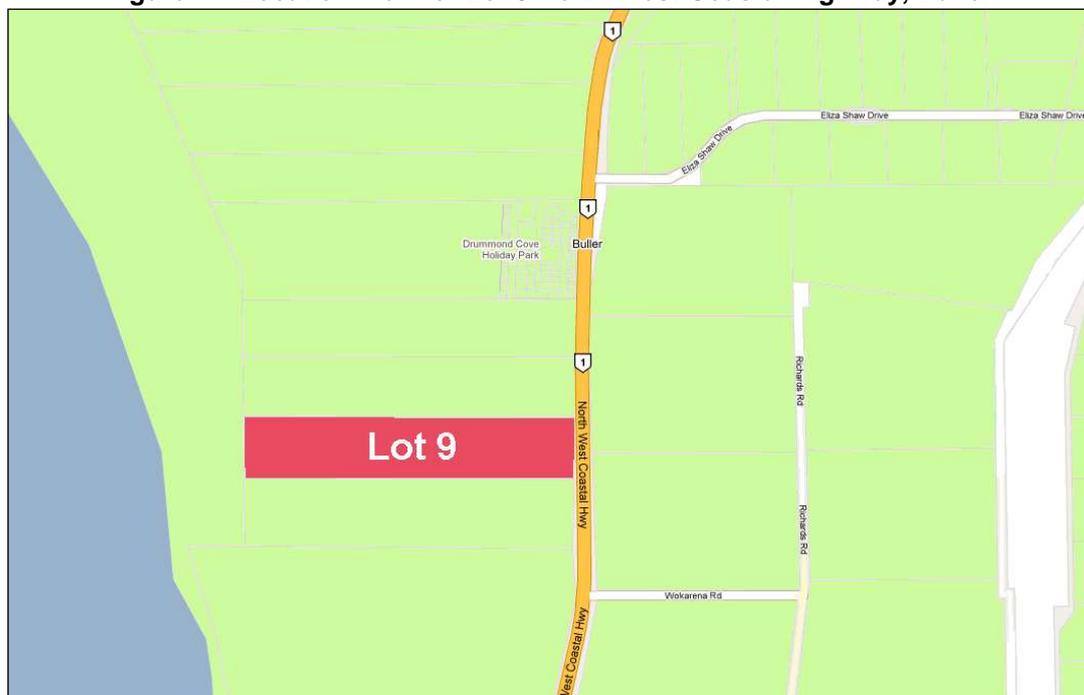
## DISCLOSURE OF INTEREST

Nil

## BACKGROUND

Council is in receipt of an application for an outbuilding to be constructed upon 1577 (Lot 9) North West Coastal Highway, Buller for the purposes of storage and maintenance of the landowner's boats. This report recommends that the application be advertised.

**Figure 1 – Location Plan for Lot 9 North West Coastal Highway, Buller**



## COMMENT

The proposed outbuilding would be a 10x15m (150m<sup>2</sup>) with a 3m eave height and 3.972m overall height. The building is proposed to be clad in zincalume and would be setback 30m from the front (eastern) property boundary and 12m from the nearest side (northern) property boundary.

The outbuilding would be accessed via the existing driveway into Lot 9 and would be located in a previously cleared and levelled area that is obscured from the highway by existing vegetation.

A copy of the applicant's supporting correspondence and their submitted site, floor and elevation plans for the outbuilding have been included as **Attachment 1** to this report.

The applicant has advised that they require the outbuilding to undertake periodic maintenance of their 12m boat and 3 smaller boats and dinghies for their crayfishing and aquaculture family business, and has submitted the following further information:

*"The shed has been sited as far as possible from existing residential buildings and well away from approved buildings on neighbouring properties. Road train & traffic noise*

*dominates this area and the existing noise levels are far higher than any noise anticipated to be generated on site.*

*Repair work on our fishing boats will generally be carried out generally during the period August to November. Repairs to smaller pearl operations boats could occur at any time of the year.*

*The duration of repair work is very short. Noisy operations such as grinding or friction cutting will be restricted to 9.00am till 4.00pm and generally the duration of any cutting or grinding will be minutes rather than hours during any given day and most repairs will be complete in a few days at most. The nature of these repairs and maintenance is generally focused on repairs to brackets, rails and mountings for equipment generally once per year for each boat (3 in total). Very occasionally we may need to repair damage to the hull resulting from wear and tear but from our experience this is rare and at most every few years.*

*The rolling door on the North wall is protected from the prevailing South West to South East winds and it will be closed during cutting and welding operations to eliminate any risk of sparks igniting vegetation. The shed will be surrounded by a cleared hard stand area and the existing berms and banks will be vegetated with succulents to eliminate flammable vegetation around the building. The 5m wide access track provides a permanent fire break to the north of the building. Approved fire extinguishers will be kept in the shed and reticulation provided for stand pipes that can be used for fire control. The structure is non-flammable and fuel and oil will be stored in other outbuildings well clear of the repair shed."*

**Figure 2 – Aerial Photograph of Lot 9 North West Coastal Highway, Buller**



Lot 9 is a 9.0561ha rectangular property with frontage at its eastern end to the North West Coastal Highway and the coastal reserve at its western end, the lot is approximately 130m wide and 670m in length. Lot 9 contains the main residence (constructed in 1968), two clustered outbuildings (170m<sup>2</sup> and 50m<sup>2</sup> both constructed in 1970) and a swimming pool at its eastern end. A second residence (constructed in 1970) is located approximately 100m east of the main residence. The highway frontage for Lot 9 is situated on approximately the 43m contour height, the property then gradually slopes down to the proposed outbuilding site at the 40m contour height, the main residence at the 35m contour height and the second residence at the 20m contour height, before sloping significantly down a limestone ridge to the west of the second residence to a 5m contour height flat area situated behind the coastal dunes.

The applicant's family have lived on the property since 1968 and the existing outbuildings have been used for the storage of craypots and other fishing equipment to support the family's crayfishing business. The applicant established a pearl farm at the Abrolhos Islands 8 years ago and developed it to 150ha such that it now supports the processing of pearls and mabé into finished jewellery. Council approved the development of a 67.5m<sup>2</sup> store/workshop approximately midway between the two residences at the 23.5m contour height, and a 150m<sup>2</sup> pearl gallery approximately 60m south-west of the main residence at a contour height of 23.5m at the 17 August 2011 meeting although

both developments have not yet been commenced. Council granted an extension for the pearl gallery and store/workshop at its 17 April 2013 meeting, with the expiry date in which to commence development now being 17 April 2018.

Council also approved an application for the 'Chapman Valley Beach Villas' development comprising of 3 (two bedroom) villas and 1 (three bedroom) caretakers villa upon Lot 9, and 3 (two bedroom) villas and 1 (three bedroom) caretakers villa upon neighbouring Lot 7 to the north at its 16 November 2011 meeting, although this development has not yet been commenced. Council granted an extension for the chalet development at its 17 April 2013 meeting, with the expiry date in which to commence development now being 17 April 2018.

**Figure 3 – Aerial Photograph of proposed outbuilding location**



**Figure 4 – Site Photograph of proposed outbuilding location**



**Figure 5 – View of proposed outbuilding location from North West Coastal Highway**



## STATUTORY ENVIRONMENT

Lot 9 North West Coastal Highway, Buller is zoned 'Development' under the Shire of Chapman Valley Local Planning Scheme No.2 ('the Scheme') the objectives for which are listed in Section 4.2.3 as being to:

- (a) Provide for the coordinated planning and development for urban, primarily residential, purposes of areas identified at the regional level as being required to meet future requirements for land for such purposes;*
- (b) Prevent the ad-hoc fragmentation of land or the development of land-uses that would be incompatible with the development of the land for urban purposes;*
- (c) Provide for appropriate transitional land-uses, or the development of land-uses that may be compatible with the future development of the land for urban purposes;*
- (d) Provide appropriate protection from incompatible development for existing land-uses;*
- (e) Protect the environmental and landscape values of the land, especially in the period prior to the coordinated development of the land for urban purposes.*
- (f) The Buller 'Development' zone is subject to the conditions as outlined in Schedule 10 – Environmental Conditions."*

Section 4.8 of the Scheme further notes of the Development Zone the following:

### *4.8.1 Purpose*

- (a) To identify areas requiring comprehensive planning prior to subdivision and development.*
- (b) To coordinate subdivision, land use and development in areas requiring comprehensive planning.*

### *4.8.2 Planning requirements*

- (a) The Local Government requires a Structure Plan for a Development Zone, or for any particular part or parts of a Development Zone, before recommending subdivision or approving development of land within the Development Zone. The Structure Plan is to be in accordance with the requirements of clause 5.22 Structure Plan areas.*
- (b) Where a Structure Plan exists, the subdivision and development of land is to generally be in accordance with the Structure Plan and any associated provisions.*

- (c) *The Local Government or the Western Australian Planning Commission may, as a condition of adopting or approving a Proposed Structure Plan, require a more detailed Structure Plan in future if the Local Government or the Western Australian Planning Commission considers that it will be necessary to provide additional detail to the proposals contained in the Proposed Structure Plan.*”

The Buller Development Zone Structure Plan has been prepared to a preliminary concept stage only at this time, with a landowner workshop held on 25 July 2013 and a preliminary draft having been circulated to landowners inviting comment by 22 November 2013, with the intention of having the draft Structure Plan in a format that can be presented to Council's 19 February 2014 meeting for its initial consideration.

The Buller strip immediately adjoining the North West Coastal Highway is subject to considerable traffic noise and even in the long term event of the construction of the Oakajee Narngulu Infrastructure Corridor removing road rains and many of the heavy vehicles from this alignment the road would continue to serve as a significant arterial road. On this basis the draft structure planning has identified that the strip of land immediately abutting the highway should be developed for mixed uses situated on larger lots (that would include some tourism/commercial component) to serve as a buffer to the more residential uses to be located further west that would have an ocean outlook. Council may consider that the development of the outbuilding in the intended location and its use for restricted boat maintenance purposes might be an acceptable 'buffer' use of the land, providing that the activities are limited to maintenance of the landowner's own boats (and not general repair operations), and with controls pertaining to fire and noise management.

It is anticipated that the progression of the Buller Development Zone Structure Plan will take a minimum of 12 months, as it will require further landowner consultation, further discussion with the Western Australian Planning Commission ('WAPC'), referral to all relevant government agencies, presentation to Council on at least two occasions, and the final determination of the WAPC. Council may on this basis resolve to defer its determination on this outbuilding application or it does have the ability under Section 5.22.4.2 of the Scheme to consider the application within a shorter timeframe should it wish to do so:

#### *5.22.3 Subdivision and Development in Structure Planning Areas*

*The subdivision and development of land within a Structure Planning Area is generally to be in accordance with any structure plan that applies to that land.*

#### *5.22.4 Structure Plan required*

##### *5.22.4.1 The local government is not to:*

- (a) consider recommending subdivision; or*
- (b) approve development of land within a Structure Planning Area unless there is a structure plan for the area or for the relevant part of that area that adequately defines the comprehensive planning detail required to guide orderly subdivision and development for urban land use.*

*5.22.4.2 Notwithstanding clause 5.22.4.1 a local government may recommend subdivision or approve the development of land within a Structure Planning Area prior to a structure plan coming into effect in relation to that land, if the local government is satisfied that this will not prejudice the specific purposes and requirements for the Structure Planning Area.”*

The proposed outbuilding would be used for the purposes of boat maintenance, and this could be viewed as being outside of the definition of a residential (single house) outbuilding which is a permitted use within the Development zone.

The land use of boat maintenance is not specifically listed within the land use definitions of the Scheme and it is considered that as the outbuilding is proposed to be used only for maintenance of the landowner's own boats and not for wider repair works then the following land use definitions (neither of which are permitted in the 'Development' zone) are not entirely appropriate in this instance:

- “motor vehicle repair” means premises used for or in connection with –*
- (a) electrical and mechanical repairs, or overhauls, to vehicles; or*

(b) repairs to tyres,  
but does not include premises used for recapping or retreading of tyres, panel beating,  
spray painting or chassis reshaping.”

“industry – light” means an industry –

- (a) in which the processes carried on, the machinery used, and the goods and commodities carried to and from the premises do not cause any injury to or adversely affect the amenity of the locality;
- (b) the establishment or conduct of which does not, or will not, impose an undue load on any existing or proposed service for the supply or provision of essential services.”

Section 4.4.2 of the Scheme does make provision for Council’s consideration of such an application as follows:

*“4.4.2 If a person proposes to carry out on land any use that is not specifically mentioned in the Zoning Table and cannot reasonable be determined as falling within the type, class or genus of activity of any other use category the Local Government may:*

- (a) *determine that the use is consistent with the objectives of the particular zone and is therefore permitted;*
- (b) *determine that the use may be consistent with the objectives of the particular zone and thereafter follow the advertising procedures of clause 9.4 in considering an application for planning approval; or*
- (c) *determine that the use is not consistent with the objectives of the particular zone and is therefore not permitted.*

On this basis Council may approve, advertise or refuse the application for a boat maintenance shed based on its merit. It is recommended that in this instance that the application be advertised as per the requirements of Section 9.4 of the Scheme:

*“9.4.1 Where an application is made for planning approval to commence a use or commence or carry out development which involves a use which is:*

- (a) *an “A” use as referred to in clause 4.3.2; or*
- (b) *a use not listed in the Zoning Table,*  
*the Local Government is not to grant approval to that application unless notice is given in accordance with clause 9.4.3.*

*9.4.2 Despite clause 9.4.1, where application is made for a purpose other than a purpose referred to in that clause, the Local Government may require notice to be given in accordance with clause 9.4.3.*

*9.4.3 The Local Government may give notice or require the applicant to give notice of an application for planning approval in one or more of the following ways:*

- (a) *notice of the proposed use or development served on nearby owners and occupiers who, in the opinion of the Local Government, are likely to be affected by the granting of planning approval, stating that submissions may be made to the Local Government by a specified date being not less than 14 days from the day the notice is served;*
- (b) *notice of the proposed use or development published in a newspaper circulating in the Scheme area stating that submissions may be made to the Local Government by a specified day being not less than 14 days from the day the notice is published;*
- (c) *a sign or signs displaying notice of the proposed use or development to be erected in a conspicuous position on the land for a period of not less than 14 days from the day the notice is erected.*

*9.4.4 The notice referred to in clause 9.4.3(a) and (b) is to be in the form prescribed in Schedule 8 with such modifications as are considered appropriate by the Local Government.*

*9.4.5 Any person may inspect the application for planning approval referred to in the notice and the material accompanying that application at the offices of the Local Government.*

9.4.6 *After the expiration of the specified period from the serving of notice of the application for planning approval, the publication of the notice or the erection of a sign or signs, whichever is the later, the Local Government is to consider and determine the application."*

## **POLICY IMPLICATIONS**

Shire of Chapman Valley Local Planning Policy 16.40 'Outbuildings' establishes that other than for general storage and/or agricultural purposes an outbuilding shall not be used for any commercial or outbuilding use without the prior approval of Council, and on this basis is considered to be outside the level of delegated authority and has been presented to Council for its consideration.

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**

Should Council refuse this application and the applicant proceed to exercise their right of appeal a cost is likely to be imposed on the Shire through its involvement in the appeal process.

## **STRATEGIC IMPLICATIONS**

The rezoning of the Buller 'Development' zone was made subject to Environmental Review and ultimately determination by the Minister for Environment upon appeals lodged by the Shire and effected landowners (including the applicant). The proposed outbuilding location is on a previously cleared site and is not within the vegetation area identified during the Environmental Review process.

Lot 9 North West Coastal Highway, Buller is contained within Planning Precinct No.7 – South West in the Shire of Chapman Valley Local Planning Strategy (2008). The Vision for this Precinct is as follows:

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

The Local Planning Strategy identifies 'Commercial following structure planning and rezoning' and 'Urban (including residential development west of NWCH)' as land uses that may be considered appropriate within the South West Precinct subject to compliance with the provisions of the Town Planning Scheme and specific policies of the Council.

The Strategy also identifies the following objectives relevant to this application:

*"7.1.1 Support the planned expansion of urban with potable reticulated scheme water as identified on the Greater Geraldton Structure Plan 1999 with due regard to land capability/suitability, demand and servicing."*

*"7.2.1 Accommodate urban growth sympathetic to rural lifestyle based on appropriate structure planning."*

*"7.3.4 Ensure that land use conflicts (i.e. noise, dust, odour, spray drift, vermin etc.) are avoided through appropriate environmental controls."*

*7.3.5 Ensure fire prevention measures are implemented and maintained in accordance with statutory requirements as a minimum."*

Lot 9 and the Buller 'Development' zone is identified in the Greater Geraldton Structure Plan (2011) prepared by the WAPC as being 'Future Urban' with Section 3.1.1 of the accompanying report noting that:

*"An area of approximately 1,700ha is identified as 'future urban' in the Greater Geraldton Structure Plan 2011 to guide the direction of long-term urban expansion. The bulk of this area identified is located at Buller and around Cape Burney, which are at the extremities of the northern and southern coastal corridors respectively."*

Should Council not consider that the application corresponds with its strategic direction for this area then it may consider the following wording appropriate in its formation of an alternative resolution:

*"That Council refuse the application for an outbuilding upon Lot 9 North West Coastal Highway, Buller as the proposed boat maintenance use is not considered to be consistent with the aims and objectives of Sections 1.6, 4.2.3 & 4.8.1 of the Scheme."*

Should Council consider only that an advertising period be conducted and upon conclusion of that advertising period the application be returned to Council for its further consideration (likely to be the 19 February 2014 meeting) then the following wording may be considered appropriate:

*"That Council resolve to:*

- 1 Determine that the use of the proposed outbuilding upon (1577) Lot 9 North West Coastal Highway, Buller for restricted/private boat maintenance purposes shall be considered as a use not listed that is consistent with the objectives of the Scheme;*
- 2 Advertise the application for an outbuilding (restricted/private boat maintenance) upon Lot 9 North West Coastal Highway, Buller for a period of 21 days by erecting a sign on site and writing directly to the 8 surrounding landowners within 250m inviting comment upon the application.*
- 3 At the conclusion of the advertising period return the application and any received submissions to Council for its further consideration."*

## **VOTING REQUIREMENTS**

Simple majority of Council

## **STAFF RECOMMENDATION**

That Council resolve to:

- 1 Determine that the use of the proposed outbuilding upon (1577) Lot 9 North West Coastal Highway, Buller for restricted/private boat maintenance purposes shall be considered as a use not listed that is consistent with the objectives of the Scheme;
- 2 Advertise the application for an outbuilding (restricted/private boat maintenance) upon Lot 9 North West Coastal Highway, Buller for a period of 21 days by erecting a sign on site and writing directly to the 8 surrounding landowners within 250m inviting comment upon the application.
- 3 In the event that a written, author-identified objection is received by the Shire within the 21 day advertising period, require that a further report be presented to Council for consideration of the nature of the objection(s).
- 4 In the event that no written, author-identified objection is received by the Shire within the 21 day advertising period, approve the application for an outbuilding (restricted/private boat maintenance) upon Lot 9 North West Coastal Highway, Buller subject to compliance with the following:

Conditions

- (a) Development shall be in accordance with the attached plan(s) dated 20 November 2013 and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the Local Government.
- (b) Any additions to or change of use of any part of the building or land (not the subject of this consent/approval) requires further application and planning approval for that use/addition.
- (c) The boat maintenance conducted within and about the outbuilding must only be in relation to boats owned and operated by the landowners of Lot 9 North West Coastal Highway, general boat maintenance for external parties is not permitted.
- (d) Vegetation screening must be established/maintained by the landowner between the outbuilding and the northern and eastern property boundaries to the approval of the Local Government.
- (e) The design, construction (to a compacted gravel standard), drainage and maintenance of the internal roads, vehicle and trailer manoeuvring and parking areas associated with the development to the approval of the Local Government.
- (f) All lighting devices must be positioned so as to not encroach beyond the boundaries of Lot 9 and positioned in such a way as to not cause glare to neighbouring residences to the approval of the Local Government.
- (g) The vehicle crossover/access-point to Lot 9 must be to the specifications of Main Roads WA and to the approval of the Local Government, with all costs met by the applicant.
- (h) The applicant is responsible to ensure that no parking of vehicles associated with the development occurs within a public carriageway, including the road verge.
- (i) All storm-water runoff from impervious surfaces (roof and paved areas) shall be contained within the property boundaries, and re-used or disposed of through an acceptable drainage system such as tanks or underground soak wells, with all costs met by the applicant, to the approval of the Local Government.
- (j) The operation of any equipment or machinery or undertaking of any activities associated with the development that are deemed by the Local Government to impact on the amenity of the surrounding area shall be limited to between 9:00am to 4:00pm Monday to Saturday, and not at all on Sunday or public holidays.
- (k) The applicant is to prepare, submit and adhere to a Fire Management Plan to the approval of the Local Government.

Notes:

- (i) If the development/land use, the subject of this approval, is not substantially commenced within a period of two years after the date of determination, the approval shall lapse and be of no further effect.
- (ii) Where an approval has so lapsed, no development/land use shall be carried out without the further approval of the Local Government having first been sought and obtained.
- (iii) The applicant is advised that the *Environmental Protection (Noise) Regulations 1997* establish the maximum noise levels that are acceptable as received at a neighbouring residence, and the acceptable level varies according to time of day and the day in the week. The applicant must comply with the requirements of the *Environmental Protection (Noise) Regulations 1997* irrespective of any approvals or conditions applied by the Local Government.
- (iv) This planning approval does not extend to signage for the development, for which a separate application is required, and consultation with Main Roads WA is recommended prior to any sign application being lodged given that the North West Coastal Highway is under the control of Main Roads WA and signage must be to their requirements.

- (v) In relation to condition (k), the Fire Management Plan is required to address the following:
- on-site firefighting equipment;
  - separate storage of inflammable dangerous goods;
  - fuel free area about the outbuilding;
  - maintenance of fire breaks; &
  - practices in relation to closure of outbuilding openings during any potential spark emitting operations.
- (vi) The applicant is advised that this planning approval does not negate the requirement for any additional approvals which may be required under separate legislation. It is the applicant's responsibility to obtain any additional approvals required before the development/use lawfully commences.
- (vii) 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.

Muriel Thomas  
1577 (Lot 9) North West Coastal Highway  
Buller, Western Australia  
Mail: PO Box 3224 Bluff Point, 6531  
Western Australia

25th October 2013

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

Attention: Mr. Simon Lancaster

Dear Simon

#### **Lot 9 Boat Maintenance Shed**

I, Muriel Thomas, the owner of lot 9 North West Coastal Highway (Muriel) wish to submit an application to construct a boat maintenance shed on the NE corner of my land.

As the Shire is aware from our prior applications, our family have a long history of involvement in the crayfishing industry based in Geraldton and for the past 8 years we have also operated a pearl farm in the Abrothos Islands.

We have several small boats and these require periodic maintenance and in some cases minor modifications. Until recently we have used boat builders in Geraldton port for our repair and maintenance work but the mining industry has pushed out all the smaller boat builders and the few large boat builders are focused on off-shore support work and priced beyond our means. I wish to construct a 10m x 15m steel shed on my land and I have arranged for the occasional services of a retired boat builder who can do periodic work as the need arises at reasonable cost and without delay. I see this as critical to the viability of our family businesses in fishing and aquaculture.

The location of the shed is clear of the Western Power easment and serviced by an existing cross-over on our northern boundary that also gives us access to our other outbuildings. The location was cleared and leveled some years ago with the intention of building so no significant vegetation will be impacted. The location should not result in any planning issues for the Buller Development Zone Structure Plan but I request that the new shed be noted during the process.

The shed will be used for short periods for aluminium welding and repairs and longer term for storing boats / boat equipment off-season.

Attached is the planning application information.

We look forward to the Shire's cooperation to proceed with this urgently needed shed.

Yours Sincerely

A handwritten signature in black ink, appearing to read 'Jane Liddon', written in a cursive style.

Jane Liddon for Muriel Thomas



**TECTA**  
Building Systems

**TECTA PTY LTD**  
Building Systems  
244A South Tce  
South Fremantle, WA 6162  
Tel: +61 894677899  
Fax: +61 893652664  
www.TECTA.com.au  
TECTA.systems@gmail.com

**CLIENT**

Muriel Thomas  
1577 North West Coastal Highway  
Buller, Shire of Chapman Valley

**PROJECT**

Boat Maintenance Shed  
Buller,  
Chapman Valley

**DRAWN BY**

RLC J.L

**ISSUED**

10.10.2013

**REVISION**

**DESCRIPTION**

18m x 10m Shed Located on  
Lot 9  
North West Coastal Highway  
Buller, Shire of Chapman Valley

**A**  
1-5

**BOAT MAINTENANCE SHED**  
LOT 9 BULLER

400m at corner peg  
from ground level  
of existing water pit



01  
SITE PLAN - CONTIGUIE



**TECTA**  
Building Systems

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Tel: +61 894677939  
Fax: +61 89352854  
www.tecta.com.au  
tecta.systems@gmail.com

**CLIENT**  
Mareil Thomas  
1577 North West Coastal Highway  
Buller, Shire of Chapman Valley

**PROJECT**  
Boat Maintenance Shed  
Buller,  
Chapman Valley

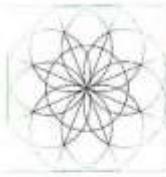
**DRAWN BY**  
RLC I, JL  
**ISSUED**  
10.10.2013  
**RE-ISSUE**

**DESCRIPTION**  
15m x 11m Shed Located on  
Lot 6  
North West Coastal Highway  
Buller, Shire of Chapman Valley

**Site Plan**

**A.2**





**TECTA**  
Building Systems

**TECTA PTY LTD**  
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Tel: +61 894677809  
Fax: +61 803002864  
www.tecta.com.au  
tecta.systems@gmail.com

**CLIENT**

Mareel Thomas  
1577 North West Coastal Highway  
Bulker, Shire of Chapman Valley

**PROJECT**

Boat Maintenance Shed  
Bulker  
Chapman Valley

**DRAWN BY**

RLC J.L

**ISSUED**

10.10.2013

**REVISION**

**DESCRIPTION**

16m x 10m Shed Located on  
Lot 9  
North West Coastal Highway  
Bulker, Shire of Chapman Valley

**Related  
Development**

**A.3**





**TECTA**  
Building Systems

**TECTA PTY LTD**  
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244A South Tce  
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Tel: +61 894677839  
Fax: +61 893658654  
www.TECTA.com.au  
TECTA.systems@gmail.com

**CLIENT**

Muriel Thomas  
1577 North West Coastal Highway  
Buller, Shire of Chapman Valley

**PROJECT**

Boat Maintenance Shed  
Buller  
Chapman Valley

**DRAWN BY**

RLC J.L

**ISSUED**

10.10.2013

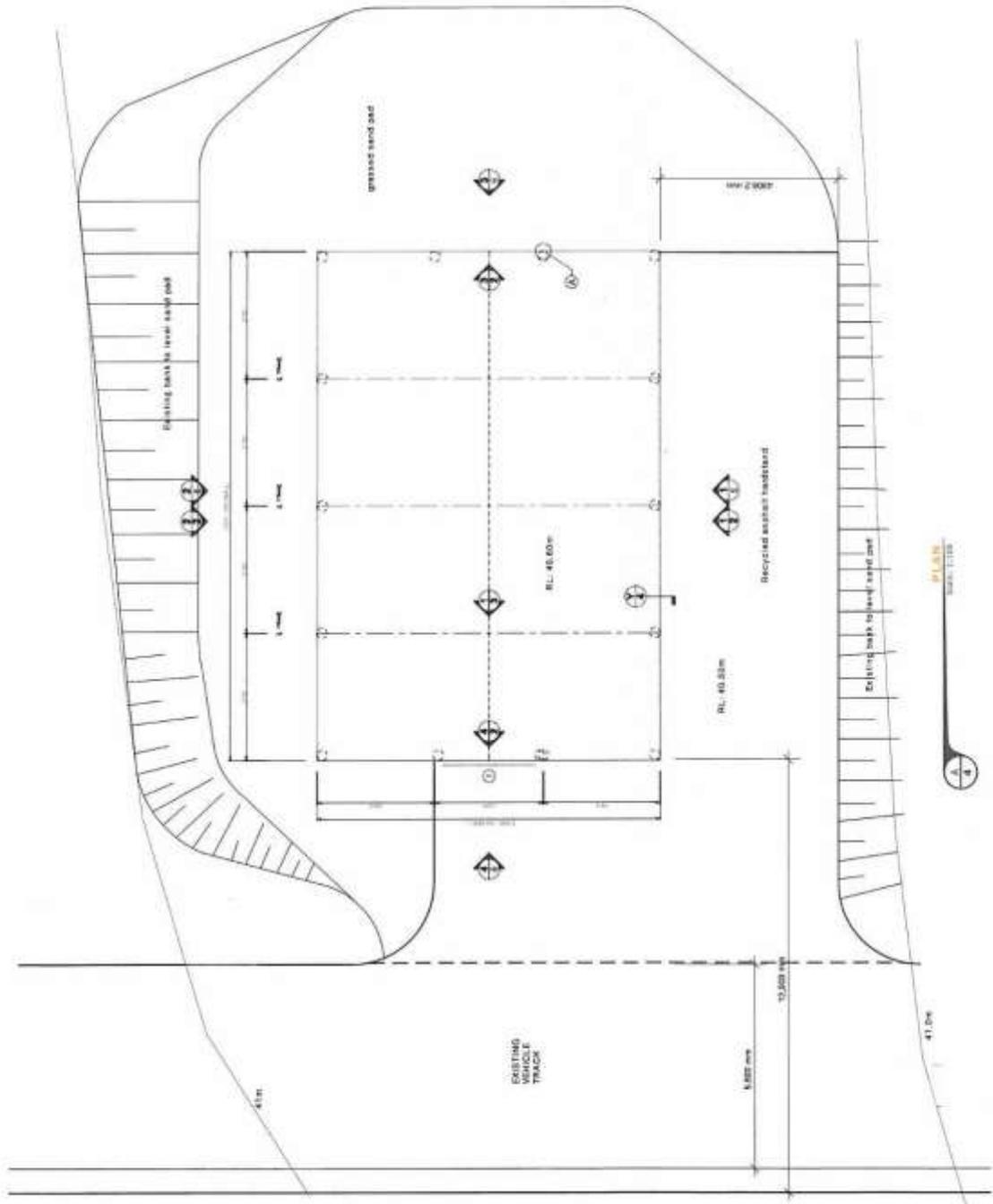
**RE-ISSUE**

**DESCRIPTION**

18m x 10m Shed Located on  
Lot 8  
North West Coastal Highway  
Buller, Shire of Chapman Valley

**Plan**

**A.4**





**TECTA**  
Building Systems

**TECTA PTY LTD**  
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244A South Tce  
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TECTA.systems@gmail.com

**CLIENT**  
Muriel Thomas  
1977 North West Coastal Highway  
Buller, Shire of Chapman Valley

**PROJECT**  
Boat Maintenance Shed  
Buller  
Chapman Valley

**DRAWN BY**  
RLC/T.J.L.

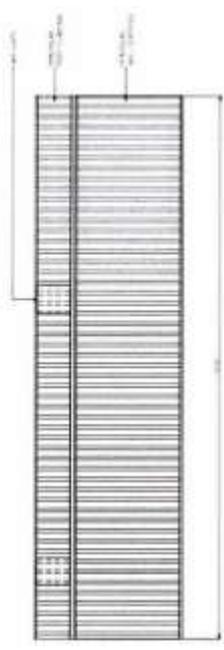
**ISSUED**  
10.10.2013

**RE-ISSUE**

**DESCRIPTION**  
18m x 11m Shed Located on  
Lot 9  
North West Coastal Highway  
Buller, Shire of Chapman Valley

**Elevations**

**A.5**



**SIDEWALL EXTERIOR ELEVATION - EAST**



**SIDEWALL EXTERIOR ELEVATION - WEST**



**ENDWALL EXTERIOR ELEVATION - SOUTH**



**ENDWALL EXTERIOR ELEVATION - NORTH**

REVISIONS	
NO.	DESCRIPTION
1	ISSUED
2	REVISIONS
3	REVISIONS
4	REVISIONS
5	REVISIONS
6	REVISIONS
7	REVISIONS
8	REVISIONS
9	REVISIONS
10	REVISIONS



<b>AGENDA ITEM:</b>	<b>9.1.2</b>
<b>SUBJECT:</b>	<b>DOLBY CREEK MANAGEMENT PLAN</b>
<b>PROPONENT:</b>	<b>R. WILLIAMSON</b>
<b>SITE:</b>	<b>RESERVE 51029 DAVID ROAD, WAGGRAKINE</b>
<b>FILE REFERENCE:</b>	<b>A1797</b>
<b>PREVIOUS REFERENCE:</b>	<b>12/09-8, 04/10-3, 06/10-4, 10/10-3 &amp; 10/13-5</b>
<b>DATE:</b>	<b>8 NOVEMBER 2013</b>
<b>AUTHOR:</b>	<b>SIMON LANCASTER</b>

#### **DISCLOSURE OF INTEREST**

Nil

#### **BACKGROUND**

Council resolved at its 16 October 2013 meeting:

*“That the Dolby Creek Foreshore Management Plan identifying furnishings be reviewed and presented to Council for consideration prior to any works commencing.”*

The Dolby Creek Management Plan has been modified to include the items referenced by Council and a copy of the document has been provided to Councillors separate to this agenda. This report recommends that the updated Dolby Creek Management Plan be adopted by Council as the basis for the on-ground works to be undertaken within Reserve 51029 David Road, Waggrakine.

#### **COMMENT**

Council initiated Scheme Amendment No.46 to Shire of Chapman Valley Local Planning Scheme No.1 that proposed to rezone a 33.9932ha area from ‘General Farming’ to ‘Rural Residential’ at its 16 December 2009 meeting. The rezoning was supported by Council at its 21 April 2010 meeting following advertising and received the approval of the Minister of Planning on 21 July 2010.

Council considered a Subdivision Guide Plan for the Scheme Amendment No.47 area at its 23 June 2010 meeting and following further advertising supported the Dolby Creek Estate Subdivision Guide Plan that proposed 30 rural residential lots and the creation of the Dolby Creek reserve at its 20 October 2010 meeting. A copy of the Dolby Creek Subdivision Guide Plan is included as **Attachment 1** for Council’s information.

The Subdivision Guide Plan was endorsed by the Western Australian Planning Commission (‘WAPC’) on 17 November 2010, and subdivision application No.14114 in accordance with the endorsed Subdivision Guide Plan was approved by the WAPC on 14 December 2010.

Conditions 7, 8 & 9 of the subdivisional approval were as follows, with the Shire of Chapman Valley assigned as the clearing authority:

- “7     *A foreshore reserve a minimum 20 metres in width as measured from the Dolby Creek top of bank line, as established by survey, being shown on the Deposited Plan as a "Reserve for Recreation" and vested in the Crown under Section 152 of the Planning and Development Act 2005, such land to be ceded free of cost and without any payment of compensation by the Crown. (Local Government)*
  
- 8     *A Foreshore Management Plan for the subject section of Dolby Creek is to be prepared and implemented to the specifications and specifications of the Local Government and the Department of Water. (Local Government)*
  
- 9     *The applicant/owner entering into a legally binding Deed of Agreement with the Local Government for the care, maintenance and management of the subject section of the Dolby Creek foreshore for a 12 month period. The Deed of Agreement is to commence from the date of approval of the deposited plan for the final stage of subdivision. (Local Government)”*

Condition 7 was satisfied through the lodgement of Deposited Plan of Survey 67943 that created the 7.5298ha Lot 331 along the alignment of Dolby Creek as a Reserve for Recreation, and was

approved by the WAPC on 21 June 2011. The Department of Lands issued the Management Order for Reserve 51029 (Lot 331) to the Shire of Chapman Valley on 22 August 2011.

**Figure 1 – Aerial Photograph of Reserve 51029**



The subdivider's appointed consultant (Environmental Landscape and Management) prepared the Dolby Creek Management Plan in February 2011, and the document was referred by the Shire upon receipt to both its environmental consultant (NSA Pty Ltd) and the Department of Water. Review and modification of the document was undertaken through 2011 with an amended plan prepared by the subdivider's consultant in December 2011. The Management Plan was considered by the Shire's environmental consultant and Department of Water to largely address the works required to be undertaken within the Dolby Creek reserve subject to some modifications of which the Shire notified the subdivider on 28 March 2011.

The Shire and subdivider and their respective environmental consultants continued to discuss the scope and content of the Dolby Creek Management Plan, and undertake further modifications, and reached agreement in April 2012 that the Shire would clear condition 8 of the subdivision approval upon the subdivider making payment of \$1,100 (GST ex.) for the Shire's environmental consultant to complete the modifications to the Dolby Creek Management Plan.

The Management Plan outlined the works required to be undertaken in the Dolby Creek reserve, however, given that many of the works required ongoing actions (e.g. weeding, spraying, feral animal control) or would take at least a 12 month period to evaluate (e.g. need for replantings) discussions were held regarding the mechanism that might best implement the Management Plan, with two options being the subdivider entering into a Deed of Agreement to undertake the works for a period after the subdivision's clearance, or making payment to the Shire for the cost of the works listed within the Management Plan. The latter option was viewed as having greater merit to the Shire, as it would enable the works to be continued over a greater period of time than a Deed of Agreement might reasonably address, and it would also enable the Shire to leverage the funds in grant applications to undertake additional works within the reserve, or obtain funding to undertake works across a greater area that would assist in restoration works in the reserve (e.g. invasive species management, rabbit baiting programs etc.).

The Shire reached agreement through February-April 2012 with the subdivider that it would clear condition 9 of the subdivision approval upon the subdivider making payment of \$120,000 (GST ex.) for the works listed within the Dolby Creek Management Plan.

The required bonds and Management Plan payments were received from the subdivider by the Shire on 10 April 2012 and Deposited Plans 72460 and 72461 were subsequently given clearance by the Shire on 17 April 2012 enabling the subsequent WAPC approval of the Dolby Creek Estate.

Natural resource management works undertaken within the Dolby Creek reserve to date are discussed in the Financial Implications section of this report. The Dolby Creek reserve currently

requires brushcutting to reduce the fuel load and protect the investment in revegetation to date, there is also the need to attend to golden crown beard and weed germination in the newly constructed fire access tracks, these works are addressed in the Management Plan.

In addition to natural resource management actions, the Management Plan as prepared by the subdivider's environmental consultant listed a construction action, identifying that 2 seats should be installed along the firetrack/walking trail, with 1 on each side of the creekline, with the most suitable location being identified as the middle section of the reserve. The seats were identified as being either simple timber or recycled plastic benches with back support and fixed in concrete footings.

During the review of the Management Plan, further consideration was given to this issue, with their being the ability through the use of Greenough Prison labour to undertake additional works. Following inspection of the site and discussion it is considered that the reserve may be appropriately enhanced for the community through the installation of 3 seats, and a further 2 roofed structures each housing a picnic table and bench. Section 6.6, Action 10, Figure 14 and Table 6 of the Management Plan provided to Councillors addresses this expanded proposal and is considered an issue Council may wish to discuss further.

## **STATUTORY ENVIRONMENT**

Lots 460 & 542 David Road, Waggrakine were rezoned from 'General Farming' to 'Rural Residential' by Scheme Amendment No.46 to Shire of Chapman Valley Town Planning Scheme No.1. Reserve 51029 was rezoned from 'Rural Residential' to 'Recreation' through the introduction of Shire of Chapman Valley Local Planning Scheme No.2.

## **POLICY IMPLICATIONS**

Nil.

## **FINANCIAL IMPLICATIONS**

The subdivider of Dolby Creek Estate made payment of \$120,000 (GST ex.) on 10 April 2012 for works to be undertaken within Reserve 51029 and lodged \$98,971.61 in bonds that were required to be held by the Shire for a period of 12 months during which time the performance of the subdivisional engineering works could be monitored.

- Defects liability bond - \$12,782.61;
- Fencing bond - \$51,104;
- Firetrack bond - \$33,285; &
- Dolby Creek bank stabilisation bond \$1,800.

Following the expiry of the bond period the Shire wrote to the developer and engineer for the Dolby Creek Estate on 16 May 2013 advising of its requirements prior to the bonds being released (items and attachments updating Council on this matter were provided with the June and August 2013 Information Bulletins and September 2013 Forum Session). The firetrack bond of \$33,285.00 was returned following completion of the necessary fire/walking/riding trails along both banks of Dolby Creek, the majority of the defects liability and fencing bonds totalling \$51,104 was returned following completion of the boundary fencing and remedial works on the roadside drainage.

The Shire now holds the remaining bond amounts for the Dolby Creek Estate, and this would be returned upon completion of fencing to the southern drainage basin (as discussed at the September 2013 Forum Session):

- 12 months defects liability period bond - \$12,782.61; &
- Fencing bond - \$2,755.00.

The funds lodged by the developer are held in Trust Account T237 which currently holds \$122,853.97, less the \$15,537.61 bonds withheld concerning the outstanding matter of the southern drainage basin fencing, there remains \$107,316.36 for expenditure on the Dolby Creek reserve.

Works undertaken within the Dolby Creek reserve to date for the cost of \$12,683.64 include the planting of 8,000 seedlings (with some of these plantings undertaken by various primary school groups through supervised educational field visits) weeding, fire signage, slashing, spraying, installation of fibre matting to address bank erosion, and removal of road and construction debris/rubbish from the watercourse.

Tables 6 and 7 of the Dolby Creek Management Plan list an anticipated capital cost of \$8,400 for outstanding items, comprising seats, shelters and signage; and an estimated \$8,500 annual maintenance cost, comprising weeding (16 days per year), baiting, monitoring, brushcutting, spraying, and seat/shelter maintenance; but not additional plantings or bank stabilisation measures that will be subject to ongoing review as to the success rating of previous plantings by the Landcare and Environment Committee. Works listed within the Dolby Creek Management Plan would be allocated funding from Trust Account T237.

## STRATEGIC IMPLICATIONS

The Dolby Creek Estate area was identified within the WAPC's Geraldton Region Plan (1999) as being 'Potential Rural Residential' with Section 9.5 of the Plan noting that:

*"Rural-residential areas, immediately to the east of the residential development areas in a band two to three kilometres wide, include...the Cooper Street Precinct and White Peak in the Shire of Chapman Valley. The larger lot sizes provide the opportunity for rural and recreational uses, such as horse riding and hobby farming, not accommodated in conventional residential subdivisions. The rural-residential areas relate to natural features, including the rivers and the Moresby Range.*

*The areas of Woorree, Moresby, Eastlyn, and the Cooper Street Precinct are well serviced by infrastructure and in reasonable proximity to community facilities. The development of these areas for small rural lot subdivision is unlikely to use land that would otherwise be suitable for standard residential purposes, given the availability and location of residential land elsewhere."*

The WAPC's draft Northern Geraldton District Structure Plan (2005) identified the subject land as being 'Future Rural Residential' noting that:

*"R17 No subdivision is to be approved until Local Structure Plans have been approved by the Council and the WAPC. The Local Structure Plans are to be supported by a visual impact assessment in terms of the Moresby Range.*

*R18 There is a need for a buffer or foreshore area (where adjoining residential development) on both sides of the creek line. The actual width of the buffer reserve is to be determined through individual site survey in the manner outlined in Section 4.7.7 of the NGDSP report. As a guide the buffer or reserve should be in the order of 30m on both sides of the river (i.e. 60m)."*

The Shire of Chapman Valley Local Planning Strategy (2008) identified the subject land as being 'Proposed Rural Residential' with the Strategy noting the following objectives:

*"7.3.1 Encourage re-vegetation and retention of existing vegetation in order to minimise soil erosion and to stabilise existing landforms along the coast and the western portion of the Moresby Ranges.*

*7.3.2 Protect and enhance the visual amenity in areas of visual prominence.*

*7.3.3 Ensure that land use and development adjacent to and in proximity to coastal and river areas incorporate appropriate environmental protection based on natural resource management measures."*

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

The WAPC's Greater Geraldton Structure Plan (2011) identified the subject area as being 'Future Rural Living' with Section 3.2.3 noting that:

*"The location of rural living land should not be a constraint to future urban expansion. 'Rural living' is considered a more inefficient land use type compared to denser urban forms due to the low residential population that it yields and the fact that once*

*developed, there is generally little opportunity for further intensification. The provision and maintenance of services to these areas is also disproportionately costly.*

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

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

*In addition to the necessary structure planning and provision of infrastructure and services, the development of 'future rural living' areas are also subject to amendments to local planning schemes. Such amendments require the approval of the Minister for Planning on recommendation by the WA Planning Commission. Scheme amendments may be subject to environmental studies and plans, including the Geraldton Regional Flora and Vegetation Survey and the Moresby Range Management Strategy. Land identified as 'future rural living' should be developed in an orderly manner."*

When the Environmental Protection Authority ('EPA') advised on 1 February 2010 that Scheme Amendment No.46 should not be assessed under the *Environmental Protection Act 1986* it also provided the following advice:

*"The EPA is aware that the Dolby Creek watercourse runs east-west through Lots 460 and 542. The EPA supports the recommendation of the draft Northern Geraldton District Structure Plan (NGDSP) which notes that there is a need for a buffer or foreshore area (where adjoining residential development) on both sides of the creek line. The actual width of the buffer reserve is to be determined through individual site survey in the manner outlined in the NGDSP report. The EPA also advises that EPA Guidance Statement No.33, Environmental Guidance for Planning and Development (2008), can be used for site specific criteria to determine appropriate buffer areas with minimum separation distance."*

#### **VOTING REQUIREMENTS**

Simple majority of Council

#### **STAFF RECOMMENDATION**

That Council adopt the Dolby Creek Management Plan (2013) for Reserve 51029 David Road, Waggrakine.



# **9.2 Works Supervisor November 2013**

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## **Contents**

### **9.2 AGENDA ITEMS**

- 9.2.1 Narra-Tarra Road and Chapman Valley Intersection Safety Audit (Black Spot Funded)

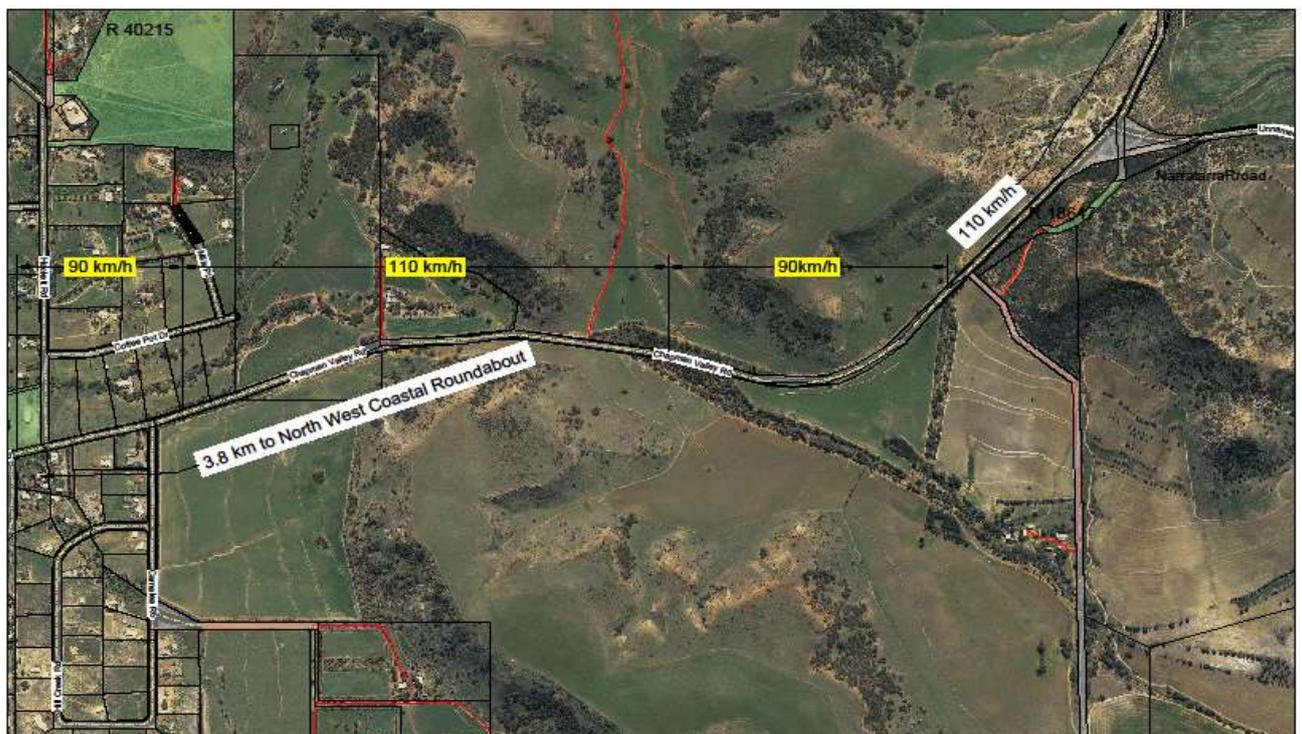
<b>AGENDA ITEM:</b>	<b>9.2.1</b>
<b>SUBJECT:</b>	<b>NARRA-TARRA ROAD AND CHAPMAN VALLEY INTERSECTION SAFETY AUDIT (Black Spot funded)</b>
<b>PROPONENT:</b>	<b>WORKS SUPERVISOR/CONSULTANT ENGINEER</b>
<b>SITE:</b>	<b>INTERSECTION OF CHAPMAN VALLEY ROAD AND NARRA-TARRA ROAD</b>
<b>FILE REFERENCE:</b>	<b>1001.880</b>
<b>PREVIOUS REFERENCE:</b>	<b>Not Applicable</b>
<b>DATE:</b>	<b>20 NOVEMBER 2013</b>
<b>AUTHOR:</b>	<b>ESKY KELLY &amp; MAURICE BATTILANA</b>

#### DISCLOSURE OF INTEREST

NIL

#### BACKGROUND

As a result of a road safety audit Council has received funding from the Black Spot funding to upgrade the intersection of Chapman Valley Road and Narra-tarra Road. The original cost of the works was estimated to be \$38,000. Since this original costing it has been discovered that there is a Telstra optic fibre cable in the vicinity of the works. The cost of moving this cable has been estimated to cost around \$100,000 bringing the total cost of works to \$138,000.



#### COMMENT

Council can meet some of the recommendations of the safety audit by reconstructing the shoulders and installing the correct signage. This would not disturb the fiber optic cable and reduce the project cost to an estimated \$16,000.

It is simply not possible to meet all the Safety Audit requirements within the original Budget estimate of \$38,000 due to the proximity of the optic fibre cable. However, after discussions with Main Roads WA the revised scope of works list below would be satisfactory.

<b>SHIRE OF CHAPMAN VALLEY</b>	
<b>Narratarra/ Chapman Valley Road intersection Blackspot funding Estimate</b>	
<b>Item</b>	<b>31-Aug-11</b>
Supervision	\$ 309.33
Allow for all charges relating to site organisation	\$ 1,000.00
Allow for all charges relating to water supply for construction	\$ 64.44
Allow for all charges relating to gravel supply for construction	\$ 119.40
Pavement	\$ 2,496.50
Traffic Facilities	\$ 1,680.00
Traffic management during construction	\$ 2,100.00
Engineering Support	\$ 5,620.00
Project Management	
Contingency (15%)	\$ 2,008.45
<b>TOTAL PROJECT COST</b>	<b>\$15,398.13</b>

In discussions with Main Roads WA the concept of reviewing the speed in this area was mentioned. If Council is interested in taking this further a formal request would be required to be made to Main Roads WA who would look at the geography and road alignments to determine an appropriate change to the speed, if any. The thought was to extend the 90km/h limit, which stops just east of Hacket Rd to beyond the Narra-tarra Rd junction.

#### **STATUTORY ENVIRONMENT**

Nil

#### **POLICY IMPLICATIONS**

No current policy relevant or affected.

#### **FINANCIAL IMPLICATIONS**

The councils committed funds would reduce from \$12,666 to \$5,333 with the change to scope of works.

#### **STRATEGIC IMPLICATIONS**

Providing safer roads is part of Council's strategies.

#### **VOTING REQUIREMENTS**

Simple Majority

#### **STAFF RECOMMENDATION**

- 1 Council seek Main Roads WA's endorsement of changes to the scope of the Chapman Valley Road/Narra-tarra Rd Black Spot Program of works, as presented.
- 2 Council approaches Main Roads WA seeking a review of the speed limits in the vicinity of the Chapman Valley Road/ Narra-tarra Road junction.

# **9.3**

## **Finance**

### **November 2013**

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## **Contents**

### **9.3 AGENDA ITEMS**

9.3.1 Financial Reports for October 2013

<b>AGENDA ITEM:</b>	<b>9.3.1</b>
<b>SUBJECT:</b>	<b>FINANCIAL REPORTS FOR OCTOBER 2013</b>
<b>PROPONENT:</b>	<b>MID WEST REGIONAL COUNCIL</b>
<b>SITE:</b>	<b>SHIRE OF CHAPMAN VALLEY</b>
<b>FILE REFERENCE:</b>	<b>307.04</b>
<b>PREVIOUS REFERENCE:</b>	<b>N/A</b>
<b>DATE:</b>	<b>12 NOVEMBER 2013</b>
<b>AUTHOR:</b>	<b>DIANNE RAYMOND</b>

#### **DISCLOSURE OF INTEREST**

Nil

#### **BACKGROUND**

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

#### **COMMENT**

Attached to this report are the monthly financial statements for October 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 September financial statement.

## **STRATEGIC IMPLICATIONS**

Nil

## **VOTING REQUIREMENTS**

Simple Majority

## **STAFF RECOMMENDATION**

That Council receive the financial report for the months of October 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

# **9.4 Chief Executive Officer November 2013**

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## **Contents**

### **9.4 AGENDA ITEMS**

- 9.4.1 Asset Management Plan
- 9.4.2 Forward Capital Works Plan
- 9.4.3 Budget Variation Requests
- 9.4.4 Request for Donation – Isolated Children’s Parents’ Association of WA INC. (Mid-West Branch)
- 9.4.5 Request for Donation - Oceanic Taekwon-Do Academy
- 9.4.6 Standpipes - Removal
- 9.4.7 Yuna Hall – Asbestos Issue
- 9.4.8 Yuna Pool & Surrounds Maintenance

<b>AGENDA ITEM:</b>	<b>9.4.1</b>
<b>SUBJECT:</b>	<b>ASSET MANAGEMENT PLAN</b>
<b>PROPONENT:</b>	<b>SHIRE OF CHAPMAN VALLEY</b>
<b>SITE:</b>	<b>SHIRE OF CHAPMAN VALLEY</b>
<b>FILE REFERENCE:</b>	<b>313.02</b>
<b>PREVIOUS REFERENCE:</b>	<b>5/13-12, 6/13-6, 6/13-7 &amp; 9/13-5</b>
<b>DATE:</b>	<b>10 DECEMBER 2013</b>
<b>AUTHOR:</b>	<b>MAURICE BATTILANA</b>

**DISCLOSURE OF INTEREST**

Nil

**BACKGROUND**

The Shire of Chapman Valley Asset Management Plan is presented to Council with staff recommending that the document be received and forwarded to the Department of Local Government.

A copy of the Asset Management Plan has been provided as separate documents to the November 2013 Council Agenda to Councillors' consideration.

**COMMENT**

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

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



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

Council resolved:

- ~ OCM (19 June 2013) - Adopt its Strategic Community Plan 2013-2023 and Corporate Business Plan 2013-2017 and forward them to the Department of Local Government prior to the Department' statutory 30 June 2013 deadline; and
- ~ OCM (18<sup>th</sup> September 2013) - Receive the Shire of Chapman Valley Long Term Financial Plan (subject to modification to section 8.2) and Shire of Chapman Valley Workforce Plan and forward the documents to the Department of Local Government; &
- ~ Advise the Department of Local Government that the Asset Management Plan will be presented to the October meeting of Council and submitted thereafter.

Due to the additional time taken to have consultants revise the draft Asset Management Plan it was not possible to present the Plan to the October OCM.

The Corporate Business Plan and Long Term Financial Plan are required to be reviewed regularly with a suggested timeframe of 2 years for minor reviews and 4 years for major reviews. Ideally the Corporate Business Plan, Long Term Financial Plan and Asset Management Plan would be used as rolling documents subject to annual review with the annual Council budget prepared utilising the corresponding financial period within the plans. The annual review of the plans would ensure flexibility so projects can be reprioritised dependant on funding sources.

### Asset Management Plan

The Asset Management Plan details information about the Shire's infrastructure and other fixed assets including buildings, plant and equipment and lists actions required to provide an agreed level of service in the most cost effective manner. The Asset Management Plan defines the services to be provided, how the services are provided and what funds are required to provide the services (i.e. operating, scheduled maintenance and depreciation costs, capital costs incurred on renewals, replacement costs on asset retirement and costs involved in expanding the asset base).

The Asset Management Plan provides guidance to Council through listing options and setting priorities for future building and road services with regard for the costs of providing those services. The Asset Management Plan seeks to ensure that the community's expectation on maintaining existing services and providing future services is matched with the ability to pay for those services and maximise benefit to the community for costs to the community.

Personally I must admit disappointment with the draft Asset Management Plan and the process (both internally & consultant services) as it appears to have been flawed throughout. However, after a number of months negotiating and discussing the Plan with the consultant (Morrison & Low) the best result is what has been presented to Council today for consideration.

The Staff Recommendation is requesting Council adopt the Plan in its current format and continue to upgrade/improve the Plan over the next twelve months, rather than continuing to work with the consultants in an attempt to improve the Plan now. Morrison & Low has made it quite clear they will not do anymore works without additional cost being paid by Council as they are of the opinion they have more than met the requirements of the contract they had with Council. I would suggest any future upgrades should be undertaken internally or by an alternative consultancy service.

## **STATUTORY ENVIRONMENT**

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

*"5.56 Planning for the Future*

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

Section 19C of the *Local Government (Administration) Regulations 1996* addresses the Shire's requirements in relation to the Strategic Community Plan and Section 19D the requirements in relation to the Corporate Business Plan.

## **POLICY IMPLICATIONS**

The Shire of Chapman Valley Strategic Community Plan 2012-2023 and Corporate Business Plan 2013-2017 came into operation on 1 July 2013.

## **FINANCIAL IMPLICATIONS**

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

It is considered essential Council remains flexible in its approach to ensure community expectation is balanced with financial responsibility and to achieve this the Strategic Community Plan should be reviewed on a 2 to 4 yearly basis in accordance with Section 19C(4) of the *Local Government (Administration) Regulations 1996*, and the Corporate Business Plan, Long Term Financial Plan, Asset Management Plan and Workforce Plan be reviewed on an annual rolling basis during the budget preparation phase.

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

## **STRATEGIC IMPLICATIONS**

The Strategic Community Plan identifies 4 key focus areas:

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

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

The Corporate Business Plan, Long-Term Financial Plan and Asset Management Plan are intended to reflect the strategic direction set by the Strategic Community Plan and outline the Shire's 4 year operational and service delivery program.

## **VOTING REQUIREMENTS**

Simple majority

## **STAFF RECOMMENDATION**

That Council:

- 1 Receive the Shire of Chapman Valley Asset Management Plan in its current format and forward the documents to the Department of Local Government; &
- 2 Advise the Department of Local Government the Asset Management Plan may be subject to on-going review until Council is comfortable with its content.

<b>AGENDA ITEM:</b>	<b>9.4.2</b>
<b>SUBJECT:</b>	<b>FORWARD CAPITAL WORKS PLAN</b>
<b>PROPONENT:</b>	<b>SHIRE OF CHAPMAN VALLEY</b>
<b>SITE:</b>	<b>WHOLE SHIRE</b>
<b>FILE REFERENCE:</b>	<b>309.05.05</b>
<b>PREVIOUS REFERENCE:</b>	<b>11/11-19 &amp; 7/12-12</b>
<b>DATE:</b>	<b>20 NOVEMBER 2013</b>
<b>AUTHOR:</b>	<b>MAURICE BATTILANA</b>

#### **DISCLOSURE OF INTEREST**

Nil

#### **BACKGROUND**

For Council to defer review the Shire of Chapman Valley's Forward Capital Works Plan (FCWP).

#### **COMMENT**

A Forward Capital Works Plan was developed as a pre-requisite for funding applications of the Country Local Government Fund (CLGF). The fund was administered by the Department of Regional Development and Lands (Department). The content of the plan was developed to meet compliance with the Departments published Plan guidelines. The Plan was to be reviewed annually in conjunction with Councils annual budget deliberations.

The State Government has discontinued the CLGF program, which therefore makes the initial purpose of the FCWP redundant. Council does have its Plan for the Future which includes:

- Strategic Community Plan; and
- Corporate Business.

These Plans are then supported by:

- Long Term Financial Plan;
- Workforce Plan; and
- Asset Management Plan (this Plan is yet to be finalized).

Though the FCWP is a valuable document it is no longer a requirement under legislation now the CLGF has been discontinued. My understanding is the only time this Plan would be required again is in the situation where the CLGF was reintroduced. However, Council may consider the Plan worthy of retention if it complemented/supported the Shire's statutory Plan for the Future and subsidiary documents.

#### **STATUTORY ENVIRONMENT**

Nil

#### **POLICY IMPLICATIONS**

No existing Policy affected. However, the retention of the FCWP would require this Plan to be integrated with the Shire's statutory Plan for the Future and subsidiary documents.

#### **FINANCIAL IMPLICATIONS**

Nil, other than staff time to review FCWP and to ensure it is integrated with the Shire's statutory Plan for the Future and subsidiary documents.

#### **STRATEGIC IMPLICATIONS**

Local Government's now have a statutory obligation to develop, report on and regularly review its Plan for the Future. There is not statutory requirement to continue with the FCWP unless the Royalties for Regions CLGF is reintroduced.

## **VOTING REQUIREMENTS**

Simple Majority

## **STAFF RECOMMENDATION**

- 1 Council defers any review of the Forward Capital Works Plan until confirmation on the future of the Royalties for Regions Country Local Government Fund is known.
- 2 In the event the Forward Capital Works Plan is to be continued then this Plan is to be integrated into Council's Plan for the Future supporting plans and documents.

<b>AGENDA ITEM:</b>	<b>9.4.3</b>
<b>SUBJECT:</b>	<b>BUDGET VARIATION REQUESTS</b>
<b>PROPONENT:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>SITE:</b>	<b>SHIRE OF CHAPMAN VALLEY</b>
<b>FILE REFERENCE:</b>	<b>306.13</b>
<b>PREVIOUS REFERENCE:</b>	<b>NIL</b>
<b>DATE:</b>	<b>20 NOVEMBER 2013</b>
<b>AUTHOR:</b>	<b>MAURICE BATTILANA</b>

## DISCLOSURE OF INTEREST

Nil

## BACKGROUND

Council's adopted budget at times will need variations made to reflect changes which occur after the budget has been adopted.

The purpose of this report is to seek Council's endorsement for some immediate budget variations identified by staff.

## COMMENT

In accordance with legislative requirements of the *Local Government Act, 1995, Section 6.8(1)(b)* Council is required to resolve by **Absolute Majority** to incur expenditure from its municipal fund for an additional purpose that is not identified in the Adopted Budget.

The items listed in the *Financial Implications* section of this report have been identified as required variations to the Budget with a nil overall effect on the Budget.

Council is also obliged to undertake a full Statutory Budget Review between the 1<sup>st</sup> January and 31<sup>st</sup> March each financial year, which is expected to be presented to the February 2014 Ordinary Council Meeting (OCM).

## STATUTORY ENVIRONMENT

*Local Government Act (1995) – Section 6.8. - Expenditure from municipal fund not included in annual budget*

- (1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure:
- (a) is incurred in a financial year before the adoption of the annual budget by the local government; or
  - (b) is authorised in advance by resolution\*; or
  - (c) is authorised in advance by the mayor or president in an emergency.

\* *Absolute majority required.*

- (1a) In subsection (1):

**additional purpose** means a purpose for which no expenditure estimate is included in the local government's annual budget.

- (2) Where expenditure has been incurred by a local government —
- (a) pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and
  - (b) pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the council.

## POLICY IMPLICATIONS

No existing policy affected or relevant.

## FINANCIAL IMPLICATIONS

Below is a summary of Budget Variations being requested:

COA/ Job No.	COA/Job Description	Adopted Budget \$	Revised Budget \$	Diff. \$	Commence
0232	Consultancy & Legal Exp.	8,000	5,000	-3,000	Reduce to cover EM Training
2544 /H31	Lot 31 Indialla Rd – Replace fence to north boundary	7,000	0	-7,000	
NEW	Elected Members Training	0	5,000	+5,000	Funding for EM Training
2544 /H31	Lot 31 Indialla Rd – <i>Replace Solar Hot Water System (LGEEP Grant)</i>	0	5,000	+5,000	LGEEP Grant no longer applicable for the installation of Solar HWS at this property, yet commitment given to replace as part of sale.
2022	Landcare Expenses – <i>Consultant to prepare grant applications</i>	22,750	22,750	0	This is simply an amendment to the description within the Budget to allow more flexibility. All other expenditure within this COA is Project driven.
2022	Landcare Expenses – <i>Consultancy Expenses</i>	22,750	22,750	0	
3542	RoMan Roads – User Group	14,902	4,902	-10,000	New Works Supervisor capable of undertaking the RoMan's data input & upgrades in-house
3502	Depot Maintenance	12,048	22,048	+10,000	Originally under-budgeted and OSH issued needing to be addressed.

## STRATEGIC IMPLICATIONS

All the above mentioned variations are consistent with Council's Plans for the Future.

## VOTING REQUIREMENTS

**Absolute Majority**

## STAFF RECOMMENDATION

Council endorses the following variations to the 2013/2014 Budget:

COA/Job No.	COA/Job Description	Adopted Budget \$	Revised Budget \$	Diff. \$
0232	Consultancy & Legal Exp.	8,000	5,000	-3,000
2544/H31	Lot 31 Indialla Rd – Replace fence to north boundary	7,000	0	-7,000
NEW	Elected Members Training	0	5,000	+5,000
2544/H31	Lot 31 Indialla Rd – <i>Replace Solar Hot Water System (LGEEP Grant)</i>	0	5,000	+5,000
2022	Landcare Expenses: Change Budget description from: <i>"Consultant to prepare grant applications"</i> to <i>"Consultancy Expenses"</i>	22,750	22,750	0
3542	RoMan Roads – User Group	14,902	4,902	-10,000
3502	Depot Maintenance	12,048	22,048	+10,000

<b>AGENDA ITEM:</b>	<b>9.4.4</b>
<b>SUBJECT:</b>	<b>REQUEST FOR DONATION</b>
<b>PROPONENT:</b>	<b>ISOLATED CHILDREN'S PARENTS' ASSOCIATION of WA Inc. (Mid-West Branch)</b>
<b>SITE:</b>	<b>SHIRE OF CHAPMAN VALLEY</b>
<b>FILE REFERENCE:</b>	<b>401.06</b>
<b>PREVIOUS REFERENCE:</b>	<b>NIL</b>
<b>DATE:</b>	<b>20 NOVEMBER 2013</b>
<b>AUTHOR:</b>	<b>MAURICE BATTILANA</b>

#### **DISCLOSURE OF INTEREST**

Nil

#### **REPORT PURPOSE**

Council has received a request from the Isolated Children's Parents' Association of WA (ICPA) – Mid West Branch, for a financial donation to go towards the cost of March 2014 State Conference.

#### **BACKGROUND**

Attached correspondence explains the donation requested from the ICPA – Mid West Branch.

#### **COMMENT**

There is no prior history that I can find which indicates Council has contributed towards this organisation or activity in the past.

In accordance with the Budget – v - YTD Actuals (see "*Financial Implications*" section below) there is an amount of \$900 remaining as discretionary funds available in the 2013/2014 budget, which Council can allocate without requiring a Budget variation.

#### **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*

## 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 -

- 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).
- Council will be seeking evidence of procurement of, or attempted procurement of, Government grant monies.
- it must be demonstrated that Council funding is necessary to the success of the project.
- funds will only be permitted to be used for projects upon land under the care, or control, of Council; unless it otherwise determines.
- detailed project financial information including budget estimates, quotes etc. accompanied by project drawings and specifications, to a satisfactory standard, must be provided.
- detailed financial information about the Club or Organisation will also need to be provided. Such information will need to include financial statements.

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;

- 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.

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**

In the 2012/13 Budget Council allocated the following amounts to Donations & Gifts:

<b>Recipient</b>	<b>Budget</b>	<b>YTD Actuals</b>
Midwest Agric. Societies – Royal Show	\$200	\$0
Monsignor Hawes Interpretative Signage	\$2,000	\$0
Primary Schools - Books	\$100	\$0
Yuna Swimming Pool – Contribution towards relining pool	\$2,000	\$0
Community Christmas Tree	\$2,500	\$0
Valley Vibes Photocopier contribution	\$4,000	\$0
Provisional amount	\$1,000	\$100
~ Red Card for Red Fox Donation	\$100	
<b>Totals</b>	<b>\$11,800</b>	<b>\$100</b>

Based upon the above figures (and subject to any other resolutions made by Council at today's meeting) there is \$900 remaining in the Budget for donations & gifts not specifically listed.

## **STRATEGIC IMPLICATIONS**

Nil

## **VOTING REQUIREMENTS**

Simple Majority

## **STAFF RECOMMENDATION**

That Council support the Isolated Children's Parents' Association of WA towards the cost of their March 2014 Annual Conference by donating \$500 towards this event.



# Isolated Children's Parents' Association of WA (Inc)

## MIDWEST BRANCH

Susanne Warr  
PMB 42  
South Yuna 6532

Mr Maurice Battilana  
PO Box 1,  
NABAWA WA 6532

28<sup>th</sup> October 2013

Dear Maurice,

The Isolated Children's Parents' Association (Inc) is a voluntary organisation whose aim is to ensure children in rural and remote areas of Australia have the same equity of access to education as children in the metropolitan areas. The organisation comprises of a Federal Council, State Councils and branches. The ICPA organisation is well respected by politicians, Government agencies, educators and others

The Midwest Branch was established in 2010 due to increased interest in access to appropriate education from people in the region and ICPA WA recognising a gap in membership in this area. Although the youngest branch in WA, it is now one of the biggest, with 53 member families.

The ICPA WA State Council holds an annual conference, convened by one of the State's branches. Next year the Midwest Branch will be convening the March State Conference themed 'Enjoy the Journey' at Ascot Quays in Perth. We have secured Maggie Dent; Author, Educator and Parenting and Resilience Specialist, as our Guest Speaker.

As you would appreciate, the financial cost involved in organising and running a Conference for between 80 - 120 people is substantial, as are the voluntary hours required from the convening team. We must cover costs such as venue hire, meals, photocopying, sound systems, postage, stationery and much more.

As ICPA is a not for profit organisation, it is vital our conference registrations costs are kept to a minimum to enable maximum attendance by branch members. It is for this reason we are seeking your support in the form of sponsorship.

Chapman Valley Shire is invited to be a general sponsor or if you'd prefer, to fund a specific area of the conference. e.g. airfares / accommodation for Conference guest speaker, we would be happy to negotiate this with you.

All sponsorship will be fully acknowledged in conference papers, on a Power Point presentation during conference proceedings/breaks and in displays of small banners, posters or literature if you chose to. These will be limited to the space available at the conference venue.

We would very much appreciate your support in ensuring that children in rural and remote areas have equitable access to the appropriate education they deserve.

Yours sincerely

Susanne Warr  
ICPA WA Conference Convening Committee 2014

Income	\$	Expenses	\$
Delegates rego 80 @ \$80	6400	Day Delegates Package	6320
Dinner 50 @ \$60	3000	Dinner 55 @ \$75	4125
		AV	2500
raffle	350	Room Hire pre conference meeting	375
		Lunch pre conf meeting 15 @ \$25	375
<b>Sponsorship</b>		Accommodation Convenors 2 nights	814
Murchison Shire	1000	Travel convenors	3000
Northampton Shire	1000	Guest Speaker Maggie Dent	4000
Mullewa DO	1000	Postage Invitations etc	260
CSBP	1000	Ink cartridges	280
CBH	2500	Stationary	100
Landmark	250	Gifts	50
Ian Blayney	200	Auditor	80
		<b>Total</b>	<b>22279</b>
High Tea	300		
<b>Total at Oct 29th 2013</b>	<b>17000</b>		
Still needed from sponsorship	5279		

<b>AGENDA ITEM:</b>	<b>9.4.5</b>
<b>SUBJECT:</b>	<b>REQUEST FOR DONATION</b>
<b>PROPONENT:</b>	<b>OCEANIC TAEKWON-DO ACADEMY</b>
<b>SITE:</b>	<b>SHIRE OF CHAPMAN VALLEY</b>
<b>FILE REFERENCE:</b>	<b>401.06</b>
<b>PREVIOUS REFERENCE:</b>	<b>NIL</b>
<b>DATE:</b>	<b>20 NOVEMBER 2013</b>
<b>AUTHOR:</b>	<b>MAURICE BATTILANA</b>

#### **DISCLOSURE OF INTEREST**

Nil

#### **REPORT PURPOSE**

Council has received a request from the Oceanic Taekwon-Do Academy for a financial donation to go towards the cost of four local (i.e. Chapman Valley residents) to attend the All Australian International Taekwon-Do Federation National Championships to be held in Wagga Wagga, New South Wales, on the weekend of the 30th of November and 1st of December 2013.

#### **BACKGROUND**

Attached correspondence explains the donation requested from the Oceanic Taekwon-Do Academy.

#### **COMMENT**

There is no prior history that I can find which indicates Council has contributed towards this organisation or activity in the past.

In accordance with the Budget – v - YTD Actuals (see “*Financial Implications*” section below) there is an amount of \$900 remaining as discretionary funds available in the 2013/2014 budget, which Council can allocate without requiring a Budget variation.

#### **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*

##### 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 -

- 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).
- Council will be seeking evidence of procurement of, or attempted procurement of, Government grant monies.
- it must be demonstrated that Council funding is necessary to the success of the project.
- funds will only be permitted to be used for projects upon land under the care, or control, of Council; unless it otherwise determines.
- detailed project financial information including budget estimates, quotes etc. accompanied by project drawings and specifications, to a satisfactory standard, must be provided.
- detailed financial information about the Club or Organisation will also need to be provided. Such information will need to include financial statements.

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;

- 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.

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

In the 2012/13 Budget Council allocated the following amounts to Donations & Gifts:

Recipient	Budget	YTD Actuals
Midwest Agric. Societies – Royal Show	\$200	\$0
Monsignor Hawes Interpretative Signage	\$2,000	\$0
Primary Schools - Books	\$100	\$0
Yuna Swimming Pool – Contribution towards relining pool	\$2,000	\$0
Community Christmas Tree	\$2,500	\$0
Valley Vibes Photocopier contribution	\$4,000	\$0
Provisional amount	\$1,000	\$100
~ Red Card for Red Fox Donation	\$100	
<b>Totals</b>	<b>\$11,800</b>	<b>\$100</b>

Based upon the above figures (and subject to any other resolutions made by Council at today's meeting) there is \$900 remaining in the Budget for donations & gifts not specifically listed.

## STRATEGIC IMPLICATIONS

Nil

## VOTING REQUIREMENTS

Simple Majority

## **STAFF RECOMMENDATION**

Council advise the Oceanic Taekwon-Do Academy they are unable to assist with a financial contribution as requested in this instance.

Dear Mr. Battilana,

I am writing to inform you that we have applied to the Mid-West Sports Federation Achievement Grants for financial help for 10 students from the Mid-West. They have been selected to represent Western Australia at the All Australian International Taekwon-Do Federation National Championships to be held in Wagga Wagga, New South Wales, on the weekend of the 30th of November and 1st of December 2013.

We were told that because 4 out of the 10 students who we applied for, live in the Shire of Chapman Valley, outside the City of Greater Geraldton, they do not qualify for the Achievement Grant from the Mid-West Sports Federation. Mrs Sue Patman, from the Mid-West Sports Federation, said you were the best person to contact to help our young WA representatives as their parents are constituents of the Chapman Valley Shire.

We are asking for any financial assistance in the way of a sporting grant to help our local athletes achieve their dreams.

Attached are letters of selection for each of the junior athletes representing WA along with proof that they live in the Shire of Chapman Valley.

Kind regards,

Mrs. Judi Bradley

3rd Dan Black Belt

Assistant Instructor

Oceanic Taekwon-Do Academy

Treasurer

Oceanic TKD Fundraising Committee

Ph: +61407121033

[www.oceanictkd.com](http://www.oceanictkd.com)

## WEST AUSTRALIAN ITF TAEKWON-DO FEDERATION INC. A1012215Y

President  
Senior Master Linda Low  
Ph: 0892997061 M: 0437316590  
E: [linda.low@bigpond.com](mailto:linda.low@bigpond.com)  
Vice President  
Master Jason Bradley  
Ph: 08 99381153 M: 0407121033  
E-Mail: [jbradley2@bigpond.com](mailto:jbradley2@bigpond.com)



To Whom It May Concern,

Mr Darcy Paul, after his recent success at the AAITF State Championships in June, will be representing Western Australia at the All Australian ITF Taekwon-Do National Championships to be held in Wagga Wagga, New South Wales on the 30<sup>th</sup> of November and 1<sup>st</sup> of December 2013. It is a great honour to have him competing in the individual patterns, sparring, special technique and team pattern categories.

The State Governing Body (West Australian International Taekwon-Do Federation Inc.) managing the WA team, expects all competitors to arrive in New South Wales at least a day prior to competition in order to prepare and stabilize with the time difference. It also provides an opportunity for the entire WA team to gather as one, as many members are spread across WA.

We wish Darcy all the very best in representing Western Australia against the Nation's best ITF Taekwon-Do practitioners.

Should you have any queries, please do not hesitate to contact me.

Yours sincerely,

Master Jason Bradley  
7<sup>th</sup> Degree Black Belt  
International Instructor/Examiner ITF  
Coach West Australian Taekwon-Do Team  
Vice President of the WAITF Inc.  
Ph: 0899381153  
M: 0407121033  
E: [jbradley2@bigpond.com](mailto:jbradley2@bigpond.com)

COURTESY INTEGRITY PERSEVERANCE SELF-CONTROL INDOMITABLE SPIRIT

**WEST AUSTRALIAN ITF TAEKWON-DO FEDERATION INC.** A1012215Y

President

Senior Master Linda Low  
Ph: 0892997061 M: 0437316590  
E: [linda.low@bigpond.com](mailto:linda.low@bigpond.com)  
Vice President  
Master Jason Bradley  
Ph: 08 99381153 M: 0407121033  
E-Mail: [jbradley2@bigpond.com](mailto:jbradley2@bigpond.com)



To Whom It May Concern,

Mr Jett Bradley, after his recent success at the AAITF State Championships in June, will be representing Western Australia at the All Australian ITF Taekwon-Do National Championships to be held in Wagga Wagga, New South Wales on the 30<sup>th</sup> of November and 1<sup>st</sup> of December 2013. It is a great honour to have him competing in the individual patterns, sparring, special technique and team pattern categories.

The State Governing Body (West Australian International Taekwon-Do Federation Inc.) managing the WA team, expects all competitors to arrive in New South Wales at least a day prior to competition in order to prepare and stabilize with the time difference. It also provides an opportunity for the entire WA team to gather as one, as many members are spread across WA.

We wish Jett all the very best in representing Western Australia against the Nation's best ITF Taekwon-Do practitioners.

Should you have any queries, please do not hesitate to contact me.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Jason Bradley".



Master Jason Bradley  
7<sup>th</sup> Degree Black Belt  
International Instructor/Examiner ITF  
Coach West Australian Taekwon-Do Team  
Vice President of the WAITF Inc.  
Ph: 0899381153  
M:0407121033  
E: [jbradley2@bigpond.com](mailto:jbradley2@bigpond.com)

**COURTESY INTEGRITY PERSEVERANCE SELF-CONTROL INDOMITABLE SPIRIT**

## WEST AUSTRALIAN ITF TAEKWON-DO FEDERATION INC. A1012215Y

President  
Senior Master Linda Low  
Ph: 0892997061 M: 0437316590  
E: [linda.low@bigpond.com](mailto:linda.low@bigpond.com)  
Vice President  
Master Jason Bradley  
Ph: 08 99381153 M: 0407121033  
E-Mail: [jbradley2@bigpond.com](mailto:jbradley2@bigpond.com)



To Whom It May Concern,

Mr Kye Paul, after his recent success at the AAITF State Championships in June, will be representing Western Australia at the All Australian ITF Taekwon-Do National Championships to be held in Wagga Wagga, New South Wales on the 30<sup>th</sup> of November and 1<sup>st</sup> of December 2013. It is a great honour to have him competing in the individual patterns, sparring, special technique and team pattern categories.

The State Governing Body (West Australian International Taekwon-Do Federation Inc.) managing the WA team, expects all competitors to arrive in New South Wales at least a day prior to competition in order to prepare and stabilize with the time difference. It also provides an opportunity for the entire WA team to gather as one, as many members are spread across WA.

We wish Kye all the very best in representing Western Australia against the Nation's best ITF Taekwon-Do practitioners.

Should you have any queries, please do not hesitate to contact me.

Yours sincerely,

A handwritten signature in black ink that reads 'Jason Bradley'.



Master Jason Bradley  
7<sup>th</sup> Degree Black Belt  
International Instructor/Examiner ITF  
Coach West Australian Taekwon-Do Team  
Vice President of the WAITF Inc.  
Ph: 0899381153  
M:0407121033  
E: [jbradley2@bigpond.com](mailto:jbradley2@bigpond.com)

COURTESY INTEGRITY PERSEVERANCE SELF-CONTROL INDOMITABLE SPIRIT

**WEST AUSTRALIAN ITF TAEKWON-DO FEDERATION INC.** A1012215Y

President  
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Vice President  
Master Jason Bradley  
Ph: 08 99381153 M: 0407121033  
E-Mail: [jbradley2@bigpond.com](mailto:jbradley2@bigpond.com)



To Whom It May Concern,

Miss Phoebe Paul, after her recent success at the AAITF State Championships in June, will be representing Western Australia at the All Australian ITF Taekwon-Do National Championships to be held in Wagga Wagga, New South Wales on the 30<sup>th</sup> of November and 1<sup>st</sup> of December 2013. It is a great honour to have her competing in the individual patterns, sparring and special technique categories.

The State Governing Body (West Australian International Taekwon-Do Federation Inc.) managing the WA team, expects all competitors to arrive in New South Wales at least a day prior to competition in order to prepare and stabilize with the time difference. It also provides an opportunity for the entire WA team to gather as one, as many members are spread across WA.

We wish Phoebe all the very best in representing Western Australia against the Nation's best ITF Taekwon-Do practitioners.

Should you have any queries, please do not hesitate to contact me.

Yours sincerely,

Master Jason Bradley  
7<sup>th</sup> Degree Black Belt  
International Instructor/Examiner ITF  
Coach West Australian Taekwon-Do Team  
Vice President of the WAITF Inc.  
Ph: 0899381153  
M:0407121033  
E: [jbradley2@bigpond.com](mailto:jbradley2@bigpond.com)

**TAEKWON-DO** INTEGRITY PERSEVERANCE SELF-CONTROL INDOMITABLE SPIRIT

<b>AGENDA ITEM:</b>	<b>9.4.6</b>
<b>SUBJECT:</b>	<b>STANDPIPES - REMOVAL</b>
<b>PROPONENT:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>SITE:</b>	<b>HALL RD, NABAWA &amp; YUNA</b>
<b>FILE REFERENCE:</b>	<b>204.15.12</b>
<b>PREVIOUS REFERENCE:</b>	<b>NA</b>
<b>DATE:</b>	<b>20 NOVEMBER 2013</b>
<b>AUTHOR:</b>	<b>MAURICE BATTILANA</b>

#### **DISCLOSURE OF INTEREST**

Nil

#### **BACKGROUND**

Notification has been received from the Water Corporation (copy attached) regarding the requirement to install backflow prevention devices on all Standpipes under the control of Council i.e.

- Hall Road;
- Nabawa Townsite; &
- Yuna Townsite

#### **COMMENT**

The correspondence received from the Water Corporation states they will supply either a Tundish or a Reduced Pressure Zone (RPZ) backflow prevention device if they are fitted before the 30<sup>th</sup> June 2014. It also states the owners of the standpipes (i.e. Shire) will be responsible for the cost to install the devices and the annual testing costs, as well as reporting to the Water Corporation. The tundish will not impede any pressure and flow, will be cheaper and easier to install, inspect and test than RPZ. However, if an RPZ is fitted which is larger than the current Meter Outlet then the pressure and flow restriction is expected to be minimal e.g.

- Nabawa Standpipe has a 50mm outlet, therefore fitting an 80mm RPZ should result in any significant changes to the pressure and flow.

The installation of the tundish attachments to the existing standpipe structures will result in the height of the devices decreasing by at least 600mm. This will make the functionality of the standpipes impractical as most trucks will not be able to fit underneath the standpipe for filling. Therefore a quote has been received to increase the heights of existing pipes and to fit the new tundishes, which has come in at a collective total of \$6,732 (GST inclusive) for the three standpipes.

The installation of the RPZ, rather than the Tundish would mean the existing standpipe height would not need to be adjusted, therefore making the overall cost far less.

There is also a cost associated with decommissioning standpipes (estimated at approximately \$720 per Standpipe). Council has budget \$1,000 to install the backflow devices (i.e. not to replace existing pipes to increase height).

The question needs to be asked as to whether Council considers the standpipes as being an on-going requirement for the Shire operations and/or as a water source to some constituents. Bearing in mind the original purpose of the standpipes was for fire fighting, whereas they are predominantly used for roadwork's/spraying (private and Shire) and water supply to some residents during dry periods.

I do recall some years ago where the Shire of Greenough was going to disconnect the Hall Rd standpipe as they no longer needed this for fire fighting purposes (i.e. hydrants installed) and the Shire of Chapman Valley agreed to take over responsibility of this

standpipe. The reason for this was some Shire residents used the Hall Rd standpipe for water supply purposes. At the time the Drummond Cove Holiday Park agreed to distribute the standpipe key and keep a record of usage; however, I believe this has discontinued and the owner of Parkfalls Mowing is now doing this. I am unsure how this is working and if the usage is being monitored closely.

It must be understood the Shire of Chapman Valley is responsible for paying all water consumption and maintenance cost for all the standpipes under their control.

### STATUTORY ENVIRONMENT

None applicable

### POLICY IMPLICATIONS

No existing policy affected or relevant.

### FINANCIAL IMPLICATIONS

Below is an analysis of the income and expenditure over the past ten (10) years for all three standpipes. Unfortunately, without a far more detailed investigate, it is not possible to break up the income received for the Standpipes; however, it would fair to assume a majority (if not all) the income received is associated with the Hall Rd Standpipe.

Year	All Standpipes				
	Hall Rd COA 4232 (Exp)	Nabawa & Yuna Job LFI (Exp)	Nabawa & Yuna COA 0752 (Exp)	Total Expenditure all Standpipe	Total Income all Standpipes (COA 4273)
2012-2013	\$392.57	\$329.70		\$722.27	\$178.74
2011-2012	\$7,462.13	\$331.25		\$7,793.38	\$7,433.72
2010-2011	\$312.75	\$339.40		\$652.15	\$1,360.35
2009-2010	\$1,450.13	\$2,470.28		\$3,920.41	\$1,269.75
2008-2009	\$1,284.81	\$222.15	\$193.36	\$1,700.32	\$1,256.35
2007-2008	\$1,275.21	\$0.00	\$160.65	\$1,435.86	\$1,222.20
2006-2007	\$1,967.05	\$0.00	\$221.10	\$2,188.15	\$1,648.90
2005-2006	\$543.78	\$0.00	\$696.49	\$1,240.27	\$568.60
2004-2005	\$353.31	\$368.61	\$0.00	\$721.92	\$400.45
2003-2004	\$350.90	\$0.00	\$748.45	\$1,099.35	\$189.41
	<b>\$15,392.64</b>	<b>\$4,061.39</b>	<b>\$2,020.05</b>	<b>\$21,474.08</b>	<b>\$15,528.47</b>
	<b>10 year Total</b>		<b>Average over 10 years</b>		
	<b>Expenditure</b>	<b>Income</b>	<b>Expenditure</b>	<b>Income</b>	
	\$21,474.08	\$15,528.47	\$2,147.41	\$1,552.85	
	<b>\$5,945.61</b>	<b>Loss</b>	<b>\$594.56</b>	<b>Loss</b>	

It will be noted from the above figures that Council had incurred a loss of \$5,945.61 over a ten year period, which is not significant, yet may increase as controls on the use of water (specifically from the Hall Rd Standpipe) diminish.

As previously reported a quote has been received to the increasing the heights of existing pipes and to fit the new tundishes, which has come in at a collective total of \$6,732 (GST inclusive) for the three standpipes. Council has budget \$1,000 to install the backflow devices only (i.e. not to replace existing pipes to increase height). Therefore a Budget variation would be necessary to accommodate the full cost to upgrade the three standpipes or to upgrade some and decommission others.

## **STRATEGIC IMPLICATIONS**

I question the use of the standpipes, specifically for their initial purpose/function of fire fighting only. The Shire does use the Nabawa Standpipe for its operations, though minimally (e.g. weed spraying purposes).

The other issue raised was access to water at Yuna for fire fighting and shire operations if the Standpipe was removed. However, I believe this particular standpipe is not used much at (if at all) for this purpose.

## **VOTING REQUIREMENTS**

Absolute Majority – Expenditure not catered for in the 2013/2014 Budget (LG Act – Section 6.8(1)(b)).

## **STAFF RECOMMENDATION** (*Absolute Majority Required*)

Council reallocates funds within the 2013/2014 Budget to cover the costs to:

- 1 Decommission the standpipes located at:
  - Yuna Townsite - (subject to confirmation from the Yuna Fire Brigade they no longer require this Standpipe for fire fighting purpose); and
  - Hall Road – (subject to the City of Greater Geraldton confirming they do not want to take over responsibility of this standpipe).
- 2 Fit a Reduced Pressure Zone (RPZ) backflow prevention device to the Nabawa Standpipe of a size (e.g. 80mm) which will not adversely affect the pressure and flow.

Debra Mack  
9420 2871

April 08 2013

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

Dear Sir/Madam

**Regional Backflow Prevention Device Upgrade**

It is a Water Corporation priority to provide clean, safe drinking water that meets Australian Drinking Water Guidelines. A review of water supply standpipes throughout regional Western Australia has identified a number with backflow prevention devices that may not meet the new Australian Standard AS3500 National Plumbing and Drainage Code. This means that there is a risk that drinking water supplies could be contaminated through backflow, where contaminants in storage tanks or tankers used to transport water could accidentally flow back into the reticulated water supply.

Water Corporation records indicate that standpipes that are your responsibility at the addresses listed on the table (*attached overleaf*) do not comply with the current Australian Standard.

To ensure all regional standpipes meet the requirements of the new national standard, the Water Corporation is undertaking a once-off, state-wide program to provide appropriate backflow prevention devices for installation at the outlet, or at the water supply meter boundary.

The Water Corporation will provide Australian Standard backflow prevention devices free of charge to replace the vacuum breaker backflow prevention devices it issued in previous years. These vacuum breaker devices no longer meet the new Australian Standard, so appropriate backflow prevention devices are being offered as a replacement. However, all installation and annual testing costs, as well as reporting to the Water Corporation, will be the responsibility of the fixture's owner.

To qualify for this offer, the new Australian Standard backflow prevention devices provided by the Water Corporation must be installed on all your non-compliant water standpipes by 30 June 2014. The Water Corporation's regional Backflow Prevention Device Upgrade program ends on this date and there are no plans to repeat this offer.

All new standpipes being issued by the Water Corporation have backflow prevention that complies with new Australian Standard.

For all enquiries relating to this offer, please contact Backflow Prevention Project Manager Debra Mack on 9420 2871 or [debra.mack@watercorporation.com.au](mailto:debra.mack@watercorporation.com.au)

Maintaining a high standard of water quality is a vital issue for the whole community and I look forward to your support on this important initiative.

Yours sincerely



John Janssen  
SERVICE DELIVERY MANAGER  
REGIONAL CUSTOMER SERVICES

Backflow Protection is required on the following standpipes

Account	Street	Suburb	Identified Risk	BFPD REQUIRED	Distance from the centre of the outlet to the centre of the meter	VB Previously Installed
900721044	YUNA RD	NABAWA	HIGH	TUNDISH	1.8m	YES
9007131514	HALL RD	WAGGRAKINE	HIGH	TUNDISH	1.8m	YES
9016973852	YUNA RD	YUNA	HIGH	TUNDISH	3m	YES

# Backflow Prevention Devices for Standpipes

## Information Sheet

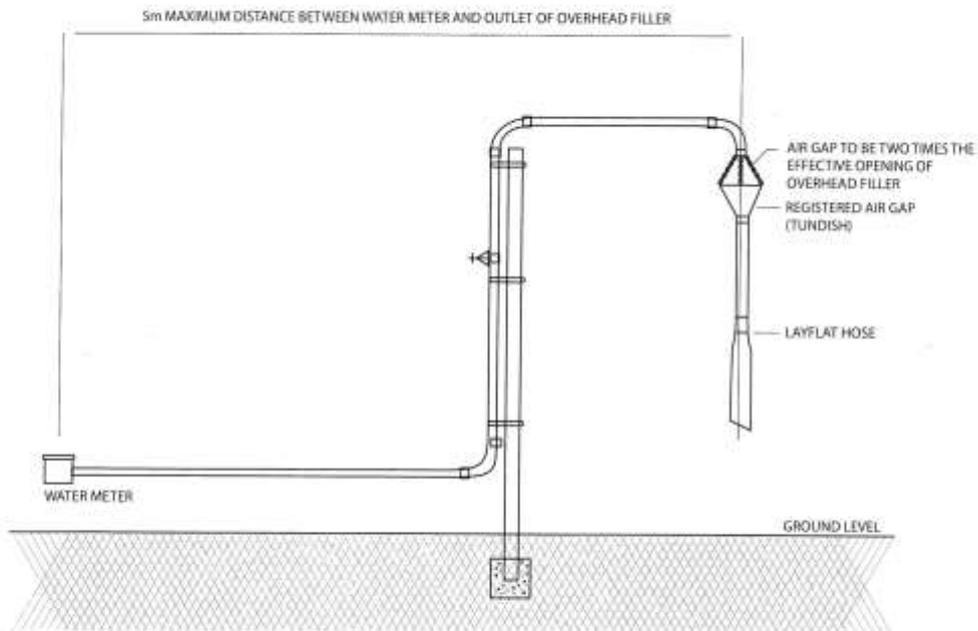
Standpipes are an external freestanding or overhead pipe issued by the Water Corporation to customers to provide access to the drinking water supply system for purposes such as water carting or fire fighting.

Standpipes without backflow prevention devices, or backflow prevention devices that do not meet current Australian Standard AS3500 National Plumbing and Drainage Code, mean drinking water supplies could be contaminated through backflow, where contaminants in storage tanks or tankers used to transport water accidentally flow back into the reticulated water supply.

There are two basic types of standpipes and there is a different backflow prevention device for each type that complies with the Australian Standard AS3500 National Plumbing and Drainage Code.

### High Level Filling Fixture Standpipe

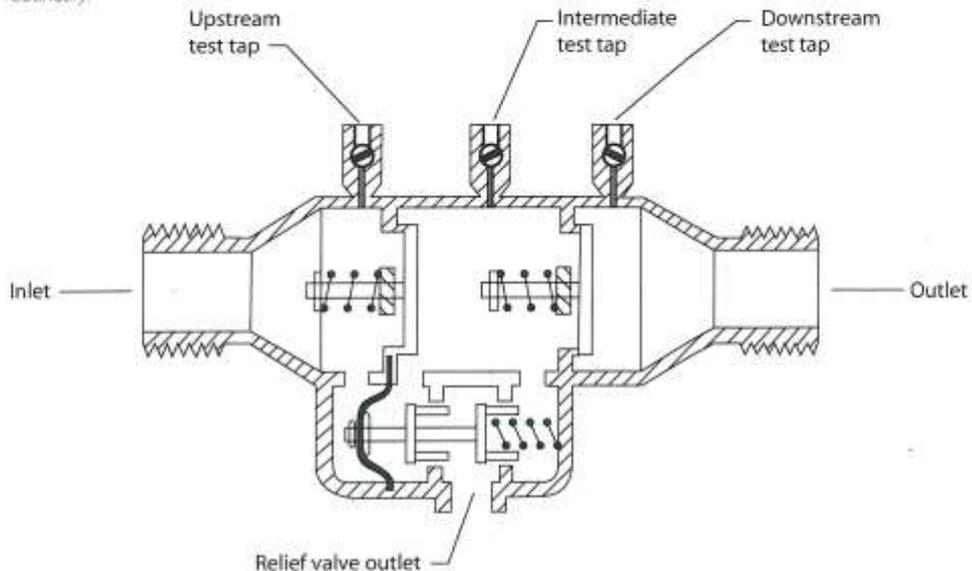
A High Level Filling Fixture Standpipe requires a tundish connection for installation at the water supply outlet. This will allow two pipe diameter air gaps to spill level as the Australian Standard, provided the standpipe is within 5 metres of the water supply meter. If the distance to the water meter is more than 5 metres, then a Reduced Pressure Zone Device is required.



Water meter feeding an overhead standpipe with a registered air gap (Tundish).

### Low Level Filling Fixture Standpipe

A Low Level Filling Fixture Standpipe requires a Reduced Pressure Zone Device for installation at the water meter at the boundary.



*Typical Reduced Pressure Zone Device.*

### High and Low Level Filling Fixture Standpipe

If the standpipe is a high and low level filling fixture, or used in combination with a water storage tank, a Reduced Pressure Zone Device needs to be installed at the water meter at the boundary.

### Installation, Testing and Reporting

Backflow prevention devices must be installed by a licensed plumber in accordance with Australian Standard AS3500 National Plumbing and Drainage Code. Any installed backflow prevention device must be registered with the Water Corporation and then tested every 12 months by a licensed plumber qualified in backflow prevention. Backflow prevention device registration and annual testing results can be emailed or sent to:

[backflow@watercorporation.com.au](mailto:backflow@watercorporation.com.au)

or

Water Corporation  
Commercial and Industrial Services Section  
PO Box 100  
LEEDERVILLE WA 6902

### Further information on Regional Backflow Prevention Device Upgrade

Please contact Backflow Prevention Project Manager Debra Mack on 9420 2671 or [debra.mack@watercorporation.com.au](mailto:debra.mack@watercorporation.com.au).

[watercorporation.com.au](http://watercorporation.com.au)

ISBN 1 74043 827 2 April 2013





<b>AGENDA ITEM:</b>	<b>9.4.7</b>
<b>SUBJECT:</b>	<b>YUNA HALL – ASBESTOS ISSUE</b>
<b>PROPONENT:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>SITE:</b>	<b>YUNA TOWNSITE</b>
<b>FILE REFERENCE:</b>	<b>801.02</b>
<b>PREVIOUS REFERENCE:</b>	<b>NIL</b>
<b>DATE:</b>	<b>20 NOVEMBER 2013</b>
<b>AUTHOR:</b>	<b>MAURICE BATTILANA</b>

#### **DISCLOSURE OF INTEREST**

Nil

#### **BACKGROUND**

The issue of asbestos cladding of public buildings has been highlighted in recent years with the legislative requirements being expanded to ensure local government have an Asbestos Register and physically sign all building containing asbestos as a warning.

Council's Asbestos Register had stated the existing asbestos roof on the Yuna Hall would be sealed or replaced. This has not occurred and at a recent inspection by Worksafe the lack of attention to this roof was highlighted.

#### **COMMENT**

After a recent inspection by Worksafe they have issued Council with two Improvement Notices in relation to asbestos on Council owned/controlled building:

- i. Ensure signage warning of the location of asbestos hazards is displayed in accordance with Part 5 of the Code of Practice for the Management and Control of Asbestos in Workplaces; and
- ii. Ensure the asbestos register is reviewed by a competent person in accordance with the Code of Practice for the Management and Control of Asbestos in Workplaces.

Both the abovementioned Improvement Notices will be completed by the due dates.

At the time of writing this report no Improvement Notice had been sent from Worksafe in regards to the asbestos roof on the Yuna Hall and the statement in Council's Asbestos Register the roof area *"requires seal coat"*.

Below is an extract from the Shire's Asbestos Register in regards to the Yuna Hall.

#### Yuna Community Hall

Asbestos present on this building comprises of the following;

- Entire area of roof sheeting= 392m<sup>2</sup>  
(Including; Main Hall, Minor Hall, Library)  
(Corrugated roof sheets in fibrous condition, **require seal coats**)
- Wall cladding= 140m<sup>2</sup>  
  
(North and East walls, in good condition, Painted and sealed )
- All flashings, ridge caps and vents are asbestos= 90Lm  
  
(Top side of all flashings fibrous, painted sides are sealed)
- **Total area= approx 540m<sup>2</sup> + 90Lm of flashings**



**NORTH SIDE, MINOR HALL (90M2)**



**EAST VIEW, MAIN HALL ROOF (270M2)**



**EAST WALL, MAIN HALL (70M2)**



**NORTH WALL, MINOR HALL (40M2)**



**KITCHEN ENTRANCE (18M2)**



**SOUTH VIEW, LIBRARY ROOF (32M2),  
EAVES (4M2)  
SUBSILL PANELS (1.5M2)**



#### **SOUTH VIEW, MAIN HALL SUBSILLS (4M2)**

Council's Building Survey (Anthony Abbott) has been working with our consultant LGIS Regional Risk Coordinator (Monty Archdale) to deal with the Worksafe Improvement Notices and to undertake an inspection of the Yuna Hall asbestos roof. The result of the inspection is the Yuna Hall Roof is in poor condition and is at t point where it is powdery and flaking in areas. This is considered unsatisfactory and Council should consider replacing or sealing this roof, specifically with a school being within proximity of the Yuna Hall.

#### **STATUTORY ENVIRONMENT**

Code of Practice for the Management and Control of Asbestos in Workplaces.

#### **POLICY IMPLICATIONS**

No existing Policy affected or relevant.

#### **FINANCIAL IMPLICATIONS**

Quotes/Estimates (GST inclusive) have been received to:

i	Roof - Prepare and seal coat.	\$11,000 (approx..)
ii	Roof - Remove asbestos and replace with trimdeck sheeting.	\$27,000 (approx..)
iii	Roof - Remove asbestos and replace with trimdeck sheeting. Walls - Remove asbestos and replace with colour bond sheeting.	\$46,000 (approx..)

Council currently has approximately \$623,000 in the Building Reserve which can be used to fund upgrades to the Yuna Hall as the purpose of this Reserve is listed as:

*"To be used for the construction of Shire building or capital upgrades of existing Shire buildings."*

Recladding the roof and/or walls at the Yuna Hall would be considered a *"capital upgrades of existing Shire buildings"*.

**STRATEGIC IMPLICATIONS**

Maintenance and upgrade of Council assets form part of Council's Plan for the Future.

**VOTING REQUIREMENTS**

Absolute Majority

As the transfer of funds from the Building Reserve to the Municipal Fund to implement the Staff Recommendation below was not included in the 2013/2014 Budget a decision to do so will require an Absolute Majority of Council (i.e. five vote for such action irrespective number of Elected Members in attendance)

**STAFF RECOMMENDATION**

Council endorse the transfer of adequate funds from the Building Reserve to the Municipal Fund for preparing and seal coating the Yuna Hall roof to address the asbestos issue on the roof of this building.

<b>AGENDA ITEM:</b>	<b>9.4.8</b>
<b>SUBJECT:</b>	<b>YUNA POOL &amp; SURROUNDS MAINTENANCE</b>
<b>PROPONENT:</b>	<b>YUNA PRIMARY SCHOOL P &amp; C</b>
<b>SITE:</b>	<b>YUNA TOWN SITE</b>
<b>FILE REFERENCE:</b>	<b>1108.02</b>
<b>PREVIOUS REFERENCE:</b>	<b>NIL</b>
<b>DATE:</b>	<b>20 NOVEMBER 2013</b>
<b>AUTHOR:</b>	<b>MAURICE BATTILANA</b>

**DISCLOSURE OF INTEREST**

None registered.

**BACKGROUND**

A request has been received from Yuna Primary School P & C (YPSP&C) for Council to allocate funds to maintenance of Swimming Pool and the grassed areas adjacent to the Yuna School.

**COMMENT**

The attached correspondence from the YPSP&C refers to a grassed area adjacent to the School. After further dialogue with the YPSP&C it has been revealed that Mel Forrester has previously maintained the water supply and sprinkler system for the oval until recently. He has changed sprinklers, made sure they are in working order etc. The dam that supplies the water is filled from rain catchment as well as a bore that is pumped from Rockwell. He maintains the bore pump, pipe line, dam levels, pump shed, tanks and then the sprinklers. The School Gardener has also periodically checked and maintained the sprinkler system.

The Shire Gardener has mowed the Grassed area adjacent to the school.

It is understood the grassed area referred to as being adjacent to the School is the area within red marked boundary below:



**STATUTORY ENVIRONMENT**

Not Applicable

## POLICY IMPLICATIONS

No existing Policy affected.

## FINANCIAL IMPLICATIONS

The request for the Council to allocate 3 hours (or more) per week of Shire Gardener's time to attend to the management of the oval and pool would equate to approximately \$120 per week (inclusive of wages & overheads). This is based upon the current Wages Rate of \$40 per hour (inclusive of overheads) yet does not include the cost for plant & equipment or materials.

Council's current Gardener (Graham Garraway) is employed for 35 hours per week and has recently taken on the role of maintaining the Yuna pool & surrounds for the YPSP&C outside his Shire working hours.

Actual maintenance expenditure (other than Grant Projects) for the Yuna Oval maintenance over the past five years has been:

~	2012/2013	\$ 861.47		
~	2011/2012	\$ 667.05		
~	2010/2011	\$4,379.06		
~	2009/2010	\$ 0.00		
~	2008/2009	<u>\$1,884.25</u>		
	<b>Total</b>	<b><u>\$7,791.83</u></b>	<b>Average per year</b>	<b>\$1,558.37</b>

I would be less inclined to recommend the allocation of hours to attend to the management of the oval and pool and be more in favour of simply ensuring the areas, which are under Council's control are maintained by Council (i.e. the Swimming Pool & surrounds on Education Dept. land should not be resourced by Council).

It is not dissimilar to Mowing, Slashing & Maintenance contract Council is about to tender for in the Western Regions of the Shire being specifically for areas on land under Council control, not other parcels of land.

I sympathise with the YPSP&C with the State Government discontinuing the annual \$3,000 Swimming Pool Subsidy program (without any prior warning); however, see this as yet another classic case of the State Government shifting costs they have historically covered to local government.

## STRATEGIC IMPLICATIONS

Supporting communities is integral to the Shire's strategic plans; however, it must also be accompanied by ensuring such support reflects the local government responsibilities and does not simply cover areas the State Government has withdrawn from.

Therefore I do believe Council should simply ensure Shire resources are allocated to the maintenance of areas under their ownership and control (e.g. grassed area adjacent to the School) to a standard considered appropriate by the Shire.

## VOTING REQUIREMENTS

Simple Majority

## STAFF RECOMMENDATION

Council advise the Yuna Primary School P & C:

- 1 they will not be allocating resources to maintain the Swimming Pool or Swimming Pool surrounds on land under the control of the Department of Education;
- 2 they will investigate the current parks & gardens resources being allocated to land under its ownership and control within the Yuna Town Site and consider any additional resources required in future budgets.

## Yuna Primary School P&C

C/ -94 Warr Rd  
YUNA WA 6532

6 November 2013

CEO  
Shire of Chapman Valley  
Chapman Valley Road  
NABAWA WA 6532

Dear Maurice,

As you are aware the Yuna Primary School is fortunate enough to have a swimming pool within its grounds. The P&C provide and remunerate the day to day maintenance of this pool for the students during school times and for the Yuna community outside of school hours. It is required that the Pool be maintained within the requirements of the Swimming Pool Act 1964 and the Department of Education community use of school facilities requirements.

These requirements make it imperative that the P&C employ a person for approximately 6 - 8 hours per week to maintain the pool. Previously this amount was partially funded through an annual State Treasury Grant of up to \$3000. This funding is no longer available. The employee costs along with the chemical and insurance costs are a large financial burden on the P&C, costing on average \$7000 annually.

In addition to this, the person previously contracted to perform the maintenance of the pool and its surroundings has also attended to management of the grassed area adjacent to the school. This area is within the Shire grounds and is an amazing asset to our community. The maintenance involves checking the Rockwell bore and pumps to preserve the water levels at the Yuna dam for the sprinkler system on the oval. He has also attended to the ongoing maintenance of the sprinkler system.

Graeme a current employee of the Chapman Valley Shire has indicated that he would take on the pool and oval management position and the P&C are requesting that the Shire contribute to and assist with his remuneration by allocating 3 hours or more per week during his present work schedule to attend to the management of the oval and pool.

The Yuna P&C would then be responsible for the remaining hours for this position and other costs. We would appreciate if this could be put before council as soon as possible and we thank you for your consideration.

Yours sincerely

John Warr  
President

**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 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**

13.1 – Disposal of Lot 6 (9) Indialla Road, Nabawa

**14.0 CLOSURE**