Shire of Chapman Valley

Love the Rural Life

AGENDA

DECEMBER 2012

ORDINARY COUNCIL MEETING

Notice is hereby given that an Ordinary Meeting of Council will be held on Wednesday 12 December 2012 at the Council Chambers, Nabawa, commencing at 10:00am.

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DISCLAIMER

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

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

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

WRITTEN CONFIRMATION

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

Stuart Billingham
CHIEF EXECUTIVE OFFICER

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'That the minutes of the Ordinary Meeting of Council held 21 November 2012 be confirmed as a true and accurate record.'

9.0 OFFICERS REPORTS

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Manager of Planning

December 2012

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AGENDA ITEM:	**9.1.1**
SUBJECT:	**PROPOSED THERAPEUTIC REHABILITATION FACILITY**
PROPONENT:	**LANDWEST FOR DRUG ARM (WA) INC.**
SITE:	**LOT 11 (No.1) NABAWA-YETNA ROAD, NABAWA**
FILE REFERENCE:	**A485**
PREVIOUS REFERENCE:	**NIL**
DATE:	**5 DECEMBER 2012**
AUTHOR:	**SIMON LANCASTER**

DISCLOSURE OF INTEREST

Nil.

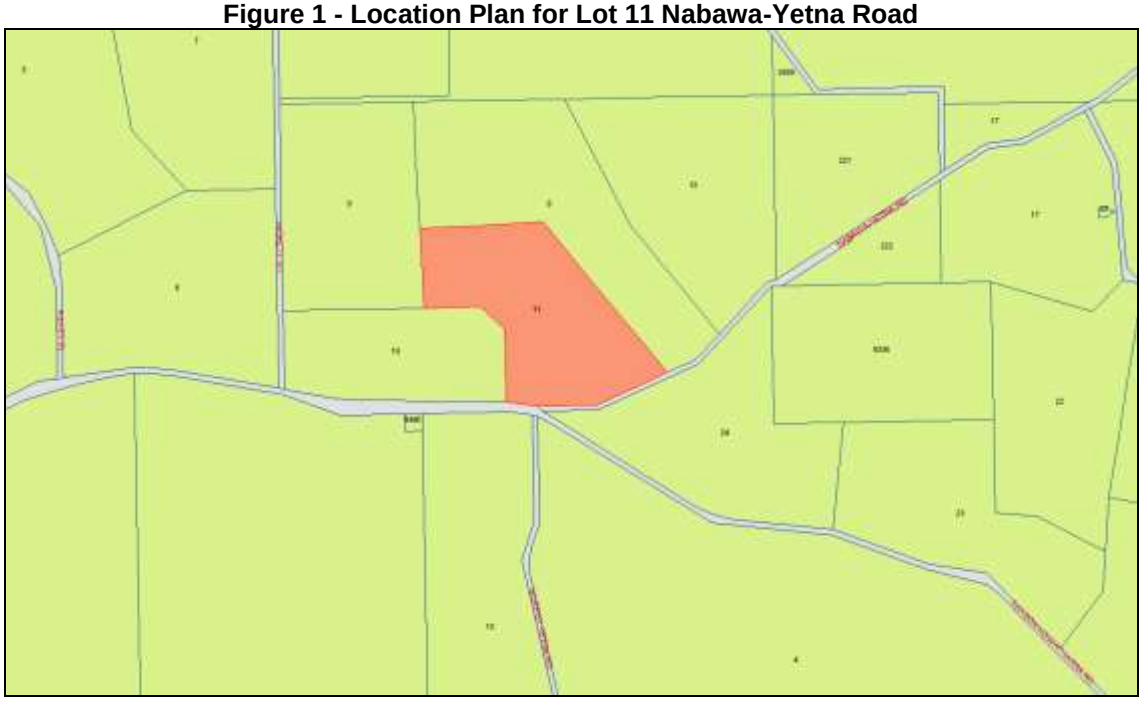
BACKGROUND

Council is in receipt of an application for a Therapeutic Rehabilitation Facility to be established upon Lot 11 (No.1) Nabawa-Yetna Road, Nabawa. This report recommends that the application be advertised for public comment for a period of 42 days.

COMMENT

Lot 11 Nabawa-Yetna Road, Nabawa is a 35ha property that features an existing residence, outbuildings, remnant vegetation along an intermittent watercourse, and 12ha of intensive agricultural areas for melons, vegetables, fruit trees, vines, apiary activities and free range egg production. The property has access onto a sealed road (Nanson-Howatharra Road) and is serviced by mains power, along with solar power, three licensed bores, pumps and water storage tanks.

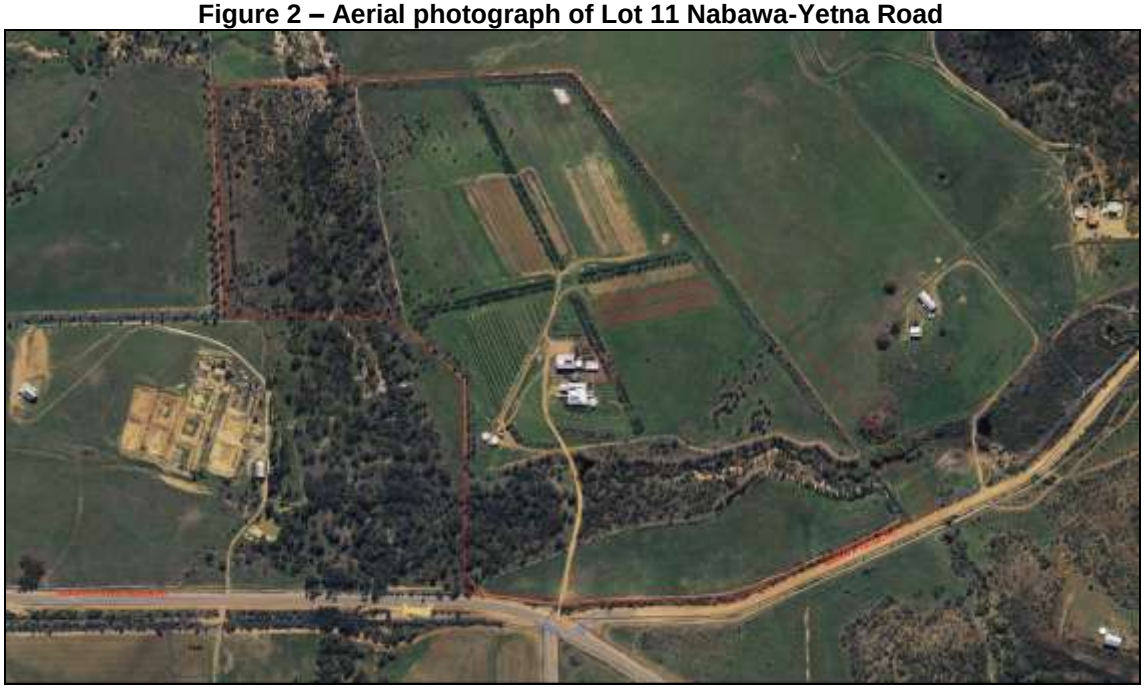
Figure 1 - Location Plan for Lot 11 Nabawa-Yetna Road



The development approval history for Lot 11 Nabawa-Yetna Road is as follows:

7 November 2001	Intensive Agriculture and Rural Pursuit (Horticulture/Viticulture)
14 July 2006	Building Envelope Relocation
23 October 2006	Outbuilding
12 February 2007	Ablution Facility in Outbuilding and Temporary Habitation
16 April 2007	Outbuilding
23 August 2007	Residence (four bedroom/two bathroom)
30 July 2008	Front & Rear Patios

Figure 2 – Aerial photograph of Lot 11 Nabawa-Yetna Road



The applicant is seeking to establish a Therapeutic Rehabilitation Facility upon Lot 11 that would utilise the existing developments on-site and proposes the following additional developments:

- 2 residential accommodation buildings for separate male and female accommodations (4 bedrooms each) containing bathrooms, communal kitchenette and lounge area (approximately 120m² each);
- Kitchen and communal dining room (approximately 150m²);
- gazebos (approximately 20m² each);
- car parking area for staff and visitors.

The applicant has advised that they would landscape about the proposed buildings and utilise complementary earth-toned building materials to the existing buildings upon Lot 11. The applicant is also seeking approval for the adjustment of the building envelope area previously approved by Council for Lot 11. The establishment of the proposed buildings within the approved building envelope area (west of the existing residence) would necessitate removal of established intensive agriculture crops and the applicant seeks approval for the proposed buildings and effluent disposal systems to be sited in an expanded building envelope area (east of the existing residence).

The proposed operations associated with the development would involve the following:

- 7 full time employees (service manager, project manager, case workers and care providers) with a minimum of 4-5 staff on-site at any time during normal business hours and 1-2 on site for evenings and overnight;
- 2 property caretakers who may also reside on-site who will manage land use operations;
- up to 18 clients living on-site engaging in group work therapy, counselling, rostered active/productive duties and development of work/life skills;
- Client visitors are limited and are organised in advance. Clients are required to commit to the program and failure to comply with obligations can result in immediate dismissal from the program. Any program orientated activities off-site are overseen and managed by staff including transport.

The applicant has submitted a lengthy development application report that has been provided to Councillors as a separate document, and the submitted site, building envelope adjustment and elevation plans have been included as **Attachment 1** to this report.

The application report notes:

> *"The application seeks approval for the establishment of a Therapeutic Rehabilitation Facility on the subject land by DrugARM (WA) Inc. In the Midwest*

specifically, DrugARM offer adult rehabilitation services, at the residential facility "Rosella House" within the Geraldton townsite. The proposal is to develop a facility that complements, rather than replaces existing DrugARM facilities or existing services offered in the region.

The aim is the creation of a community in which individuals can voluntarily enter programs that will assist them in the healing process, and their reintegration into the wider community. This can be achieved through the development of positive relationships with each other and the wider community, and engagement in productive sustainable work that requires patience, regularity and creativity. Work assists community members regain self-respect, a sense of responsibility, increases resilience and the individual's awareness of both their potential and limitations and reconnects them to a sense of belonging in the wider community."

"The physical environment is an important part of the rehabilitation process. Access to open space and green space is important for both physical and mental health. The attractiveness of a person's environment can influence their readiness to be physical active and integrate with those around them. In addition, areas of high aesthetic value provide locations for contemplation and relaxation. The physical environment can also influence a persons desire to remain in situ, and improve the "learning" environment. The unique locational and physical attributes of the subject landholding and its high aesthetic appeal, make this an ideal setting for the facility.

In addition, the property is already extremely well developed with infrastructure and a range of uses that are ideal for the programs that DrugARM can develop accordingly."

"Ultimately, the facility will cater for a maximum of up to eighteen (18) clients at any one time. The facility will cater for those participants who do not require acute medical or other services, which will continue to be based in central Geraldton at Rosella House. All clients accepted into the program are assessed for suitability for a residential rehabilitation program. This means that clients are required to have undergone pre-admission processes including, but not limited to medical detoxification, mental health and readiness for change assessment. This ensures not only the safety of the individual, the facility and wider community but best places the client to maximise the opportunity and achieve success. The programs are not third party intervention motivated (although referrals may be provided by the other agencies/care providers). Participants enter into DrugARM programs voluntarily and are not bound to remain in the program. The length of time in the program will vary, but generally will be for a minimum 12 week period, and up to 12 months. Some clients may repeat the program."

"The proposed activities, when undertaken as a part of formal programs, are designed to assist clients with the opportunity for productive work as detailed above, but also to assist in developing cooperative skills, trust, and resilience. Further, contemplation is an important part of the rehabilitation process where a person thinks about and commits to making change. The physical environment is an important part in achieving these qualities.

For acceptance into residential programs and to maintain admission, DrugARM requires a commitment from clients in regards to participation in the program and absences from the facility. Failure to comply with obligations, or unexplained absences, can result in immediate dismissal from the program. Any program orientated activities off site, or engagement with the wider community in any capacity, will be overseen and managed by DrugARM staff, including transport."

STATUTORY ENVIRONMENT

The subject land was zoned 'Special Rural 8' under Shire of Chapman Valley Town Planning Scheme No.1 ('the Scheme') by Scheme Amendment No.10 following Ministerial approval on 25 August 1996. The Policy Statement for the 'Special Rural' zone is as follows:

"*It is the intention of the Council to provide a variety of opportunities for rural/residential and hobby farm lifestyles. It is also the intention of Council to*

ensure that the activities undertaken within the areas so zoned, maintain a rural character and the areas a whole do not have detrimental effect on nearby farming and other land uses."

The application proposes a number of activities and buildings that might be considered individually to meet with the permitted uses listed for the 'Special Rural' zone under the Scheme, including 'Rural Pursuit', Intensive Agriculture', 'Professional Office within a Dwelling House', 'Added Accommodation Unit' and 'Industry-Cottage'. However, it is considered reasonable that the application should be assessed as a whole, and that this application should not be considered under delegated authority and the surrounding landowners and relevant government agencies be provided with the opportunity to make comment. The applicant has therefore applied for the development under the term 'Therapeutic Rehabilitation Facility'.

The land use of 'Therapeutic Rehabilitation Facility' is not listed within the Zoning and Development Table for the 'Special Rural' zone, or within Section 1.7-Interpretation of the Scheme and therefore this application should be assessed under Sections 2.2.4 and 2.2.5 of the Scheme which state:

"2.2.4 Subject to clause 2.2.13, if the use of land for a particular purpose is not specifically mentioned in the zoning table and cannot reasonably be determined as falling within the interpretation of one of the use categories Council may:

(a) Determine that the use is not consistent with the objectives and purposes of the particular zone and is therefore not permitted; or

(b) Determine by absolute majority that the proposed use may be consistent with the objectives and purpose of the zone and thereafter follow the advertising procedures of Clause 5.2 in considering an application for planning consent.

2.2.5 The Council shall, in the latter case, decide which of the use symbols shall apply and may impose any conditions or development standards it deems fit."

Should Council resolve by an absolute majority to give further consideration to an application for a land use not listed within the Scheme's Zoning and Development Table, the application is required to be advertised in accordance with Section 5.2.3 of the Scheme, as follows:

"5.2.3 Where the Council is required or decides to give notice of an application for planning consent, the Council shall cause one or more of the following to be carried out:

(a) notice of the proposed development to be served on the owners and occupiers of land within an area determined by the Council as likely to be affected by the granting of planning consent, stating that submissions may be made to the Council within twenty-one days of the service of such notice;

(b) notice of the proposed development to be published in a newspaper circulating in the Scheme area stating that submissions may be made to the Council within twenty-one days from the publications thereof;

(c) a sign or signs displaying notice of the proposed development to be erected in a conspicuous position on the land for a period of twenty-one days from the date of publication of the notice referred to in paragraph (b) of this Clause."

Should Council resolve by absolute majority to advertise the application it is recommended that the advertising period be extended from the minimum 21 days to a period of 42 days given that the advertising would take place over the Christmas/New Year period. Council is not scheduled to conduct its next ordinary meeting until 20 February 2013 and the extension of the advertising period beyond the 21 day standard would still enable the Shire to meet its statutory 90 day

timeframe from date of receival in which to make determination upon this application, in this matter being 3 March 2013.

It is suggested that the advertising would be conducted from Friday 21 December 2012 until Friday 1 February 2013 and include the following actions:

- Placement of a notice in a locally circulating newspaper;
- Erection of an advisory sign on-site;
- Direct notification of the landowners of the 37 lots within a 2km radius of Lot 11; and
- Direct notification of the following government agencies and stakeholders; Department of Health, Department of Water, Fire and Emergency Services Authority, WA Police Service.

Section 5.2.5 of the Scheme requires that at the expiration of the advertising period that Council shall consider and determine the application.

Section 3.1.3 of the Scheme also states:

> *"3.1.3 Power to Relax Development Standards and Requirements*
>
> *Notwithstanding the provisions of Clause 3.1.1, if a development, other than a residential development, the subject of an application for planning consent, does not comply with a standard or requirement prescribed by the Scheme with respect to that development the Council may, notwithstanding that non-compliance, conditions as the Council thinks fit. The power conferred by this Clause may only be exercised if the Council is satisfied that:*
>
> *(a) approval of the proposed development would be consistent with the orderly and proper planning of the locality and the preservation of the amenities of the locality;*
>
> *(b) the non-compliance will not have any adverse effect upon the occupiers or users of the development or the inhabitants of the locality or upon the likely future development of the locality; and*
>
> *(c) the spirit and purpose of the requirements or standard will not be unreasonably departed from thereby."*

Section 3.1.20 and Appendix 6 of the Scheme provide additional requirements in relation to development within the 'Special Rural' zone but are largely concerned with land management aspects, and would be required to be incorporated into conditions of approval should Council consider the application has merit at the conclusion of the advertising period.

POLICY IMPLICATIONS

Shire of Chapman Valley Local Planning Policies '16.60 – Location of Buildings on Special Rural and Rural Residential Zoned Land', '16.70 - Intensive Agriculture' and '16.160 - Bushfire Policy, Rural & Special Rural Subdivision & Residential Development' provide guidance in relation to developments within the 'Special Rural' zone but are largely concerned with land and fire management aspects, and would be required to be incorporated into conditions of approval should Council consider the application has merit at the conclusion of the advertising period.

The scope and duration of advertising as suggested by staff for this application within this report exceeds the levels outlined in Local Planning Policy 16.260 - Consultation'.

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

The approximate cost of the development has been estimated by the applicant to be $625,000 and the applicable $1,921.25 application fee was paid on 3 December 2012.

STRATEGIC IMPLICATIONS

Lot 11 Nabawa-Yetna Road is located within Precinct No.3 – Chapman Valley of the Shire's Local Planning Strategy (2008). The vision for Precinct No.3 is:

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

The Local Planning Strategy lists the following objectives for Precinct No.3:

"3.1 Community Objectives

3.1.1 Ensure that the rezoning and subdivision of rural land into Rural Smallholdings maximises and reflects the agricultural potential of the land, and can accommodate a range of agricultural pursuits coupled with lifestyle opportunity.

3.1.2 Encourage the protection and restoration of places and buildings of heritage/historical significance.

3.1.3 Encourage the rezoning and subdivision of land into Rural Smallholdings and Rural Residential lots in accordance with Section 3.5 and Figure 3.

3.2 Economic Objectives

3.2.1 Facilitate agricultural diversification in appropriate areas where there will be no detrimental impact to the surrounding land.

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

3.2.3 Promote opportunities for processing and value adding to agricultural produce.

3.2.4 Ensure that rural residential development maximises the use of existing services and infrastructure.

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

3.3 Environmental Objectives

3.3.1 Encourage revegetation and retention of existing vegetation in order to minimise soil erosion and salinity levels.

3.3.2 Protect and enhance existing catchments, botanical linkages and vegetation/wildlife corridors, with particular emphasis on the Chapman River.

3.3.3 Ensure development does not adversely impact on river systems, associated catchment areas and groundwater resources through the provision/submission of detailed/supporting research, information and analysis.

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

3.3.5 Protect the rural amenity and character of the area from incompatible land use/ development, again through the implementation of appropriate environmental and planning controls.

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

3.3.7 Encourage conservation of biodiversity and farm sustainability based on natural resource management practices.

3.3.8 Give due consideration to the requirements/recommendations of the Moresby Range Management Strategy once it is formally adopted with particular emphasis direct toward Management Area A.

3.3.9 Promote a detailed planning exercise be undertaken in partnership with all relevant stakeholders for Area A of the Moresby Ranges, depicted on the Precinct Maps as 'Special Investigation Area – Conservation and Development', to identify a range opportunities in consideration of current environmental values and constraints.

3.4 Infrastructure Objectives

3.4.1 Enhance the standards of servicing and infrastructure around the Nanson and Nabawa townsites.

3.4.2 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, rezoning, development or subdivision, to avoid burden (financial or otherwise) on the Council's resources.

3.4.3 Identify, support and facilitate the efficient and coordinated use of existing road linkages.

Precinct 3 STRATEGIES

Consideration will be given to the objectives of the precinct when determining land use and subdivision proposals.

Council MAY support other land uses and/or subdivision proposals not listed within this Precinct by reference to the Precinct objectives and the provisions in Council's Town Planning Scheme and policies."

The applicant has provided the following information addressing the Precinct No.3 Local Planning Strategy objectives in support of their proposed development:

"A range of community, economic, environmental and infrastructure objectives are detailed for the precinct

The proposal is consistent with a number of these including –

3.1 (Community) The landholding has previously been rezoned and range of intensive agricultural uses established. The continuance of these established enterprises is integral to the proposal to provide opportunities for productive work. In addition, the high amenity value of the physical environment of the landholding is an extremely important aspect of the contemplative healing and rehabilitation process for clients.

3.2. (Economic) The proposal will ensure the continuance of the existing enterprises, which may not otherwise be assured, where the property is available to the open market. These enterprises are based on diversified crops, and some value adding to produce. The facility will utilise all existing infrastructure on site, in fact the property is ideal for the facility envisioned. This makes efficient use of the resources and services available.

3.3 (Environmental) All existing land use and management controls implemented by way of scheme provisions and previous development conditions will continue to apply. The facility is intended to be low key and low impact on the physical environment. The intent is for a self sustaining community which produces goods in a sustainable manner. The philosophy behind the facility is a focus on, and commitment to enhancement of the physical environment in which community members live and work.

3.4 (Infrastructure) Existing service infrastructure is adequate for the proposed facility and will utilise the existing road network for access. The proposed development will not increase Council's obligations, or place an increased burden on Council's resources.

Overall, the proposal is consistent with aim and objectives of the Precinct, for low key development that encourages and supports intensive agricultural pursuits, and ensures the precincts natural resources are protected and enhanced."

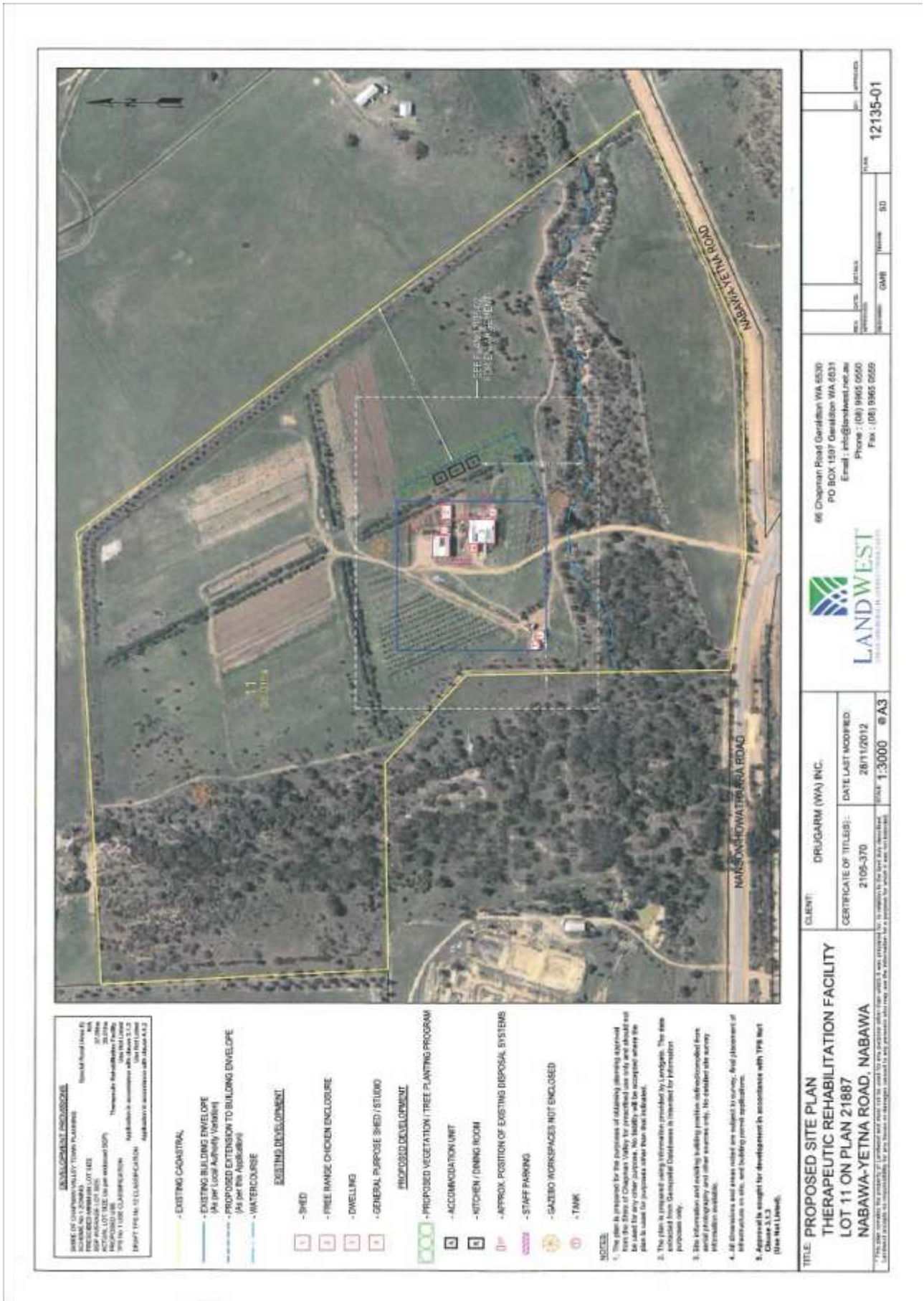
VOTING REQUIREMENTS

Absolute majority required.

STAFF RECOMMENDATION

That Council resolve to advertise the application for a Therapeutic Rehabilitation Facility upon Lot 11 (No.1) Nabawa-Yetna Road, Nabawa under Sections 2.2.4 and 5.2 of the Shire of Chapman Valley Town Planning Scheme No.1.

ATTACHMENT 1





TITLE: PROPOSED DETAILED SITE PLAN THERAPEUTIC REHABILITATION FACILITY LOT 11 ON PLAN 21887 NABAWA-YETNA ROAD, NABAWA	CLIENT: DRUGARM (WA) INC. CERTIFICATE OF TITLE(S): 2105-370 DATE LAST MODIFIED: 28/11/2012 SCALE: 1:1000 @A3	LANDWEST 66 Chapman Road Geraldton WA 6530 PO BOX 1597 Geraldton WA 6531 Email : info@landwest.net.au Phone : (08) 9965 0550 Fax : (08) 9965 0559

This plan remains the property of Landwest and must not be used for any purpose other than which it was prepared for. In relation to the land data described, Landwest accepts no responsibility for any losses or damages caused to any persons who may use the information for a purpose for which it was not intended.

DRAWN: GMB	DRAWN: SD	PLAN: 12135-02	



INDICATIVE ELEVATION PROPOSED DEVELOPMENT - NTS
(FROM NABAWA-YETNA ROAD)

TITLE:
INDICATIVE ELEVATION PROPOSED DEVELOPMENT
LOT 11 ON PLAN 21887
NABAWA-YETNA ROAD, NABAWA

CLIENT:
DRUGARM (WA) INC.

CERTIFICATE OF TITLE: 2105-370
DATE LAST MODIFIED: 28/11/2012

LANDWEST
66 Chapman Road Geraldton WA 6530
PO BOX 1597 Geraldton WA 6531
Email : info@landwest.net.au
Phone : (08) 9965 0550
Fax : (08) 9965 0599

REV | DATE | DETAILS | BY | APPROVED

DESIGNED: GMB
DRAWN: SD
PLAN: 12135-03

SCALE: NTS @A4
APPROVED:

* This plan remains the property of Landwest and must not be used for any purpose other than which it was prepared for. In relation to the land duly described. Landwest accepts no responsibility for any losses or damages caused to any person/s who may use the information for a purpose for which it was not intended.

AGENDA ITEM:	**9.1.2**
SUBJECT:	**PROPOSED ROAD CLOSURE**
PROPONENT:	**SHIRE OF CHAPMAN VALLEY**
SITE:	**LOTS 7, 893 & 1829 HOTEL ROAD, NABAWA**
FILE REFERENCE:	**1001.600, A367 & A677**
PREVIOUS REFERENCE:	**10/12-3**
DATE:	**3 DECEMBER 2012**
AUTHOR:	**SIMON LANCASTER**

DISCLOSURE OF INTEREST

Nil.

BACKGROUND

The Shire is in the process of realigning a section of Hotel Road, Nabawa to ensure that the cadastral boundaries align with the on-ground carriageway and fencing and includes recently undertaken drainage improvements at the intersection with Chapman Valley Road. In order to undertake this action a subdivision application has been lodged by the Shire and the two affected landowners with the Western Australian Planning Commission ('WAPC') in order to cede portions of their properties into the road reserve. The road realignment also requires that two sections of road reserve be closed and amalgamated into the neighbouring lots. The necessary advertising of the road closure has concluded and this report recommends that Council formally request the Minister of Regional Development and Lands to close the subject portion of road reserve.

COMMENT

The on-ground alignment of Hotel Road presently strays into privately owned land and the road widening application lodged by the Shire, with the agreeance of the two effected landowners, will ensure that the constructed road is located within the road reserve. The road widening action will not require road construction works or additional fencing to be undertaken as it merely seeks to ensure the cadastral boundaries correlate to the existing on-ground carriageway, drainage, services and fencing.

The existing cadastral alignment for the Hotel Road reserve (and an unnamed, unformed road reserve that spurs north-eastwards off of Hotel Road) presently strays into land that appears on-ground to be privately owned. A section of the former Mining Arms Hotel (renamed to Nabawa Hotel in 1911) which operated as a hotel from 1889 until 1973 and is now a private residence upon Lot 7 is located within the Hotel Road reserve, and a section of Gould's Residence and an outbuilding upon Lot 1829 are also located within the unnamed, unconstructed spur road reserve.

An aerial photograph of the relevant section of Hotel Road with the cadastral information overlaid has been included as **Attachment 2** to this report to elaborate upon this issue.

The Shire initially undertook road drainage works on behalf of Main Roads WA at the intersection of Hotel Road and Chapman Valley Road in 2009 that require the road reserve to be widened to accommodate the additional drainage infrastructure. The effected landowner (S & DM Kupsch Nominees Pty Ltd) was in agreeance to the additional land being ceded from their Lot 1829 providing that the survey and settlement actions were not at their expense and that the unformed and unnamed road reserve that ran north-east off Hotel Road and across Lot 1829 was closed.

Given that the unformed, unnamed road reserve is not required by any other lot or the Shire for access purposes, and that its closure would alleviate concerns for the landowner of Lot 1829 as the road reserve runs over their existing residence and an outbuilding then this was considered to be a reasonable request.

As Hotel Road is required to be widened on both the eastern and western intersection truncations with Chapman Valley Road to accommodate the existing service and drainage

infrastructure this would involve the two landowners whose properties are also impacted by the Hotel Road alignment deviating into their land. It would be timely given that surveying is required on-site and the Certificates of Titles must be altered for the intersection widening, to attend to the realignment 80m to the north-west that effects the same two landowners.

The proposed Hotel Road realignment plan (Drawing No.12130LA01) has been included as **Attachment 2** to this report, and illustrates the following proposed land area adjustments:

- Lot 893 (S & DM Kupsch Nominees Pty Ltd) would have 692m² excised from the property and amalgamated into the Hotel Road reserve;
- Lot 1829 (S & DM Kupsch Nominees Pty Ltd) would have 976m² excised from the property and amalgamated into the Hotel Road reserve, and the 4,977m² of unnamed, unconstructed spur road reserve that appears on-ground to be part of Lot 1829 would be closed and amalgamated into that property;
- Lot 7 (K Tyrell) would have 764m² excised from the property and amalgamated into the Hotel Road reserve, and 1,096m² of Hotel Road reserve that appears on-ground to be part of Lot 7 would be closed and amalgamated into that property.

STATUTORY ENVIRONMENT

The 2,472m² road widening action is required to be undertaken through the WAPC under Part 10 of the *Planning and Development Act 2005* and this has been initiated by Shire staff and the two landowners as WAPC Application 146771.

The 6,073m² road closure action is required to be undertaken through the Department of Regional Development and Lands under Section 58 of the *Land Administration Act 1997* and required a resolution of Council to commence this process. Council duly resolved at its 17 October 2012 meeting:

> "*That Council pursuant to Section 58 of the Land Administration Act 1997 initiate closure action of the portion of Hotel Road reserve across Lot 7 Hotel Road, Nabawa, and the unnamed, unconstructed road reserve (6787) across Lot 1829 Hotel Road, Nabawa as shown upon Drawing No.12130LA01.*"

By running both processes concurrently the road widening and road closure actions can then be shown upon one Deposited Plan of Survey thereby reducing the total surveying and settlement expenses involved in the Hotel Road realignment, and disruption to landowners in amending their Certificates of Title.

The Shire advertised the road closure from 22 October 2012 until 26 November 2012 (a period of 35 days in accordance with the requirements of the *Land Administration Act 1997)* and undertook the following actions:

- Notice being placed in a locally circulating newspaper detailing the proposed closure;
- Letters being sent to surrounding landowners/occupiers;
- Letters being sent to relevant statutory authorities (in this instance being; Alinta Energy, Department of Indigenous Affairs, Department of Regional Development & Lands, Fire & Emergency Services Authority, Main Roads WA, Telstra, Water Corporation, and Western Power); &
- A sign detailing the proposed road closure being erected onsite.

At the conclusion of the advertising a total of six (6) submissions were received, all from government departments offering no objection to the proposed road closure. Copies of the received submissions can be provided to interested Councillors upon request to the Shire's Planning Department.

Listed below is a summation of the comments raised from the advertising period:

- Respondent: Telstra (received 23 October 2012)
  Respondent Comment: No objections.
  Shire Response: No additional comment

- Respondent: Water Corporation (received 31 October 2012)
  Respondent Comment: No objections.

Shire Response: No additional comment.

- Respondent: Department of Indigenous Affairs (received 6 November 2012)
  Respondent Comment: No Registered Aboriginal Heritage Sites within the subject area.
  Shire Response: No additional comment.

- Respondent: Western Power (received 8 November 2012)
  Respondent Comment: No objections.
  Shire Response: No additional comment

- Respondent: Department of Regional Development & Lands (received 15 November 2012)
  Respondent Comment: No objection, Shire will need to submit a formal request to the Minister for Lands in due course in support of the proposed road dedication and road closure proposals, providing copies of Council resolutions, referral to the utility service providers, details of how the Shire will acquire the sections of freehold land and details of the proposed disposal of the parcels of closed road.
  Shire Response: The information as required by the Department for all road closures will be submitted in due course, subject to Council resolving to proceed with this matter.

- Respondent: Main Roads WA (received 16 November 2012)
  Respondent Comment: No objections, the alterations at the intersection with Chapman Valley Road would accommodate the drainage improvements already carried out, previously agreed with Main Roads WA.
  Shire Response: No additional comment

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

The Hotel Road realignment action will not incur costs relevant to road construction and fencing as it is seeking to correlate the cadastral boundaries to the existing on-ground alignment. The realignment will incur surveying costs of $8,397 (GST exclusive) that includes the on-ground surveying work, preparation of the Deposited Plan of Survey and Landgate lodgement fees. The completion of the process will also incur settlement costs to amend the 3 effected Certificates of Title (typically approximately $1,000).

Main Roads WA has previously advised on 24 May 2010 that they would fund the survey to the value of approximately $4,000:

> *"Main Roads agrees to include the cost for survey and title transfer at the truncation at Chapman Valley Rd and Hotel Rd but the Shire should cover the cost of the other changes as these are their road reserves and responsibility."*

It is considered reasonable that the Shire should cover the expense involved in the Hotel Road realignment action on a 50/50 shared basis with Main Roads WA and this cost is allowed for in Account 7052 'Surveying and Land Expenses' within the adopted 2012-2013 Council Budget.

STRATEGIC IMPLICATIONS

The Hotel Road realignment action will ensure the following:

- locate the existing on-ground carriageway, drainage and services within the road reserve;
- align the cadastral boundaries with the existing fencelines;
- will not create any additional lots;
- provide relief for the two effected landowners who presently have their homes located within road reserves;
- provide a greater level of heritage protection to the Mining Arms Hotel/Nabawa Hotel and Gould's Residence which are partly located in road reserves (both sites are listed in the Shire of Chapman Valley Municipal Inventory of Heritage Places); &

- resolve an unsatisfactory liability situation for the Shire and landowners whereby the carriageway is located within private property.

VOTING REQUIREMENTS

Simple majority required.

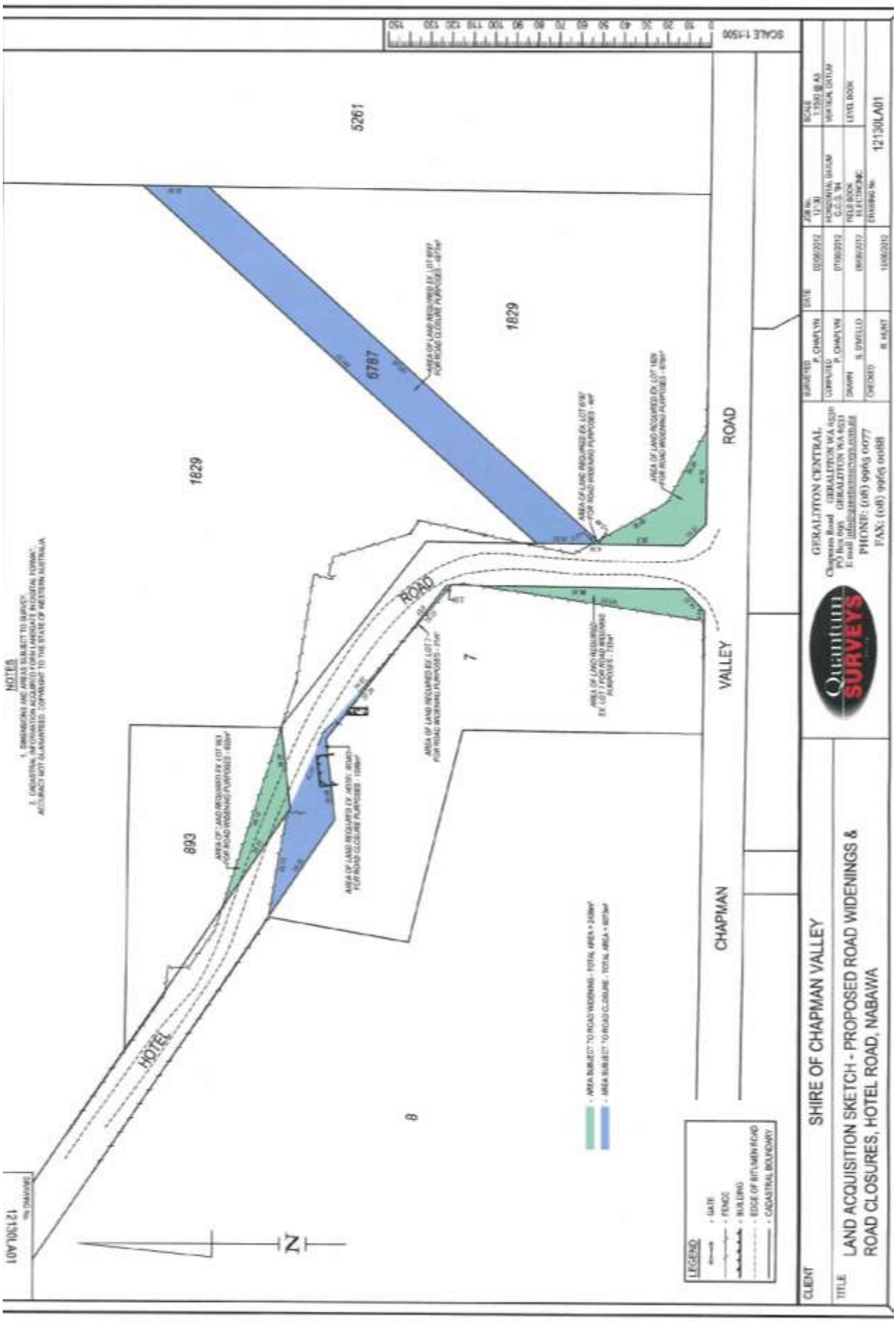
STAFF RECOMMENDATION

That Council pursuant to Sections 56 & 58 of the *Land Administration Act 1997* request the Minister for Regional Development & Lands to approve the partial closure of a portion of Hotel Road reserve and amalgamate this land into Lot 7 Hotel Road, Nabawa, and the closure of the unnamed, unconstructed road reserve (6787) into Lot 1829 Hotel Road, Nabawa, and that a new portion of road be dedicated from a portion of Lots 7, 893 & 1829 (WAPC Reference: 146771) as shown upon Drawing No.12130LA01.

ATTACHMENT 1



ATTACHMENT 2



AGENDA ITEM:	**9.1.3**
SUBJECT:	**NOONDAMURRA POOL**
PROPONENT:	**SHIRE OF CHAPMAN VALLEY**
SITE:	**RESERVES 265 & 38796, EAST YUNA**
FILE REFERENCE:	**R265 & R 38796**
PREVIOUS REFERENCE:	**8/95-29**
DATE:	**4 DECEMBER 2012**
AUTHOR:	**SIMON LANCASTER**

DISCLOSURE OF INTEREST

Nil.

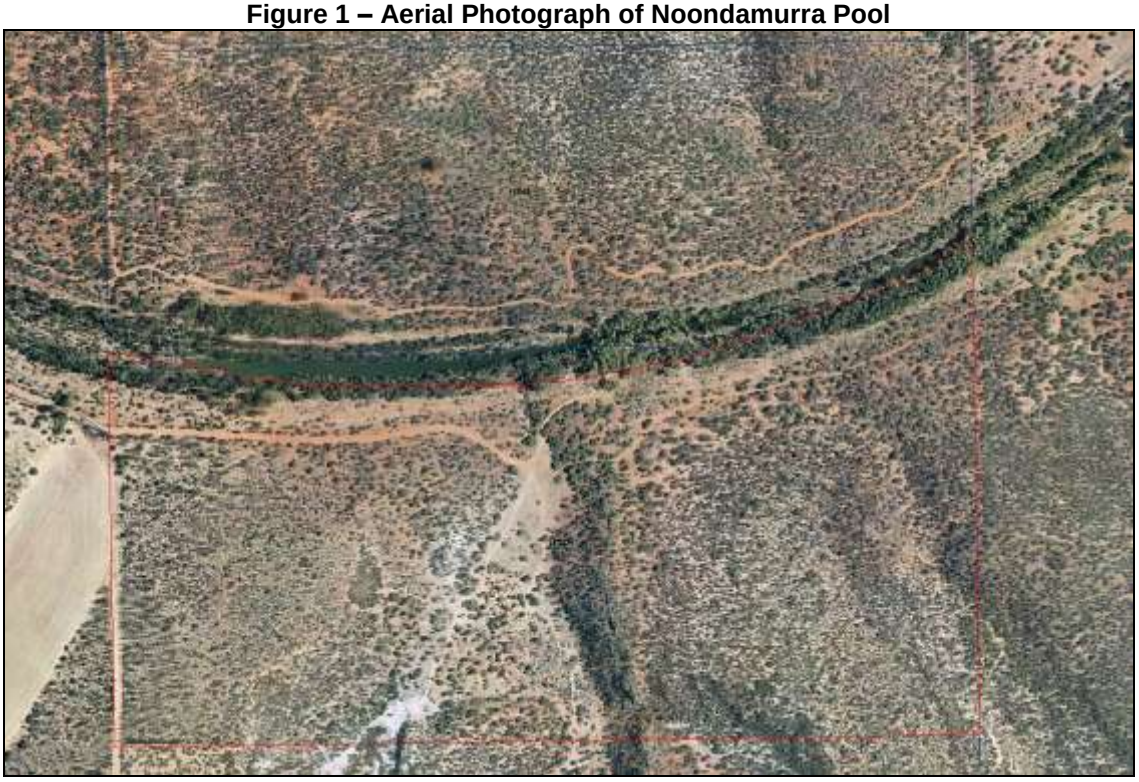
BACKGROUND

The Shire have been contacted by the Department of Environment and Conservation ('DEC'), who have in turn been approached by the Department of Regional Development and Lands ('DRDL') regarding the management of Noondamurra Pool. This report recommends that Council advise the DEC and DRDL that it still seeks the management order for Noondamurra Pool.

COMMENT

Noondamurra Pool is located 25km south-east of the Yuna Townsite and is situated within the 32.65ha 'Water and Conservation of Flora and Fauna' Reserve 38796 (north of the Greenough River) and the 48.2871ha 'Water' Reserve 265 (south of the Greenough River). Both reserves are currently under the management of the Department of Water who have indicated that they no longer require the reserves. DRDL have enquired whether the DEC would be interested in the reserves being amalgamated into the neighbouring East Yuna Nature Reserve (Reserve 29231) to the immediate north which is already under the management of the DEC.

Figure 1 – Aerial Photograph of Noondamurra Pool



Maps detailing the Noondamurra Pool site have been included as **Attachment 1** for Councillor's information.

The DEC have assessed Reserves 38796 and 265 and believe that the site has environmental merit and would be willing to accept management responsibility for the land. The DEC are mindful however that Noondamurra Pool is used for recreational and camping activities by the

local community and tourists and have made therefore contact with the Shire to discuss this issue.

Shire staff met with DEC representatives on 14 November 2012 and confirmed that the Shire did promote the Noondamurra Pool as a picnic spot through its website and Shire tourism map but promotions were limited to this 'low-key' level in recognition that the site did not have formal camping facilities and overuse may lead to environmental and fire management pressures. Shire staff did however express that it would be concerned if the DEC sought to close the site for recreation and informal camping, DEC staff advised that this was not their intention and recognised that previous attempts by the DEC in locations similar to Noondamurra were not well received or observed.

Shire records indicate that the Shire wrote to DRDL (then Department of Land Administration) on 8 June 1995 seeking the vesting of Reserves 38796 and 265 in the Shire for the purposes of camping and recreation. Council gave further consideration to this matter at its 15 August 1995 meeting resolving:

> *"That we apply to have reserve 265 vested in Council for the purpose of camping and recreation and that we have no objection to reserve 38796 remaining under its present vesting."*

The DEC (then Department of Conservation and Land Management) subsequently wrote to the Shire on 4 October 1996 recommending that Reserve 265 should be vested with the Shire for the purpose of 'Recreation and Landscape Protection'.

It is considered disappointing that the Shire has only been made aware of the recent discussions concerning Noondamurra Pool through the DEC rather than be approached directly by DRDL, given that the reserve is located within the Shire of Chapman Valley and Council having previously stated its interest in this matter to DRDL.

Shire staff advised the DEC at the 14 November 2012 meeting that it would bring this issue to the attention of Council for its further consideration and the Shire would respond to the DEC in writing.

Informal feedback from the local and wider community indicates that Noondamurra Pool continues to be enjoyed as a low-key camping area.

Council may wish to give consideration to either of the following (and other) options:

a) Advise the DEC and DRDL that the Shire has no objection to the inclusion of Reserves 38796 and 265 within the East Yuna Nature Reserve subject to Noondamurra Pool remaining open for recreation and low-key nature based camping activities. The Shire also advises the DEC that it may be able to provide some assistance in regards to the following:
   - design and construction of facilities intended to manage recreational and camping activities at Noondamurra Pool; &
   - coordinated timing of Shire invasive species management in neighbouring areas with DEC works in the reserve to achieve maximum benefit.

or

b) Advise the DEC and DRDL that Council maintains its previous position and seeks the management order of Reserve 265 (Noondamurra Pool) for camping and recreation purposes.

It is noted that Option A would require DEC to assume the management responsibility (including public liability) for Noondamurra Pool, and this would still enable the Shire to require fire management be undertaken through separate fire legislation. However, it is acknowledged that should Council feel that recreation and camping opportunities should be secured and possibly expanded upon at Noondamurra Pool then Option B would provide greater certainty for the Shire and the community.

Figure 2 – Noondamurra Pool



Figure 3 – Greenough River upstream from Noondamurra Pool



Figures 4 & 5 – Interpretative Signage at Noondamurra Pool



STATUTORY ENVIRONMENT

Shire of Chapman Valley Town Planning Scheme No.1 identifies Reserves 265 & 38796 as zoned 'Recreation'.

Draft Shire of Chapman Valley Local Planning Scheme No.2 identifies Reserves 265 & 38796 as zoned 'Parks & Recreation'. In the event that Council seeks the issuing of a management order only for Reserve 265, then Reserve 38796 could be identified on the Scheme Map as 'Conservation' zone to correlate with the adjoining East Yuna Nature Reserve to the north.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Should the management responsibility for Reserve 265 be issued by the Department of Regional Development and Lands to the Shire then ongoing fire, rubbish, vandalism, access and environmental responsibilities would be borne by the Shire.

The Department of Water prepared the Greenough River Foreshore Assessment in 2001 and this document makes an assessment of Noondamurra Pool and it is considered that many of its suggestions remain valid and could be acted upon in the event that a management order was issued to the Shire for Reserve 265.

> *"This is a Council managed foreshore reserve, and there is evidence that the site is a popular recreation area for local residents and visitors to the mid-west region. Evidence of campsites was noted. The access road to the Noondamurra Pools was being upgraded at the time of survey and there may be continuing difficulties in managing roadside drainage. The road provides an excellent fire access track.*
>
> *A property upslope of the road has one of the most extensive infestations of Pie melon seen throughout the Chapman and Greenough Rivers.*
>
> *There is a group of four windmills and five tanks approximately 400m from the river.*
>
> *The foreshore reserve is partially fenced.*
>
> *Suggestions*
>
> *<u>Bank stability</u>*
> - *Consider the feasibility of developing a small foreshore management plan to manage access, camping and recreation use of this part of the Greenough River.*
> - *Undertake selective removal of woody debris from the floodplain and the main channel, only where it is likely to exacerbate erosion. This should occur with the approval and advice of the Water and Rivers Commission. The*

woody debris could be chipped and spread out to form informal pathways, to encourage indiscriminate access to the entire area.

Vegetation

- *Commence a selective weed control program focussing on Black berry nightshade, Wild radish and Wild oats.*
- *Develop a foreshore management plan that includes vegetation management.*
- *Determine if there is a need to undertake selective control of Dodder laurel. Implement if necessary.*

Stream cover

- *Reduce indiscriminate access to the foreshore to limit trampling and loss of stream cover.*
- *Encourage natural regeneration by undertaking weed control in localised nodes around persisting native plants.*

Habitat diversity

- *Protect existing native vegetation by controlling weeds and access, and possibly reinforcing native vegetation along roadsides and in areas where weeds have been successfully controlled or eradicated.*
- *Encourage regeneration of rushes and sedges by controlling weeds around persisting plants.*
- *Protect in stream branches from removal where they do not obstruct water flow or exacerbate erosion.*
- *Manage weed control in nodes and ensure fauna corridors are maintained to facilitate movement of any animals present in the reserve and surrounding land.*

Other issues

- *Develop a reserve management plan, which assesses community needs, defines access points, determines surface water issues and develops recommendations to improve and enhance native vegetation and control exotic weed species.*
- *Encourage visitors to the pools to participate in local management of this area.*
- *Increase rubbish bin availability to reduce the quantity of litter entering the river."*

STRATEGIC IMPLICATIONS

Section 5.7.3 of the Shire of Chapman Valley Local Planning Strategy (2008) notes that:

"5.7.3 Rivers and Wetlands

There are few wetlands within the Shire apart from pools associated with the river systems. Perhaps the most notable are pools along the Greenough River, which serves as the southern boundary of the eastern portion of the Shire. Similar pools also occur along the Chapman River and along the smaller creeks. Wetlands associated with reeds and River Gums occur around soaks on the valley sides and floors. The 1998 State of the Environment Report lists the Chapman and Greenough Rivers as having fringing vegetation in very poor condition with most of the streamside vegetation being cleared.

Wetlands provide habitats for a wide variety and number of fauna, and small soaks may provide an oasis for frogs, fish, water birds and small fauna. Therefore wetland protection needs to be carefully considered before any clearing or other changes are made. If small wet sites are to be developed, it is often possible to incorporate a manufactured wetland or to leave the majority of the existing wetland vegetation and only modify a small area. Valley wetlands are being impacted on by rising water tables and water that is becoming more saline.

Pools on water courses and their related vegetation should remain intact."

The Overview for Precinct No.1 – Yuna East of the Strategy notes the following:

"Limited low-key tourism potential exists for wildflowers and ventures associated with landscape features (such as the breakaway country at East Yuna Nature Reserve and the Greenough River at Noondamurra Pool). There are experimentation and expansion opportunities for alternative crop rotations and stock varieties, however there is minimal infrastructure and suitably formed road networks for farm diversification/intensification that relies on this road network. Most of the local road network consists of gravel formed and paved roads with the exception of Chapman Valley Road, Yuna Tenindewa Road, Balla Whelarra Road, Dartmoor Road, Wandana Road and Wandin Road constructed to bitumen seal standard."

Economic Objective 1.2.3 for Precinct 1 - Yuna East of the Strategy states:

"1.2.3 Support limited low-key tourist uses and development associated with wildflowers and natural scenic features on suitably constructed roads."

Infrastructure Objective 1.4.1 for Precinct 1 - Yuna East of the Strategy states:

"1.4.1 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."

VOTING REQUIREMENTS

Simple majority required.

STAFF RECOMMENDATION

That Council write to the Department of Regional Development and Lands, and the Department of Environment and Conservation, advising of the following in regards to Noondamurra Pool:

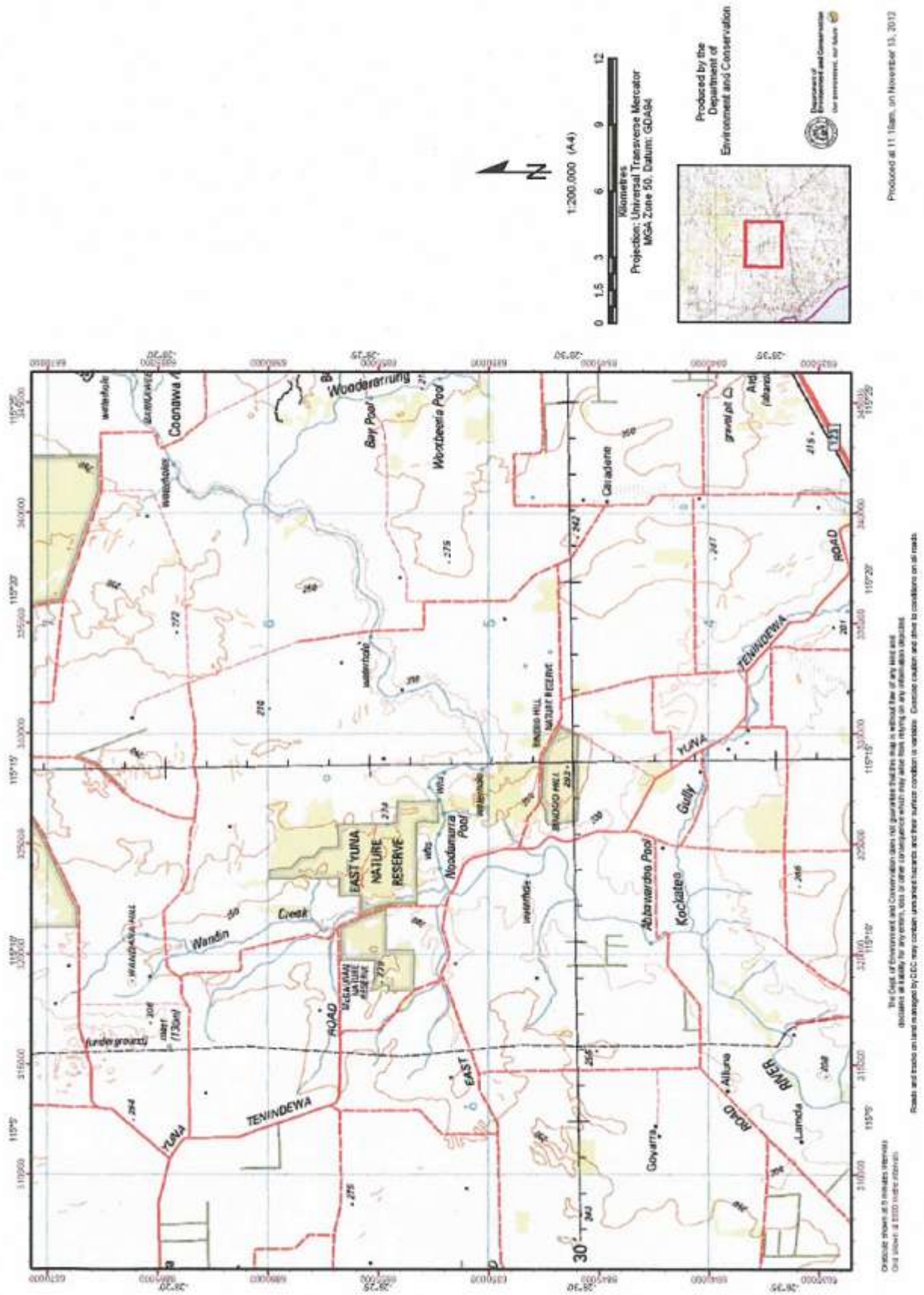
1 Council seeks the issuing of the management order for Reserve 265 to the Shire of Chapman Valley for the purpose of 'Recreation and Camping';

2 Council has no objection to the issuing of the management order for Reserve 38796 to the Department of Environment and Conservation and its subsequent amalgamation into the East Yuna Nature Reserve;

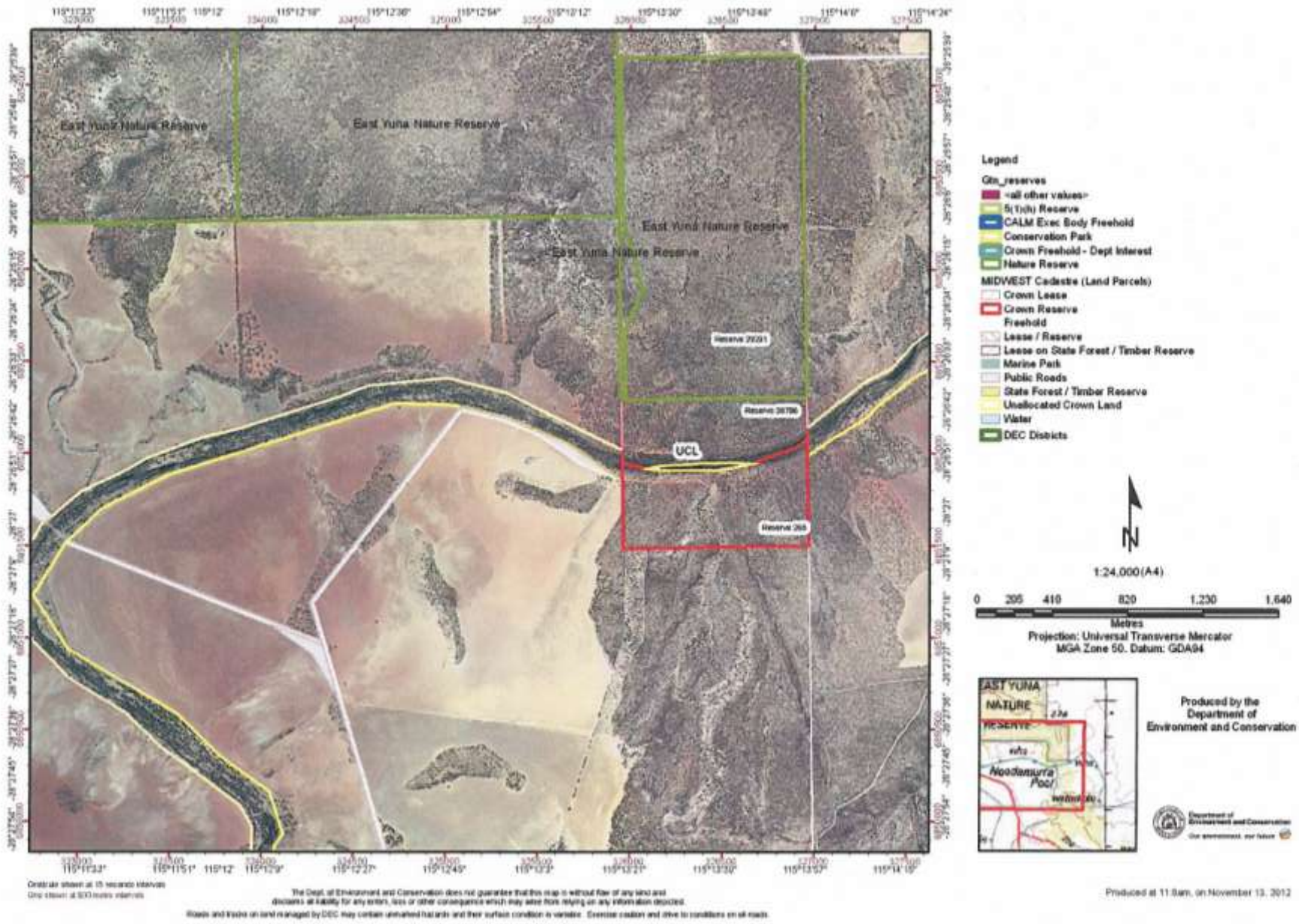
3 Council expresses its disappointment that this matter was not brought to its attention directly by the Department of Regional Development and Lands given that the reserve is located within the Shire of Chapman Valley, and that the Shire has previously corresponded with the (then) Department of Land Administration over its interest in the vesting of Reserve 265, and this vesting in the Shire has been previously supported by the (then) Department of Conservation and Land Management; &

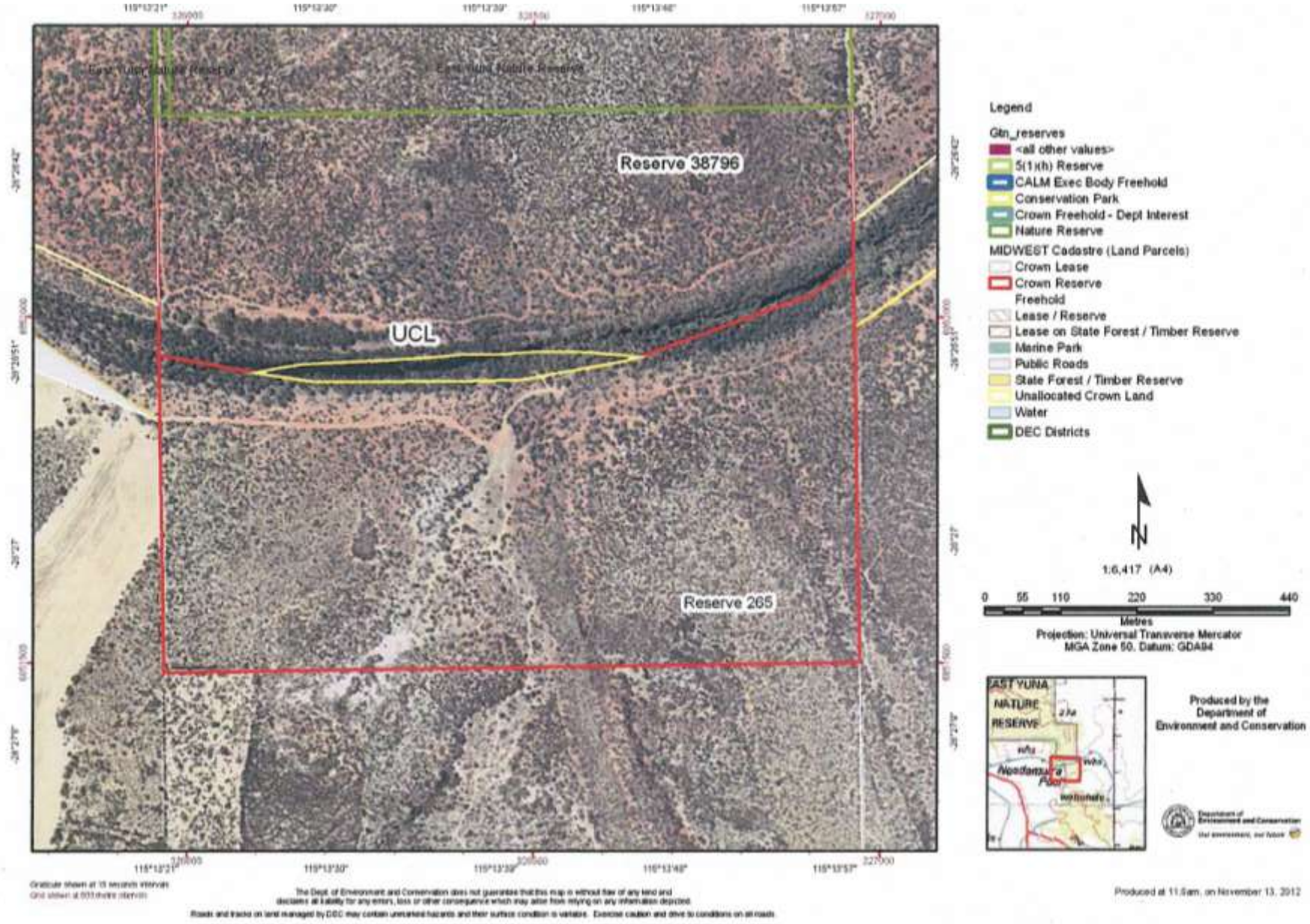
4 Council advise the Department of Environment and Conservation that the Shire is able to provide some assistance in regards to the coordinated timing of Shire invasive species management in neighbouring areas with DEC works in the East Yuna Reserve to achieve maximum benefit.

ATTACHMENT 1



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East Yuna Nature Reserve
East Yuna Nature Reserve
East Yuna Nature Reserve
East Yuna Nature Reserve
Reserve 29201
Reserve 28796
UCL
Reserve 265
Legend
Gtn_reserves
<all other values>
5(1)(h) Reserve
CALM Exec Body Freehold
Conservation Park
Crown Freehold - Dept Interest
Nature Reserve
MIDWEST Cadastre (Land Parcels)
Crown Lease
Crown Reserve
Freehold
Lease / Reserve
Lease on State Forest / Timber Reserve
Marine Park
Public Roads
State Forest / Timber Reserve
Unallocated Crown Land
Water
DEC Districts
N
1:24,000(A4)
0 205 410 820 1,230 1,640
Metres
Projection: Universal Transverse Mercator
MGA Zone 50. Datum: GDA94
EAST YUNA NATURE RESERVE
Produced by the Department of Environment and Conservation
Produced at 11.8am, on November 13, 2012
The Dept. of Environment and Conservation does not guarantee that this map is without flaw of any kind and disclaims all liability for any errors, loss or other consequence which may arise from relying on any information depicted.
Roads and tracks on land managed by DEC may contain unmarked hazards and their surface condition is variable. Exercise caution and drive to conditions on all roads.


East Yuna Nature Reserve
East Yuna Nature Reserve
Reserve 38796
UCL
Reserve 265
Legend
Gtn_reserves
<all other values>
5(1)(h) Reserve
CALM Exec Body Freehold
Conservation Park
Crown Freehold - Dept Interest
Nature Reserve
MIDWEST Cadastre (Land Parcels)
Crown Lease
Crown Reserve
Freehold
Lease / Reserve
Lease on State Forest / Timber Reserve
Marine Park
Public Roads
State Forest / Timber Reserve
Unallocated Crown Land
Water
DEC Districts
N
1:6,417 (A4)
0 55 110 220 330 440
Metres
Projection: Universal Transverse Mercator
MGA Zone 50, Datum: GDA94
EAST YUNA NATURE RESERVE
Produced by the Department of Environment and Conservation
The Dept. of Environment and Conservation does not guarantee that this map is without flaw of any kind and disclaims all liability for any errors, loss or other consequence which may arise from relying on any information depicted.
Roads and tracks on land managed by CEC may contain unmarked hazards and their surface condition is variable. Exercise caution and drive to conditions on all roads.
Produced at 11.0am, on November 13, 2012

AGENDA ITEM:	**9.1.4**
SUBJECT:	**PROPOSED ROAD NAMING, YUNA**
PROPONENT:	**SHIRE OF CHAPMAN VALLEY**
SITE:	**YUNA TOWNSITE**
FILE REFERENCE:	**1001.TBA**
PREVIOUS REFERENCE:	**NIL**
DATE:	**3 DECEMBER 2012**
AUTHOR:	**SIMON LANCASTER**

DISCLOSURE OF INTEREST

Nil.

BACKGROUND

During general discussion at the 21 November 2012 Council meeting the issue of the road reserve leading northwards off Chapman Valley Road to the Yuna Hall, Tennis Club and 'Oval' was raised. Shire staff have confirmed that the subject road reserve does not have a name and it is recommended that the Yuna Primary School be written to and invited to hold a student competition in the 2013 school year to suggest names for this road.

COMMENT

The subject unnamed road reserve leads northwards off Chapman Valley Road and runs past the CWA Building to provide access for the Yuna Hall, Tennis Club, 'Oval' and proposed Community Centre site.

Figure 1 – View of unnamed road reserve looking northwards from Chapman Valley Road



Figure 2 – Location Plan for unnamed road reserve

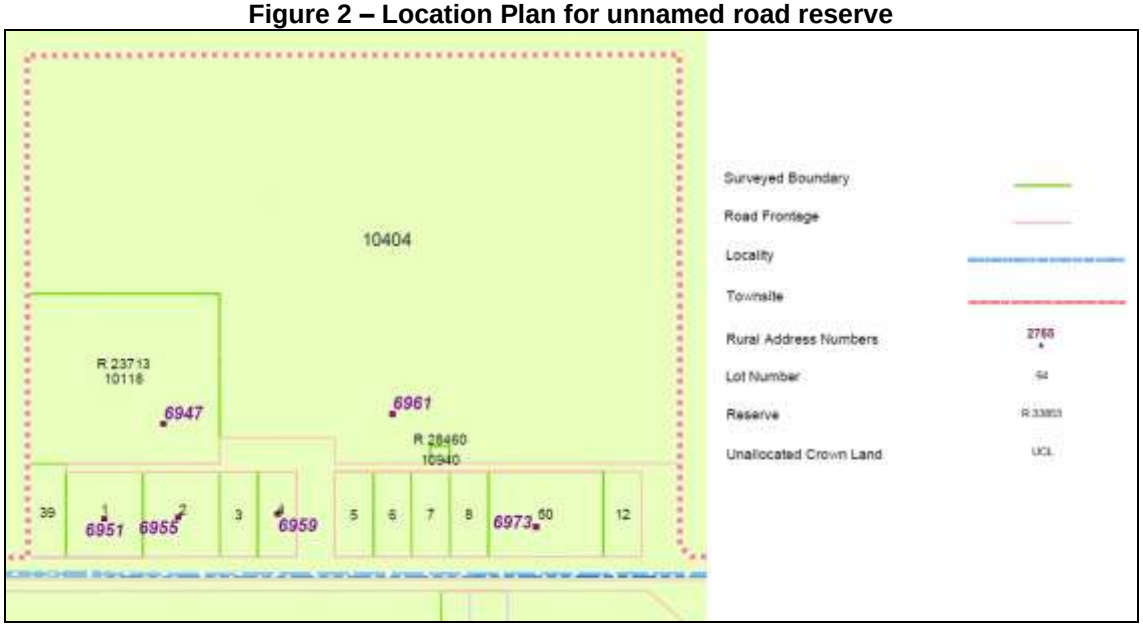


Figure 3 – Aerial photo of unnamed road reserve



STATUTORY ENVIRONMENT

The Department of Regional Development and Land's Geographic Names Committee is responsible under the *Land Administration Act 1997* for the final approval of road names and ensuring that road names are not duplicated, wherever possible. The Geographic Names Committee deem under their road naming guidelines that the following are not suitable:

- names of living persons;
- first names;
- derogatory or discriminatory names;
- company or commercialised names;
- names that are duplicated or similar to existing road names within a 50km radius.

It is suggested that Council may wish to invite the Yuna Primary School to nominate a selection of road names for Council's consideration at a future meeting and its preferred choice would be forwarded to the Department of Regional Development and Lands seeking formal endorsement.

POLICY IMPLICATIONS

Shire Policy 15.210 'Road Names' provides a Council pre-approved list of road names for application in the Shire of Chapman Valley and Council may wish to select one of the pre-approved names for application to the unnamed road reserve.

The list of pre-approved road names for the North-East Ward has been included as **Attachment 1** for Council's information.

Alternatively Council may wish to consider an alternative name, that could derive from the surname of another person or family that has made a notable contribution to the Yuna region (and does not already have a road named after them), or a name of local significance such as local flora and fauna, or a notable landscape or built form feature, or a local event.

In addition to the actual road name a road type (e.g. street, road, terrace etc.) will also need to be applied and a list of these has been included as **Attachment 2** for Council's information.

FINANCIAL IMPLICATIONS

The decision of Council arising from this report will not have a budgetary impact other than the minor cost of installing a street sign on-site which can be covered within a road maintenance account.

STRATEGIC IMPLICATIONS

The recognition of notable landmarks or local identities as road names will assist in promoting tourism and heritage along the Chapman Valley rather than the application of more generic titles.

VOTING REQUIREMENTS

Simple majority required.

STAFF RECOMMENDATION

That Council write to the Yuna Primary School inviting them to hold a student competition in the 2013 school year to suggest names for application to the unnamed road that leads northwards off Chapman Valley Road to the Yuna Hall, Tennis Club and 'Oval'.

ATTACHMENT 1

Suggested Road Names – Shire of Chapman Valley (North East Ward)

Pioneer	Prominence	Locality	Road Name
ALLENDER, John Died: 1954	Farmer at East Bowes and Nabwa	Nabawa	Allender
ASCIONE, James Benedict (known as Jim) Died: 1935	Farmer at Yuna , secretary and works supervisor of Upper Chapman Road Board at Nanson - built & operated the general store in Yuna	Nanson & Yuna	Ascione
BARCLAY, Harry P Died: ?	Farmer at Naraling and Shire Councillor, President of Chapman Valley Agricultural Society, adviser for Junior Farmers	Naraling	Barclay
BRAY, William Died: ?	Farmer at Yetna and operated the Yetna Post Office – Served as a member on Upper Chapman Road Board	Yetna	Bray
CAHILL, Daniel Died: 1952	Stockman, Farmer and Baker at Nabawa servicing Protheroe, Nanson, Nabawa - Provided land for the Nabawa Hall in 1926	Nabawa & Nanson	Cahill
CREAM, John (known as Jack) Died: 1966	Farmer at Nabawa - active in establishment of Nabawa Hall 1926 – Served as member Upper Chapman Roads Board.	Nabawa & Nanson	Cream
DONALD, Rae Died: 1961	Farmer at Yuna and member of Upper Chapman Road Board & Chairman 1934 - 36	Yuna	Donald
EAKINS, Clarence Died: 1975	School teacher at Kojarena (1906) and then Nabawa school (near Cemetery) - lived at Nabawa Hotel	Nabawa	Eakins
EXTEN, Sidney Died: 1964	Farmer at Yuna then Naraling – Served as Member of Upper Chapman Road Board 1933-48 and 1951-54	Yuna & Naraling	Exten
FARMER, Samuel Died: ?	1856 Patrol Police Officer Nabawa – Farmers Camp	Nabawa	Farmer
FOAT, Fred Died: 1968	Farmer at Naraling – Active in Naraling Church - Served as member Upper Chapman Road Board	Naraling	Foat
FORBES, William (known as Bill) Died: 1964	Farmer at Mt Erin and grader operator for Roads Board – Served as member of Roads Board in 1927	Nanson	Forbes
HEINSEN, Jules Died: ?	Miner at Protheroe Lead Mine 1038 – 1950 and operated Mining Arms Hotel Nabawa	Nabawa	Heinsen
HIGGINS, John Patrick (known as Jack) Died: March 1985	Farmer at East Yuna	East Yuna	Higgins
HIGGINS, Timothy Smiddy (known as Ned) Died: 1993	Farmer at Yuna and operated Yuna Store around 1938 – Served on Mullewa Road Board - responsible for getting the road from Geraldton to Yuna	Yuna	Higgins
KEYHOE, Daniel O'Connell Died: ?	Teacher at Narra Tarra and Nabawa Schools late 1800's to early 1900's - Served as Secretary of the Upper Chapman Farmers and Fruit Growers Association and the Upper Chapman Road Board	Narra Tarra & Nabawa	Keyhoe
L'HUILLIER, Ougust Died: 1949	Farmer at Mt Erin and member of Upper Chapman Road Board	Nanson	L'huillier
LIPPLE, James Died: 1946	Farmer at Nolba and operated weekly road/transport service between Nolba and Geraldton- Served as member of Upper Chapman Branch RSL	Nolba	Lipple
MAYNARD, Frederick Died: ?	Farmer at Durawah and member of Upper Chapman Road Board and Chairman for some of that time	Durawah	Maynard
SHEEHAN, William H Died: ?	Farmer at Howatharra and member of Upper Chapman Roads Board 1912 to 1917 and 1921 to 1932 and Chairman Upper Chapman Roads Board 1912 to 1914	Howatharra	Sheehan

(Source: Chapman Valley Historical Society)

APPENDIX A

ROAD TYPES—AUSTRALIA

(Normative)

The road type shall be selected from those specified as suitable for open ended roads, culs-de-sac, or pedestrian only roads (see Clauses 4.3, 4.6.2, 7.2 and 8.3.2(a)).

Road type	Abbreviation	Description	Open ended	Cul-de-sac	Pedestrian only
Alley	Ally	Usually narrow roadway in cities or towns, often through city blocks or squares.	✓	✓	
Approach	App	Roadway leading to an area of community interest (e.g. public open space, commercial area, beach etc.)	✓		
Arcade	Arc	Passage having an arched roof, or any covered passageway, especially one with shops along the sides.			✓
Avenue	Av	Broad roadway, usually planted on each side with trees.	✓		
Boardwalk	Bwlk	Promenade or path, especially of wooden planks, for pedestrians and sometimes vehicles, along or overlooking a beach or waterfront.			✓
Boulevard	Bvd	Wide roadway, well paved, usually ornamented with trees and grass plots.	✓		
Break	Brk	Vehicular access on a formed or unformed surface, which was originally prepared as a firebreak.	✓		
Bypass	Bypa	Alternative roadway constructed to enable through traffic to avoid congested areas or other obstructions to movement.	✓		
Chase	Ch	Roadway leading down to a valley.	✓	✓	
Circuit	Cct	Roadway enclosing an area.	✓		
Close	Cl	Short, enclosed roadway.		✓	
Concourse	Con	Roadway that runs around a central area (e.g. public open space or commercial area).	✓		
Court	Ct	Short, enclosed roadway.		✓	
Crescent	Cr	Crescent-shaped thoroughfare, especially where both ends join the same thoroughfare.	✓		
Crest	Crst	Roadway running along the top or summit of a hill.	✓	✓	
Drive	Dr	Wide thoroughfare allowing a steady flow of traffic without many cross-streets.	✓		
Entrance	Ent	Roadway connecting other roads.	✓		
Esplanade	Esp	Level roadway, often along the seaside, lake or a river.	✓		

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Road type	Abbreviation	Description	Open ended	Cul-de-sac	Pedestrian only
Firetrail	Ftrl	Vehicular access on a formed or unformed surface, which was originally prepared as a firebreak.	✓		
Freeway	Fwy	Express, multi-lane highway, with limited or controlled access.	✓		
Glade	Glde	Roadway usually in a valley of trees.	✓	✓	
Grange	Gra	Roadway leading to a country estate, or focal point, public open space, shopping area etc.	✓		
Grove	Gr	Roadway that features a group of trees standing together.	✓	✓	
Highway	Hwy	Main road or thoroughfare, a main route.	✓		
Lane	Lane	Narrow way between walls, buildings or a narrow country or city roadway.	✓	✓	
Loop	Loop	Roadway that diverges from and rejoins the main thoroughfare.	✓		
Mall	Mall	Sheltered walk, promenade or shopping precinct.			✓
Mews	Mews	Roadway in a group of houses.		✓	
Parade	Pde	Public promenade or roadway that has good pedestrian facilities along the side.	✓		
Parkway	Pwy	Roadway through parklands or an open grassland area.	✓		
Passage	Psge	Narrow street for pedestrians.			✓
Path	Path	Roadway used only for pedestrian traffic.			✓
Place	Pl	Short, sometimes narrow, enclosed roadway.		✓	
Plaza	Plza	Roadway enclosing the four sides of an area forming a market place or open space.		✓	
Promenade	Prom	Roadway like an avenue with plenty of facilities for the public to take a leisurely walk, a public place for walking.	✓		
Quays	Qys	Roadway leading to a landing place alongside or projecting into water.	✓		
Ramp	Ramp	Access road to and from highways and freeways.	✓		
Retreat	Rtt	Roadway forming a place of seclusion.		✓	
Ridge	Rdge	Roadway along the top of a hill.	✓		
Rise	Rise	Roadway going to a higher place or position.	✓	✓	
Road	Rd	Open way or public passage primarily for vehicles.	✓		
Square	Sq	Roadway bounding the four sides of an area to be used as an open space or a group of buildings.	✓	✓	
Steps	Stps	Route consisting mainly of steps.			✓

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Road type	Abbreviation	Description	Open ended	Cul-de-sac	Pedestrian only
Street	St	Public roadway in a town, city or urban area, especially a paved thoroughfare with footpaths and buildings along one or both sides.	✓		
Subway	Sbwy	Underground passage or tunnel that pedestrians use for crossing under a road, railway, river etc.			✓
Terrace	Tce	Roadway usually with houses on either side raised above the road level.	✓	✓	
Track	Trk	Roadway with a single carriageway. A roadway through a natural bushland region. The interpretation for both Track and Trail is limited to roadways, whereas in many areas (e.g. Tasmania) these are often associated with walking rather than vehicular movement.	✓		
Trail	Trl	See 'Track'.			
View	View	Roadway commanding a wide panoramic view across surrounding areas.	✓	✓	
Vista	Vsta	Roadway with a view or outlook.	✓	✓	
Walk	Walk	Thoroughfare with restricted access used mainly by pedestrians.			✓
Way	Way	Roadway affording passage from one place to another. Usually not as straight as an avenue or street.	✓		
Wharf	Whrf	A roadway on a wharf or pier.	✓	✓	✓

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AGENDA ITEM:	**9.1.5**
SUBJECT:	**PROPOSED COMMUNICATIONS FACILITY, WAGGRAKINE**
PROPONENT:	**DALY INTERNATIONAL & CROWN CASTLE AUSTRALIA FOR WESTERN AUSTRALIA POLICE**
OWNER:	**KEYWISE PTY LTD**
SITE:	**LOT 3 CHAPMAN VALLEY ROAD, WAGGRAKINE**
FILE REFERENCE:	**A14**
PREVIOUS REFERENCE:	**N/A**
DATE:	**5 DECEMBER 2012**
AUTHOR:	**KATHRYN JACKSON**

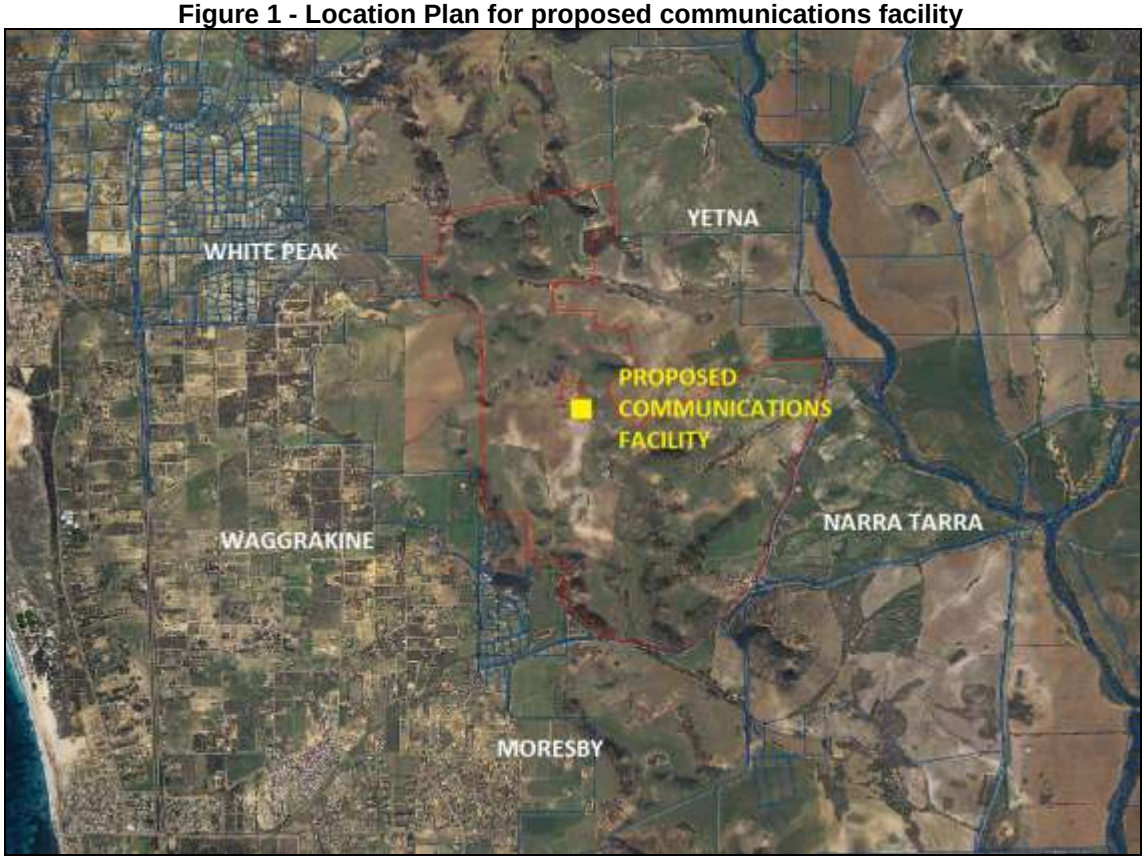
DISCLOSURE OF INTEREST

Nil.

BACKGROUND

Council is in receipt of an application to construct a communications facility upon Lot 3 Chapman Valley Road, Waggrakine for the Western Australia Police ('WA Police'). The facility is to form part of the Community Safety Network Project which seeks to improve emergency services communication across regional, rural and remote communities. This report recommends conditional approval of the application.

Figure 1 - Location Plan for proposed communications facility



COMMENT

The applicant seeks approval for a communications facility which would consist of a 60m high lattice tower, radio transmission equipment, WA Police equipment shelter and a Western Power equipment hut. The construction of this new tower is part of the Community Safety Network Project which forms part of the WA Police's Regional Radio Network Project which will upgrade and expand the existing emergency services network. This project will also for the first time bring together the WA Police, Department of Fire & Emergency Services (previously known as FESA) and the Department of Corrective Services under one common infrastructure network which will enable a more effective, reactive and coordinated emergency service.

A copy of the complete application has been provided to Councillors as a **separate document** and includes the applicant's covering letter and supporting documentation as well as site and elevation plans that elaborate upon this proposal.

The subject property is located within the Moresby Ranges and has a total site area of 1056.1ha. The proposed communications facility is proposed to be located towards the centre of the property at its highest point and where four (4) existing communication facilities are currently located. It is proposed that the existing FESA/WAPOL guyed mast would be removed once the proposed tower was operational as the services that the proposed tower would provide supersede those of the existing FESA/WAPOL facility.

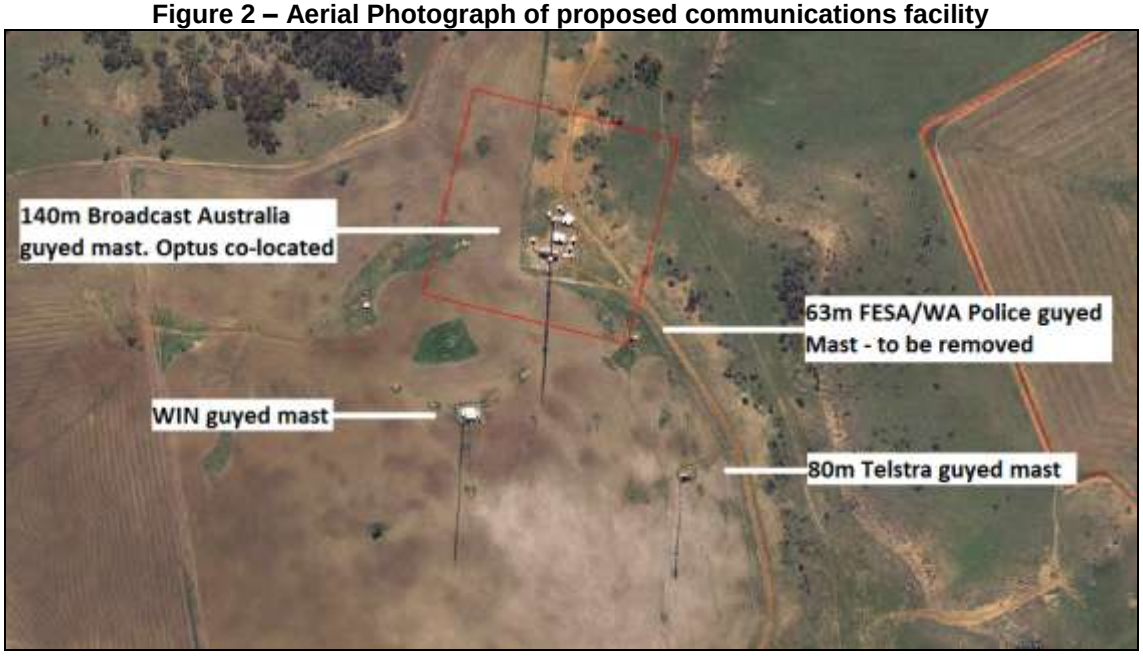
STATUTORY ENVIRONMENT

The subject land is zoned 'General Farming' under Shire of Chapman Valley Town Planning Scheme No.1 ('the Scheme') with the Policy Statement for this zone being:

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

Given that the position of the proposed communications tower would be within proximity to existing communications infrastructure it is considered that the proposal will not detrimentally impact on the 'rural' nature of the area, and that co-location of the proposal with similar facilities is a desirable outcome.

Figure 2 – Aerial Photograph of proposed communications facility



The application may be assessed as a 'Public Utility' which is listed as a discretionary use within the 'General Farming' Zoning and Development Table of the Scheme.

'Public Utility' is defined by Section 1.7 of the Scheme as follows:

> *"means any work or undertaking constructed or maintained by a public authority or the council as may be required to provide water, sewerage, electricity, gas, drainage, communications or other similar services but does not include nuclear power generation."*

Given the proposed tower will be 63m in total height (60m lattice tower and 3m antennae), Section 3.1.4 of the Scheme must also be considered in the assessment of this application:

"No site shall be developed or building constructed to contain more than two stories or exceed 10 metres in height, measured to the highest portion of the building from mean natural ground level, or such other ground level, as may be determined by Council.

Council may vary this requirement, if it can be satisfied the development can comply with the development standards and;

(a) will not restrict light, sunshine and natural ventilation enjoyed by surrounding properties;

(b) will not intrude upon the privacy enjoyed by surrounding properties with overview;

(c) will not diminish views or outlook available from surrounding properties;

(d) is sympathetic with the scale and character of the surrounding built environment."

Section 1.3.1 of the Scheme may also be considered relevant to this application:

"The general objects of the Scheme are:

(a) To zone the Scheme Area for the purposes described herein and shown on the Scheme Maps;

(b) To secure the amenity, health and convenience of the Scheme Area and the inhabitants thereof;

(c) To make provisions as to the nature and location of buildings and the size of lots when used for certain purposes;

(d) The preservation of places of natural beauty, of historic buildings and objects of historical and scientific interest; and

(e) To make provision for other matters necessary or incidental to town planning and housing."

In relation to the proposal exceeding the maximum height limits set by the Scheme, it is considered that the construction of a communications tower is not a 'usual' construction and therefore may be considered under Section 3.1.4 of the Scheme. Although the tower is 63m in height, given its location clustered with existing communications infrastructure, the large setback distances to Chapman Valley Road, lot boundaries and habitable buildings or townsites, community benefit from the tower, and its role in replacing an existing mast it is considered that the tower is appropriately located and will not affect surrounding properties or land uses.

The applicant is also required to comply with the Telecommunications Code of Practice 1997 and the industry codes and standards of the Australian Communications Authority.

POLICY IMPLICATIONS

The Shire's 'Moresby Ranges' Local Planning Policy states:

"1 All new development, including houses, sheds, water tanks and other built structures, that fall within the 'Place of Heritage Value Area' for the Moresby Ranges as defined on the Town Planning Scheme Maps is to be clad with non-reflective materials using colours complementary with the natural muted tones of the Moresby Ranges, such as cream, green or red/brown.

2 Notwithstanding Policy Statement 1 above, the Council may support the use of reflective materials (ie zincalume) to accord with an existing

development of the same for consistency in use of materials and visual amenity, be it a proposed building extension or new building sited adjacent to existing development."

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.

Given the co-location of the proposal with existing communication facilities it is not considered that the application should be assessed under this Policy.

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

It is considered that the siting of the proposed communications facility on 'General Farming' zoned land adjacent to existing communications infrastructure is an appropriate development. It is recommended that conditions be attached to any approval requiring compliance with the Telecommunications Code of Practice 1997 and Standards of the Australian Communications Authority (in spite of separate legislation already requiring this of the proponent) to ensure the development does not impact upon public health.

As the proposed total height of the development is to be 63m and located atop the highest point in the area the structure will inevitably be visual from various vantage points. It is considered that as the tower is to be located alongside 3 existing towers the construction of the communications facility will not be detrimental to the visual appearance of the locality and will be of great benefit to the WA Police to improve emergency communications in this region.

Figure 3 – View of existing towers as viewed from Chapman Valley Road, Yetna



Figure 4 – View of existing towers as viewed from Parmelia Boulevard, White Peak



Figure 5 – View of existing towers as viewed from Morrell Road, Narra Tarra



Section 1.4 of the Moresby Range Management Plan states:

> *"Large structures* - The telecommunications towers on the Range are a long term fixture and part of the back drop to the City. Some people believe that if this were to be a "natural" landscape the towers would have to be removed. Similarly there was considerable debate about the merit of wind turbines. The need to reduce carbon emissions and use the funding from energy sales for the Park was set against the visual impact of turbines. There was a significant proportion of the community, see Figure 01.3 who considered that the benefits to the community from telecommunications and renewable energy outweighed any negative response to the appearance of these structures, provided the structures were not the dominant feature on the Range."

Furthermore Section 12.4 of the Moresby Range Management Plan states:

> "Large Structures in the Landscape
> There has been considerable discussion as is reported in Section 1, within the community consultation about placing wind turbines on the Range and the ongoing presence of the existing communication towers. Within the 1980's landscape aesthetic these features would probably be considered an unnatural intrusion on the landscape because they were evidence of human activity despite them having minimal ecological impact where they are located. In a sustainability landscape aesthetic the acceptability of these large structures may be viewed neutrally or positively by the community, because the greater good provided by their presence (renewable energy, communications) outweighs any perceived impact on the visual quality of the area."
>
> *Recommendation 12.2 - Assess infrastructure projects taking into account community benefit*
>
> *The assessment of the acceptability of wind turbines or new communications towers in the Range is considered to be primarily a matter of aesthetics rather than ecological impact. It is recommended that the assessment of such projects should take into account community benefit and the community understanding of aesthetics and be evaluated on a case-by-case basis."*

VOTING REQUIREMENTS

Simple Majority required.

STAFF RECOMMENDATION

That Council grant formal planning consent for a Public Utility (Communications Facility) upon Lot 3 Chapman Valley Road, Waggrakine subject to compliance with the following:

Conditions:

1. Development shall be in accordance with the attached approved plan(s) dated 12 December 2012 and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the local government.

2. The use hereby permitted shall not cause injury to or prejudicially affect the amenity of the locality by reason of the emission of smoke, dust, fumes, odour, noise, vibration, waste product or otherwise.

3. Any additions to or change of use of any part of the building or land (not the subject of this consent/approval) requires further application and planning approval for that use/addition.

4. All operations must be carried out in accordance with Australian Standard – Radiation Protection Standard.

5. All operations must be carried out in accordance with the Australian Communications and Media Authority requirements pertaining to electromagnetic energy.

6. Compliance with the requirements of the Civil Aviation Safety Authority.

7. This approval is valid for a period of two (2) years from the date of approval and will deemed to have lapsed if the development has not substantially commenced before the expiration of this period.

Notes:

i. Where an approval has so lapsed, no development/land use shall be carried out without the further approval of the local government having first been sought and obtained.

ii. If an applicant is aggrieved by this determination there is a right (pursuant to the Planning and Development Act 2005) to have the decision reviewed by the State Administrative Tribunal. Such application must be lodged within 28 days from the date of determination.

AGENDA ITEM:	**9.1.6**
SUBJECT:	**PROPOSED OUTBUILDING, WHITE PEAK**
PROPONENT:	**CARIMOR SHEDS FOR J & K HALLINAN**
SITE:	**LOT 261 CARGEEG BEND, WHITE PEAK**
FILE REFERENCE:	**A1636**
PREVIOUS REFERENCE:	**N/A**
DATE:	**5 DECEMBER 2012**
AUTHOR:	**KATHRYN JACKSON**

DISCLOSURE OF INTEREST

Nil.

BACKGROUND

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

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



COMMENT

The applicant seeks approval for a 10m x 20m (200m²) outbuilding with a wall height of 4.5m (as measured from pad height) and an apex height of 5.4m (as measured from pad height). The outbuilding is proposed to be located 8m from the side (northern) property boundary, and 30m from the front (eastern) property boundary. The walls and roof of the proposed outbuilding would be constructed of coated metal sheeting (colorbond).

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

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

The applicant is proposing to create a level building site for the outbuilding by excavating approximately 400mm from the north east corner of the proposed outbuilding location and placing a maximum of 200mm of fill on the south west corner of the outbuilding site. This will result in the outbuilding having a wall height of 4.7m above natural ground level at its highest point (south west corner).

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

- The outbuilding exceeds the maximum 4.5m (as measured from natural ground level) wall height requirement as specified under the Shire's 'Outbuilding' Local Planning Policy;
- It is not considered that sufficient justification has been provided to warrant a departure from the Shire's 'Outbuilding' Local Planning Policy;
- The application could be made compliant with Council Policy by introducing further cut and reducing the fill height to enable the desired shed to be approved upon the property; &
- Approval of this application may well set an undesirable precedent for continued variation to the Shire's statutory requirements, which in time could prove to be detrimental to the amenity and lifestyle opportunities of the locality.

However, should Council believe the application has merit it may wish to consider the following wording:

"That Council:

1 Not adopt the Staff Recommendation on the grounds that the proposed outbuilding height variance to the Local Planning Policy is considered to be minor in nature; &

2 Grant formal Planning Approval for an outbuilding to be constructed upon Lot 261 Cargeeg Bend, White Peak subject to the following:

Conditions

a) Development shall be in accordance with the attached approved plan(s) dated 12 December 2012 and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the Local Government.

b) Any additions to or change of use of any part of the building or land (not the subject of this consent/approval) requires further application and planning approval for that use/addition.

c) Earthworks are required to be undertaken in accordance with the approved plan(s) dated 12 December 2012 and subject to any modifications required as a consequence of any condition(s) of this approval.

d) The use hereby permitted shall not cause injury to or prejudicially affect the amenity of the locality by reason of the emission of smoke, dust, fumes, odour, noise, vibration, waste product or otherwise.

e) The approved outbuilding is only to be used for general storage purposes associated with the predominant use of the land and shall NOT be used for habitation, commercial or industrial purposes.

f) All stormwater is to be disposed of on-site to the specifications and approval of the Local Government. On application for a

building licence a detailed design of stormwater collection and disposal system of developed areas is to be supplied.

g) Installation of crossing place/s to the standards and specifications of the Local Government.

h) Landscaping is required to be installed and maintained between the outbuilding and the adjoining property boundaries for the purpose of softening the visual impact of the structure upon the land.

i) The outbuilding is required to be constructed entirely of coated metal sheeting (i.e. colorbond). The use of uncoated metal sheeting (i.e. zincalume) is not permitted.

j) This approval is valid for a period of two (2) years from the date of approval and will deemed to have lapsed if the development has not substantially commenced before the expiration of this period.

Notes

i) Where an approval has so lapsed, no development/land use shall be carried out without the further approval of the local government having first been sought and obtained.

ii) Should the applicant be aggrieved by the decision of the Council (in part or whole) a right of appeal exists to the State Administrative Tribunal within twenty eight (28) days from the date of the decision."

Figure 2 – View across Lot 216 looking south west from Cargeeg Bend



STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

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

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

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

The wall height of the proposed outbuilding is 4.5m in height from proposed pad level. The applicant has indicated that they wish to fill to a maximum height of 200mm at the proposed outbuilding location to achieve a level building site. The policy requires that the wall height be measured from natural ground level, and therefore the outbuilding exceeds the maximum wall height specified within the Policy by 200mm on the south west corner of the proposed outbuilding location.

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

FINANCIAL IMPLICATIONS

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

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

STRATEGIC IMPLICATIONS

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

> *"The criteria should be that they do not detract from the essential functions of private open space, the visual amenity of neighbours or the streetscape. This means that any outbuilding that is to be exempt from the standards of the dwelling should be:*
>
> - *relatively small in area;*
> - *relatively low in height;*
> - *sited so as to preserve the use and amenity of open space;*
> - *setback sufficiently from boundaries;*
> - *confined to single houses and grouped dwellings; and*
> - *excluded from street setback areas."*

VOTING REQUIREMENTS

Simple Majority required.

STAFF RECOMMENDATION

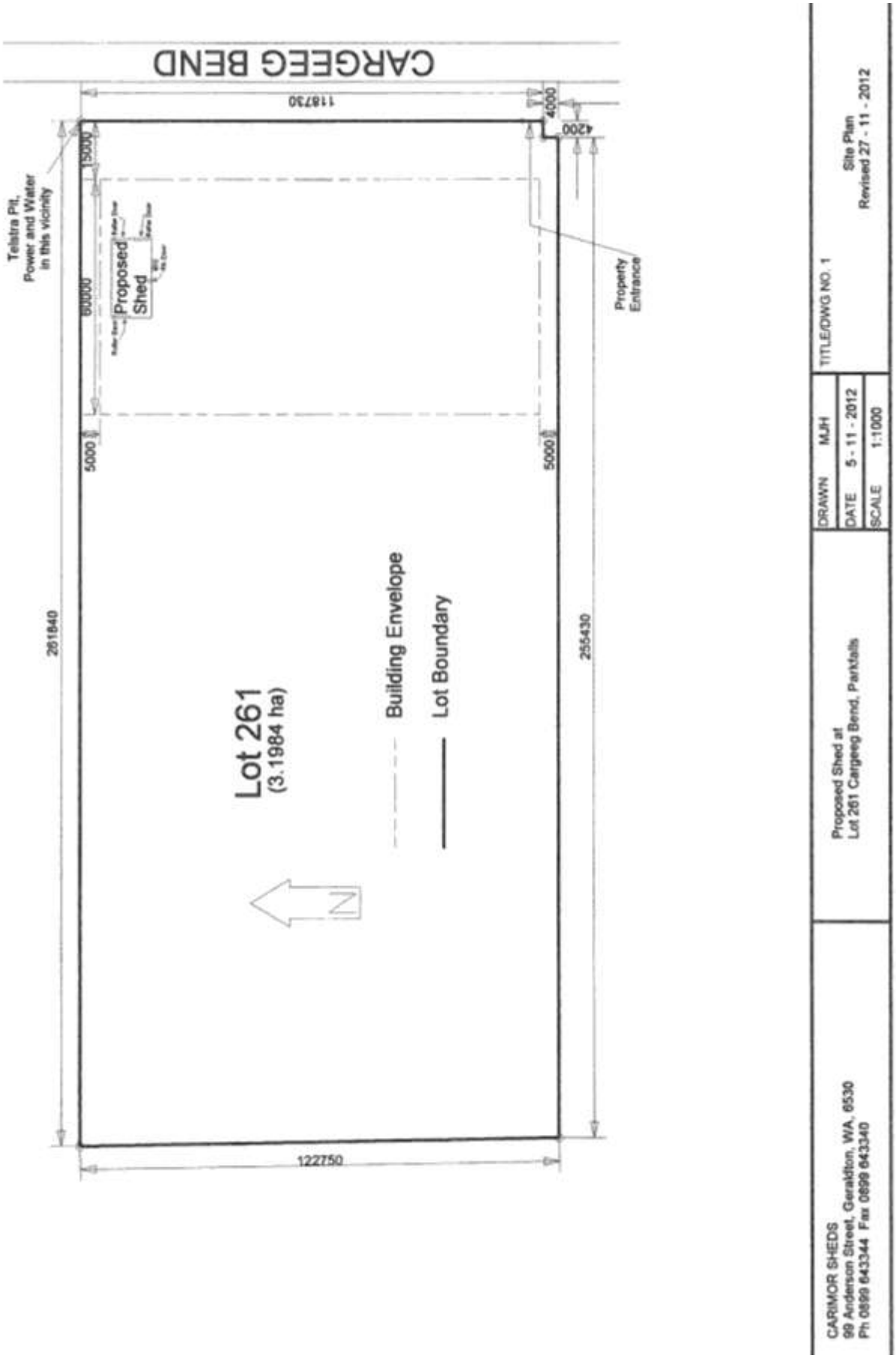
That Council having taken into consideration the provisions of Shire of Chapman Valley Town Planning Scheme No.1 and the Shire's 'Outbuilding' Local Planning Policy, refuse planning approval for an outbuilding to be constructed upon Lot 261 Cargeeg Bend, White Peak for the following reasons:

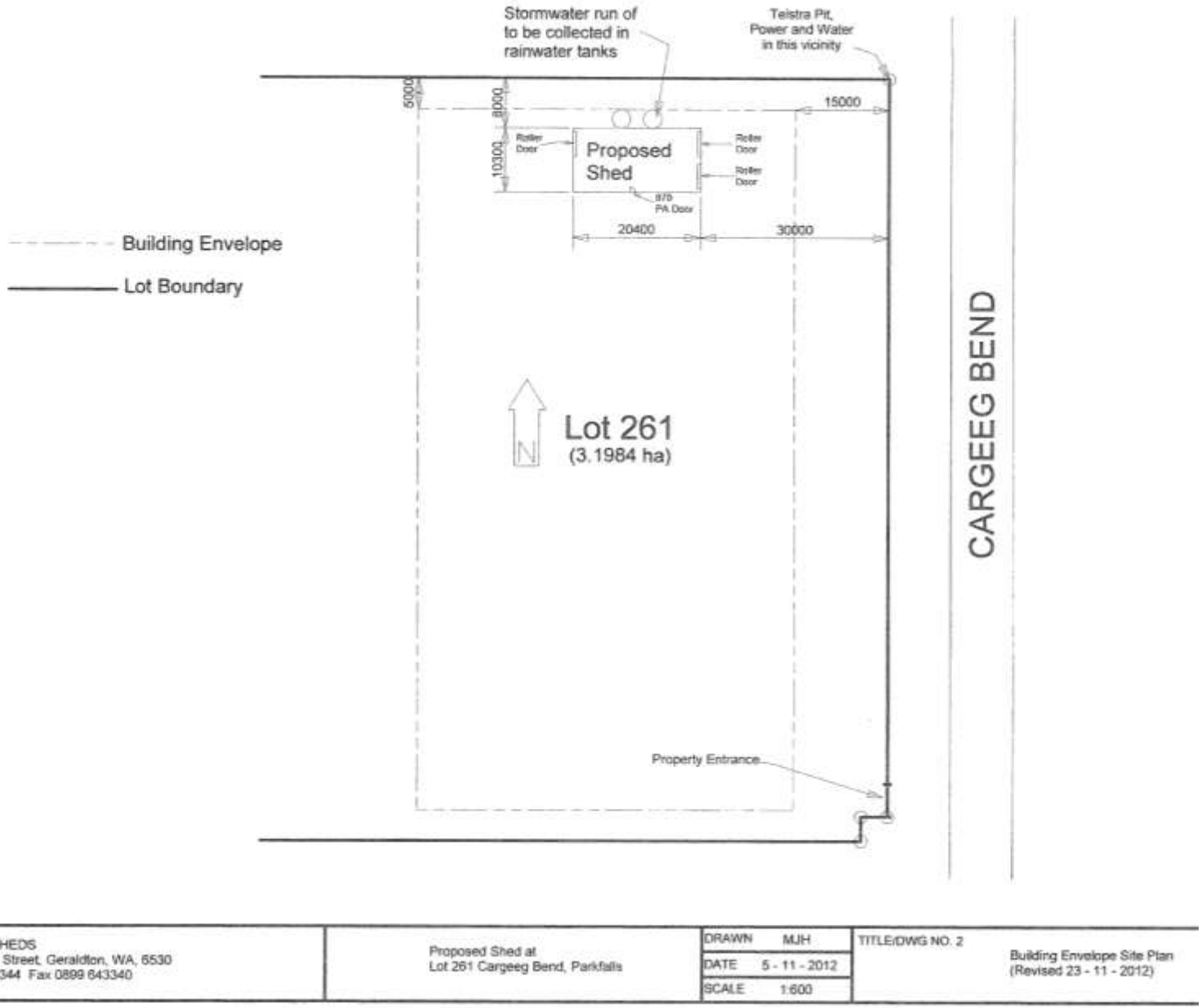
1. The proposed outbuilding is in excess of the maximum wall height as specified under the Shire's 'Outbuilding' Local Planning Policy;

2. Council is not satisfied that sufficient justification has been provided to warrant a concession being granted in this instance; &

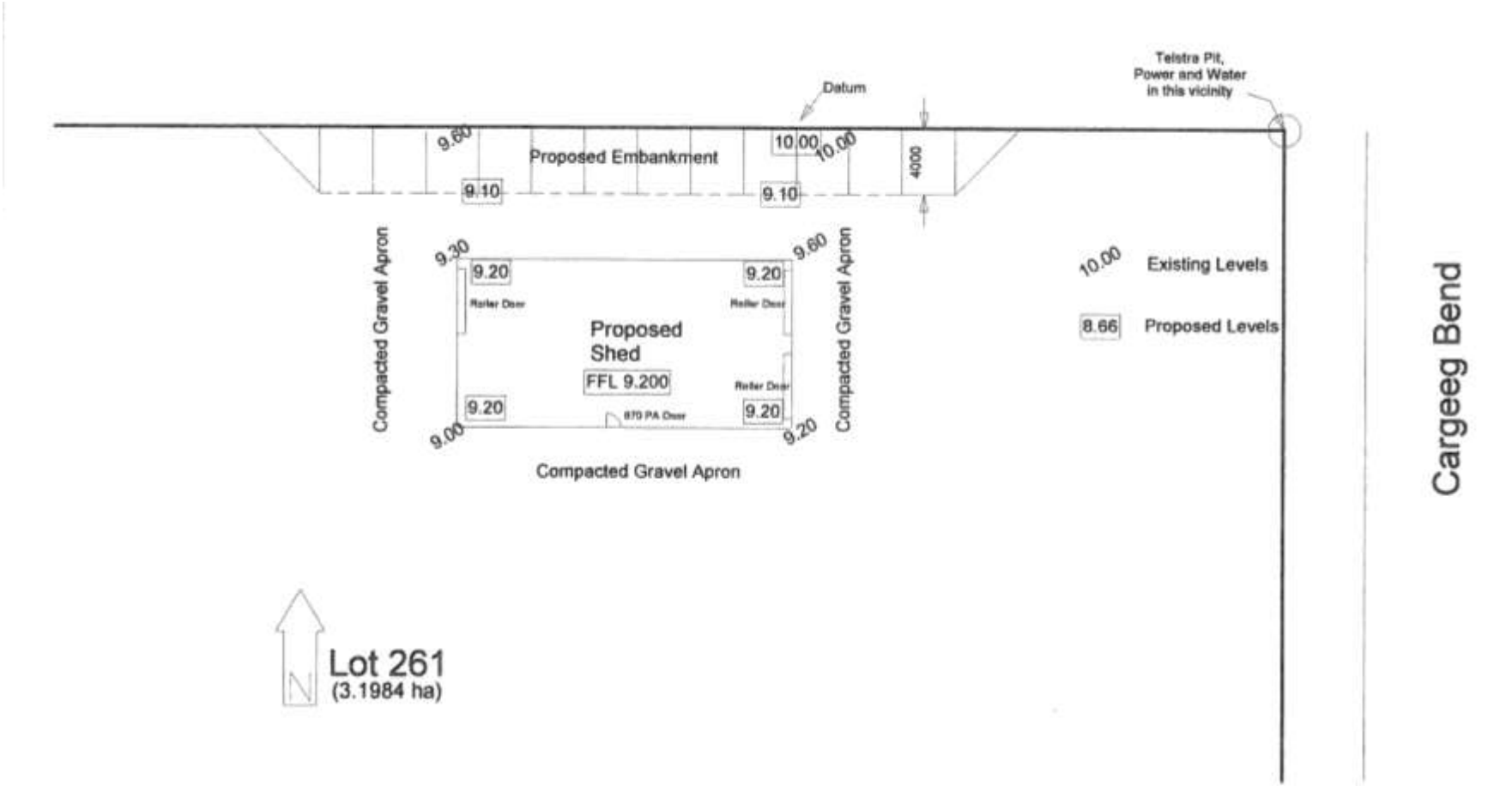
3. Approval of this application may well set an undesirable precedent for continued variation to the Shire's statutory requirements, which in time could prove to be detrimental to the amenity and lifestyle opportunities of the locality.

ATTACHMENT 1



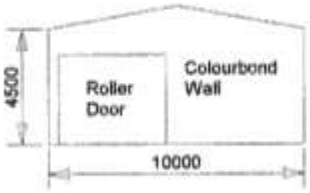


CARIMOR SHEDS 99 Anderson Street, Geraldton, WA, 6530 Ph 0899 643344 Fax 0899 643340	Proposed Shed at Lot 261 Cargeeg Bend, Parkfalls	DRAWN MJH DATE 5 - 11 - 2012 SCALE 1:600	TITLE/DWG NO. 2 Building Envelope Site Plan (Revised 23 - 11 - 2012)

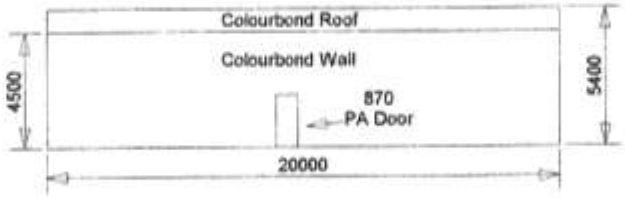


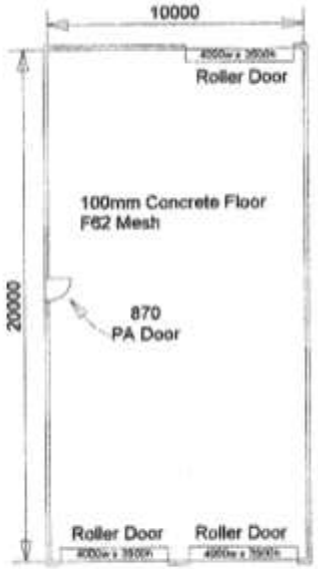
CARIMOR SHEDS 99 Anderson Street, Geraldton, WA, 6530 Ph 0899 643344 Fax 0899 643340	Proposed Shed at Lot 261 Cargeeg Bend, Parkfalls	DRAWN MJH DATE 27 - 11 - 2012 SCALE NTS	TITLE/DWG NO. 7 Part Site Plan Site Levels

West Elevation

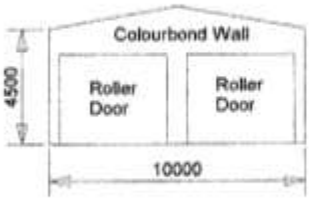


South Elevation

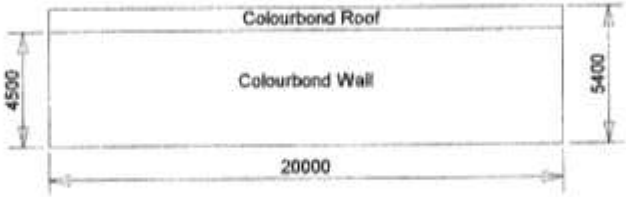




East Elevation



North Elevation



CARIMOR SHEDS 99 Anderson Street, Geraldton, WA, 6530 Ph 0899 643344 Fax 0899 643340	Proposed Shed at Lot 261 Cargeeg Bend, Parkfalls	DRAWN MJH DATE 5 - 11 - 2012 SCALE 1:200	TITLE/DWG NO. 3 Plan and Elevations Revised 27 - 11 - 2012

9.2
Chief Executive Officer
December 2012

Contents

9.2 AGENDA ITEMS

9.2.1 North East Farming Futures Group Annual Contribution

9.2.2 Request for Donation

9.2.3 Nabawa Cricket Pitch Agreement

9.2.4 Shire of Chapman Valley – Wards & Representation Review

9.2.5 Request for Memorial Plaque Coronation Beach

AGENDA ITEM:	**9.2.1**
SUBJECT:	**NORTH EAST FARMING FUTURES GROUP ANNUAL CONTRIBUTION**
PROPONENT:	**NORTH EAST FARMING FUTURES GROUP**
SITE:	**ENTIRE SHIRE**
FILE REFERENCE:	**306.07**
PREVIOUS REFERENCE:	**05/07-12, 09/12-12, 11/12-4**
AUTHOR:	**STUART BILLINGHAM**

DISCLOSURE OF INTEREST

Nil.

BACKGROUND

To present to Council a financial request from the North East Farming Futures Group (NEFF).

report.

COMMENT

Council resolved at the 16 May 2007 meeting the following:

> *"Moved Cr Farrell Seconded Cr Davidson*
> 1. *Council authorise expenditure of $10,000 towards the North East Farming Futures Group (NEFF) this year (06/07) subject to the Yuna Farm Improvement Group sanctioning NEFF and continuing their involvement.*
> 2. *That Council list an annual contribution of $5,000 per year in future budgets for the duration of the Yuna Farm Improvement Group's participation in the project.*
> 3. *The continuation of this annual contribution is to be reviewed at the 30 June 2008 prior to inclusion in the 2008/2009 budget.*
> 4. *The NEFF Group be requested to have a representative attend the District Consultative Group meetings.*
>
> *CARRIED*
> *Voting 6/1*
> *Minute Reference 05/07-12"*

Council resolved at the 19 September 2012 meeting the following:

> "Moved Cr Batten Seconded Cr Farrell
>
> That Council write to the Chief Executive Officer of the North East Farming Futures Group and invite them to make a presentation to Council.
>
> *CARRIED*
> *Voting 6/0*
> *Minute Reference 09/12-12"*

The Shire of Chapman Valley at its last Forum Session on 17 October 2012 received a presentation from NEFF's CEO, Mr Chris Wheatcroft. NEFF's stated mission is *"To support farmers and farm groups in the North East Agricultural Region to develop viable farming futures by working with the best possible expertise".*

The NEFF group is made up of representatives from the Shires of Chapman Valley, Morawa and Perenjori and the City of Greater Geraldton (CGG) (Ex Shire of Mullewa). The Shires of Perenjori and Morawa and the CGG have each continued to contribute to NEFF in 2012/13 financial year with a contribution of $5,500 GST inc. as their annual contribution.

The Shire of Chapman Valley has made no budget provision in the 2012/13 Annual Budget for a contribution to NEFF. The Chief Executive Officer has contacted the Yuna Farm Improvement Group Chair ('YFIG') for their feedback on if they still sanction NEFF and their continued involvement in NEFF.

Council resolved at the 21 November 2012 meeting the following:

"*Moved Cr Batten Seconded Cr Davidson*
That this item be referred back to YFIG for a formal written response.

CARRIED
Voting 7/1
Minute Reference 11/12-4"

The Shire has in the past made the following payments to NEFF:

Year	$
2006/2007	10,000
2007/2008	5,000
2008/2009	5,000
2009/2010	5,000
2010/2011	0
2011/2012	0
2012/2013	0
Total	25,000

The CEO has spoken to the Chair of YFIG Mr Greg Creasy on Tuesday 13 November 2012. The CEO of YFIG has advised that it does not believe the Shire of Chapman Valley should be financially contributing to NEFF, and NEFF should be able to stand on its own feet.

Correspondence has been received from YFIG on 5 December 20121 acknowledging the contribution the Shire has already made to NEFF. (**Attachment 1)**

At present YFIG is continuing to support and be part of NEFF and whether the Shire does or does not contribute the annual $5500 contribution will not affect their involvement with NEFF. NEFF is currently in a relatively strong financial position to support itself.

Should Council wish to contribute financially to NEFF it may consider that the below alternate recommendation has some merit:

"That

1 Council authorises out of budget expenditure of $5,500 GST Inc. towards the North East Farming Futures Group (NEFF) for the payment of tax Invoice 0069 for the 2011/12 year contribution, subject to the Yuna Farm Improvement Group sanctioning NEFF and continuing their involvement. (Absolute Majority Vote Required);

2 The Shire lists in the 2012/13 Budget Review an annual contribution for 2012/13 of $5,500 GST Inc. and $5,500 GST Inc. for the 2011/12 contribution towards the NEFF Group; &

3 The Shire lists $5,500 GST Inc. in the Shire of Chapman Valley 2013/14 Draft Budget for the annual contribution to NEFF Group."

STATUTORY ENVIRONMENT

Local Government Act 1995

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Possible unbudgeted contribution of $5,500 GST incl. from 2012/13 Budget.

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIRMENTS

Simple majority of Council or in the event that Council wishes to move the alternative recommendation then an Absolute Majority Vote is required due to out of budget expenditure.

STAFF RECOMMENDATION

That Council advise the North East Farming Futures Group that it supports the valuable work and projects of the group, however it is currently not prepared to continue with an annual financial contribution.

RECEIVED
- 5 DEC 2012
BY:.....

303.12
Record No AD12443

YFIG
Yuna Farm Improvement Group

proudly sponsored by:
Rabobank
Greater Perspective

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

28 November 2012

RE: North East Farming Futures Annual Contribution

Dear Stuart

At the Yuna Farm Improvement Group's committee meeting held last night the following was unanimously resolved:

Yuna Farm Improvement Group (YFIG) acknowledges the contribution the Shire has already made to North East Farming Futures (NEFF).

At the present time YFIG is continuing to support and be part of NEFF and whether the Shire does or does not contribute the annual $5500 contribution will not affect our involvement with NEFF. NEFF is currently in a relatively strong financial position to support itself.

NEFF encompasses the whole Shire of Chapman Valley and not just YFIG members. There are other people outside of the Yuna Farm improvement Group who have benefited from NEFF's work. As such we will leave it up to the shire council to decide on a payment that may affect others outside of our membership.

It should be noted that the YFIG committee was disappointed to see that the Shire of Chapman Valley had not paid the last two year's contributions that were expected.

We hope this resolution aids the council's decision.

Kind Regards

Green

Erin Green
Secretary
Yuna Farm Improvement Group

AGENDA ITEM:	**9.2.2**
SUBJECT:	**REQUEST FOR DONATION**
PROPONENT:	**STUART BILLINGHAM**
SITE:	**SHIRE OF CHAPMAN VALLEY**
FILE REFERENCE:	**401.06**
PREVIOUS REFERENCE:	**12/11-11**
AUTHOR:	**STUART BILLINGHAM**

DISCLOSURE OF INTEREST

Nil

BACKGROUND

The purpose of this report is to recommend to Council that a donation be made towards the cost of Ms Shannon Johnson representing Western Australia in the Under 15s Country Cup, a national competition this will be held in Ballarat in January 2013.

COMMENT

Ms Johnson is a local basketball player for the Chapman Valley Basketball Club. She has been selected to represent Geraldton in the U15s State Competition.

Council may consider that this request deserves support.

STATUTORY ENVIRONMENT

Local Government Act – General Provisions

POLICY IMPLICATIONS

Policy 5.30 – Donations and Grants

Local Nature

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

Of a State of 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.

FINANCIAL IMPLICATIONS

A Donation allocation of $3,500 is provided in the current budget. Of this amount $62 has been spent.

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIRMENTS

Simple Majority required

STAFF RECOMMENDATION

That Council contributes $200 to Shannon Johnson to represent Western Australia in the Under 15s Country Cup in Ballarat in January 2013.

803.02
Record No A012438

RECEIVED
30 NOV 2012
BY:

29 November 2012

Dear Mr Stuart Billingham

Our daughter Shannon Johnson is playing her 3rd year of basketball for the local basketball club Chapman Valley. This year she is not only playing in the junior division (under 15s) she is playing in the senior competition for women's 2 and A division. Shannon greatly enjoys the game and not only have her skills been recognised at the local club level, but have again been recognised at both regional and state levels. For our daughter to take advantage of these opportunities, a great deal of support and financial assistance is necessary.

Shannon has been selected to represent Geraldton in the Under 15 state competition, and therefore must travel from Yuna to Geraldton every week for training sessions. The competition is held in Perth early in December. Shannon's playing fees and accommodation total $200, which does not include her travel to and from Perth with a guardian.

Shannon has been selected to represent WA in the Under 15 Country Cup-a national competition which is being held in Ballarat, New South Wales in January, 2013. The cost of Shannon attending this competition is expected to total $1500.

Training for the Under 15 girls WA team began in November and is held fortnightly in Perth. This Country Cup team will also be competing in the Under 16 State Champions in Perth in December. All travel and accommodation relating to both training and competition in Perth and Ballart is at the player's expense.

Shannon has been selected in the Under 16 Country Womens State team training squad, from this squad they will select a team for the Nationals, which is held in South Australia in July 2013.

She has also been invited to join the Australian National Intensive Training program held in Perth.

For Shannon to achieve her full potential in the sport, our family must now meet the following expenses for each competition:

- Accommodation
- Uniforms
- Meals
- Court fees
- Umpires
- Travel
- Mouthguard

Next year Shannon will be attending Willetton Senior High School in Perth after being identified as having the skills and talent that could be developed to an elite level. Shannon is extremely excited about the opportunity to take her passion for basketball to such a high level.

We would love to support our daughter in her sporting endeavours. To be able to achieve this, we are seeking any financial support that your organisation is able to offer us. Your kind support in 2011 was very much appreciated

Thank you for considering our request. Should you require any further information, please do not hesitate to contact Janet on (08) 99201086

Yours sincerely,

Ross and Janet Johnson

AGENDA ITEM:	**9.2.3**
SUBJECT:	**NABAWA CRICKET PITCH AGREEMENT**
PROPONENT:	**GERALDTON REGIONAL CRICKET BOARD**
SITE:	**NABAWA OVAL**
FILE REFERENCE:	**803.05**
PREVIOUS REFERENCE:	**12/11-12**
AUTHOR:	**STUART BILLINGHAM**

DISCLOSURE OF INTEREST

Nil.

BACKGROUND

The purpose of this report is to present to Council a request from the Geraldton Regional Cricket Board Inc. to enter into a new agreement for the maintenance of the Nabawa Oval Cricket Pitch for the September 2012 to April 2013 Cricket Season for $7,360 (See copy of agreement submitted as **Attachment 1**)

COMMENT

The Shire of Chapman Valley has an ongoing arrangement for the Geraldton Regional Cricket Board Inc. to provide the expertise to produce and maintain a cricket pitch on the Nabawa Oval to a suitable standard required by the A grade competition. The Shire of Chapman Valley is required under the *Local Government Act 1995* to resolve that the President and CEO be authorised to sign and execute the Common Seal on the agreement.

The *Local Government Act 1995* Division 3 Documents, section 9.49A states;

"Division 3 — Documents

9.49A. Execution of documents

(1) A document is duly executed by a local government if —

(a) the common seal of the local government is affixed to it in accordance with subsections (2) and (3); or

(b) it is signed on behalf of the local government by a person or persons authorised under subsection (4) to do so.

(2) The common seal of a local government is not to be affixed to any document except as authorised by the local government.

(3) The common seal of the local government is to be affixed to a document in the presence of —

(a) the mayor or president; and

(b) the chief executive officer or a senior employee authorised by the chief executive officer,

each of whom is to sign the document to attest that the common seal was so affixed."

COMMENT

Council placed $8,500 on the 2012/13 Budget to cover the cost of the Geraldton Regional Cricket Board Inc preparing and maintaining the Nabawa Oval Cricket Pitch. The Shire has now received the annual agreement form the Geraldton Regional Cricket Board and the agreement is now presented to Council for approval and authorisation to sign and seal.

STATUTORY ENVIRONMENT

Local Government Act 1995

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Yes - Budget 2012/13 $8,500 Actual $7,360

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIRMENTS

Simple Majority required

STAFF RECOMMENDATION

That Council authorises the Shire President and Chief Executive Officer to sign and execute the common seal on the formal instrument of agreement with the Geraldton Regional Cricket Board for the maintenance of the Nabawa Oval Cricket Pitch for 2012/13.

FORMAL INSTRUMENT OF AGREEMENT

THIS AGREEMENT

made this _____ day of _____ 2012

BETWEEN Geraldton Regional Cricket Board Inc
(hereafter referred to as 'The Contractor')

Of PO Box 460
GERALDTON WA 6531
Tel: 0412 649 888
Fax:
Email: grcbcricket@gmail.com
ACN:
ABN: 549 851 161 28

AND SHIRE OF CHAPMAN VALLEY
(hereafter referred to as 'The Shire'

Of Lot 7 Chapman Valley Road
NABAWA WA 6532
Tel: (08) 9920 5011
Fax: (08) 9920 5155
Email: admin@chapmanvalley.wa.gov.au

IT IS AGREED that this Formal Instrument of Agreement shall **CONSTITUTE THE CONTRACT** between the parties.

WITNESS that:

1. The Contractor has submitted a proposal for a contract curator for the contract schedule amounts as per the price schedule attached in this document:

   Seven Thousand Three Hundred and Sixty Dollars
   $7,360

   and that the:

   - Commencement date of the contract is: 1st September 2012
   - For a period of 8 months ending on: 30 April 2013

2. Payments of the full contract amount will be payable under the following schedule

   - Eight equal monthly payments of $920 payable at the end of each month. Payments to commence on 30 September 2012 with final payment on 30th April 2013. Payments to be deposited directly into the Geraldton Regional Cricket Board nominated bank account:
   - Geraldton Regional Cricket Board
     Westpac Marine Terrace Geraldton
     BSB: 036 103
     Acc No: 250576

1

3. The Shire has accepted the Contractor's **OFFER** at the proposed rates submitted subject to the conditions specified in this Agreement to the fair spirit, intent and meaning of the contract.

4. The Contractor agrees to undertake all necessary work as a contract curator responsible for turf wickets located at Nabawa Oval for the Shire on Shire purchase orders issued to the Contractor during the period of the contract, in conformity with the detailed requirements and the conditions described herein.

5. The Shire covenants with the Contractor that it will pay in accordance with conditions of contract for services supplied by the Contractor where such services are acceptable to the Shire and of the quality described in the documents.

6. The Contractor agrees to render the following services under this contract:

   a) Maintain and prepare wickets between the months of September to April of the contract year and this includes mowing, top dressing, watering, rolling, fertilising, spraying, grassing etc.
   b) Provide a log book of hours, tasks and location (park).
   c) Provide daily service (maintenance, fuel and oil for machinery).

7. The Shire covenants with the contractor that for the period of the contract, it will provide the following goods and services: Barrenness

   a) Supply soil, fertiliser, chemicals, hoses, machinery and equipment.
   b) Service machinery.
   c) Mow as required between the periods of June to July of the contract year.

8. Fertiliser and chemicals to be supplied by the Shire:
   1) Nitrofoska Perfek Fertiliser Granules (2 Bags @ 20KG per bag)
   2) Fungonil – Fungicide 6 litres
   3) Spinflo – Fungicide 6 litres
   4) Roural GT – Fungicide 6 litres
   5) Sulphur of Amonia (1 Bag @ 20 kg per bag)
   6) Lorsban – Insecticide 3 litres
   7) Flat White Water Based Paint – 10 litres
   8) Soaker Hoses – 2 hoses @ 15 metres each
   9) Timer to be fitted to tap near pitch for soaker hoses.

EXECUTED BY THE PARTIES

SIGNED BY:

GERALDTON REGIONAL CRICKET BOARD 'CONTRACTOR'

PRINTED NAME

IN THE PRESENCE OF:

WITNESS

PRINTED NAME

or

The Company **COMMON SEAL** was affixed in accordance with its Articles of Association pursuant to a resolution of the Board of Directors in the presence of

DIRECTOR

PRINTED NAME

DIRECTOR / SECRETARY

PRINTED NAME

AND BY THE SHIRE OF CHAPMAN VALLEY:

CHIEF EXECUTIVE OFFICER

PRINTED NAME

PRESIDENT

PRINTED NAME

AGENDA ITEM:	**9.2.4**
SUBJECT:	**SHIRE OF CHAPMAN VALLEY – WARDS AND REPRESENTATION REVIEW**
PROPONENT:	**LOCAL GOVERNMENT ADVISORY BOARD**
SITE:	**ENTIRE SHIRE**
FILE REFERENCE:	**404.03**
PREVIOUS REFERENCE:	**09/12-17**
AUTHOR:	**STUART BILLINGHAM**

DISCLOSURE OF INTEREST

Nil

BACKGROUND

The purpose of this report is to present to Council the results of the advertising period (which closed 16 November 2012) for the Review of Wards and Representation in accordance with clause 6(3) of Schedule 2 *Local Government Act 1995* and an Officer recommendation with alternatives.

COMMENT

Council at its meeting on 19 September 2012 resolved the following:

> *"1. That in accordance with clause 6 of schedule 2.2 of the Local Government Act 1995 Council conduct a review of wards and representation as requested by the Local Government Advisory Board.*
>
> *2. That Council endorses the Draft Review of Wards and Representation discussion paper prepared by the Chief Executive Officer and Council gives local public notice of the review and advertises for public submissions in accordance with clause 7 of schedule 2.2 of the Local Government Act 1995. "*

The Shire of Chapman Valley has received nine (9) submissions during the advertising period summarised below;

1 Jan E Gould 23 Brown Lane, White Peak 6532
2 Garry & Veronica Wood 24 Pitchford Crescent White Peak 6532
3 Jaclyn Grady 10 Derna Parade Wandina WA 6530
4 Adam McMahon 274 Pitchford Crescent WA 6532
5 Colin & Pat Nairn 92 Eliza Shaw Drive WA 6532
6 Ian Maluish and Linda Saunders 311 Eliza Shaw Drive White Peak 6532
7 Tom and Tania Davies 5 Hester Place White Peak WA 6532
8 Sonia Nelson 69 Eliza Shaw Drive Buller 6532
9 Daniel and Tina Pendlebury 13 Wittenoom Circle White Peak WA 6532

Option 1 – 0 x Submissions
Option 2 – 0 x Submissions
Option 3 – 0 x Submissions
Option 4 – 9 x Submissions

(See copy of submissions submitted as separate attachments)

Features of the District

Community of interest

Nabawa, Nanson and Yuna are the main townsites in the Shire, with the Parkfalls estate in the West of the Shire a growing precinct made up of, on average, 1hectare lifestyle blocks.

The Nabawa Townsite has the Chapman Valley Primary School, Community hall, Nabawa Oval for football and cricket, Recreation Centre for Basketball and tennis facilities and Community Playground and outside Basketball courts are located behind the Recreation Centre. The Nabawa Tavern serves meals and drinks. The tavern also sells both diesel and unleaded fuel.

The Nanson townsite contains the Nanson Museum, playground and the old Roads Board building.

The Yuna townsite has the Yuna primary school, CWA and Community Hall and playground. Tennis Courts are located behind the Primary school. The Yuna Tavern also serves meals and drinks. The two CBH bins and yards the main commercial operation in the Yuna Townsite.

Outside the towns there are communities of interest of broad acre farmers, pastoralists and those involved in either tree farms or mining activities.

Physical & topographic features
The Shire of Chapman Valley has three arterial roads:

- North West Coastal highway runs parallel to the coastline from the Southern boundary with the City of Greater Geraldton to the Northern boundary with the Shire of Northampton;
- Chapman Valley Road generally bisects the district from the south west corner to Yuna; and
- Morrell Road that runs from Chapman Valley Road to the southern boundary.

The Chapman river generally bisects the district from north east to south west corner.

Demographic trends

The population of Nabawa, Nanson and Yuna fairly static over the last. The western part of the district is experiencing a growth in population with new subdivisions.

Economic factors

There has been a slow reduction in pastoral activity with broad acre wheat farming being replaced by tree farms in the east of the Shire. Whilst the area of wheat farming has reduced slightly, the number of farms has begun to reduce, with some of the properties being bought up by agricultural corporations.

The Shire is planning to release 36 residential lots in the Green Drive Subdivision in the Nabawa Townsite in several years' time.

Options to consider

The Council may consider the following options, including option 4 suggested by members of the community:

Option 1 Maintain the Current Ward System (Adjust ratio of Councillor to electors in Ward)

Option 2 Abolish Wards – Maintain 8 Councillors

Option 3 Abolish Wards – Reduce to 6 Councillors

Option 4 Maintain the Current Ward System (Adjust ward boundary to give equal numbers of Councillors) i.e. 4 elected members in the North East Ward and 4 Elected members in the South West Wards.

NB: Notwithstanding the above options, Council may consider other options including but not limited to creating/adding wards, modifying existing ward boundaries.

OPTION 1 MAINTAIN THE CURRENT WARD SYSTEM – ADJUST NUMBER OF COUNCILLORS IN EACH WARD

The following is an assessment of the current situation against the factors.

- **Community of interest**
  Ward boundaries do not reflect town or rural interests or current economic activities. While each Shire of Chapman Valley townsite and rural area is different. Community of Interests are similar being predominately Rural Broad acre Farming.
- **Physical & topographic features**
  Current Ward boundaries do reflect physical or topographical features. e.g. roads, property boundaries, rivers and creeks etc.
- **Demographic trends**
  Ward boundaries do not reflect demographic trends.
- **Economic factors**
  Ward boundaries do not reflect economic activities.

Ratio of Councillors to Electors
Current situation: The Shire of Chapman Valley has eight (8) Councillors elected from two (2) Wards as follows:

Ward	Number of Councillors	Number of Electors	Councillor: Elector Ratio	% Ratio Deviation
North East	6	478	1:80	+17.34%
South West	2	293	1:147	-52.01%
Total	8	771	1:96	

Both the North East and South West Wards remain outside the 10% deviation permitted. Based on the above table the North East Ward has a clear under allocation of electors to number of Councillors, resulting in a lower Councillor/Elector ratio whilst the South West Ward has a clear over allocation of electors to number of Councillors, resulting in and a higher Councillor/Elector ratio. This option proposes the Shire of Chapman Valley retains eight (8) councillors with five (5) elected from the North East Ward (i.e. a reduction of 1) and three (3) elected from South West wards (i.e. an increase in 1) as shown in the table below:

Ward	Number of Councillors	Number of Electors	Councillor: Elector Ratio	% Ratio Deviation
North East	5	478	1:96	+0.80%
South West	3	293	1:98	-1.34%
Total	8	771	1:96	

This proposed Option 1 being considered will see the Councillor Elector ratio increase up to 1:96 with minor deviation in both the North East and South West Wards within the 10% deviation permitted.

OPTION 2 ABOLISH WARDS – MAINTAIN 8 COUNCILLORS

The following is an assessment of the proposed Option 2 situation against the factors.

- **Community of interest**
  Communities of interest are not reflected by the local government boundary.
- **Physical & topographic features**
  The district boundary does not follow any physical or topographic features.
- **Demographic trends**
  The expected growth area is in the West of the Shire and the East is expected to decline in population. The district boundary does not reflect these trends.
- **Economic factors**
  The district boundary does not reflect the areas of economic activity.

Ratio of Councillors to Electors
Proposal: The Shire of Chapman Valley has eight (8) Councillors elected with no Wards as follows:

Ward	Number of Councillors	Number of Electors	Councillor: Elector Ratio	% Ratio Deviation
No Wards	8	771	1:96	0.00%
Total	8	771	1:96	0.00%

No Ward System

The **advantages** of a no ward system may include:

- Elected members are elected by the whole community not just a section of it. Knowledge and interest in all areas of the Council's affairs would result broadening the views beyond the immediate concerns of those in a ward.
- The smaller town sites and rural areas have the whole Council working for them.
- Members of the community who want to approach an elected member can speak to any elected member.
- Social networks and communities of interest are often spread across a local government and elected members can have an overview of these.
- Elected members can use their specialty skills and knowledge for the benefit of the whole local government.
- There is balanced representation with each elected member representing the whole community.
- The election process is much simpler for the community to understand and for the Council to administer.

The **disadvantages** of a no ward system may include:

- Electors may feel that they are not adequately represented if they don't have an affinity with any of the elected members.
- Elected members living in a certain area may have a greater affinity and understanding of the issues specific to that area.
- There is potential for an interest group to dominate the Council.
- Elected members may feel overwhelmed by having to represent all electors and may not have the time or opportunity to understand and represent all the issues.
- It may be more difficult and costly for candidates to be elected if they need to canvass the whole local government area.

This option 2 results in the following:

The Councillor Elector ratio increase up to 1:96 with no deviation. Abolition of Wards will remove the future requirement for a Wards and representation Review at least every 8 Years. This option results in balanced representation across the Shire. The 8 councillor option would provide no financial savings and lead to effective and efficient decision making.

OPTION 3 ABOLISH WARDS – REDUCE TO 6 COUNCILLORS

The following is an assessment of the proposed Option 3 situation against the factors.

- **Community of interest**
  Communities of interest are not reflected by the local government boundary.
- **Physical & topographic features**
  The district boundary does not follow any physical or topographic features.
- **Demographic trends**
  District boundaries do not reflect demographic trends.
- **Economic factors**
  The district boundary does not reflect the areas of economic activity.

Ratio of Councillors to Electors
Proposal: The Shire of Chapman Valley has six (6) Councillors elected with no Wards as follows:

Ward	Number of Councillors	Number of Electors	Councillor: Elector Ratio	% Ratio Deviation
No Wards	6	771	1:129	0.00%
Total	6	771	1:129	0.00%

No Ward System

The **advantages** of a no ward system may include:

- Elected members are elected by the whole community not just a section of it. Knowledge and interest in all areas of the Council's affairs would result broadening the views beyond the immediate concerns of those in a ward.
- The smaller town sites and rural areas have the whole Council working for them.
- Members of the community who want to approach an elected member can speak to any elected member.
- Social networks and communities of interest are often spread across a local government and elected members can have an overview of these.
- Elected members can use their specialty skills and knowledge for the benefit of the whole local government.
- There is balanced representation with each elected member representing the whole community.
- The election process is much simpler for the community to understand and for the Council to administer.

The **disadvantages** of a no ward system may include:

- Electors may feel that they are not adequately represented if they don't have an affinity with any of the elected members.
- Elected members living in a certain area may have a greater affinity and understanding of the issues specific to that area.
- There is potential for an interest group to dominate the Council.
- Elected members may feel overwhelmed by having to represent all electors and may not have the time or opportunity to understand and represent all the issues.
- It may be more difficult and costly for candidates to be elected if they need to canvass the whole local government area.

Option 3 considers there will be a reduction in the number of Councillors for the district from 8 to 6. This option 3 results in the following:

The Councillor Elector ratio increases up to 1:129 with no deviation. Abolition of Wards will remove the future requirement for a Wards and representation Review at least every 8 Years. This option results in balanced representation across the Shire. The 6 Councillor option would provide financial savings and lead to more effective and efficient decision making.

Elected Members

The ideal number of elected members for a local government is for the local government to determine. There is a diverse range of councillor/elector ratios across Western Australia reflecting the sparsely populated remote areas and the highly populated urban areas. The structure of the Council's operations will provide some input into the number of elected members needed to service the local government.

The **advantages** of a reduction in the number of elected members may include the following:

- The decision making process may be more effective and efficient if the number of elected members is reduced. It is more timely to ascertain the views of a fewer number of people and decision making may be easier. There is also more scope for team spirit and cooperation amongst a smaller number of people.

- The cost of maintaining elected members is likely to be reduced (an estimate of the cost of reduction would be helpful).
- The increase in the ratio of councillors to electors is unlikely to be significant.
- Consultation with the community can be achieved through a variety of means in addition to individuals and groups contacting their local elected member.
- A reduction in the number of elected members may result in an increased commitment from those elected reflected in greater interest and participation in Council's affairs.
- Fewer elected members are more readily identifiable to the community.
- Fewer positions on Council may lead to greater interest in elections with contested elections and those elected obtaining a greater level of support from the community.
- There is a State wide trend for reductions in the number of elected members and many local governments have found that fewer elected members works well.

The **disadvantages** of a reduction in the number of elected members may include the following:

- A smaller number of elected members may result in an increased workload and may lessen effectiveness. A demanding role may discourage others from nominating for Council.

- There is the potential for dominance in the Council by a particular interest group.
- A reduction in the number of elected members may limit the diversity of interests around the Council table.
- Opportunities for community participation in Council's affairs may be reduced if there are fewer elected members for the community to contact.
- An increase in the ratio of councillors to electors may place too many demands on elected members.

NB: Changes in population and non-resident owners roll do not automatically trigger another review.

OPTION 4	**MAINTAIN CURRENT 2 WARDS – ADJUST BOUNDARIES SO AS TO HAVE FOUR (4) COUNCILLORS IN EACH WARD**

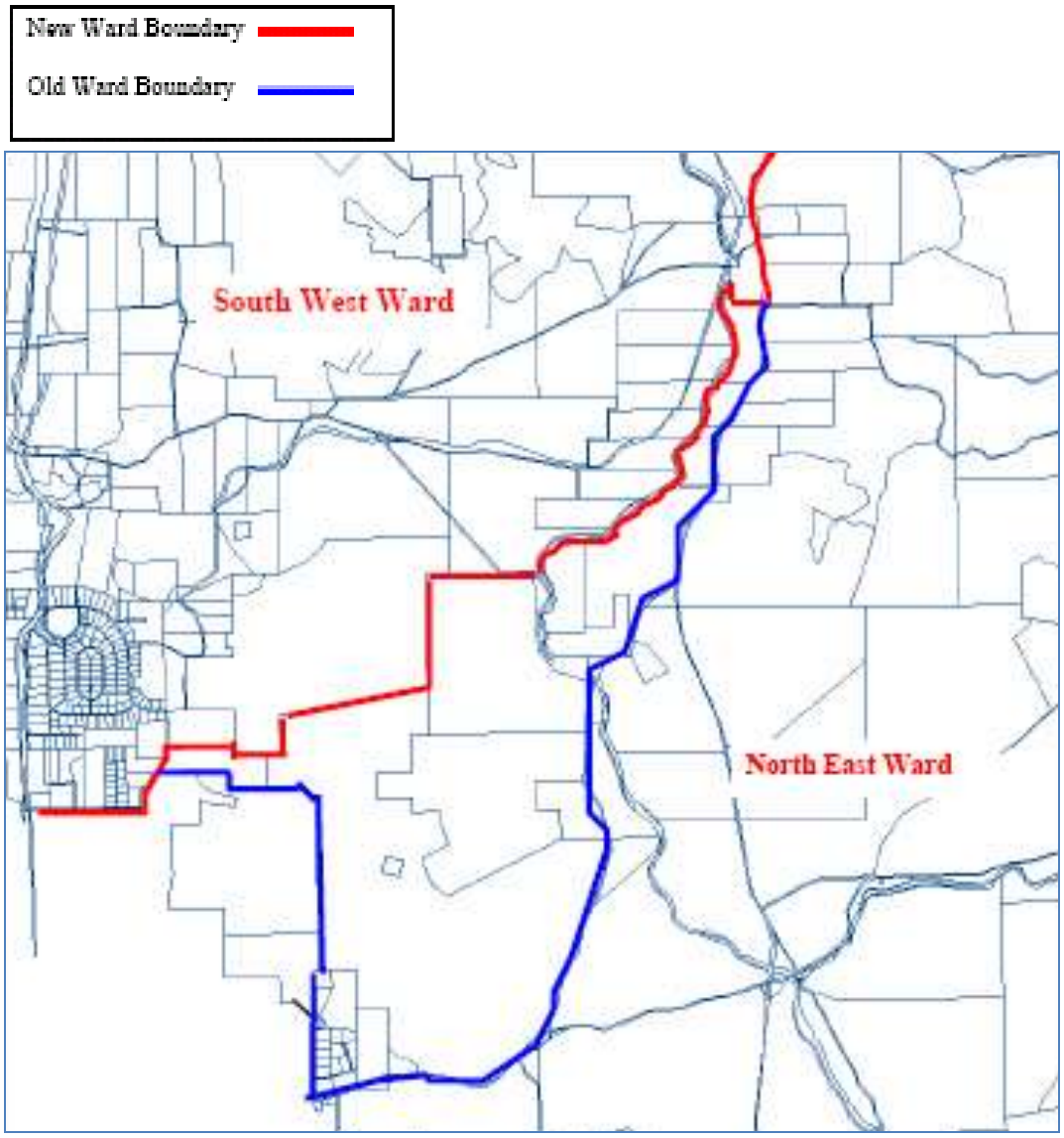
- **Community of interest**
  Communities of interest are not reflected by the local government boundary. Ward boundaries do not reflect town or rural interests. While each Shire of Chapman Valley town site and rural area is different.
- **Physical & topographic features**
  Current Ward boundaries do reflect physical or topographical features. e.g. roads, property boundaries, rivers and creeks etc.
- **Demographic trends**
  Ward boundaries do not reflect demographic trends.
- **Economic factors**
  Ward boundaries do not reflect economic activities.

Ratio of Councillors to Electors
Proposal: The Shire of Chapman Valley has eight (8) Councillors elected from two (2) Wards as follows:

Ward	Number of Councillors	Number of Electors	Councillor: Elector Ratio	% Ratio Deviation
North East	4	385	1:96	+0.13%
South West	4	386	1:97	-0.13%
Total	8	771	1:96	

This option would require trying to move the ward boundary to capture approximately 93 people into the South West Ward from the North East Ward. Maps for this possible boundary still to be finalised.

Figure 1 – Previous Ward Boundary adjustment map (2008)



As at October 2011 Local Government Elections

Ward	Number of Councillors	Number of Electors	Councillor to Elector Ratio	% Ratio Deviation
North East	6	462	77	+16.98%
South West	2	280	140	-50.94%
Total	**8**	**742**	**93**	

In order for changes to be implemented in time for the 2013 Ordinary Elections, the required documentation will need to be submitted to the Local Government Advisory Board by 31 December 2012 at the latest.

The Shire's previous CEO, Mr Sellenger at the 18 May 2011 Council Meeting item 9.5.4 recommended the following:

> *"In accordance with clause 5(b) of Schedule 2.2 of the Local Government Act 1995, propose to the Local Government Advisory Board, the making of an order under section 2.2(1) to abolish the wards for the Shire of Chapman Valley prior to the October 2011 Local Government Elections. Council considers this to be a matter of a minor nature and not one about which public submissions need be invited.*
>
> MOTION LAPSED DUE TO LACK OF MOVER."

The Act requires that a Local Government that has a Ward system is required to carry out reviews of:
(a) Its ward boundaries; and
(b) The number of offices of councillor for each ward;

From time to time so that not more than eight years elapse between successive reviews. The last time the Shire of Chapman Valley undertook a review of its wards and representation was in 2008.

Process of the review is as follows:

The local government is to invite submissions from the public. Consultation may also include public meetings, forums, questionnaires, interviews with key stakeholders, etc.
Changes are to be assessed against

- community of interest
- physical and topographic features
- demographic trends
- economic factors and
- ratio of councillors to electors in various wards

Process for report to Council and recommendation to LGAB

Local government is required to submit a report on the proposed changes to the Local Government Advisory Board. This should include:

- Copy of minutes from the council meeting containing the resolution to change or review ward boundaries or representation
- Reasons for determining the change is minor or does not require public submissions (if relevant)
- Advertisement of the review (if applicable)
- Assessment of the proposal against the prescribed matters
- Council decision.

COMMENT

In accordance with clause 6 (3) of Schedule 2.2 of the Local Government Act 1995 a local government is required to conduct a ward and representation review upon request from the Local Government Advisory Board. The Shire of Chapman Valley puts proposed orders to the Board.

The Shire of Chapman Valley is required to submit a report on the proposed changes to the Local Government Advisory Board.

This should include:
- Copy of minutes from the council meeting containing the resolution to change or review ward boundaries or representation
- Reasons for determining the change is minor or does not require public submissions (if relevant)
- Advertisement of the review (if applicable)
- Assessment of the proposal against the prescribed matters
- Council decision.

The purpose of this report is not to ask Council to make a decision by resolution on the options available in the review. The Council to request the LGAB make order to undertake the changes as recommended by Council.

STATUTORY ENVIRONMENT

Local Government Act 1995 Schedule 2.2.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIRMENTS

Absolute Majority Vote required

STAFF RECOMMENDATION

Option 2 - Abolish Wards - 8 Elected Members.

1 The Shire of Chapman Valley recommends to the Local Government Advisory Board that an order be made under s 2.2 (1)(d) abolishing all wards into which the district is divided.

NB: The Shire of Chapman Valley does not wish to declare all offices of councillor vacant at the next ordinary elections in 2013, with councillors to complete their terms as normal and nominations are called to fill these vacancies. The remaining councillors who still have two years in office represent the electors of the whole district.

2 The local government to undertake another review of wards and representation in four years' time.

ABSOLUTE MAJORITY REQUIRED

Alternative recommendations

Option 1 – Maintain the current ward system – Adjust number of Councillors in each Ward

The Shire of Chapman Valley recommends to the Local Government Advisory Board that:

1 An order be made under s 2.18 (3)(b) to designate the following number of offices of councillor for each ward: South West (3), North East (5).

2 The local government to undertake another review of wards and representation in four years' time.

ABSOLUTE MAJORITY REQUIRED

Option 3 – Abolish Wards – Reduce to six (6) Councillors

The Shire of Chapman Valley recommends to the Local Government Advisory Board that:

1 An order be made under s 2.2 (1)(d) abolishing all wards into which the district is divided.

2 An order be made under s 2.18 (3) of the *Local Government Act 1995* to reduce the number of offices of councillor on the Council from eight (8) to six (6).

NB: The Shire of Chapman Valley does not wish to declare all offices of councillor vacant at the next ordinary elections, with councillors to complete their terms as normal and nominations are called to fill these vacancies. The remaining councillors who still have two years in office represent the electors of the whole district.

3 The local government to undertake another review of wards and representation in four years' time.

ABSOLUTE MAJORITY REQUIRED

Option 4 - Maintain current 2 wards – Adjust Ward boundaries so as to have four (4) Councillors in each Ward.

The Shire of Chapman Valley recommends to the Local Government Advisory Board that:

1 An order be made under s 2.2 (1)(c) returning the ward boundaries to the pre 2008 situation

2 The local government to undertake another review of wards and representation in four years' time.

ABSOLUTE MAJORITY REQUIRED

AGENDA ITEM:	**9.2.5**
SUBJECT:	**REQUEST FOR MEMORIAL PLAQUE CORONATION BEACH**
PROPONENT:	**MRS CAROL LEIGH (EDWARDS)**
SITE:	**CORONATION BEACH**
FILE REFERENCE:	**802.02**
PREVIOUS REFERENCE:	**NIL**
AUTHOR:	**STUART BILLINGHAM**

DISCLOSURE OF INTEREST

Nil.

BACKGROUND

Council is in receipt of a request from Mrs Carol Leigh (Edwards) to install a memorial plaque at Coronation Beach Gazebo in memory of her late husband. (See copy of email submitted as Attachment 1). It is recommended that Council to consider adopting a policy with guidelines for the affixing of memorial plaques on Council structures.

COMMENT

Council is to consider adopting a policy with guidelines for the affixing of memorial plaques on Council structures.

STATUTORY ENVIRONMENT

Local Government Act 1995

POLICY IMPLICATIONS

The Shire of Chapman Valley currently does not have a policy regarding the affixing of memorial plaques on Council owned structures such as gazebos and seats. A Draft Policy 'Plaques on Council Structures' has been included as Attachment 2 below for Councils consideration.

New policy if adopted by Council the policy will be included in Councils Policy Manual.

FINANCIAL IMPLICATIONS

No cost to Council as the cost will be borne by the applicant for the plaque.

STRATEGIC IMPLICATIONS

Clear administrative guidelines for dealing with plaques on Council Structures.

VOTING REQUIRMENTS

Simple Majority required

STAFF RECOMMENDATIONS

That Council adopt Policy 'Plaques on Council Structures' as listed below.

That the Shire advises Mrs Carol Leigh (Edwards) her application for a memorial plaque at Coronation Beach has been unsuccessful as it does not comply with Council's Policy.

Rebecca Billingham

From: carol edwards <cazanddugle@hotmail.com>
Sent: Wednesday, 21 November 2012 6:05 PM
To: Rebecca Billingham
Subject: attn: Stuart Billingham

Dear Mr Billingham,

Im writing to ask your permission. When the gazebo out at coronation was built my husband help construct it with the other prisoners from greenough (he was imprisoned due to unpaid fines). Since then id gladly like to say he hasnt been back in but the two of us spent sumtime camping out at coronation a few years ago due to having nowhere to live. after all this 6 months ago i wrote and requested permission for us to get married out there and was approved which i would like to say the biggest thankyou for that because our day turned out perfect!!!! the reason why im writing this to you is that Gareth Leigh which is my husband passed away at the tsart of the month and if im allowed would like to put a plaque up in memory of him just saying "in loving memory of Gareth 'dugle' Leigh" the main reason for asking for this is so instead of taking my two very young boys to the cemetery to see their dad i could take them up to their dad favourite place and be in a beautiful place when trying to spend time with him? I hope you take this into sincere concideration because it would mean the world to us.

Yours Sincerely

Mrs Carol Leigh(Edwards)

1

POLICY – PLAQUES ON COUNCIL STRUCTURES

Sub Section: Council Buildings and Reserves

Policy Number: 4.110

Policy Subject: **Memorials on Council Structures**

Policy Statement: POLICY APPLICATION

This policy has no application to Memorials which serve a wide community purpose such as war memorials, or signage erected indicating place names that have been approved by the nomenclature advisory board of WA.

MEMORIAL PLAQUES

The installation or erection of memorial plaques on Local Government Property is not supported unless it is to be located upon a suitable piece of donated furniture that is donated (e.g. park seat, table setting or the like). The plaque is to be located upon the donated furniture. The furniture is to be of a type and style approved by Council and the donor is to meet all costs associated with its purchase, delivery and installation.

The siting of donated memorial furniture will be as approved by Council.

The inscription plaque shall be no greater than 100mm x 100mm and be made of brass, bronze or Marine Grade Stainless Steel 3mm thick. Council reserves the right to reject the wording on plaques if it is considered that such wording is inappropriate, offensive or inaccurate.

All care will be taken to maintain and care for the structure, but if the structure is vandalised or damaged, no responsibility will be taken for damage to plaques. The purchaser of the plaque will be notified of the damage. It is the purchaser's responsibility to repair or purchase another plaque.

Personal items such as flowers etc. are not to be fixed to Council Structures (e.g. Gazebos or bench seats) or placed at the base of the structure.

PERMISSION FOR MEMORIAL PLAQUES

Memorial plaques will only be considered where they satisfy the following criteria:

a. Commemorating a deceased individual or individuals who were members of the Community and contributed significantly to the Community.

No memorials or plaques are to be erected on Council Structures or property without Council approval. Any plaques erected without Council approval will be removed without reference to the person erecting the memorial.

MAINTENANCE OF MEMORIALS

DRAFT

Council bears no responsibility for the maintenance of the Plaques, except to the extent of its general obligation in relation to maintenance of its property and the improvements thereon.
If the plaques are stolen, replacement will be at the expense of the original donor.

If the furniture or feature upon which the plaques is erected become unserviceable or a hazard for whatever reason, it shall be removed. Replacement of feature or furniture will be at the discretion of Council, and replacement will not necessarily contain the memorial plaque.

If, for operational reasons, it is determined that an existing memorial needs to be relocated, this action will be at the discretion of Council. Generally a new site will be selected for the memorial near to its original site, unless:

- the original memorial is no longer serviceable;
- has become a hazard for whatever reason; or
- no suitable near site for its relocation can be identified.

Definition

For the purposes of this policy and its related procedure, the following definition applies:

Plaque - A flat tablet of metal which includes text and/or images which commemorate a person and/or family.

Objectives:

To provide clear administrative guidelines for dealing with private memorials or plaques on Council Structures.

Guidelines:

Memorials serve an important role for sections of the community, however unless a memorial serves a broad community interest (e.g. war memorials) it is not appropriate that the Community take on responsibility for the installation, maintenance and upkeep of such installations.

Further, any approval to have any form of memorial on public land does not infer any ongoing rights for proprietorship. A memorial generally will be able to remain whilst it does not interfere with the broader community interest.

Broadly the term that a memorial will be permitted to remain at the site it is located will be determined but the service life of the object upon which it is located and the operational needs of Council.

Resolution No:

Resolution Date:

Source: Council

Date of Review: June Annually

Review Responsibility: Council

DRAFT

9.3
Manager of Finance & Administration

December 2012

Contents

9.3 AGENDA ITEMS

9.3.1 Financial report for November 2012

AGENDA ITEM:	**9.3.1**
SUBJECT:	**FINANCIAL REPORT FOR NOVEMBER 2012**
PROPONENT:	**MANAGER OF FINANCE AND ADMINISTRATION**
SITE:	**SHIRE OF CHAPMAN VALLEY**
FILE REFERENCE:	**307.04**
PREVIOUS REFERENCE:	**N/A**
DATE:	**5 DECEMBER 2012**
AUTHOR:	**DEBBY BARNDON**

DISCLOSURE OF INTEREST

Nil

BACKGROUND

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

COMMENT

Attached to this report are the monthly financial statements for November 2012 for Council's review.

STATUTORY ENVIRONMENT

Local Government Act 1995 Section 6.4
Local Government (Financial Management) Regulations 1996 Section 34

POLICY IMPLICATIONS

Policy 5.70 Significant Accounting Policies

Extract:

"2. Monthly Reporting

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

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

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

FINANCIAL IMPLICATIONS

As presented in November 2012 financial statement.

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIRMENTS

Simple Majority required.

STAFF RECOMMENDATION

That Council receive the financial report for the month of November 2012 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 Statement from 21 September 2012 to 21 October 2012

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10.0 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

11.0 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

11.1 Elected Member Reports

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

12.1 Elected Members

12.2 Officers

13.0 CLOSURE