

*“A thriving
community, making
the most of our
coastline, ranges and
rural settings to
support us to grow
and prosper”*

ORDINARY COUNCIL MEETING

Agenda

**Meeting Date Thursday 14
December 2023**

Meeting Time 8:30 am

**To be held at Chapman Valley
Administration Office, 3270 Chapman
Valley Road, Nabawa WA 6532,
Council Chambers.**

Jamie Criddle

Chief Executive Officer



SHIRE OF

Chapman Valley

love the rural life!

Strategic Community Plan 2022-2032



Snapshot

OUR VISION

"A thriving and diverse community, embracing our coastline, ranges and rural settings to support growth and prosperity, while enjoying our peaceful and quiet lifestyle."

OUR VALUES

Ethical, Honest, Integrity,
Leadership, Respectful, Trustful



COMMUNITY, HEALTH & LIFESTYLE

- 1.1 Nurture the sense of community and unity across the Shire, while supporting towns and their volunteers in local issues
- 1.2 Address identified ageing population issues
- 1.3 Strengthen our role in regional partnerships and advocacy for continuity of local services/ facilities
- 1.4 Maintain and enhance safety and security in the Shire
- 1.5 Maximise health and lifestyle outcomes through environmental and public health strategies



ECONOMY & POPULATION

- 2.1 Build population and business activity through targeted strategies
Provide support for business development and local employment
- 2.2 Embrace local tourism and regional strategies and trails
- 2.3 Ensure town planning compliments economic and business development, population retention and growth strategies
- 2.4 Develop marketing plan to promote Chapman Valley as place to live, invest, work or visit



ENVIRONMENT & SUSTAINABILITY

- 3.1 Preserve and protect the natural environment and address environmental risks as they arise
- 3.2 Maintain the rural identity of the Shire
- 3.3 Build the green canopy of the Shire's town areas
- 3.4 Address weed and vermin control
- 3.5 Fire mitigation and control



PHYSICAL & DIGITAL INFRASTRUCTURE

- 4.1 Develop, manage, and maintain built infrastructure
- 4.2 Manage and maintain roads, drainage, and other essential infrastructure assets
- 4.3 Aspire to robust communication and digital infrastructure in the Shire through strong partnerships and alliances
- 4.4 Advocate for improved power networks
- 4.5 Advocate for improved water security within the Shire



GOVERNANCE & ACCOUNTABILITY

- 5.1 Ensure governance and administration systems, policies and processes are current and relevant
- 5.2 Be accountable and transparent while managing human and physical resources effectively
- 5.3 Make informed decisions within resources and areas of responsibility
- 5.4 Ensure robust processes and guidelines for development

ACKNOWLEDGEMENT OF COUNTRY

The Shire of Chapman Valley would like to respectfully acknowledge the Naaguja peoples who are the traditional owners and first people of the land on which we stand.

We would like to pay our respect to the elders past, present and emerging for they hold the memories, the traditions, the culture and hopes of the Naaguja peoples.

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.

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1 Declaration of Opening & Announcements of Visitors

The President will welcome elected members, staff and visitors to the council meeting and declaring the meeting open.

“The Shire of Chapman Valley would like to respectfully acknowledge the Naaguja peoples who are the traditional owners and first people of the land on which we stand.

We would like to pay our respect to the elders past, present and emerging for they hold the memories, the traditions, the culture and hopes of the Naaguja peoples.”

2 Announcements from the Presiding Member

3 Record of Attendance

3.1 Attendees

The following are anticipated to attend the council meeting:

Elected Members

Cr Kirrilee Warr (President)

Cr Nicole Batten (Deputy President)

Cr Philip Blakeway

Cr Elizabeth Elliott-Lockhart

Cr Catherine Low

Cr Emma Rodney

Cr Trevor Royce

Officers

Jamie Criddle, Chief Executive Officer

Simon Lancaster, Deputy Chief Executive Officer

Dianne Raymond, Manager Finance & Corporate Services

Beau Raymond, Minute Taker

Visitors

3.2 Apologies

3.3 Previously Approved Leave of Absence (By Resolution of Council)

Nil

4 Public Question Time

4.1 Response to Previous Public Questions on Notice

Nil

4.2 Public Question Time

**Local Government Act 1995
SHIRE OF CHAPMAN VALLEY
Standing Orders Local Law 2016
Part 6 - Public participation**

6.6 Procedures for question time for the public

Procedures for question time for the public are dealt with in the Regulations.

6.7 Other procedures for question time for the public

- (1) A member of the public who raises a question during question time, is to state his or her name and address.
- (2) A question may be taken on notice by the Council for later response.
- (3) When a question is taken on notice the CEO is to ensure that:
 - (a) a response is given to the member of the public in writing; and
 - (b) a summary of the response is included in the agenda of the next meeting of the Council.
- (4) Where a question relating to a matter in which a relevant person has an interest is directed to the relevant person, the relevant person is to:
 - (a) declare that he or she has an interest in the matter; and
 - (b) allow another person to respond to the question.
- (5) Each member of the public with a question is entitled to ask up to 2 questions before other members of the public will be invited to ask their questions.
- (6) Where a member of the public provides written questions then the Presiding Member may elect for the questions to be responded to as normal business correspondence.
- (7) The Presiding Member may decide that a public question shall not be responded to where:
 - (a) the same or similar question was asked at a previous meeting, a response was provided and the member of the public is directed to the minutes of the meeting at which the response was provided;
 - (b) the member of the public uses public question time to make a statement, provided that the Presiding Member has taken all reasonable steps to assist the member of the public to phrase the statement as a question; or
 - (c) the member of the public asks a question that is offensive or defamatory in nature, provided that the Presiding Member has taken all reasonable steps to assist the member of the public to phrase the question in a manner that is not offensive or defamatory.
- (8) A member of the public shall have two minutes to submit a question.
- (9) The Council, by resolution, may agree to extend public question time.
- (10) Where an answer to a question is given at a meeting, a summary of the question and the answer is to be included in the minutes.

5 Applications for Leave of Absence

6 Disclosure of Interest

**Local Government Act 1995
Administration Part 5
Disclosure of financial interests and gifts Division 6
s. 5.59**

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

Section 5.60A:

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

Section 5.60B:

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

Regulation 34C (Impartiality):

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

7 Presentations

**Local Government Act 1995
SHIRE OF CHAPMAN VALLEY
Standing Orders Local Law 2016
Part 6 - Public participation**

6.9 Deputations

- (1) Any person or group wishing to be received as a deputation by the Council is to either:
 - (a) apply, before the meeting, to the CEO for approval; or
 - (b) with the approval of the Presiding Member, at the meeting, address the Council.
- (2) The CEO may either:
 - (a) approve the request and invite the deputation to attend a meeting of the Council;
or
 - (b) refer the request to the Council to decide by simple majority whether or not to receive the deputation.

- (3) Unless the council resolves otherwise, a deputation invited to attend a Council meeting:
 - (a) is not to exceed 5 persons, only 2 of whom may address the Council, although others may respond to specific questions from Members;
 - (b) is not to address the Council for a period exceeding 10 minutes without the agreement of the Council; and,
 - (c) additional members of the deputation may be allowed to speak with the leave of the Presiding Member.
- (4) Any matter which is the subject of a deputation to the Council is not to be decided by the Council until the deputation has completed its presentation.

6.10 Petitions

- (1) A petition is to -
 - (a) be addressed to the President;
 - (b) be made by electors of the district;
 - (c) state the request on each page of the petition;
 - (d) contain the name, address and signature of each elector making the request, and the date each elector signed;
 - (e) contain a summary of the reasons for the request; and
 - (f) state the name of the person to whom, and an address at which, notice to the petitioners can be given.
- (2) Upon receiving a petition, the local government is to submit the petition to the relevant officer to be included in his or her deliberations and report on the matter that is the subject of the petition, subject to subclause (3).
- (3) At any meeting, the Council is not to vote on any matter that is the subject of a petition presented to that meeting, unless:
 - (a) the matter is the subject of a report included in the agenda; and
 - (b) the Council has considered the issues raised in the petition.

6.11 Presentations

- (1) In this clause, a presentation means the acceptance of a gift or an award by the Council on behalf of the local government or the community.
- (2) A presentation may be made to the Council at a meeting only with the prior approval of the CEO.

7.1 Petitions

The Council has not received any petitions at the time of writing this report.

7.2 Presentations

The Council does not anticipate any presentations at the time of writing this report.

7.3 Deputations

The Council has not received any deputations at the time of writing this report.

8 Confirmation of Minutes from Previous Meetings

Recommendation

That the Minutes of the Ordinary Council Meeting held on 16 November 2023 be confirmed as true and accurate.

9 Items to be dealt with En Bloc

10 Officer Reports

10.1 Deputy Chief Executive Officer

10.1.1	Proposed Water Sports Clinic
Department	Development Service Planning
Author	Simon Lancaster
Reference(s)	A1956
Attachment(s)	1. Wingfoil Application [10.1.1.1 - 27 pages]

Voting Requirements

Simply Majority

Staff Recommendation

That Council approve the application from King Wingfoil Centre for the operation of a water sports (wingfoil) clinic upon Reserve 50066 Coronation Beach Road, Oakajee subject to the following:

Conditions:

- 1 The approval is valid from 21 December 2023 until 15 January 2024.
- 2 Any additions to or change of use of any part of the development (not the subject of this consent/approval) considered by the Shire Chief Executive Officer to represent significant variation from the approved development requires further application and planning approval for that use/addition.
- 3 The van parking associated with the water sports clinic shall be in sited in the southern requested location as illustrated in Figure 10.1.1.8 (and not the northern requested location) to the approval of the local government.
- 4 The equipment setup and launching area shall be as illustrated in Figure 10.1.1.8 to the approval of the local government.
- 5 Maintenance of public access about the water sports clinic being to the approval of the local government.
- 6 The applicant shall ensure that equipment and rubbish associated with the operation of the water sports clinic is managed to the approval of the local government and not provide a hazard.
- 7 The applicant must possess public liability insurance cover of not less than \$20 million and the insurance policy shall list the Shire of Chapman Valley as an interested party.
- 8 The applicant must possess and implement a Risk Management Plan to the approval of the local government.
- 9 This approval is issued only to the applicant and is not transferable to any other party.

Notes:

- (a) In regard to conditions 3, 4 and 5 the local government reserves the right to direct the applicant to relocate or remove the van and/or water sports clinic activities in the event that safety concerns arise from these activities.
- (b) The applicant is advised that the operation of this development will be monitored by the local government and should complaints arise and not be adequately managed to the satisfaction of the local government, then the local government will give regard to this in its consideration of any future applications that may be lodged by the applicant.
- (c) The applicant is advised that this planning approval does not negate the requirement for any additional approvals which may be required under separate legislation and it is the applicant's responsibility to obtain any additional approvals required before the development commences.
- (d) This approval issued to the applicant is not to be construed as the granting of an exclusive commercial use and the local government reserves the right to issue approval to other parties who may seek to conduct commercial activities.
- (e) If an applicant is aggrieved by this determination there is a right (pursuant to the *Planning and Development Act 2005*) to have the decision reviewed by the State Administrative Tribunal. Such application must be lodged within 28 days from the date of determination.

Disclosure of Interest

No officer declared an interest under the *Local Government Act 1995*, Subdivision 1 in the preparation of this report.

Background

Council is in receipt of an application to hold a water sports clinic at Coronation beach over a period of 25 days from 21 December 2023 until 15 January 2024 providing wingfoil lessons. This report recommends approval subject to amendment.

Comment

Council previously approved the applicant to conduct wingfoil lessons at Coronation Beach for 10 and 20 day periods at its 15 December 2021 and 17 November 2022 meetings and a copy of the relevant minutes can be viewed at the below links

<https://www.chapmanvalley.wa.gov.au/documents/756/confirmed-ordinary-meeting-of-council-december-2021>

[confirmed-ordinary-meeting-of-council-november-2022 \(chapmanvalley.wa.gov.au\)](https://www.chapmanvalley.wa.gov.au/documents/756/confirmed-ordinary-meeting-of-council-november-2022)

The applicant is seeking approval to conduct wingfoil lessons between 10:00am and 6:00pm over 25 days from Thursday 21 December 2023 to Monday 15 January 2024 at Coronation Beach. Lessons would generally be 1 on 1 or at most small groups of 4-8 (maximum) people and would be approximately 1-2 hours in length. The operation would require 1 van to be parked in the car park and the placement of water sports equipment on the beach. People not already staying at the campground taking lessons would also require car parking bays.

A copy of the received application, which includes copies of their accreditation, insurance certificate and Risk Management Policy has been provided as **separate attachment Wingfoil Application**

Figure 10.1.1.1 – examples of wingfoil activity



When the applicant originally applied in 2021 they sought approval to operate from a location towards the centre of Coronation Beach as illustrated in **Figure 10.1.1.2**

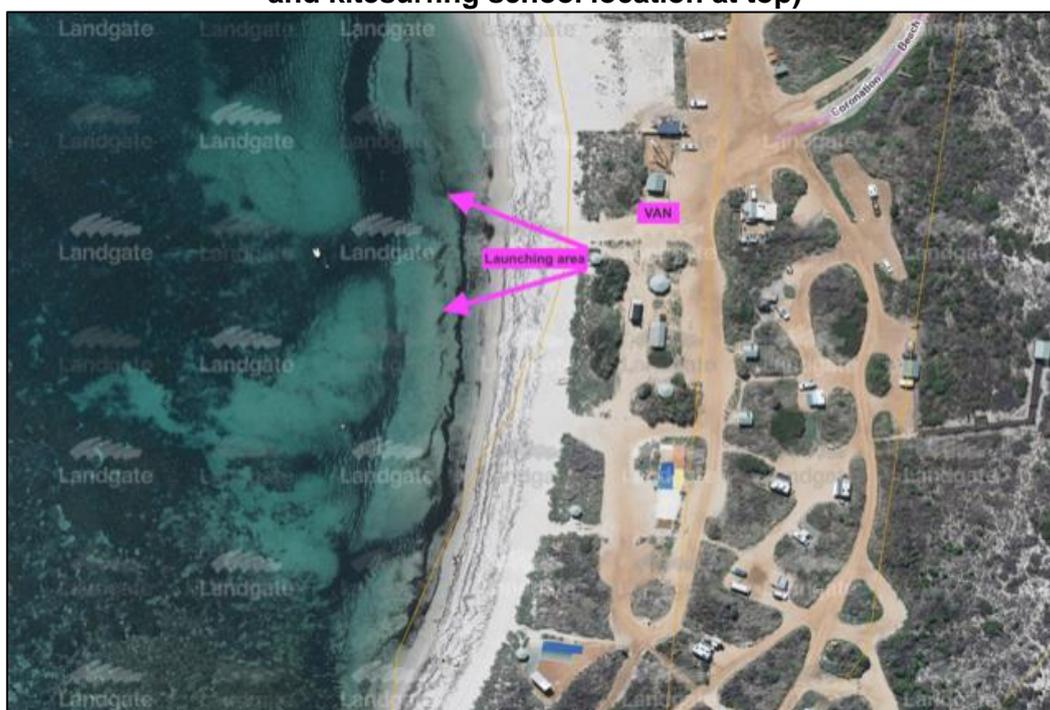
Figure 10.1.1.2 – 2021 wingfoil clinic application location at Coronation Beach (windsurfing club can be seen at bottom of picture and kitesurfing school location at top)



In 2022 the applicant sought approval to operate from a location approximately 50m further north as illustrated in Figure 10.1.1.3. In support of their request the applicant advised at the time as follows:

“The reason of that is shallow water and reef just at the front where we were launching last year. All wingers who coming to the beach are park and launching from this new maps area. This part have enough deep water to safety go out with foil under the board (between 70-85cm mast length). I believe there is enough room to follow safety rules. All beach classes will be provide 150m in South direction from boat launching. We need this area just to go to the water.”

Figure 10.1.1.3 – Proposed 2022 wingfoil clinic application location at Coronation Beach (windsurfing club can be seen at bottom of picture and kitesurfing school location at top)



It was noted at the time that the proposed 2022 launching location would move the wingfoil operations further away from the windsurfing activities at the Windsurfing Club facility where the water is shallower and contains reef which interferes with the foils, however, would still be sufficiently shallow to suit people learning. It was also noted that moving the wingfoil operations further north would move them closer to the kitesurfing activities at the Kitewest water sports school to the north, with a new separation distance of approximately 50m.

The 2022 proposal for the parking of the wingfoil operator’s van 25m south of the other water sports facility was considered to provide insufficient separation distance between vehicles parking to visit either business, and also give regard for vehicles parking more generally in this part of the day use area that are not associated with either business.

It was also noted that whilst generally people launching boats tend to do so earlier in the day than people undertaking water sports there is still a concern that the parking of the van in the 2022 proposed location would have created an unsafe situation with people carrying water sports gear across the main throughfare used by vehicles with trailers to launch dinghies from the beach.

Resultantly Council did not support the proposed 2022 location as illustrated in Figure 10.1.1.3 at its 17 November 2022 meeting. Instead, Council approved the application to hold wingfoil lessons, but subject to the van being parked in a location 50m further south than requested by the applicant. The wingfoil launching would then be undertaken between the location where

the van is parked and the gazebo south of the main boat launching access point as illustrated in Figure 10.1.1.4.

Figure 10.1.1.4 – Council 17/11/22 approved van parking location and wingfoil launching area



The recently submitted 2023 application now seeks to park the van at 1 of the 2 locations as shown in Figure 10.1.1.5 with the preference being for the northern most location advising that *“I would like to be closer to wingfoil launching area this year as it’s difficult for people to walking with the gear. I draw two potential spots”*.

Figure 10.1.1.5 – 2023 proposed wingfoil clinic location at Coronation Beach (windsurfing club can be seen at bottom of picture and kitesurfing school location at top)



Figure 10.1.1.6 – Previous 2021 and 2022 wingfoil clinic van location looking west



Figure 10.1.1.7 – Applicant’s preferred 2023 wingfoil clinic van location (to left of beach access point)



Shire staff favour the southern van location (i.e. as per 2021 and 2002 approvals) as it would not then be sited immediately alongside the main beach vehicle access point and would avoid safety issues where people may be unloading and loading gear into the van in proximity to the vehicles accessing the beach. It is noted that the southern location is also alongside a vehicle access point but it is one that is used to a lesser degree.

It is also recommended that the area for setting up equipment on the beach and launching be moved slightly southward from the applicant’s requested location to avoid interference with the main vehicle access point and reduce the potential for people learning to wingfoil drifting into the area where people are learning to kitesurf.

However, Council may consider the applicant’s requested northern van parking location and launching area could be supported on the basis that people launching boats tend to do so earlier in the day than people undertaking water sports and there would be a reduced level of interaction.

Figure 10.1.1.8 – Shire staff recommended 2023 proposed wingfoil clinic location



Statutory Environment

The report complies with the requirements of the:
Shire of Chapman Valley Local Planning Policy
Shire of Chapman Valley Local Planning Scheme No.3
Planning & Development (Local Planning Schemes) Regulations 2015

Reserve 50066 has a management order issued to the Shire of Chapman Valley for the purpose of 'Camping and Recreation' with the power to lease (or sub lease or licence) the whole or any portion of the reserve for any term not exceeding 10 years.

Reserves 50066 is zoned 'Public Open Space' under the Shire of Chapman Valley Local Planning Scheme No.3. Table 1 of the Scheme lists the objectives for this zone as being:

- *To set aside areas for public open space, particularly those established under the Planning and Development Act 2005 s.152.*
- *To provide for a range of active and passive recreation uses such as recreation buildings and courts and associated car parking and drainage."*

The holding of a water sports clinic would be in keeping with the intent of this zoning.

Part 1 Section 4 of the *Planning & Development Act 2005* ('the Act') defines development as follows:

- "development means the development or use of any land, including —***
- (a) any demolition, erection, construction, alteration of or addition to any building or structure on the land;***
 - (b) the carrying out on the land of any excavation or other works;***
 - (c) in the case of a place to which a Conservation Order made under section 59 of the Heritage of Western Australia Act 1990 applies, any act or thing that —***
 - (i) is likely to change the character of that place or the external appearance of any building; or***
 - (ii) would constitute an irreversible alteration of the fabric of any building."***

Whilst the operating of a commercial activity such as a water sports business does not constitute a development as defined within parts (a)-(c) it should still be considered a development as by operating a commercial activity from the land it does constitute the “use of any land”.

Schedule 2 Part 9 Clause 67 of the *Planning and Development (Local Planning Schemes) Regulations 2015* lists the following relevant matters to be considered by local government in considering a development application:

- “(a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;...*
- ...(g) any local planning policy for the Scheme area;...*
- ...(j) in the case of land reserved under this Scheme, the objectives for the reserve and the additional and permitted uses identified in this Scheme for the reserve;...*
- ...(m) the compatibility of the development with its setting including –*
 - (i) the compatibility of the development with the desired future character of its setting; and*
 - (ii) the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;*
- (n) the amenity of the locality including the following —*
 - (i) environmental impacts of the development;*
 - (ii) the character of the locality;*
 - (iii) social impacts of the development*
- (o) the likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource;...*
- ...(q) the suitability of the land taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bushfire, soil erosion, land degradation or any other risk...*
- ...(s) the adequacy of –*
 - (i) the proposed means of access to and egress from the site; and*
 - (ii) arrangements for the loading, unloading, manoeuvring and parking of vehicles;*
- (t) the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;...*
- ...(v) the potential loss of any community service or benefit resulting from the development other than potential loss that may result from economic competition between new and existing businesses;*
- (w) the history of the site where the development is to be located;*
- (x) the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;...*
- ...(zb) any other planning consideration the local government considers appropriate.”*

Policy/Procedure Implications

A Policy or Procedure is affected:

Planning and Development Policy & Procedures

Schedule 2 Part 2 Division 2 Clauses 3-6 of the *Planning and Development (Local Planning Schemes) Regulations 2015* provides for Council to prepare a Local Planning Policy in respect of any matter related to the planning and development of the Scheme area.

The Shire of Chapman Valley Local Planning Policy 7.2 – Event Application contains the following objectives:

- “3.1 Encourage events that enhance a wide variety of opportunities to residents and visitors.*
- 3.2 Protect the health and safety of persons attending events.*
- 3.3 Provide an efficient and timely approval process and response.*
- 3.4 Ensure compliance with regulatory requirements and standards.*
- 3.5 Incorporate controls to minimise any adverse impacts of events and protect the amenity of residents in adjoining and nearby properties.”*

The Policy Statement also provides the following guidance for Councillors in its consideration of this application:

“The following issues will be considered by the Shire in the assessment and approval process of event applications:

- 6.1 The nature, size and suitability of the event in relation to the venue requested (including the presence of alcohol) and the likely impact of the event on the facility.*
- 6.3 The amenity of the event.*
- 6.3 The ability of the facility to accommodate the event at the proposed time (taking into consideration weather and the condition of the land, if on a community reserve or public open space).*
- 6.4 The likely impact on residents as a result of the event (including noise, dust, excessive light, or other adverse effects perceptible outside the venue).*
- 6.5 The availability of the venue at the required time(s) and on the required day(s).*
- 6.6 The period of time for which the event will operate and the proposed times of operation.*
- 6.7 Conflict or potential conflict with other events in that location or a surrounding location.*
- 6.8 The estimated number of participants associated with the special event in relation to the carrying capacity of the facility.*
- 6.9 The benefits to the community.*
- 6.10 Reputation of the operator.*
- 6.11 Any other factors that may be considered necessary in relation to a particular event.”*

Both the ‘Event Application’ Local Planning Policy and the accompanying application form can be viewed at the following links to the Shire website:

[SoCV LPP 7 2 Event Application.pdf \(chapmanvalley.wa.gov.au\)](https://www.chapmanvalley.wa.gov.au/socv_lpp_7_2_event_application.pdf)

[Event Application Package \(chapmanvalley.wa.gov.au\)](https://www.chapmanvalley.wa.gov.au/event_application_package)

Financial Implications

No Financial Implications Identified.

Council previously listed in its fees and charges a one-off commercial fee of \$200 at Coronation Beach. This was contained in the 2022/2023 budget, however, the 2023/2024 budget is silent on the matter. It is noted that this application differs from more typical Shire venue hire that would ordinarily provide a level of exclusive access and associated access to

services (with Coronation Beach having no water or power). On this basis the \$147 fee charged for development applications (with a cost of less than \$50,000) would instead be the most relevant fee in this instance.

Long Term Financial Plan

No major effect is anticipated on the Long Term Financial Plan

Strategic Implications

The Shire of Chapman Valley Coastal Management Strategy and Action Plan (2016) identifies the objective for Coronation Beach as being:

“Land Use & Facilities

- *Protection and enhancement of recreational activities popular in the area such as windsurfing, kiteboarding and longboarding.*
- *The need to identify provision of facilities with appropriate controls to sustainably provide for tourist and recreational demands. (page 16)*

“To protect and enhance the ambiance and low impact character of Coronation Beach and to facilitate the continued recreational uses in the area.” (page 61)

It is considered that the holding of a water sports (wingfoil) clinic would align with these objectives.

Council resolved at its 18 May 2016 meeting to lease an area at Coronation Beach to enable a locally based operator (Kitewest) to operate a water sports school for a summer 4-month trial period. At the end of the trial period Kitewest sought to enter into a longer lease and Council resolved at its 17 May 2017 meeting to offer a 5 year lease. Council approved a further 5 year lease at its 17 June 2020 meeting, in response to the lessee’s request for an extension to provide them with greater financial certainty, and the current lease expires on 30 June 2027.

Council’s 21 October 2020 resolution in which it gave approval to the existing water sports school operator included specific notation that:

“The management licence issued to the applicant is not to be construed as the granting of an exclusive commercial use of the reserve, Council reserves the right to enter into management licences and/or other arrangements with other parties who may seek to conduct commercial activities at Coronation Beach.”

Council has been consistent in this advice at Coronation Beach with its 16 December 2020 and 17 November 2021 resolutions for the food van operator also including notation advising that:

“This planning approval issued to the applicant is not to be construed as the granting of an exclusive commercial use and the local government reserves the right to issue approval to other parties who may seek to conduct commercial activities.”

The intention of this advice was to make clear that Council’s granting of approval should not be deemed to mean that it would not entertain approaches from other parties seeking to operate either water sports commercial activities or food outlets at Coronation Beach. The Windsurfing Club (who also have a lease with the Shire for their Coronation Beach facility) have also held training events but these have been club run and not commercial operations.

Freedom of economic competition, preventing undue restraint of trade and impact on existing local businesses are issues that local governments are often forced to grapple with, particularly where arguments have been mounted that an existing retailing operation offers multiple services and employment to a local community, and when faced with an arriving competitor that offers a more limited service (in terms of products or hours of operation) that undermines their profitability, this can result in the existing service provider no longer being viable and the local community resultantly losing those associated services and employment.

Council can have some (limited) regard for this issue with Clause 67 of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* listing the following matter to be considered by local government:

“(v) the potential loss of any community service or benefit resulting from the development other than potential loss that may result from economic competition between new and existing businesses.”

This is also an issue that Section 3.3.7 ‘Economic Competition’ of the Western Australian Planning Commission publication ‘Development Assessment Panel Training Notes – Making Good Planning Decisions’ (2011) addresses as follows:

“The threat of competition to existing businesses is not a relevant planning consideration. It only becomes a relevant planning consideration if there is a prospect that there will be a reduction in the facilities available to the community.

This was made clear in the High Court decision of Kentucky Fried Chicken Pty Ltd v Gantidis (1979) 140 CLR 675. In that case, Barwick CJ at [681] said that: “economic competition feared or expected from a proposed use is not a planning consideration within the terms of the planning ordinance governing this matter”.

Stephen J at [687] noted that:

“...the mere threat of competition to existing businesses, if not accompanied by a prospect of a resultant overall adverse effect upon the extent and adequacy of facilities available to the local community if the development be proceeded with, will not be a relevant town planning consideration.”

Strategic Community Plan/Corporate Business Plan Implications

COMMUNITY HEALTH & LIFESTYLE

1.5 To maximise health and lifestyle outcomes through environment and public health strategies.

1.5.1 To adopt an integrated approach to the provision of services to address the wider health and wellbeing of the community.

ECONOMY & POPULATION

2.1 Build population and business activity with targeted strategies.

2.1.1 Support business development, lifestyle changes and short/ term accommodation.

ECONOMY & POPULATION

2.2 Provide support for business development and local employment.

2.2.1 Research mixed land use opportunities.

ECONOMY & POPULATION

2.4 Ensure town planning scheme allows for economic development/population retention/ growth.

2.4.1 Town Planning review for residential land, aged care facilities or business / industrial development opportunities.

Consultation

Section 7.0 of the Shire of Chapman Valley Local Planning Policy 7.2 – Event Application provides for the advertising of a received event application should Council wish to consult with any party.

Risk Assessment

An Insignificant Environmental Risk of Level 1 – Which will likely result in contained, reversible impact managed by on site response.

10.2 Manager of Finance & Corporate Services

10.2.1	Establishment of “Cash in Lieu of Public Open Space” Reserve Account
Department	Finance, Governance & Corporate Services Finance
Author	Beau Raymond
Reference(s)	Nil
Attachment(s)	Nil

Voting Requirements

Simply Majority

Staff Recommendation

That Council:

- 1 Approve the formation of the below reserve account:

Reserve Name	Reserve Purpose
Cash in Lieu of Public Open Space	To be used to set aside funds received from developers in lieu of land. The funds are to be used to purchase land open spaces including parks, recreation grounds and general spaces.

- 2 Endorse the transfer of cash in lieu of public open space funds totalling \$185,565.66 from the trust bank account into the above reserve bank account.

Disclosure of Interest

No officer declared an interest under the Local Government Act 1995, Subdivision 1 (LGA 1995) in the preparation of this report.

Background

Prior to the 12th of September 2020, the *Planning and Development Act 2005* required any cash received under section 154, being funds paid in lieu of open space, be held within the local government authorities trust account.

Post 12th of September 2020 Section 154 of the Planning and Development Act 2005 is as follows:

154. Money paid in lieu of open space, application of

- (1) All money received by a local government under section 153 is to be paid into a separate reserve account established and maintained under the *Local Government Act 1995* section 6.11 for the purposes set out in subsection (2)(a) to (d).
- (2) The money is to be applied —
 - (a) for the purchase of land by the local government for parks, recreation grounds or open spaces generally, in the locality in which the land included in the plan of subdivision referred to in section 153 is situated; or
 - (b) in repaying any loans raised by the local government for the purchase of any such land; or
 - (c) with the approval of the Minister, for the improvement or development as parks, recreation grounds or open spaces generally of any land in that locality vested in or administered by the local government for any of those purposes; or
 - (d) with the approval of the Commission, in reimbursing an owner (the **first owner**) of land included in a joint subdivision agreement for land that has been set aside and vested for parks, recreation grounds or open space where —
 - (i) the first owner set aside a greater proportion of land than another owner (the **second owner**); and
 - (ii) as a consequence, the local government and the Commission approved of the second owner paying to the local government a sum in lieu of land being set aside for that purpose and that sum, or the relevant proportion of that sum, being reimbursed to the first owner for the excess proportion of land set aside by the first owner.
- (3) If interest is earned from the investment of moneys held under subsection (1), that money is to be applied for a purpose set out in subsection (2).

[Section 154 amended: No. 26 of 2020 s. 86.]

The Department of Local Government has issued the following guidance on how to approach the issue of dealing with recipients of cash in lieu of open space both past and future.

Accounting for Cash in Lieu of Open Space

Amendments to section 154 of the Planning and Development Act 2005 (PDA) changed the accounting treatment for cash in lieu of open space contributions received on or after 12 September 2020.

3 Jun 2021

The following guidance outlines the legislative requirements for different time periods, along with recommended practices to provide a consistency of treatment.

Contributions should be accounted for in the following manner:

1. **Post 12 September 2020**
 - a. Any cash in lieu funds received under section 154 of the PDA should be placed in a reserve account for each sub-division within the municipal account in accordance with section 6.11 of the Local Government Act 1995 (the Act).
 - b. Section 154(3) of the PDA requires interest earned on any invested funds to be applied to the respective reserve account.
2. **From 10 April 2006 until 11 September 2020**
 - c. Any cash in lieu funds received under section 154 of the PDA should be held in the local government's trust account.
 - d. Section 6.9(3) of the Act requires any interest earned on invested trust monies to be applied against the funds held.
 - e. If cash in lieu funds are held in the trust account for a sub-division, and if future cash contribution instalment(s) are received on or after 12 September 2020 for the same sub-division, those funds should be held in a reserve account (refer 1a above).
3. **Prior to 10 April 2006**
 - f. Any cash in lieu funds received prior to 10 April 2006 would have been received under section 20C of the Town Planning and Development Act 1928 (TPD).
 - g. Any remaining unexpended funds received under the TPD should be held in the municipal account as restricted cash.
 - h. Where TPD contributions were moved to the trust account and where a balance currently remains in the trust account, the balance should be moved back to the municipal account.
 - i. It is recommended any unexpended funds be placed in a separate reserve account for each sub-division, but to do that, local governments will need to create a reserve account for each sub-division under section 6.11 of the Act.
 - j. There is no legislative provision on interest earned on invested funds, but it is recommended any interest earned on invested funds be applied to the restricted funds or reserve accounts.

The material contained in this guidance is based on departmental views and interpretation of relevant legislation. It does not purport nor is it intended to constitute legal advice. The department expressly disclaims any liability to any person in respect of anything done or not done as a result of the contents of this publication.

Comment

Consideration has been made for a variety of factors regarding the financial administration of managing multiple reserve and trust funds based on the timing of receipts from developers. In addition there are inequities regarding interest earnings as the trust account is not interest bearing, leaving funds in reserve accounts to benefit from additional earnings.

Ultimately it is believed to be in the best interest of the Shire to consolidate all current and future cash in lieu of open space received to a newly formed reserve account.

Statutory Environment

The report complies with the requirements of the:
Local Government Act 1995
Local Government (Financial Management) Regulations 1996
Planning and Development Act 2005

Policy/Procedure Implications

No Policy or Management Procedure affected.

Financial Implications

Long Term Financial Plan

No major effect is anticipated on the Long Term Financial Plan.

Strategic Implications

Strategic Community Plan/Corporate Business Plan Implications

GOVERNANCE & ACCOUNTABILITY

5.2 Be accountable and transparent while managing human and physical resources effectively

5.2.1 Asset Management.

5.2.2 Long Term Financial Management.

Consultation

Nil

Risk Assessment

An Insignificant Financial Impact Risk of Level 1 - Which will likely be less than \$1,000.

10.3 Chief Executive Officer

10.3.1	Consolidated Services Project – Financial, Procurement and Rates/Properties Module
Department	Finance, Governance & Corporate Services Administration & Governance
Author	Jamie Criddle
Reference(s)	405.00
Attachment(s)	1. Consolidated Services [10.3.1.1 – 2 pages] 2. Consolidated Service Delivery (Presidents) [10.3.1.2 – 10 pages]

Voting Requirements

Simply Majority

Staff Recommendation

That Council

- (1) Advise the Shire of Irwin that it wishes to be apart of the current Consolidated Services Request for Quote (RFQ) based on:
 - Finance (including Long Term, Asset Management and Workforce Plans);
 - Procurement;
 - Human Resources; and
 - Rates & Propertieswith the ability to opt out at any stage of the process.
- (2) Offer to contribute to the Shire of Irwin's Consolidated Services Project to show Council's commitment by offering somewhere between \$5,000 - \$10,000 (cross out not applicable) from account 0722 (accounting software).

Disclosure of Interest

No officer declared an interest under the Local Government Act 1995, Subdivision 1 (LGA 1995) in the preparation of this report.

Background

The Shire of Irwin has been working on a project for almost two years to look at possible alternatives service delivery models to improve on the historical methods which are not efficient or practical, specifically for small local government authorities (i.e. Band 3 & 4 LGAs). The concept being progressed has been described as a **Consolidated Services** model of service delivery.

Council was provided with a presentation a year or more ago on the **Consolidated Services** model by Mr. Maurice Battilana who has been project managing this proposal on behalf of the Shire of Irwin.

Documents have been attached to this report providing a basic outline of the proposed **Consolidated Services** concept. Mr. Maurice Battilana has been invited to attend the December 2023 Council Meeting to explain the concept in more detail and what progress has been made since the presentation to Council.

The Shire of Irwin has discussed the **Consolidated Services** concept with the Local Government Ministers (State), WALGA and the Department of Local Government with all giving in-principle support at this stage. A Steering Committee has been established to oversee and provide high-level support for the project. The Steering Committee includes members from WALGA, DLGSC and an independent, experienced LG practitioner/consultant.

Comment

The Shire of Irwin co-opted the services of Ernst & Young Australia to undertake a pre-feasibility analysis of the **Consolidated Services** concept. The report provided by Ernst & Young (which is currently confidential and cannot be provided with this report) identified one of the priorities is to determine what software is available to best establish and support the **Consolidated Services**.

To ensure the market is tested in a suitable and clear way it was also identified there would be a need to undertake *Process Mapping* of the existing local government processes and procedures. The *Process Mapping* would allow software providers to quote as accurately as possible on what would be required to support a **Consolidated Services**.

The Shire of Irwin acquired the Process Mapping software, and the provider of the software has spent four weeks with Working Groups comprised predominantly of Shire of Irwin staff with contributions from the Shire of Chapman Valley and Shire of Three Springs staff. The Working Groups have mapped the following priority service areas upon which the Request for Quote (RFQ) will be based.

- Finance (including Long Term, Asset Management and Workforce Plans)
- Procurement
- Human Resources; and
- Rates & Properties

It was considered appropriate (and recommended) the transition to the establishment of a **Consolidated Services** would be best done in stages and over several years, rather than all at once.

Due to the commercial confidentiality and protection of intellectual property associated the *Process Mapping* undertaken to date, this information cannot be included with the Agenda Report. However, Mr. Battilana will present this work to Council at the meeting to explain what has been established and how this will be used as part the RFQ specifications.

Though the *Process Mapping* undertaken has prioritised the abovementioned four service areas, the Shire of Irwin has also completed mapping on several other areas e.g.

- Customer Services
- Planning Development
- Building Services
- Health Services
- Rangers Services (Law Enforcement)

- Infrastructure Services (partial only)
- Compliance Audit Returns
- Compliance Calendar & Compliance Reports

If the **Consolidated Services** proposal does proceed the concept is to again use the *Process Mapping* undertaken on other local government services, functions, and compliance requirements as the basis upon which software can be established to support these areas.

It is understood the many and varied LGAs will have equally as many and varied internal processes on how they undertake and complete the same services, functions and compliance requirements. The view and clear understanding of those involved in the **Consolidated Services** proposal, is the need to standardise these processes at a high level so each LGA follows these standards. This does not remove an individual LGA from establishing lower-level processes which are unique to their organization; however, there will be a need to ensure the high-level standards are not deviated from. The high-level standards will obviously be subject to change as the **Consolidated Services** evolve, yet once high-level standards are set, they will not be able to be altered without full consensus of the **Consolidated Services** member LGAs.

The other major advantage of the standards established by a **Consolidated Services** is the in-built ability to amend these standard when the invariable legislative changes are handed down to LGAs by the other two tiers of government (i.e., the **Consolidated Service** will amend processes to conform with changes, rather than each individual LGA having to do this in isolation).

ReadyTech have recently acquire IT Vision who currently operate the SynergySoft financial system which will be phased out within the next 5 years to either their new software version "Altus" or an alternative. The full suite of Altus software products will cost in the vicinity of \$400,000 to implement as will alternative software providers to Local Government. It is anticipated that the **Consolidated Services** model will be nowhere near this cost and custom build for Local Government.

Up until now, the Shire of Irwin have borne the cost of the entire project to date, with the exception of officer time in the process mapping development stage and with Irwin now ready to test the market in terms of building the program from the process mapping and I would like Council to be a part of this process and show its commitment to the project by offering to contribute to the process to date. An offer of somewhere between \$5,000 - \$10,000 will show Council's commitment to the project and act as an offer of good faith moving forward.

This by no means "locks Council in or out" of the project as this is purely an assessment stage with no obligations.

Statutory Environment

This report has no statutory environment requirements.

Policy/Procedure Implications

No Policy or Management Procedure affected.

Financial Implications

The Ernst & Young Australia Report was quite clear on the need to determine cost estimates

(as accurate as possible) for LGAs to be able to seriously consider being part of a **Consolidated Service**.

The Request for Quote (RFQ) about to be undertaken is the first step in established cost estimates for the software requirement of a **Consolidated Service**. There will obviously be other costs (staffing, ongoing IT management, etc.) however, the software component was considered the highest cost priority as many LGAs are currently being faced with the need to upgrade from the Synergy Soft software. This upgrade is imminent, and it is more than appropriate to tie in any software upgrades & improvements to a platform which will complement the possible establishment of a **Consolidated Service**.

Strategic Implications

Strategic Community Plan/Corporate Business Plan Implications

PHYSICAL & DIGITAL INFRASTRUCTURE

4.3 Aspire to develop robust communication and digital infrastructure in the Shire.

4.3.1 Ongoing engagement with infrastructure and service providers.

GOVERNANCE & ACCOUNTABILITY

5.1 Ensure governance and administration systems, policies and processes are current and relevant.

5.1.1 Review policy categories and set ongoing accountability for review processes.

Consultation

Maurice Battilana, Project Manager, Shire of Irwin
Shane Ivers, CEO, Shire of Irwin
Beau Raymond, SFO

Risk Assessment

A Moderate Compliance Risk of Level 3 - Which will likely result in short term non-compliance but with significant regulatory requirements imposed.

A Minor Reputational Risk of Level 2 - Which will likely result in substantiated, low impact, low news item.

10.3.2

Tourism & Events Advisory Group

Department	Development Service Community Development Finance, Governance & Corporate Services Administration & Governance
Author	Jamie Criddle
Reference(s)	403.04
Attachment(s)	1. TEAG Unconfirmed Minutes 4.12.23 [10.3.2.1 - 8 pages]

CONFIDENTIAL ATTACHMENT

Reason for confidentiality - Local Government Act 1995, Section 5.23(e) - A matter that if disclosed, would reveal (i) a trade secret; or (ii) information that has a commercial value to a person; or (iii) information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government.

Voting Requirements

Simple Majority

Staff Recommendation

That Council endorse the recommendations of the 4 December 2023 Tourism & Events Advisory Group meeting as contained in separate **CONFIDENTIAL Attachment 15.1**

Disclosure of Interest

No officer declared an interest under the Local Government Act 1995, Subdivision 1 (LGA 1995) in the preparation of this report.

Background

The Tourism & Events Advisory Group (TEAG) met on 4 December 2023 and the minutes from this meeting have been provided as **separate Attachment 15.1**.

Due to the need to keep the Australia Day Award nominations and recommended recipients confidential until they are announced at the Australia Day Event **Councillors and Staff are therefore requested to treat the TEAG Minutes as CONFIDENTIAL**

Comment

Due to the need for confidentiality this report, and the Staff Recommendation will not mention the recommended Australia Day Award recipients.

Statutory Environment

This report has no statutory environment requirements.

Policy/Procedure Implications

Below is an extract from Management Procedure CMP-033 (Honour Awards) relevant to the Australian Day Awards:

Shire of Chapman Valley Australia Day Awards and Function

For personal commitment, service and contribution to the community of the Shire of Chapman Valley

Nominations called in October and close in November (or as determined by the Australia Day Council).

The Council Appointed Working Group shall:

- 1. Evaluate annual Australia Day Award Nominations and submitting these to Council in readiness for presenting the awards at the Shire's annual Australia Day Function.*
- 2. Assist with coordinating the annual Australia Day function(s).*
- 3. Discuss all other item(s) referred to them by Council in the areas of tourism and events.*

Financial Implications

No financial implications are envisaged at this stage as the costs for Australia Day Awards/Event has been budgeted for as per previous years and it not expected to exceed this amount.

Long Term Financial Plan (LTFP):

Nil impact.

Strategic Implications

Strategic Community Plan/Corporate Business Plan Implications

COMMUNITY HEALTH & LIFESTYLE

1.1 Nurture the sense of community and unity across the Shire, while supporting towns and their volunteers in local issues.

1.1.2 Determine a whole of Shire community integration approach.

1.1.3 Identify all volunteers and determine their support needs.

Consultation

The TEAG met with Shire staff to determine a recommendation to Council for award recipient(s) and event details.

Risk Assessment

An Insignificant Health Risk of Level 1 - Which could result in negligible injuries.

11 Elected Members Motions

<p>Local Government Act 1995 SHIRE OF CHAPMAN VALLEY Standing Orders Local Law 2016</p> <p>Part 5 - Business of a meeting</p> <p>5.3 Motions of which previous notice has been given</p> <p>(1) Unless the Act, Regulations or this local law otherwise provide, a Member may raise at a meeting such business as he or she considers appropriate, in the form of a motion, of which notice has been given in writing to the CEO and which has been included on the agenda.</p> <p>(2) A notice of motion under subclause (1) is to be given at least 10 clear working days before the meeting at which the motion is moved.</p> <p>(3) A notice of motion is to relate to the good governance of the district.</p> <p>(4) The CEO -</p> <p>(a) may, with the concurrence of the President, may exclude from the notice paper any notice of motion deemed to be, or likely to involve, a breach of any of this local law or any other written law;</p> <p>(b) will inform Members on each occasion that a notice has been excluded and the reasons for that exclusion;</p> <p>(c) may, after consultation with the Member where this is practicable, make such amendments to the form but not the substance as will bring the notice of motion into due form; and</p> <p>(d) may provide to the Council relevant and material facts and circumstances pertaining to the notice of motion on such matters as policy, budget and law.</p> <p>(5) A motion of which notice has been given is to lapse unless:</p> <p>(a) the Member who gave notice of it, or some other Member authorised by the originating Member in writing, moves the motion when called on; or</p> <p>(b) the Council on a motion agrees to defer consideration of the motion to a later stage or date.</p> <p>(6) If a notice of motion is given and lapses under subclause (5), notice of a motion in the same terms or to the same effect is not to be given again for at least 3 months from the date of such lapse.</p>
--

The Council has not received any notice of motion from an elected member at the time of writing this report.

12 New Business of an Urgent Nature Introduced by Decision of the Meeting

<p>Local Government Act 1995 SHIRE OF CHAPMAN VALLEY Standing Orders Local Law 2016</p> <p>Part 5 - Business of a meeting</p>

5.4 New business of an urgent nature

- (1) In cases of extreme urgency or other special circumstances, matters may, on a motion by the Presiding Member that is carried by the meeting, be raised without notice and decided by the meeting.
- (2) In subclause (1), 'cases of extreme urgency or other special circumstances' means matters that have arisen after the preparation of the agenda that are considered by the Presiding Member to be of such importance and urgency that they are unable to be dealt with administratively by the local government and must be considered and dealt with by the Council before the next meeting.

13 Delegates Reports

Delegate	Details
Cr Kirrilee Warr (President)	Wildflower Council Teams Meeting
	WALGA State Council Induction Perth
	Staff & Elected Members End of Year Function
	State Industry Council Sundowner
	WALGA State Council Meeting
	Introductions Meeting Circle Leadership
	Yuna Primary School Concert – Apology
	Nabawa Rec Centre Sub Committee Meeting
	Chapman Valley Primary School Concert Evening
Cr Nicole Batten (Deputy President)	No Reports Submitted
Cr Philip Blakeway	No Reports Submitted
Cr Elizabeth Elliott-Lockhart	No Reports Submitted
Cr Catherine Low	Tourism & Events Working Group Meeting

Cr Emma Rodney	No Reports Submitted
Cr Trevor Royce	No Reports Submitted

14 Announcements by Presiding Member Without Discussion

15 Matters for which Meeting to be Closed to Members of the Public

Local Government Act 1995

Administration Part 5

Council meetings, committees and their meetings and electors'

meetings Division 2

s. 5.23

The council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following —

- (a) a matter affecting an employee or employees; and
- (b) the personal affairs of any person; and
- (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; and
- (d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting; and
- (e) a matter that if disclosed, would reveal —
 - (i) a trade secret; or
 - (ii) information that has a commercial value to a person; or
 - (iii) information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government; and
- (f) a matter that if disclosed, could be reasonably expected to —
 - (i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law; or
 - (ii) endanger the security of the local government's property; or
 - (iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety; and

- (g) information which is the subject of a direction given under section 23(1a) of the Parliamentary Commissioner Act 1971; and
- (h) such other matters as may be prescribed.
- (3) A decision to close a meeting or part of a meeting and the reason for.

The Council has no confidential items for consideration.

16 Closure

**Ordinary Council Meeting 14 December 2023
Attachments**

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ORDINARY COUNCIL MEETING

Minutes

Meeting Date Thursday 16 November 2023

Meeting Time 8:30 am

Held at Chapman Valley Administration Office, 3270 Chapman Valley Road,
Nabawa WA 6532, Council Chambers.

*"A thriving community, making the most of our coastline, ranges and rural settings
to support us to grow and prosper"*



SHIRE OF

Chapman Valley

love the rural life!

Jamie Criddle
Chief Executive Officer

Strategic Community Plan 2022-2032



Snapshot

OUR VISION

"A thriving and diverse community, embracing our coastline, ranges and rural settings to support growth and prosperity, while enjoying our peaceful and quiet lifestyle."

OUR VALUES

Ethical, Honest, Integrity,
Leadership, Respectful, Trustful



COMMUNITY, HEALTH & LIFESTYLE

- 1.1 Nurture the sense of community and unity across the Shire, while supporting towns and their volunteers in local issues
- 1.2 Address identified ageing population issues
- 1.3 Strengthen our role in regional partnerships and advocacy for continuity of local services/ facilities
- 1.4 Maintain and enhance safety and security in the Shire
- 1.5 Maximise health and lifestyle outcomes through environmental and public health strategies



ECONOMY & POPULATION

- 2.1 Build population and business activity through targeted strategies
Provide support for business development and local employment
- 2.2 Embrace local tourism and regional strategies and trails
- 2.3 Ensure town planning compliments economic and business development, population retention and growth strategies
- 2.4 Develop marketing plan to promote Chapman Valley as place to live, invest, work or visit



ENVIRONMENT & SUSTAINABILITY

- 3.1 Preserve and protect the natural environment and address environmental risks as they arise
- 3.2 Maintain the rural identity of the Shire
- 3.3 Build the green canopy of the Shire's town areas
- 3.4 Address weed and vermin control
- 3.5 Fire mitigation and control



PHYSICAL & DIGITAL INFRASTRUCTURE

- 4.1 Develop, manage, and maintain built infrastructure
- 4.2 Manage and maintain roads, drainage, and other essential infrastructure assets
- 4.3 Aspire to robust communication and digital infrastructure in the Shire through strong partnerships and alliances
- 4.4 Advocate for improved power networks
- 4.5 Advocate for improved water security within the Shire



GOVERNANCE & ACCOUNTABILITY

- 5.1 Ensure governance and administration systems, policies and processes are current and relevant
- 5.2 Be accountable and transparent while managing human and physical resources effectively
- 5.3 Make informed decisions within resources and areas of responsibility
- 5.4 Ensure robust processes and guidelines for development

ACKNOWLEDGEMENT OF COUNTRY

The Shire of Chapman Valley would like to respectfully acknowledge the Naaguja peoples who are the traditional owners and first people of the land on which we stand.

We would like to pay our respect to the elders past, present and emerging for they hold the memories, the traditions, the culture and hopes of the Naaguja peoples.

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.

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UNCONFIRMED MINUTES

1 Declaration of Opening & Announcements of Visitors

The President welcomed elected members, staff and visitors to the council meeting and declaring the meeting open at 8:37 am.

The Shire acknowledged the traditional landowners through the reading of our Acknowledgement of Country.

“The Shire of Chapman Valley would like to respectfully acknowledge the Naaguja peoples who are the traditional owners and first people of the land on which we stand.

We would like to pay our respect to the elders past, present and emerging for they hold the memories, the traditions, the culture and hopes of the Naaguja peoples.”

2 Announcements from the Presiding Member

3 Record of Attendance

3.1 Attendees

The following attended the council meeting:

Elected Members

Cr Kirrilee Warr (President)
Cr Nicole Batten (Deputy President)
Cr Philip Blakeway
Cr Elizabeth Elliott-Lockhart
Cr Catherine Low
Cr Emma Rodney
Cr Trevor Royce

Officers

Jamie Criddle, Chief Executive Officer
Simon Lancaster, Deputy Chief Executive Officer
Beau Raymond, Minute Taker

Visitors

Nil

3.2 Apologies

Nil

3.3 Previously Approved Leave of Absence (By Resolution of Council)

Nil

4 Public Question Time

4.1 Response to Previous Public Questions on Notice

Nil

4.2 Public Question Time

Nil

5 Applications for Leave of Absence

Nil

6 Disclosure of Interest

Meeting Details:	Person	Type of Interest	Agenda Item
Ordinary Council Meeting 16 November 2023	Cr Philip Blakeway	Financial	10.1.1 Subdivision of 341/Lot 14

7 Presentations

7.1 Petitions

The Council has not received any petitions at the time of writing this report.

7.2 Presentations

The Council does not anticipate any presentations at the time of writing this report.

7.3 Deputations

The Council has not received any deputations at the time of writing this report.

8 Confirmation of Minutes from Previous Meetings

Council Resolution

Moved: Cr Katie Low **Seconded:** Cr Elizabeth Elliott-Lockhart

That the Minutes of the Ordinary Council Meeting held on 19 October 2023 be confirmed as true and accurate.

For Cr Emma Rodney, Cr Katie Low, Cr Philip Blakeway, Cr Elizabeth Elliott-Lockhart, Cr Nicole Batten, Cr Trevor Royce and Cr Kirrilee Warr

Against Nil

7 / 0

CARRIED UNANIMOUSLY
Minute Reference OCM 2023/11-1

9 Items to be dealt with En Bloc

Nil

UNCONFIRMED MINUTES

10 Officer Reports

10.1 Deputy Chief Executive Officer

10.1.1	Proposed Subdivision
Department	Development Service Planning
Author	Simon Lancaster
Reference(s)	A1657 & A2141
Attachment(s)	1. Subdivision Application [10.1.1.1 - 105 pages]

Voting Requirements

Simply Majority

Staff Recommendation

That Council advise the Western Australian Planning Commission that it supports the proposed subdivision of Lots 14 & 341 Nanson-Howatharra Road, Nanson as shown upon Plan No.22250-02 subject to the following conditions:

- 1 A notification, pursuant to Section 165 of the *Planning and Development Act 2005* is to be placed on the certificate of title of the proposed lots, advising of the existence of a hazard or other factor. Notice of this notification is to be included on the diagram or plan of survey (deposited plan). The notification is to state as follows: *"This land is within a bushfire prone area as designated by an Order made by the Fire and Emergency Services Commissioner. Additional planning and building requirements may apply to development on this land"*.
- 2 A notification, pursuant to Section 165 of the *Planning and Development Act 2005* is to be placed on the certificate of title of the proposed lots, advising of the existence of a hazard or other factor. Notice of this notification is to be included on the diagram or plan of survey (deposited plan). The notification is to state as follows: *"Vehicle access to this land is required to be undertaken by means of a crossover that is located, constructed and maintained to the approval of the local government"*.
- 3 A notification, pursuant to Section 165 of the *Planning and Development Act 2005* is to be placed on the certificate of title of proposed Lots A, C and D, advising of the existence of a hazard or other factor. Notice of this notification is to be included on the diagram or plan of survey (deposited plan). The notification is to state as follows: *"The lot is in vicinity of a tourism/commercial development and may be affected by noise, light and other impacts associated with the development."*

8:41 am - Cr Philip Blakeway left the meeting.

Council Resolution

Moved: Cr Trevor Royce **Seconded:** Cr Elizabeth Elliott-Lockhart

That Council advise the Western Australian Planning Commission that it supports the proposed subdivision of Lots 14 & 341 Nanson-Howatharra Road, Nanson as shown upon Plan No.22250-02 subject to the following conditions:

- 1 A notification, pursuant to Section 165 of the *Planning and Development Act 2005* is to

be placed on the certificate of title of the proposed lots, advising of the existence of a hazard or other factor. Notice of this notification is to be included on the diagram or plan of survey (deposited plan). The notification is to state as follows: *"This land is within a bushfire prone area as designated by an Order made by the Fire and Emergency Services Commissioner. Additional planning and building requirements may apply to development on this land"*.

2 A notification, pursuant to Section 165 of the *Planning and Development Act 2005* is to be placed on the certificate of title of the proposed lots, advising of the existence of a hazard or other factor. Notice of this notification is to be included on the diagram or plan of survey (deposited plan). The notification is to state as follows: *"Vehicle access to this land is required to be undertaken by means of a crossover that is located, constructed and maintained to the approval of the local government"*.

3 A notification, pursuant to Section 165 of the *Planning and Development Act 2005* is to be placed on the certificate of title of proposed Lots A, C and D, advising of the existence of a hazard or other factor. Notice of this notification is to be included on the diagram or plan of survey (deposited plan). The notification is to state as follows: *"The lot is in vicinity of a tourism/commercial development and may be affected by noise, light and other impacts associated with the development."*

For Cr Emma Rodney, Cr Katie Low, Cr Elizabeth Elliott-Lockhart, Cr Nicole Batten, Cr Trevor Royce and Cr Kirrilee Warr

Against Nil

6 / 0

CARRIED UNANIMOUSLY

Minute Reference OCM 2023/11-2

8:57 am - Cr Philip Blakeway returned to the meeting.

Disclosure of Interest

No officer declared an interest under the *Local Government Act 1995*, Subdivision 1 in the preparation of this report.

Background

Council is in receipt of correspondence from the Western Australian Planning Commission ('WAPC') seeking its comment upon an application to subdivide 2 lots (Lots 14 & 341 Nanson-Howatharra Road, Nanson) into 4 lots. This report recommends support for the subdivision application.

Comment

Lot 321 is a 40.0547ha lot on the eastern side of Nanson-Howatharra Road, 2km west of the Nanson townsite. The property is largely cleared excepting some remnant vegetation on elevated sections, and contains no structures, there is a Geraldton Wax plantation towards the front/west of the property and several disused marron ponds in the south-eastern corner.

Lot 14 is an 88.0837ha property located on the western side of Nanson-Howatharra Road, characterised by undulating terrain with remnant vegetation on the hilltops and cleared areas in the valleys. Lot 14 is used for general farming and also intensive agricultural purposes, and contains a series of buildings in its north-eastern corner along Nanson-Howatharra Road including the Burnt Barrel restaurant and brewery <https://www.burntbarrel.com/>.

There are 2 residences upon Lot 14, one being 30m to the south-east of the Burnt Barrel and the other 200m to the north-west.

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

- 22/12/1994 Council initiated Scheme Amendment No.7 to rezone Location 2248 'Cayley Springs' from 'General Farming' to 'Special Rural'.
- 20/6/1995 Council, following advertising, adopted Scheme Amendment No.7, enabling subsequent subdivision and creation of Lot 14.
- 20/2/1996 Council approved a 5ha vineyard development.
- 3/5/1996 Scheme Amendment No.7 was gazetted.
- 21/5/1996 Council approved an aquaculture development (yabby farm) comprising 5 dams (4 of which were subsequently created on-ground).
- 17/12/1996 Council approved a winery and brewery development.
- 18/2/1997 Council approved a revised floor plan for the winery and brewery development.
- 16/9/1997 Council approved a revised location for the winery and brewery development.
- 16/12/1997 Council approved 2 roadside advertising signs for the winery.
- 23/3/1999 Council initiated Scheme Amendment No.25 to rezone Lot 14 to introduce the following additional uses – restaurant, holiday and tourist accommodation/chalets, reception centre;
- 21/4/1998 Council approved a temporary wine tasting and sales area and toilet block that would serve prior to the construction of the previously approved winery and brewery development.
- 15/6/1999 Council approved a further 2ha of vineyards.
- 17/8/1999 Council, following advertising, adopted Scheme Amendment No.25.
- 17/8/1999 Council approved restaurant alterations to the operating winery development (including upgrading toilets, new kitchen, bar facilities, servery, service yard and insulated storeroom).
- 14/9/1999 Shire approved a second residence (that would be the manager's residence relevant to the current application).
- 9/11/1999 Scheme Amendment No.25 gazetted.
- 23/12/1999 Shire approved an outbuilding.
- 20/6/2006 Council endorsed application to seal Nanson-Howatharra Road under Mid West Regional Road Group.
- 11/5/2012 Shire health inspection confirmed winery operations now limited to appointment only restaurant events and had ceased general restaurant trade.
- 10/12/2014 Council approved a micro-brewery, restaurant, reception centre and agriculture-intensive (honey bee farm) and subsequently re-opened as the Burnt Barrel.

Figure 10.1.1.1 – Location Map for Lot 14 & Lot 341 Nanson-Howatharra Road, Nanson



Figure 10.1.1.2 – Aerial photo of developed areas upon Lot 14 & Lot 341 Nanson-Howatharra Road, Nanson

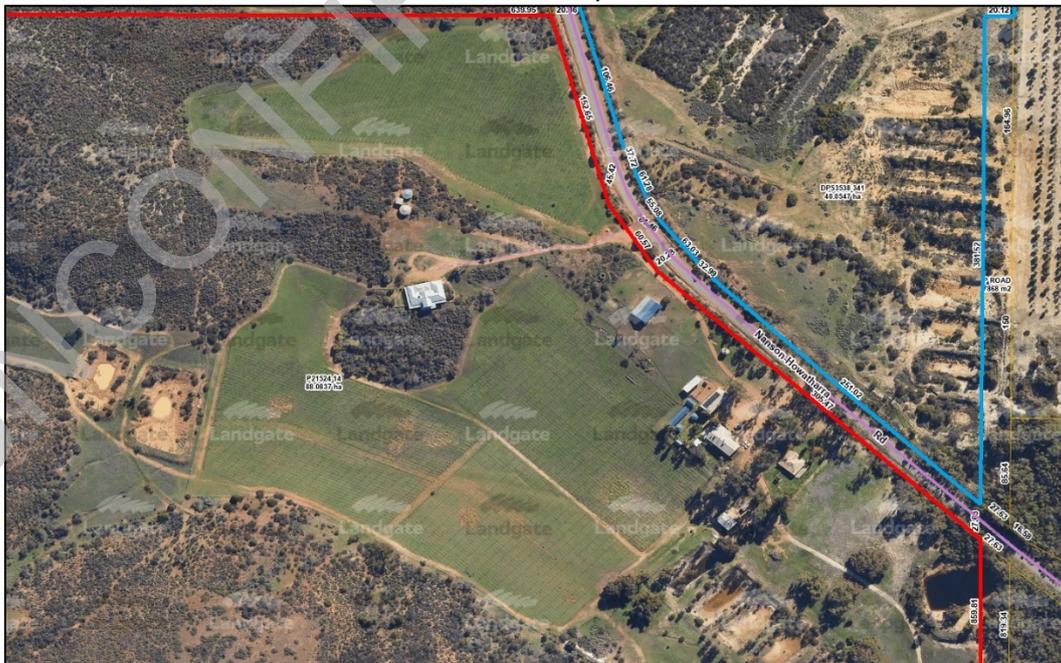
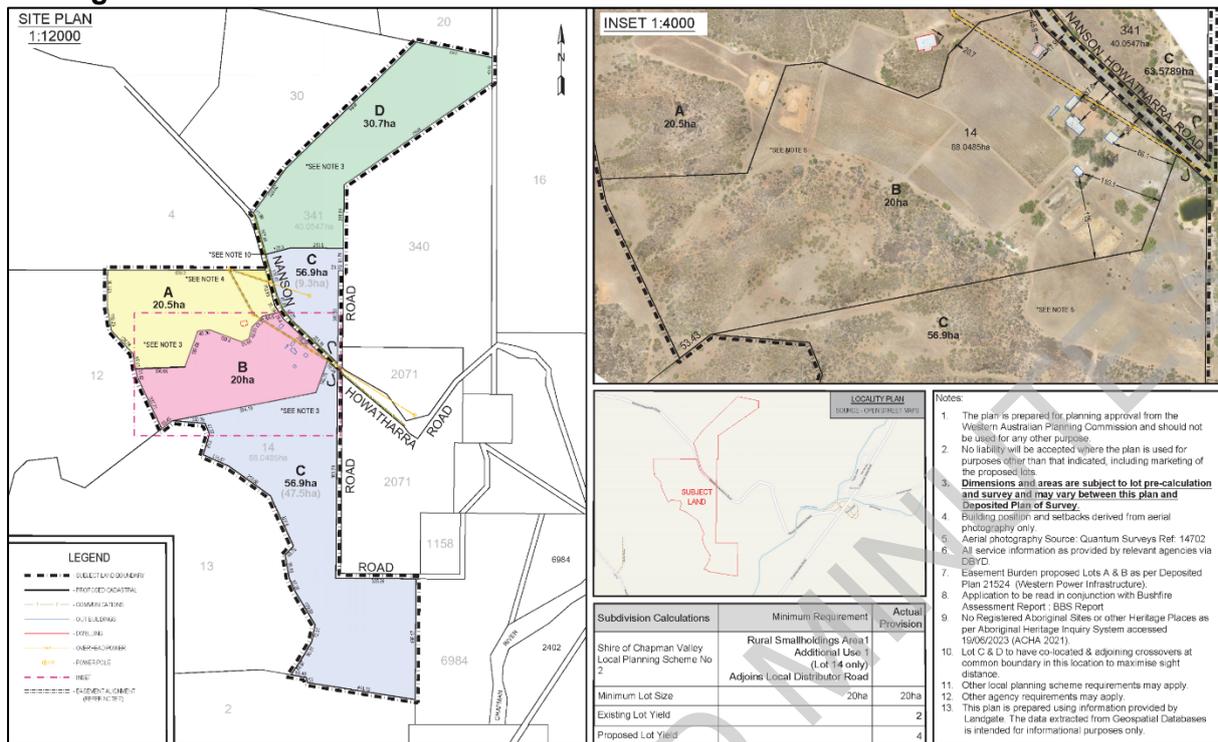


Figure 10.1.1.3 – Subdivision Plan for Lots 14 & 341 Nanson-Howatharra Road



The application is seeking to create 4 new lots in place of the existing 2 lots as follows:

Proposed Lot A (20.5ha)

Lot A would contain the existing residence that is located 200m uphill/north-west of the Burnt Barrel.

Lot A would have a 183.87m frontage to Nanson-Howatharra Road and would access the road from an existing crossover.

Water supply would be via existing roof catchment tanks and from a bore upon proposed Lot B that would be secured through an easement that would be created at time of subdivision.

Proposed Lot B (20ha)

Lot B would contain the Burnt Barrel business and nearby residence and outbuildings.

Lot B would have a 279.65m frontage to Nanson-Howatharra Road and would access the road from an existing crossover.

Water supply would be from an existing bore upon the proposed lot.

Proposed Lot C (30.7ha)

Lot C is proposed to straddle Nanson-Howatharra Road. There would be a 47.5ha portion on the southern side of the road, with a 55.34m frontage to Nanson-Howatharra Road. The northern portion would be 9.3ha and have a 550.02m frontage on the northern side of Nanson-Howatharra Road.

There is a soak on the southern section fed by an area on the northern section and the subdivision application proposal seeks to have these under the same ownership and within a unifying lot.

Proposed Lot D (30.7ha)

Lot D would be a vacant lot located on the northern side of Nanson-Howatharra Road and would have a 179.93m road frontage.

The applicant proposes that Lot D would be serviced by a stand-alone renewable energy source and not by Western Power connection.

A copy of the subdivision application inclusive of the consultants' explanatory letter of support that provides details on the servicing levels for the subject land, subdivision plan and bushfire management plan has been provided as **separate Attachment 10.1.1.1**.

Council may consider that the subdivision application could be supported on the following basis:

- Whilst the subject area contains land that is identified by the Department of Fire & Emergency Services as bushfire prone upon the State Map of Bushfire Prone Areas [Map of Bush Fire Prone Areas \(slip.wa.gov.au\)](http://slip.wa.gov.au) there is ability for any further development upon the vacant Lots C & D to be sited in locations outside of the identified bushfire prone areas. Alternatively there is the ability for a future applicant to lodge bushfire assessment information that is based upon on-ground analysis and legislation that is current at time of application providing solutions to the satisfaction of local government to develop upon land within proposed Lots C & D that is identified as bushfire prone.
- The subject site is not within an area identified by the Department of Planning, Lands & Heritage as having Aboriginal Cultural Heritage upon the Aboriginal Cultural Heritage Inquiry System [Aboriginal Cultural Heritage Inquiry System \(dplh.wa.gov.au\)](http://dplh.wa.gov.au).
- The subject site is located outside of the flood prone area identified by the Department of Water & Environmental Regulation in the Chapman River Flood Study.
- The subject site fronts a sealed road.
- Whilst the subject land does front a section of road that contains bends with reduced traffic visibility it is noted that the additional driveway/crossovers created by the subdivision would be required to be sited in locations that are to the satisfaction of local government and constructed and maintained to its specifications.
- The proposed lot sizes and sandy duplex soils in the valley areas (where development is existing and likely) comply with the requirements of the Department of Health for servicing by an on-site effluent disposal system.
- The subdivided lot sizes would comply with the 20ha minimum lot size for the 'Rural Smallholdings' zone established by the Shire of Chapman Valley Local Planning Strategy for this precinct.
- The proposed 20ha x 2, 30.7ha & 56.9ha lot sizes are comparable to other existing lots in the 'Rural Smallholding 1' zone.
- The proposed subdivision would introduce additional landowners to contribute to the ongoing local government maintenance costs of providing services.
- The alignments for the proposed subdivision boundaries have been selected to minimise impact upon remnant vegetation.
- Development upon the vacant Lots C & D will be required to comply with Council's statutory planning requirements as contained in its Local Planning Scheme; strategic planning requirements as contained in its Local Planning Strategy; and policy requirements as contained in its Local Planning Policies.

Alternatively Council may consider that the subdivision application should not be supported on the following basis:

- The proposed subdivision would create lots smaller than those identified on the Outline Plan of Subdivision that accompanied the Scheme Amendment No.7 to Scheme No.1 rezoning documentation that led to the creation of Lot 14 that was adopted by Council at its 21/11/95 meeting and gazetted on 3/6/96.
- The proposed subdivision would create lots smaller than those identified on the Subdivision Guide Plan that accompanied the Scheme Amendment No.23 to Scheme No.1 rezoning documentation that led to the creation of Lot 341 that was adopted by Council at its 16/6/99 meeting and gazetted on 31/3/00.

- The creation of a separate lot containing the residence that is located 200m uphill from the Burnt Barrel will enable this to become owned/occupied by a party separate to that operating the business and create potential for the resident/landowner of Lot A to lodge complaint regarding noise, light, traffic movement and other matters pertaining to the operation of the business upon Lot B, and also create potential for restriction on future expansion or holding of one-off larger events at the business upon Lot B.
- The subdivision proposes to create Lot A that does not have a bore within its lot boundaries and would rely on water through roof catchment and easement/shared access to bore located upon Lot B.
- The subdivision is proposing to create Lot D without connection to reticulated power.

In the event that Council considers that the subdivision application should not be supported it may consider the following alternative wording appropriate:

“That Council advise the Western Australian Planning Commission that it does not support the proposed subdivision of Lots 14 & 341 Nanson-Howatharra Road, Nanson as shown upon Plan No.22250-02 on the following basis:

- 1 The proposed subdivision would create lots smaller than those identified on the Outline Plan of Subdivision that accompanied the Scheme Amendment No.7 to Scheme No.1 rezoning documentation that led to the creation of Lot 14 that was adopted by Council at its 21/11/95 meeting and gazetted on 3/6/96.*
- 2 The proposed subdivision would create lots smaller than those identified on the Subdivision Guide Plan that accompanied the Scheme Amendment No.23 to Scheme No.1 rezoning documentation that led to the creation of Lot 341 that was adopted by Council at its 16/6/99 meeting and gazetted on 31/3/00.*
- 3 The separation of title proposed by Lots A & B of the residence that is located 200m uphill from the Burnt Barrel business will enable separate ownership and potential for the resident/landowner of Lot A to lodge complaint regarding noise, light, traffic movement and other matters pertaining to the operation of the business upon Lot B, and also create potential for restriction on future expansion or holding of one-off larger events at the business upon Lot B.*
- 4 The separation of the residence upon proposed Lot A from the tourism development upon proposed Lot B and potential for restricting future operation and growth of the tourism development is considered contrary to the objectives of WAPC Planning Bulletin 83 - Planning for Tourism.*
- 5 The subdivision proposes to create Lot A that does not have a bore within its lot boundaries and would rely on water through roof catchment and easement/shared access to a bore located upon Lot B; &*
- 6 The subdivision is proposing to create Lot D without connection to reticulated power.”*

Figure 10.1.1.4 – View of Lot 341 looking east from Nanson-Howatharra Road



Figure 10.1.1.5 – View of main cluster of buildings upon Lot 14 Nanson-Howatharra Rd



Statutory Environment

The report complies with the requirements of the:
Shire of Chapman Valley Local Planning Policy
Shire of Chapman Valley Local Planning Scheme No.3
Planning & Development (Local Planning Schemes) Regulations 2015

Lots 14 & 341 Nanson-Howatharra Road, Nanson are both zoned 'Rural Smallholding 1' under the Shire of Chapman Valley Local Planning Scheme No.3 ('the Scheme').

Figure 10.1.1.6 – Shire of Chapman Valley Local Planning Scheme Zoning Map extract

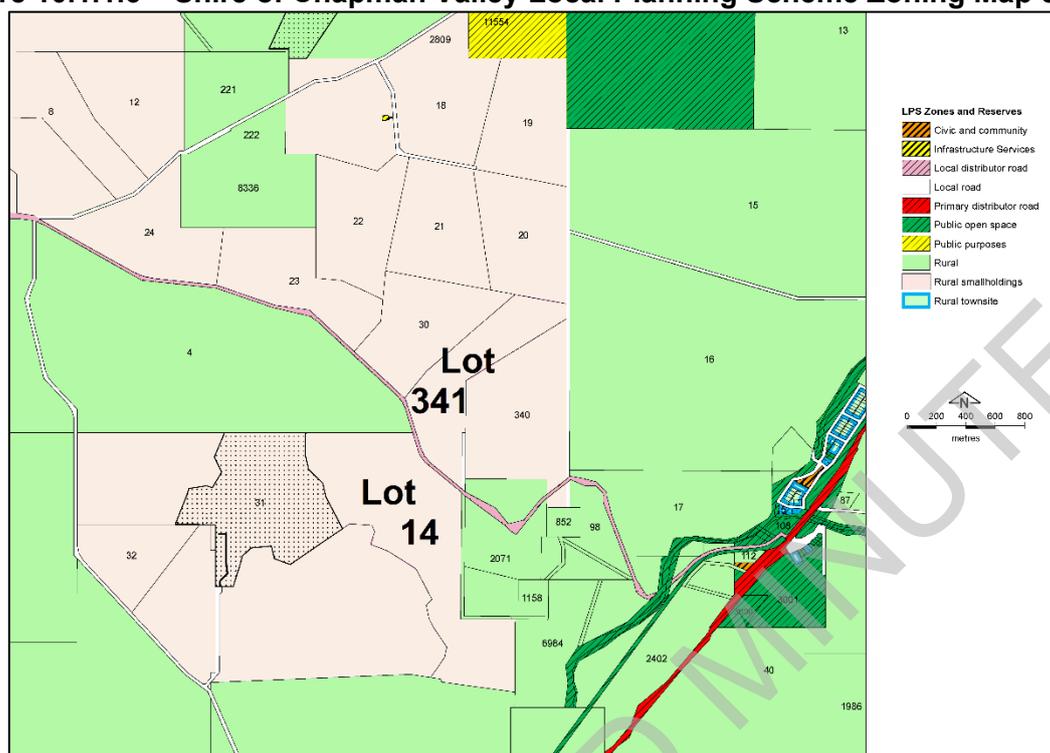


Table 2 of the Scheme lists the objectives of the 'Rural Smallholding' zone as being:

- *To provide for lot sizes in the range of 4 ha to 40 ha.*
- *To provide for a limited range of rural land uses where those activities will be consistent with the amenity of the locality and the conservation and landscape attributes of the land.*
- *To set aside areas for the retention of vegetation and landform or other features which distinguish the land."*

Schedule 5 of the Scheme notes the following of relevance to this proposed subdivision in the 'Rural Smallholding' zone:

"(1) Structure Plan

- (a) *Subdivision, development and land use shall generally be in accordance with a structure plan as adopted by the local government and the Western Australian Planning Commission in accordance with Part 4 of the deemed provisions;*
- (b) *Subdivision, development and land-use shall generally be in accordance with any other matters outlined on the structure plan; and*
- (c) *In addition to such other provisions of the Scheme as may affect it, any land that is included in a Rural Residential zone or Rural Smallholding zone shall be subject to those provisions as may be specifically set out against it in Schedules 6 or 7...*

...(5) Fire Management

- (a) *At time of subdivision, the local government may request that the Western Australian Planning Commission impose condition/s requiring the preparation of a fire management plan; and*

- (b) *At time of subdivision, the local government may request that the Western Australian Planning Commission impose condition/s requiring a contribution toward firefighting facilities in the district.*
- (6) **Vehicular Access**
- (a) *At time of subdivision, the local government may request that the Western Australian Planning Commission impose condition/s requiring the construction of any roads, battle-axe access legs, or shared access legs required to provide adequate vehicular access to the proposed lots; and*
- (b) *At time of subdivision, the local government may request that the Western Australian Planning Commission impose condition/s requiring a contribution to the upgrading of the local road system.*
- (c) *At time of development approval, the local government may require a crossover to be constructed to the specifications of the Shire and/or Main Roads WA.*
- (7) **Fencing**
- (a) *At time of subdivision, the local government may request that the Western Australian Planning Commission impose condition/s requiring the installation of boundary fencing and fencing around areas of remnant vegetation and/or re-vegetation. All such fences are to be constructed to control stock to the satisfaction of local government and maintained in good condition thereafter to the satisfaction of the local government; and*
- (b) *Prior to the stocking of any particular lot, the local government may require that areas of remnant vegetation within or adjoining the lot shall be protected by stock proof fencing to the specification and satisfaction of the local government. All such fences are to be maintained in good condition thereafter to the satisfaction of the local government.*
- (8) **Advice to Prospective Purchasers**
- (a) *At time of subdivision, the local government may request that the Western Australian Planning Commission impose condition/s requiring the subdivider to advise prospective purchasers of the special provisions contained herein and any other provisions of the Scheme considered relevant by the local government.”*

Lot 14 is also zoned with an overlying ‘Additional Use 1’ zoning that allows for the following:

Additional Use	Conditions
As an 'A' use: <ul style="list-style-type: none"> • Brewery • Camping ground • Caravan park • Holiday accommodation • Residential Building • Reception centre • Restaurant/café • Winery 	1 The local government may require that a local development plan be prepared to its satisfaction prior to approving development in accordance with Part 6 of the deemed provisions. 2 Following the preparation of a local development plan to the satisfaction of the local government, development is to be in accordance with the local development plan.

The 'Additional Use 1' zoning arose from Scheme Amendment No.25 to Scheme No.1 that was gazetted on 9/11/99 and introduced to allow for the Chapman Valley Winery development upon Lot 14.

Schedule 2 Part 4 clause 27(1) of the *Planning and Development (Local Planning Schemes) Regulations 2015* states that:

"Effect of structure plan

- (1) *A decision-maker for an application for development approval or subdivision approval in an area that is covered by a structure plan that has been approved by the Commission is to have due regard to, but is not bound by, the structure plan when deciding the application."*

Part 9 Regulation 79 of the *Planning and Development (Local Planning Schemes) Regulations 2015* states that an outline development plan or a subdivision guide plan are considered to form a structure plan.

Policy/Procedure Implications

A Policy or Procedure is affected:

Planning and Development Policy & Procedures

Schedule 2 Part 2 Division 2 Clauses 3-6 of the *Planning and Development (Local Planning Schemes) Regulations 2015* provides for Council to prepare a Local Planning Policy in respect of any matter related to the planning and development of the Scheme area.

Council has prepared Shire of Chapman Valley Local Planning Policy 7.5 – Subdivision Standards a copy of which can be viewed at the following link: <https://www.chapmanvalley.wa.gov.au/local-planning-policies.aspx>

Given Lots 14 & 314 already front a sealed road it is not considered that the imposition of a road upgrade/maintenance contribution is warranted in this instance.

Shire of Chapman Valley Local Planning Policy 2.3 - Rural Tourism has the objective to provide for a range of accommodation and other tourist related uses in the rural areas of the Shire in a manner that are complementary and sensitive to the agricultural and environmental fabric of the municipality.

Policy 2.3 does note the following:

- "6.8 Subdivision and/or strata subdivision of rural land on which tourism development is proposed or existing will generally not be supported by the Local Government. Such proposal are not considered appropriate because they create circumstances where tourist activities can be operated independently of the principal agricultural or rural use of the land, thereby fragmenting rural land and leading to an increased likelihood of land use incompatibilities."*

The subdivision, however, would accord with the minimum lot size requirement of the policy, as proposed Lot B is 20ha in area and the policy recommends a minimum lot size of 15ha for Restaurant/Cafes, 20ha for Reception Centres and 20ha for Tourist Developments.

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

No Financial Implications Identified.

The Shire of Chapman Valley Long Term Financial Plan was endorsed by Council at its 19 June 2019 meeting. It is not considered that the determination of this application would have impact in relation to the Long Term Financial Plan.

Strategic Implications

Lots 14 & 341 are located within Precinct No.3 – Chapman Valley of the Shire of Chapman Valley Local Planning Strategy. Figure 7 of the Local Planning Strategy identifies Lots 14 & 341 as being 'Existing Rural Smallholding (20-40ha)'.

The Strategy lists the vision for 'Precinct 3 – Chapman Valley' as being:

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

Precinct 3 has the following objectives of relevance in the assessment of this application:

"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...

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

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

...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."

The Western Australian Planning Commission's 'Planning Bulletin 83 - Planning for Tourism' sets out the policy position to guide decision making by the WAPC and local government for rezoning, subdivision and development proposals for tourism purposes. The Bulletin sets out general location criteria to determine the tourism value of a site including:

"The size of the site should be adequate to accommodate a sustainable tourism facility with respect to its design, operation and function, and its site specific and wider impacts and consideration of future growth/expansion. This will require a

site to be able to be developed without compromising the sustainable use of natural and cultural resources or existing social structures. Development of the site should also contribute to the delivery of diversified and balanced tourism opportunities.

The Bulletin also notes that:

“Subdivision of tourist zoned land In assessing a subdivision application for land zoned for tourism purposes, the WAPC will, among other things including approved or adopted plans and policies, consider whether the proposed lots will:

- facilitate the development of a quality, sustainable tourism facility;*
- Incorporate those facilities associated with tourist accommodation developments such as recreation, entertainment facilities and integrated management facilities.*
- provide for current and future tourism demand;*
- have the capacity to accommodate the necessary services, management and support facilities without compromising the character, development flexibility or tourism amenity of the site;*
- provide the flexibility necessary to facilitate development of a quality tourism facility;*
- provide for the retention or enhancement of the strategic value of the site for tourism purposes, including the relationship between individual lots and areas of high tourism amenity (such as the beachfront) and the potential to accommodate current and future tourism demand; and*
- result in the wholesale subdivision of a large tourism lot where the residential component is located on separate lot(s) to the tourism component, resulting in tourism lots remaining undeveloped and the potential for future pressure to approve residential components on these tourism lots to finance development.”*

Strategic Community Plan/Corporate Business Plan Implications

ENVIRONMENT & SUSTAINABILITY

3.2 Maintain the rural identity of the Shire.

3.2.2 Ensure recreational, tourism activities on lifestyle blocks have minimal impact on sustainable farming.

Consultation

The WAPC is not obliged to undertake public consultation in its assessment of subdivision applications, but has referred the application out to the Shire of Chapman Valley; Department of Biodiversity, Conservation & Attraction; Department of Fire and Emergency Services; Department of Mines, Industry Regulation & Safety; Department of Water & Environmental Regulation; Water Corporation and Western Power seeking comment.

Risk Assessment

No Risks have been Identified.

10.2 Manager of Finance & Corporate Services

10.2.1 Financial Management Reports

Department	Finance, Governance & Corporate Services Finance
Author	Beau Raymond
Reference(s)	Nil
Attachment(s)	1. Financial Management Reports - October 2023 [10.2.1.1 - 34 pages]

Voting Requirements

Simply Majority

Staff Recommendation

That Council receives financial management reports supplied under separate cover for the month of October 2023.

Council Resolution

Moved: Cr Nicole Batten **Seconded:** Cr Elizabeth Elliott-Lockhart

That Council receives financial management reports supplied under separate cover for the month of October 2023.

For Cr Emma Rodney, Cr Katie Low, Cr Philip Blakeway, Cr Elizabeth Elliott-Lockhart, Cr Nicole Batten, Cr Trevor Royce and Cr Kirrilee Warr

Against Nil

7 / 0

CARRIED UNANIMOUSLY
Minute Reference OCM 2023/11-3

Disclosure of Interest

No officer declared an interest under the Local Government Act 1995, Subdivision 1 (LGA 1995) in the preparation of this report.

Background

Local Government (Financial Management) Regulations require monthly statements of financial activity to be reported and presented to Council.

Comment

The financial position at the end of October 2023 is detailed in the monthly management reports provided as separate attachments for Council's review.

Statutory Environment

The report complies with the requirements of the:
Local Government Act 1995 Section 6.4
Local Government (Financial Management) Regulations 1996

Policy/Procedure Implications

No Policy or Management Procedure affected.

Financial Implications

No Financial Implications Identified.

Strategic Implications

Strategic Community Plan/Corporate Business Plan Implications

GOVERNANCE & ACCOUNTABILITY

5.1 Ensure governance and administration systems, policies and processes are current and relevant.

5.1.1 Review policy categories and set ongoing accountability for review processes.

Consultation

Not Applicable.

Risk Assessment

An Insignificant Financial Impact Risk of Level 1 - Which will likely be less than \$1,000.

10.3 Chief Executive Officer

10.3.1 Council Meeting Dates

Department	Finance, Governance & Corporate Services Administration & Governance
Author	Jamie Criddle
Reference(s)	401.09
Attachment(s)	Nil

Voting Requirements

Simply Majority

Staff Recommendation

That Council Ordinary meeting time, dates and locations for the next calendar year as listed below be adopted and advertised in accordance with the Local Government (Administration) Regulations:

DATE (FRIDAY)	MEETING LOCATION
16 February	Bill Hemsley Community Centre
15 March	Nabawa Chambers
19 April	Nabawa Chambers
17 May	Nabawa Chambers
21 June	Nabawa Chambers
19 July	Nabawa Chambers
16 August	Nabawa Chambers
20 September	Nabawa Chambers
18 October	Nabawa Chambers
15 November	Nabawa Chambers
20 December	Nabawa Chambers

Council Resolution

Moved: Cr Elizabeth Elliott-Lockhart **Seconded:** Cr Trevor Royce

9:10 am, That as per part 17.1 of the Shire of Chapman Valley Standing Order Local Laws 2016, Council suspend the operation of the following clauses to allow sufficient discussion of item 10.3.1:

- 8.5 Priority when speaking,
- 8.7 Relevance,
- 8.8 Speaking twice,
- 8.9 Duration of speeches

For Cr Emma Rodney, Cr Katie Low, Cr Philip Blakeway, Cr Elizabeth Elliott-Lockhart, Cr Nicole Batten, Cr Trevor Royce and Cr Kirrilee Warr

Against Nil

7 / 0

CARRIED UNANIMOUSLY
Minute Reference OCM 2023/11-4

Discussion was undertaken on the item.

Council Resolution

Moved: Cr Trevor Royce **Seconded:** Cr Nicole Batten

9:21 am, That as per part 17.1 of the Shire of Chapman Valley Standing Order Local Laws 2016, Council reinstate the operation of the following clauses to allow sufficient discussion of item 10.3.1:

- 8.5 Priority when speaking,
- 8.7 Relevance,
- 8.8 Speaking twice,
- 8.9 Duration of speeches

For Cr Emma Rodney, Cr Katie Low, Cr Philip Blakeway, Cr Elizabeth Elliott-Lockhart, Cr Nicole Batten, Cr Trevor Royce and Cr Kirrilee Warr

Against Nil

7 / 0

CARRIED UNANIMOUSLY
Minute Reference OCM 2023/11-5

Council Resolution

Moved: Cr Trevor Royce **Seconded:** Cr Nicole Batten

That Council Ordinary meeting time, dates and locations for the next calendar year as listed below be adopted and advertised in accordance with the Local Government (Administration) Regulations:

DATE (THURSDAY)	MEETING LOCATION
15 February - 9:00AM	Bill Hemsley Community Centre
21 March - 9:00AM	Nabawa Chambers
18 April - 9:00AM	Nabawa Chambers
16 May - 9:00AM	Nabawa Chambers
20 June - 9:00AM	Nabawa Chambers
18 July - 9:00AM	Nabawa Chambers
15 August - 9:00AM	Nabawa Chambers
19 September - 9:00AM	Nabawa Chambers
17 October - 9:00AM	Nabawa Chambers
21 November - 9:00AM	Nabawa Chambers

12 December - 9:00AM	Nabawa Chambers
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For Cr Emma Rodney, Cr Katie Low, Cr Philip Blakeway, Cr Elizabeth Elliott-Lockhart, Cr Nicole Batten, Cr Trevor Royce and Cr Kirrilee Warr

Against Nil

7 / 0

CARRIED UNANIMOUSLY
Minute Reference OCM 2023/11-6

Disclosure of Interest

No officer declared an interest under the Local Government Act 1995, Subdivision 1 (LGA 1995) in the preparation of this report.

Background

Council is required under the Local Government Act 1995 to at least once a year set and advertise meeting dates, times and venues for Ordinary Council meetings for the next 12 month period.

Council has resolved in previous years to hold all OCM's in Nabawa at the Council Chambers. In 2023 Council, after consultation with the Community resolved to hold the August meeting in the Western Regions (Bill Hemsley Community Centre) with the remainder of the ordinary Council Meeting to be held at the Nabawa Administration Building.

MOVED: Cr Royce

SECONDED: Cr Elliott-Lockhart

COUNCIL RESOLUTION /STAFF RECOMMENDATION

Council Ordinary Meeting time, dates and locations for the next Calendar Year as listed below be adopted and advertised in accordance with the Local Government (Administration) Regulations, to be reviewed in the February 2023 Ordinary Council Meeting:

DATE	MEETING LOCATION
16 February	Nabawa Chambers
16 March	Nabawa Chambers
20 April	Nabawa Chambers
18 May	Nabawa Chambers
15 June	Nabawa Chambers
20 July	Nabawa Chambers
17 August	Bill Hemsley Community Centre
21 September	Nabawa Chambers
19 October	Nabawa Chambers
16 November	Nabawa Chambers
14 December	Nabawa Chambers

Note: All Ordinary Council Meetings are to commence at 8.30am.

Voting F8/A0

CARRIED

Minute Reference: 08/22-07

Comment

Council has discussed the meeting dates & times recently and decided to let it lay on the table until the new Council was elected. There was a suggestion to combine the Western Region meeting with the Annual General Meeting in February, should the Audit report be available by the 21st December 2023, allowing 56 days to hold the AGM on the same day as the February OCM.

This would allow for all other meetings to be held in Nabawa (except February) at a time to be determined by the meeting with the exception of January when no Ordinary Council Meeting is held. Holding meetings outside of the Nabawa Council Chambers are logistically hard, but manageable on odd occasions, especially when we are required to move to audio recordings.

There was also a suggestion to hold the meetings on a Friday (third Friday of the month), aimed at suiting the affected sitting Councillors.

There does not seem to be any clashes with dates throughout the year, but maybe amended with the correct notice as per the Local Government Act.

2024 Public Holidays

New Year's Day	Monday 1 January
Australia Day	Friday 26 January
Labour Day	Monday 4 March
Good Friday	Friday 29 March
Easter Sunday	Sunday 31 March
Easter Monday	Monday 1 April
Anzac Day	Thursday 25 April
Western Australia Day	Monday 3 June
King's Birthday	Monday 23 September
Christmas Day	Wednesday 25 December
Boxing Day	Thursday 26 December

Below are recommended meeting locations and dates for the 2024 Ordinary Council Meeting (OCM) with a NEW start time for these OCM's to be determined by Council:

DATE (FRIDAY)	MEETING LOCATION
16 February	Bill Hemsley Community Centre
15 March	Nabawa Chambers
19 April	Nabawa Chambers
17 May	Nabawa Chambers
21 June	Nabawa Chambers
19 July	Nabawa Chambers
16 August	Nabawa Chambers
20 September	Nabawa Chambers

18 October	Nabawa Chambers
15 November	Nabawa Chambers
20 December	Nabawa Chambers

In addition to the above meetings, Council will need to arrange a meeting date & time for the next Tourism & Events Advisory Group (TEAG) to assess the Australia Day function and Awards. The preferred date is between 20th November and 7th December 2023 which is after the close of nominations.

Statutory Environment

The report complies with the requirements of the:
Local Government Act 1995

Local Government (Administration) Regulations 1996 Clause 12 (1) states: Public notice of Council or Committee meetings – s 5.25(G)

At least once each year a local government is to give local public notice:

1. Of the dates, time and place of the ordinary council meetings;
2. The committee meetings that are required under the Act to be open to the members of the public or that are proposed to be open to members of the public are to be held in the next 12 months.

Policy/Procedure Implications

A Policy or Procedure is affected:
Elected Member Governance Policy & Procedures

Financial Implications

No Financial Implications Identified.

Strategic Implications

Strategic Community Plan/Corporate Business Plan Implications

GOVERNANCE & ACCOUNTABILITY

5.2 Be accountable and transparent while managing human and physical resources effectively

5.2.4 Effectively Engage and communicate with the community.

Consultation

Nil

Risk Assessment

No Risks have been Identified.

10.3.2 Council Committees for Appointment

Department	Finance, Governance & Corporate Services Administration & Governance
Author	Jamie Criddle
Reference(s)	402.00
Attachment(s)	1. Council Committees Advisory Group 2023 [10.3.2.1 - 5 pages]

Voting Requirements

Absolute Majority

Staff Recommendation

That Council endorse the following representation on Committees, Working, Advisory, Steering Groups, and External Organisations as follows:

Building & Disability Services Committee

4x Councillors

Cr

Cr

Cr

Cr

Observers:

CEO

Building Surveyor

Finance Audit & Risk Management Committee

4x Councillors

Cr

Cr

Cr

Cr

Grant Middleton - External, Independent Member

Observers

CEO

Manager Finance & Corporate Services

Road Infrastructure Committee

All Councillors

Observers

CEO

Manager Works & Services

Deputy CEO

Works Leading Hand

Bush Fire Brigades Group Management Advisory Committee

President (Presiding Member) & 2x Councillors

Cr Warr (President)

Cr

Cr

CBFCO

DCBFCO

All Brigade FCO's

CEO

Senior Ranger

Observers

1x DFES Rep

Proxy Councillor Rep

Cr (Proxy)

Batavia Local Emergency Management Committee

2x Councillors

Cr

Cr

CEO

Community Growth Fund Advisory Group

President (Presiding Member) & 3 x Councillors

Cr Warr (President)

Cr

Cr

C

CEO

Manager Finance & Corporate Services

Tourism & Events Advisory Group

3x Councillors

Cr

Cr

Cr

CEO

Deputy CEO

Up to 2x Community Representatives for Australia Day Awards

Coronation Beach Masterplan Steering Group

1x Councillor

Cr (Chairperson)

Deputy CEO

Department of Sport & Recreation

Neighbouring Landowners

Community / User Group Representatives

Future Industries & Renewable Energy Advisory Group

Shire President

Deputy Shire President

Cr

Cr

CEO

Deputy CEO

Chapman Valley Regional Trails Master Group

Cr
Cr
Deputy CEO
Community / User Group Representatives x2
Neighbouring Council Representatives (if required)

Nabawa Recreation Centre User Group

Cr
Cr
CEO
Community / User Group Representatives (up to 4)

Northern Country Zone (WALGA)

2x Councillors
Cr
Cr
CEO (To act as proxy in absence of Elected Members not attending)

Sub-Regional Road Group Committee

2x Councillors
Cr
Cr
CEO
Manager Works & Services

Midwest Development Assessment Panel (DAP)

2x Councillors (Members)
Cr
Cr
2x Councillors (Proxies)
Cr
Cr

Chapman Valley Northampton Local Recovery Coordination Group

1x Councillor
Cr
CEO
1x Councillor (Proxy)
Cr (Proxy)

Midwest Drought Resilient Working Group

1x Councillor
Cr
CEO
1x Councillor (Proxy)
Cr (Proxy)

Council Resolution

Moved: Cr Nicole Batten **Seconded:** Cr Elizabeth Elliott-Lockhart

9:25 am, That as per part 17.1 of the Shire of Chapman Valley Standing Order Local Laws 2016, Council suspend the operation of the following clauses to allow sufficient discussion of

item 10.3.2:

- 8.5 Priority when speaking,
- 8.7 Relevance,
- 8.8 Speaking twice,
- 8.9 Duration of speeches

For Cr Emma Rodney, Cr Katie Low, Cr Philip Blakeway, Cr Elizabeth Elliott-Lockhart, Cr Nicole Batten, Cr Trevor Royce and Cr Kirrilee Warr

Against Nil

7 / 0

CARRIED UNANIMOUSLY
Minute Reference OCM 2023/11-7

Discussion was undertaken on the item.

Council Resolution

Moved: Cr Nicole Batten **Seconded:** Cr Elizabeth Elliott-Lockhart

10:14 am, That as per part 17.1 of the Shire of Chapman Valley Standing Order Local Laws 2016, Council reinstate the operation of the following clauses to allow sufficient discussion of item 10.3.2:

- 8.5 Priority when speaking,
- 8.7 Relevance,
- 8.8 Speaking twice,
- 8.9 Duration of speeches

For Cr Emma Rodney, Cr Katie Low, Cr Philip Blakeway, Cr Elizabeth Elliott-Lockhart, Cr Nicole Batten, Cr Trevor Royce and Cr Kirrilee Warr

Against Nil

7 / 0

CARRIED UNANIMOUSLY
Minute Reference OCM 2023/11-8

9:55 am - Cr Katie Low left the meeting.

9:57 am - Cr Katie Low returned to the meeting.

10:02 am - Cr Elizabeth Elliott-Lockhart left the meeting.

10:03 am - Cr Elizabeth Elliott-Lockhart returned to the meeting.

10:04 am - Cr Nicole Batten left the meeting.

10:04 am - Cr Nicole Batten returned to the meeting.

10:07 am - Jamie Criddle left the meeting.

10:08 am - Jamie Criddle returned to the meeting.

Council Resolution

Moved: Cr Nicole Batten **Seconded:** Cr Emma Rodney

That Council endorse the following representation on Committees, Working, Advisory, Steering Groups, and External Organisations as follows:

Building & Disability Services Committee

4x Councillors

Cr Royce
Cr Blakeway
Cr Elliott-Lockhart
Cr Warr

Observers:

CEO
Building Surveyor

Finance Audit & Risk Management Committee

4x Councillors

Cr Elliott-Lockhart
Cr Batten
Cr Rodney
Cr Warr
Grant Middleton - External, Independent Member

Observers

CEO
Manager Finance & Corporate Services

Road Infrastructure Committee

All Councillors

Observers

CEO
Manager Works & Services
Deputy CEO
Works Leading Hand

Bush Fire Brigades Group Management Advisory Committee

President (Presiding Member) & 2x Councillors

Cr Warr (President)
Cr Royce
Cr Blakeway
CBFCO
DCBFCO
All Brigade FCO's
CEO
Senior Ranger

Observers

1x DFES Rep

Batavia Local Emergency Management Committee

2x Councillors

Cr Royce
Cr Blakeway
CEO

Community Growth Fund Advisory Group

President & 3 x Councillors

Cr Warr (President)
Cr Low
Cr Rodney
Cr Batten

CEO
Manager Finance & Corporate Services

Tourism & Events Advisory Group

3x Councillors

Cr Elliott-Lockhart

Cr Low

Cr Blakeway

CEO

Deputy CEO

Up to 2x Community Representatives for Australia Day Awards

Coronation Beach Masterplan Steering Group

1x Councillor

Cr Blakeway (Chairperson)

Deputy CEO

Department of Sport & Recreation

Neighbouring Landowners

Community / User Group Representatives

Future Industries & Renewable Energy Advisory Group

Shire President

Deputy Shire President

Cr Rodney

Cr Elliott-Lockhart

CEO

Deputy CEO

Community / User Group Representatives (up to 3)

Chapman Valley Regional Trails Master Group

Cr Batten

Cr Blakeway

Deputy CEO

Community / User Group Representatives x2

Neighbouring Council Representatives (if required)

Nabawa Recreation Centre User Group

Cr Warr

Cr Rodney

CEO

Community / User Group Representatives (up to 4)

Northern Country Zone (WALGA)

2x Councillors

Cr Royce

Cr Warr

CEO (To act as proxy in absence of Elected Members not attending)

Sub-Regional Road Group Committee

2x Councillors

Cr Royce

Cr Warr

CEO

Manager Works & Services

Midwest Development Assessment Panel (DAP)

2x Councillors (Members)

Cr Batten
Cr Elliott-Lockart

2x Councillors (Proxies)

Cr Warr
Cr Rodney

Chapman Valley Northampton Local Recovery Coordination Group

1x Councillor

Cr Warr
CEO

1x Councillor (Proxy)

Cr Baten (Proxy)

Midwest Drought Resilient Working Group

1x Councillor

Cr Batten
CEO

1x Councillor (Proxy)

Cr Royce (Proxy)

For Cr Emma Rodney, Cr Katie Low, Cr Philip Blakeway, Cr Elizabeth Elliott-Lockhart, Cr Nicole Batten, Cr Trevor Royce and Cr Kirrilee Warr

Against Nil

7 / 0

CARRIED UNANIMOUSLY
Minute Reference OCM 2023/11-9

Disclosure of Interest

No officer declared an interest under the Local Government Act 1995, Subdivision 1 (LGA 1995) in the preparation of this report.

Background

The establishment and legislative conditions of local government Committees (Grey section) is detailed in section 5.9 (2) (a) of the Local Government Act 1995 and is required to be resolved by Absolute Majority. Council currently has three (3) such committees:

- Building & Disability Services Committee
- Finance Audit & Risk Management Committee
- Road Infrastructure Committee

There must be a minimum of three (3) members on each of the above committees.

Council also selects representation of the various internal working, advisory, steering groups (Blue section), and external organisations (Green section), which are not subject to the legislative requirements of the Act and only require a simple majority. There are also a number of existing steering groups that may be discontinued due to duplication or completion. (Red section)

Comment

The President called for nominations from Councillors for various Committees, Working, Advisory & Steering Groups, and External Organisations as per the attachment **Council Committee & Advisory Group 2023** with last elections members listed.

Statutory Environment

The report complies with the requirements of the:
Local Government Act 1995

Establishment of committees

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

Types of committees

- 5.9. (1) In this section — “other person” means a person who is not a council member or an employee.
- (2) A committee is to comprise —
- (a) council members only;
 - (b) council members and employees;
 - (c) council members, employees and other persons;
 - (d) council members and other persons;
 - (e) employees and other persons; or (f) other persons only.

Policy/Procedure Implications

No Policy or Management Procedure affected.

Financial Implications

No Financial Implications Identified.

Strategic Implications

Strategic Community Plan/Corporate Business Plan Implications

COMMUNITY HEALTH & LIFESTYLE

1.3 Strengthen our role in regional partnerships and advocacy for continuity of local services/ facilities.

1.3.1 Maintain close relationships with neighbouring shires and regional bodies.

GOVERNANCE & ACCOUNTABILITY

5.2 Be accountable and transparent while managing human and physical resources effectively

5.2.4 Effectively Engage and communicate with the community.

Consultation

Nil

Risk Assessment

An Insignificant Property Risk of Level 1 - Likely resulting in inconsequential or no damage.

11 Elected Members Motions

The Council has not received any notice of motion from an elected member at the time of writing this report.

12 New Business of an Urgent Nature Introduced by Decision of the Meeting

Nil

13 Delegates Reports

10:22 am - Cr Nicole Batten left the meeting.

10:23 am - Cr Nicole Batten returned to the meeting.

That council receive the following Delegates Reports.

Delegate	Details
Cr Kirrilee Warr (President)	Minister Michael via Zoom introduction meeting
	Special Council Meeting
	Apologies – Meeting Development WA
	Regional Roads Group Meeting
	Western Power Local Government Forum
Cr Nicole Batten (Deputy President)	Special Council Meeting
	Rotary Club of Geraldton Cyclone Recovery Funding Discussions
	Western Power Local Government Forum
Cr Philip Blakeway	Special Council Meeting
Cr Elizabeth Elliott-Lockhart	Special Council Meeting

Cr Catherine Low	Special Council Meeting
Cr Emma Rodney	Special Council Meeting
Cr Trevor Royce	Special Council Meeting

UNCONFIRMED MINUTES

14 Announcements by Presiding Member Without Discussion

No announcements were made by the Presiding Member throughout the course of the meeting.

15 Matters for which Meeting to be Closed to Members of the Public

The Council has no confidential items for consideration.

16 Closure

The Shire President thanked Elected Members and Staff for their attendance and closed the Ordinary Council Meeting 16 November 2023 at 10:26 am.

UNCONFIRMED MINUTES

Shire of Chapman Valley



Event Application Form

This form is to be completed and submitted together with the other information outlined in this package. You will be notified in writing when your event application has been processed. Applications must be submitted at least 8 weeks prior to your event.

DISCLAIMER

This package details the requirements of the Shire of Chapman Valley only. Additional information and/or approvals may be required from other agencies. It is the sole responsibility of the Applicant, not the Shire of Chapman Valley, to ensure all relevant information and approvals are obtained in relation to each particular event.

(Event Application - Local Planning Policy 7.2)

January 2020

Event Details

Event Name: KING WING Clinic at Corronation Beach

Date: 21/12/2023 - 15/01/2024

Event set up date: 21/12/2023

Event start time/date: 10:00am 21/12/2023

Event finish time/date: 6:00pm 15 / 01 / 2024

Completion of Event clean up date: 15/01/2024

Proposed venue details: (e.g. name of reserve, building or public open space)

Coronation Beach, Howatharra WA 6532

Event description: (e.g. sporting, commercial, entertainment and in addition please state whether the event is a one-off or proposed as an annual event)

WING FOIL lesson on request after booking

A one-off commercial sporting event that can be repeated in the future

Entertainment: Brief details (number of stalls/products/entertainment-bands, amplified music/animals/activities/farm machinery/rides)

One van, all sports equipment distributed on the beach for lessons directly from the car. Wingfoil lessons will be conducted from the beach and in the shallow water. Private lessons 1 on 1, 2 on 1 or 3 on 1 (instructor with student). Groups from 4 to 8 people max per instructor. Lesson duration 1 hour, 1.5hrs - 2 hrs.

Primary purpose of event: (eg. fundraiser for community group)

Introducing a new sport discipline, encouraging physical activity for the whole family.

Will alcohol be available/consumed on site? (tick) Yes No

Will food be available? (tick) Yes No

Details of any tents, marquees, stages etc. to be used for the event:

N/A

Details of any road closures or use of roads for the event: (Note: separate approvals required through police services)

N/A

Will the event have implications for local residents, (eg. Noise, traffic management, parking, crowds etc.) and if so how is it proposed to manage these implications?

The event will have no consequences for local residents.

This event is aimed for people who will already be staying at a Coronation Beach campsite.

Parking Arrangements: (where, how directed etc.)

The participants of the event are people who will be already camping in Coronation Beach, from private Christmas holidays stays, and possible locals from Geraldton who will visit the beach for one day. To carry out the event, we will need one parking space for the organizer and a few places in the daily parking for locals.

Details of rubbish removal and site cleaning:

N/A

Expected Attendance

Maximum number of people expected at any given time: ...3-6 people.....

Anticipated total number for entire event: 10-20 people

Target audience: (eg. youth, adult, family etc.) adults , family , children above 12 years old

Have you ever conducted this event before and if so, when/where was it held?

Yes, we where conduct this event last year at Corronation Beach.....
we are currently running wingfoil lessons in the same format in Perth.....
We colaborating with Geraldton Windsurfing Club.....
Anna King Wing owner become Australian Wing Trainer and Examiner.....

Have you determined whether a risk assessment is required? (tick) Yes No

Event Facilities

Power supply details: N/A

Water supply details: We provide drinking water during lessons

Number of toilets available:

Male: Closets: 3 Hand Wash Basins: 3 Urinals:

Female: Closets: 3 Hand Wash Basins: 3

Disabled: Closets: 3 Hand Wash Basins: 3

YOU MAY WISH TO ATTACH ANY OTHER RELEVANT INFORMATION TO ASSIST WITH THE APPROVAL PROCESS



ACKNOWLEDGEMENT

I, Anna Ambroziak as the event organiser,

applying for approval to host an event in the Shire of Chapman Valley I acknowledge that the information and completed actions in my application are true and correct. I accept full responsibility of the facility and/or reserve during the specified event period and will ensure compliance with the Shire of Chapman Valley's conditions of approval.

I will indemnify the Shire of Chapman Valley and landowner against any action, suit or proceeding caused by my failure to observe all statutory and other requirements or as a result of my negligence or wilful actions. I will ensure that appropriate liability and other insurances are in place for the activities to be conducted, with evidence in this regard to be presented to the Shire of Chapman Valley prior to commencement of the event.

I understand and acknowledge the Event Application Package has been compiled according to a number of statutory requirements, and any forthcoming Planning Consent (including conditions of approval) are lawfully binding and can be enforced pursuant to the Shire of Chapman Valley Local Planning Scheme No.3 and *Planning and Development Act 2005*. Furthermore I understand there could be other requirements outside of this package and that, as the event organiser, I am responsible to meet.

Signature: *Ambroziak* Date: 30 / 11/ 2023

Print Name: Anna Ambroziak

Important Notes:

- *You may not proceed with your event without written planning consent being issued by the Shire and all other statutory requirements have been satisfied. This may take between 3 to 4 weeks depending on the scale and size of your event.*
- *All conditions will be outlined in a formal notice of Planning Consent. It is your responsibility as the applicant/event organiser to adhere to the conditions of approval.*
- *Applications and approvals for an event are not transferable. Therefore the organiser cannot transfer Shire approval for an event to an alternative venue, date or time, without further consent being granted by the Shire.*
- *You must ensure the event adequately caters for the needs of people with disabilities.*
- *You may be required at the request of the Shire to attend a 'de-brief' of the event to discuss any associated issues and/or possible improvements to the ant future events.*

WING FOILING, WING FOIL , WING SURF, WIND WINGS

This **new sport discipline** is a hybrid, a mix, a coming together of new technologies and possibilities from its sibling sports of windsurfing, surf foiling and kiting however is much safer than kite boarding.

In simple terms you hold the wing in your hands above your head much like a sail, first kneeling, then standing and pumping the board onto the 'plane' or foil. Once you're up, you're away and you can use the wing, the swell, a wave or your own pumping effort to continue both across up and downwind.



- **THE WING** is a simplistic no lines kite type constructed inflatable batwing that you hold in your hands without a harness. Some have a solid boom and most simply inflatable struts and leading edge with handles.
- **BOARDS** are changing dramatically and reducing in length and volume to an impressively small 'water-startable' volume, now varying between 150 litres to less than 40 in some extreme examples. Uni directional and generally specifically designed for wingsurfing, most don't have alternative fins and are becoming boxy and short, and are unique to this growing specific sport.
- **FOILS** are also changing all the time. Generally they are a little bigger than kitesurf foils around 1500cm² in surface area for the front wing. This is becoming wider by the minute with more of a glider shape than the low aspect short fat surf front wings used for kite and surf foiling. Masts are of medium length between 60-80cm. All of the equipment is changing and evolving fast as the sport develops rapidly and disciplines become established within it.



One thing is for sure, it has huge potential, is lots of fun and pretty straight forward and **safe to learn**.

WHO CAN DO IT?

Anyone! It is very accessible initially with big SUP type boards and medium wing sizes without foils. It's safe, straightforward to learn and now accessible to learn in numerous locations nationwide. Anyone who can swim can have a go on the foil.

Who doesn't want to 'float' silently on the ocean blasting in super light winds, cruising down swells or waves riding the foil alone, silently carving back and forth...?

WHERE TO DO IT?

It opens up an enormous new amount of spots both inland and coastal. All you need is space, and depth with flat or choppy water is ideal.



Risk Management Policy

KING WING FOIL CENTER

Date: [01.07.2021]

KING WING Foil Center
17 Alpha Way , North Coogee , 6163 WA

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Risk Management Policy

1. INTRODUCTION

ANNA AMBROZIAK (**Operator**) is responsible for the management of an [school] for kiteboarding (**School**) in Perth, WA.

The directors or management of the Operator recognise risk management as an integral component of good corporate governance and that it is fundamental to allow the Operator to achieve its objectives.

Administrators and Operators owe a duty of care to participants in their events and activities where there is a reasonably foreseeable risk of harm or injury to participants as a result of their actions. In exercising this duty of care, the law requires reasonable steps to be taken to reduce the likelihood of injury to participants as a result of those risks which are foreseeable.

Risks need to be managed in order to prevent the effects they can have. Risk management is a logical method of identifying, analysing, assessing, treating, monitoring and communicating the risks that are associated with various activities, so that negative effects and losses can be minimised. Managing the risks associated with the School will encourage more people to participate because of the fact the environment is safe.

The Operator's risk management policy provides the framework to manage the risks associated with the School.

2. OBJECTIVES

The objectives of this Risk Management Policy (**Policy**) are to:

- (a) to protect the Operator from all areas of operation;
- (b) to reduce the incidence of injury to participants, officials and other persons;
- (c) to provide a fun, healthy and safe sporting environment; and
- (d) to minimise potential liability as a result of poor management.

3. WHAT IS RISK MANAGEMENT?

- (a) Risk management is the process of systematically eliminating or minimising the adverse impact of all activities which may give rise to injurious or dangerous situations. This requires the development of a framework within which risk exposure can be monitored and controlled. Risk management is a tool by which persons involved in sport can seek to meet their duties and thus avoid liability.
- (b) Risks which can be covered by a risk management program include:
 - (i) Legal risks – losses and costs arising from legal actions for breach of a common law or statutory duty of care;
 - (ii) Physical risks – injuries to participants and the public;
 - (iii) Financial risks – increased insurance premiums, costs associated with injuries for business reasons, loss of financial stability and asset value,

replacement costs and earning capacity and increased external administrative costs;

- (iv) Moral and ethical risks – loss of quality of participant experience and confidence, adverse publicity and damage to image or reputation.

4. RISK RESPONSIBILITY

The Manager of the Operator is responsible for overseeing the establishment and implementation of risk management systems by the Operator. The Manager is also responsible for reviewing the on-going effectiveness of these systems.

5. RISK MANAGEMENT PROCESS

Having considered the matters set out at items 5.1 to 5.6 of this Policy, the Operator should develop a risk management plan by completing the Risk Management Table at Schedule 1.

5.1 Risk Identification

- (a) The first step in the risk management program is to identify what risks exist (or may exist in the future). It is important that people who will be involved in all levels of the Sport are involved in identifying risk areas. There is no substitute for actual practical experience in working out why accidents may occur, or what presents a potential problem.
- (b) There are a number of things that must be considered in identifying risks:
 - (i) The type of activities conducted;
 - (ii) Injury history (including type of injury and cause);
 - (iii) How operational procedures are conducted, and whether there have been any previous problems.

5.2 Risk Categories

The following are some example risk categories to consider:

- (a) Administration / Relations

For example: personnel (i.e. loss of staff); damage to office (i.e. loss of vital documents); information management (i.e. loss of information); legal; health; safety; insurance; death; compensation; privacy; and intellectual property protection /ambush marketing.

- (b) Finance

For example: government; participants; and sponsorships.

- (c) Communications / Public Relations

For example: dealing with the media; spokesperson; and action plans re: response.

- (d) Sport / Schools

For example: ensuring venue is safe to conduct lesson, are appropriate licences in place etc.

See **Annexure A** to this Policy for a comprehensive (not exhaustive) checklist of matters to consider from a risk management perspective and which may inform the risks to be identified in the Risk Management Table at Schedule 1.

5.3 Risk Assessment

Having identified the risks involved in the Operator’s activities we need to assess them in terms of their likelihood to occur and the seriousness of the consequences arising from their occurrence.

Each identified risk must be rated. These ratings describe:

- the likelihood of the risk occurring (likelihood); and
- the loss or damage impact if the risk occurred (severity);
- the priority, or degree of urgency required to address the risk.

In order to systematically assess the risks identified in the first stage of the process, we apply the risk rating scales set out below in Tables 1 – 3. The risk rating scales will allow you to rate identified risks and then identify risk management priorities.

(a) Likelihood

The likelihood is related to the potential for a risk to occur over an evaluation cycle.

Table 1: Likelihood Scale:

Rating	LIKELIHOOD The potential for problems to occur in a year
A	ALMOST CERTAIN: Will probably occur, could occur several times per year
B	LIKELY: High probability, likely to arise once per year
C	POSSIBLE: Reasonable likelihood that it may arise over a five-year period
D	UNLIKELY: Plausible, could occur over a five to ten year period
E	RARE: Very unlikely but not impossible, unlikely over a ten year period

(b) Severity

The severity of a risk refers to the degree of loss or damage which may result from its’ occurrence.

Table 2: Severity Scale:

Rating	POTENTIAL IMPACT In terms of the objectives of the organisation
A	CATASTROPHIC: Most objectives may not be achieved, or several severely affected
B	MAJOR: Most objectives threatened, or one severely affected
C	MODERATE: Some objectives affected, considerable effort to rectify

Rating	POTENTIAL IMPACT
	In terms of the objectives of the organisation
D	MINOR: Easily remedied, with some effort the objectives can be achieved
E	NEGLIGIBLE: Very small impact, rectified by normal processes

Having assessed each risk in terms of its likelihood and severity we are in a position to prioritise the risks to assist in the decision making of what action is warranted to manage the risks (where possible).

(c) Risk Priority

The risk priority scale determines the nature of the risk and the action required. They are indicators to assist in the decision making of what action is warranted for the risks.

Table 3: Risk Priority Scale

		IMPACT				
		A	B	C	D	E
L I K E L I H O O D	A	Extreme (1)	Extreme (1)	Major (2)	Major (2)	Medium (3)
	B	Extreme (1)	Extreme (1)	Major (2)	Medium (3)	Minor (4)
	D	Extreme (1)	Major (2)	Major (2)	Medium (3)	Minor (4)
	D	Major (2)	Major (2)	Medium (3)	Minor (4)	Minor (4)
	E	Medium (3)	Medium (3)	Minor (4)	Minor (4)	Minor (4)

Key:

1	Extreme risks that are likely to arise and have potentially serious consequences requiring urgent attention
2	Major risks that are likely to arise and have potentially serious consequences requiring urgent attention or investigation
3	Medium risks that are likely to arise or have serious consequences requiring attention
4	Minor risks and low consequences that maybe managed by routine procedures
5	Use this to note a risk that does not apply to your organisation

Once a risk priority has been determined the Operator can consider the level of risk treatment and action required for each risk.

5.4 Risk Treatment (action plan)

- (a) This stage is all about identifying and testing strategies to manage the risks which have been identified and subsequently evaluated as posing a real risk to the Operator and / or the participants. Ideally personnel will work together to brainstorm a variety of treatment strategies and then consider each strategy in terms of its effectiveness and implementation. This will necessarily involve some “reality testing” of risk treatment strategies as personnel determine what reasonable steps they may take to reduce the impact of the risk arising.
- (b) If the risk has been assessed and the risk has rated highly you will need to carefully consider necessary policies, procedures and strategies to treat the risk. These will include what is needed to treat the risk, who has the responsibility and what is the timeframe for risk management. These elements will comprise your action plan. If you already have a strategy in place to address or manage an identified risk, insert details of that strategy in the space provided. If not, you will have to devise a strategy.

5.5 Monitor and Review

- (a) It is very important that the Operator review the risk management plan annually and otherwise as often as is required. The risk management plan should be a fluid document which is regularly updated to take account of changes.
- (b) The keeping of records, and the continued evaluation of the risk management plan in the light of such records is crucial. Your risk management procedures should include the documentation of any accidents, as well as information on the effectiveness of the risk management plan. Statistics on continuing injuries or accident occurrences should be used to determine whether there are specific activities that require either increased precautions or supervision.
- (c) Your risk management plan cannot remain static. Risks can change according to changes in the law, development of safe practices and techniques, and developing technology. Constant evaluation and updating must be done to take account of developing trends and the Operator’s own experience.

5.6 Communication

- (a) It is essential that all the Operator’s personnel and participants are aware of the risk management program and are consulted in its development, implementation and evaluation.

PLEASE NOTE this Resource is a guide. The risks which have been included under the respective Risk Categories in the following Risk Management tables are identified as a starting point. There will be circumstances where risks which are particular to your role may not have been addressed. Space has been provided for you to identify and address these.

**SCHEDULE 1
RISK MANAGEMENT TABLE**

E	Likelihood	Severity	Risk Rating	Treatment	Likelihood after treatment	Severity after treatment	Risk Rating after treatment	Resources	Responsible Person
PERSONAL INJURY TO STUDENT OR INSTRUCTOR									
<i>Eg Impact with solid hazard</i>	<i>A</i>	<i>A</i>	<i>(1) Extreme</i>	<ul style="list-style-type: none"> <i>Instructor to choose launch/ landing zone with sufficient (2 kite line) downwind hazard free</i> <i>Instructor to launch/ land kite for student and walk into water until student demonstrates necessary skills on water</i> 	<i>E</i>	<i>A</i>	<i>(3) Medium</i>	<ul style="list-style-type: none"> <i>KA Instructor Manual</i> <i>KA Centre Manual</i> 	<i>Instructor on beach</i>
Impact with solid hazard	C	C	(4) Minor	1. Instructor will give clear instructions Maintain a clear distance/5 metres from all solid hazards. Jetty, boat, other recreational users.	E	E	(4) Minor	KA Instructor Manual KA Centre Manual	Instructor on beach
Drowning	E	A	3 Medium	<ol style="list-style-type: none"> All clients must be strong swimmers Students to wear the buoyancy vest during the lesson Maintain adequate distance - 3-5 meters (to apply the 3-minute rule) Constantly maintain eye contact with the student 	E	E	(4) Minor	KA Instructor Manual KA Centre Manual	Instructor on beach
Drop in wind strength	B	C	3	<ol style="list-style-type: none"> Ensure student can demonstrate the safety and self-rescue procedure. Ensure student knows how to prone paddle with wing 	B	D	(4) Minor	KA Instructor Manual KA Centre Manual	Instructor on beach
Accidental/un expected fall	A	C	3	<ol style="list-style-type: none"> Ensure student can demonstrate the safety and self-rescue procedure. Recommend the use of booties. Administer first aid if required - call 000 if required 	B	D	4	KA Instructor Manual KA Centre Manual	Instructor on beach
Sprain or strain from physical activity	C	C	3	<ul style="list-style-type: none"> - Lesson time to be no more than 2 hours to avoid excessive fatigue - Introduce short breaks to rest, drink water 	D	D	4	KA Instructor Manual KA Centre Manual	Instructor on beach
Equipment malfunction	C	D	3	<ol style="list-style-type: none"> check all equipment before each lesson Monitor your equipment during the season and replace it when it is damaged or worn If equipment damage occurs basis during the lesson: <ul style="list-style-type: none"> - make sure that the student is safe and is not in danger of injury - replace the equipment with working order to continue the lesson 	D	E	4	KA Instructor Manual KA Centre Manual	Instructor on beach
Sunburn to skin or eyes	C	C	3	<ol style="list-style-type: none"> Recommend students to apply sunscreen and wear sunglasses Appropriate protective clothing /cap , rashy etc. Administer first aid if required - call 000 if required 	E	E	4	KA Instructor Manual KA Centre Manual	Instructor on beach

E	Likelihood	Severity	Risk Rating	Treatment	Likelihood after treatment	Severity after treatment	Risk Rating after treatment	Resources	Responsible Person
Dehydration or heatstroke	C	C	3	- Lesson time to be no more than 2 hours to avoid excessive fatigue - Introduce short breaks to rest, drink water 3. introduce short breaks to rest, drink water - Administer first aid if required - call 000 if required	E	E	4	<i>KA Instructor Manual</i> <i>KA Centre Manual</i>	<i>Instructor on beach</i>
Hypothermia	D	C	2	1. Inform the student about the weather and water temperature 2. Recommend the students wear appropriate clothing – wetsuit if needed 3. Ensure student is comfortable at all times, cease lesson if required. 4. Administer first aid if required - call 000 if required	E	E	4	<i>KA Instructor Manual</i> <i>KA Centre Manual</i>	<i>Instructor on beach</i>
Changes in weather resulting in significant increase in wind, storm activity	B	B	3	1. Consider modifying or cancelling session if weather conditions deteriorate 2. Advise customers of hazards of wind 3. Instructor to maintain close supervision of all participant 4. Advise customers to carry board and wing adequately in stronger winds - two people per board and wing or one by one , first wing	B	D	4	<i>KA Instructor Manual</i> <i>KA Centre Manual</i>	<i>Instructor on beach</i>
Impact between people	B	C	3	1. Maintain a safe distance from other participants in the water min 5m 2. Explain to the student what to do in the event of an impending danger - e.g. kite and lines (jump into the water and cover your head with your hands) etc. 3. Administer first aid if required - call 000 if required	D	D	4	<i>KA Instructor Manual</i> <i>KA Centre Manual</i>	<i>Instructor on beach</i>
Shark attack or other dangerous marine animal	C	C	1	Instruct all customers on emergency water evacuation procedures 1. Take immediate action in the event of shark sighting 2. Implement water evacuation procedures 3. Account for all customers 4. Render immediate first aid and call 000 5. Cancel remainder of session	D	D	4	<i>KA Instructor Manual</i> <i>KA Centre Manual</i>	<i>Instructor on beach</i>
Crossing road or pedestrian path to beach area	C	D	4	Instruct all customers before leaving wing surf school of Bike Path crossing hazards 1. Identify high risk locations specific to wing surf school operations , i: 2. Locate customer mustering, equipment dispatch and briefing areas away from road/cycle path 3. Instructor to maintain close supervision of all participant 4. Administer first aid if required - call 000 if required	C	E	4	<i>KA Instructor Manual</i> <i>KA Centre Manual</i>	<i>Instructor on beach</i>
Cuts to feet due to walking to/from car or on beach	C	D	3	1. recommend student is wearing booties. 2. in case of injury, follow the safety procedures 3. Administer first aid if required - call 000 if required	D	E	4	<i>KA Instructor Manual</i> <i>KA Centre Manual</i>	<i>Instructor on beach</i>

E	Likelihood	Severity	Risk Rating	Treatment	Likelihood after treatment	Severity after treatment	Risk Rating after treatment	Resources	Responsible Person
Tripping on hand/leg rope or other hazard on beach	B	C	3	1. Clearly demonstrate safe water entry and exit with equipment as part of lesson plan.	D	E	4	KA Instructor Manual KA Centre Manual	Instructor on beach
Shark Sighting	C	C	3	1. Take immediate action in the event of shark sighting 2. Implement water evacuation procedures 3. Account for all customers 4. Cancel remainder of session	E	D	4	KA Instructor Manual KA Centre Manual	Instructor on beach
[THIS IS NOT A COMPREHENSIVE LIST AND EACH SCHOOL NEEDS TO UNDERTAKE THE RISK MANGEMENT PROCESS SET OUT IN THIS TEMPLATE TO IDENTIFY APPROPRIATE RISKS FOR YOUR CIRCUMSTANCES]									
hit injury with a board or foil	B	C	3	1. Maintain an eye contact 2. Check student on injury 3.Administer first aid if required - call 000 if required	C	E	4	KA Instructor Manual KA Centre Manual	Instructor on beach
Cuts to body from sharp foil	B	C	3	1. Recommend always wear wetsuit and impact vest 2. in case of injury, apply first aid 3. finish the lesson and refer the student to the nearest medical centre. 4.In the event of a serious injury, administer first aid if required - call 000 if required	C	E	4	KA Instructor Manual KA Centre Manual	Instructor on beach
hitting the foil mast/wing to the head	B	C	3	1. Recommend always wear wetsuit and impact vest 2. in case of injury, apply first aid 3. finish the lesson and refer the student to the nearest medical centre. 4.In the event of a serious injury, administer first aid if required - call 000 if required	C	E	4	KA Instructor Manual KA Centre Manual	Instructor on beach
dropping the foil onto the leg	B	C	3	1. Recommend always wear wetsuit and impact vest 2. in case of injury, apply first aid 3. finish the lesson and refer the student to the nearest medical centre. 4.In the event of a serious injury, administer first aid if required - call 000 if required	C	E	4	KA Instructor Manual KA Centre Manual	Instructor on beach
Complication with wrist leash/ leg rope	B	C	3	1. Clearly demonstrate safe water entry and exit with equipment as part of lesson plan. 2. Lesson plan to include detailed instruction of wrist and leg rope use ie. How to attach and detach safely .	C	E	4	KA Instructor Manual KA Centre Manual	Instructor on beach

E	Likelihood	Severity	Risk Rating	Treatment	Likelihood after treatment	Severity after treatment	Risk Rating after treatment	Resources	Responsible Person
fall on foil	B	C	3	1. Ensure student can demonstrate the safety and self-rescue procedure. 2. Recommend always wear wetsuit and impact vest 3. Lesson plan to include correct fall technique 4. Administer first aid if required - call 000 if required	C	E	4	<i>KA Instructor Manual</i> <i>KA Centre Manual</i>	<i>Instructor on beach</i>
fall to the wing	B	C	3	1. Ensure student can demonstrate the safety and self-rescue procedure. 2. Recommend always wear wetsuit and impact vest 3. Lesson plan to include correct fall technique 4. Administer first aid if required - call 000 if required	C	E	4	<i>KA Instructor Manual</i> <i>KA Centre Manual</i>	<i>Instructor on beach</i>
Separation from wing or board	D	C	3	1. Ensure student can demonstrate the safety and self-rescue procedure. 2. Student to stay with board all times and prone paddle back to shore 3. If any equipment is compromised, student to stay with board if possible.	E	E	4	<i>KA Instructor Manual</i> <i>KA Centre Manual</i>	<i>Instructor on beach</i>
Heart attack	E	B	3	1. Access the situation and take immediate action 2. Call 000 3. Cancel the remainder of the session	E	C	4	<i>KA Instructor Manual</i> <i>KA Centre Manual</i>	<i>Instructor on beach</i>
Floating objects	C	C	3	1. Access the situation and take immediate action if injury occurs 2. Ensure access to first aid is readily available to treat any cuts/abrasions 3. Administer First Aid if required	D	E	4	<i>KA Instructor Manual</i> <i>KA Centre Manual</i>	<i>Instructor on beach</i>
Seizure	E	B	3	1. Access the situation and take immediate action if injury occurs 2. Administer first Aid if required 3. Call 000 if required	E	C	4	<i>KA Instructor Manual</i> <i>KA Centre Manual</i>	<i>Instructor on beach</i>
Fatigue	D	C	3	1. Access the situation and take immediate action if injury occurs 2. Administer First Aid if required	E	E	4	<i>KA Instructor Manual</i> <i>KA Centre Manual</i>	<i>Instructor on beach</i>
Lightning	D	C	3	1. Consult weather and surf conditions forecast 2. If weather conditions deteriorate evacuate beach 3. Cancel remainder of session if lightning is imminent	E	E	4	<i>KA Instructor Manual</i> <i>KA Centre Manual</i>	<i>Instructor on beach</i>
Pre-existing Illness, Allergy or Medical Condition	D	C	3	1. Access the situation and take immediate action if injury occurs 2. Administer first Aid if required 3. Monitor student/customer condition 4. Call 000 if required 5. Cancel remainder of session if required	E	E	4	<i>KA Instructor Manual</i> <i>KA Centre Manual</i>	<i>Instructor on beach</i>
Tides/ Shallow	C	C	3	Tides 1. Instruct all customers and students to prone paddle or walk with a gear in safe zone	D	E	4	<i>KA Instructor Manual</i> <i>KA Centre Manual</i>	<i>Instructor on beach</i>

E	Likelihood	Severity	Risk Rating	Treatment	Likelihood after treatment	Severity after treatment	Risk Rating after treatment	Resources	Responsible Person
holes/sand bar				2. Instruct all customers and students to adequately prone paddle to avoid strong tide and current 3. Instruct all customers and students to prone paddle if required Shallow holes 1. Instruct customers safe water entering procedures including walk only 2. Advise customers of possible hazard from holes and care required when stepping from board 3. Advise customers not to jump feet first from their board Sand Bar 1. Advise customers of whereabouts of sand bars 2. Advise customers of falling 'flat' technique rather than diving when falling from board, do not nose dive board 3. Inspect and select surf zone away from obvious sand bars likely to attract 'dumping' conditions 4. Inspect surf conditions prior to each lesson 5. Inspect fitness levels of participants					
Bee Stings	C	D	3	1. Monitor conditions 2. Ensure access to first aid treatment is readily available to treat stings 3. Administer First Aid if required	E	E	4	<i>KA Instructor Manual</i> <i>KA Centre Manual</i>	<i>Instructor on beach</i>
Submerged obstacles	C	C	3	1. Assess the situation and take immediate action if injury occurs 2. Ensure access to first aid and take and treat any cuts/abrasions	D	E	4	<i>KA Instructor Manual</i> <i>KA Centre Manual</i>	<i>Instructor on beach</i>
PERSONAL INJURY TO 3rd PARTY BYSTANDER									
Kite or lines impacting with 3 rd party	N/A	N/A	N/A	N/A in wing foil most impact can be with mast and foil under the board. Make sure you instruct students to all awareness with foil	N/A	N/A	N/A	<i>KA Instructor Manual</i> <i>KA Centre Manual</i>	<i>N/A</i>
Body to body impact with 3 rd	C	D	3	1. Keep a safe distance from others, minimum 5m 2. When starting lessons, make sure you have enough space to conduct the lessons safely	E	E	4	<i>KA Instructor Manual</i> <i>KA Centre Manual</i>	<i>Instructor on beach</i>

E	Likelihood	Severity	Risk Rating	Treatment	Likelihood after treatment	Severity after treatment	Risk Rating after treatment	Resources	Responsible Person
party				3.Warn the student to look around and be cautious about possible hazards 4. the instructor is aware of the dangers and observes the training area to avoid hazards					
Pedestrian or cyclist when crossing road to lesson area from car	C	D	3	1. Identify high risk locations specific to wing surf school operations 2. Locate customer mustering, equipment dispatch and briefing areas away from road/cycle path 3. Instructor to maintain close supervision of all participant 4. Administer first aid if required - call 000 if required	E	E	4	<i>KA Instructor Manual KA Centre Manual</i>	<i>Instructor on beach</i>
Noise pollution for local residents	E	E	4	There is no such risk in the case of wing foil lessons however - make sure you conduct lessons at a sufficient distance from the student so that you can be heard clearly without having to raise your voice or shout	E	E	4	<i>KA Instructor Manual KA Centre Manual</i>	<i>Instructor on beach</i>
Tripping on wing /board or leg rope lines or other lesson equipment	B	C	3	1. Clearly demonstrate safe water entry and exit with equipment as part of lesson plan.	D	E	4	<i>KA Instructor Manual KA Centre Manual</i>	<i>Instructor on beach</i>
DAMAGE TO THE ENVIRONMENT									
Wing or foil crash on vegetation	E	E	4	1.Lessons to operate no vegetation area	E	E	4	<i>KA Instructor Manual KA Centre Manual</i>	<i>Instructor on beach</i>
Trampling of dunal vegetation	E	E	4	2.Lessons to operate no vegetation area	E	E	4	<i>KA Instructor Manual KA Centre Manual</i>	<i>Instructor on beach</i>
Migratory birds	E	E	4	N/A local council permits will not allowed operate in birds sanctuary zone	E	E	4	<i>KA Instructor Manual KA Centre Manual</i>	<i>Instructor on beach</i>

E	Likelihood	Severity	Risk Rating	Treatment	Likelihood after treatment	Severity after treatment	Risk Rating after treatment	Resources	Responsible Person
Rubbish accumulation at lesson area	E	E	4	Instruct the student about leaving nothing on the beach	E	E	4	<i>KA Instructor Manual KA Centre Manual</i>	<i>Instructor on beach</i>
ADMINISTRATIVE OR LEGAL RISKS									
Legal action against school owner or instructor	E	E	4	make sure everyone in your school knows and follows the procedures conduct training for all team members each time follow the standards and regulations	E	E	4	<i>KA Instructor Manual KA Centre Manual</i>	<i>School Lawyer and owner</i>
No permits issues by local council for lessons	E	E	4	report to the appropriate authority and ask for re-approval if you do not have permission in a given location, do not conduct classes there When applying for a permit, make sure that you have prepared all documents correctly and that you meet the requirements of local authorities	E	E	4	<i>KA Instructor Manual KA Centre Manual</i>	<i>School Lawyer and owner</i>
Reputational damage after accident	E	E	4	-check all school procedures again -arrange a meeting with the entire team and make sure everyone knows the safety procedures - watch /supervise the instructors during the lessons - take all possible actions not to repeat the accident	E	E	4	<i>KA Instructor Manual KA Centre Manual</i>	<i>School Lawyer</i>

Accreditation Certificate

AWARDED TO

Anna Ambroziak

National Member ID: 5795

Member expiry: 15 Jul 2024

FOR

Kiteboarding Australia Accredited School

Accredited Entity: King Wing Foil Centre

AWARDED ON

Thursday 31st August 2023

EXPIRES 1 SEPTEMBER 2024



KITEBOARDING

Att: 10.1.1.1

Ordinary Council Meeting 14 December 2023
2023 Official Application Agenda

Accreditation Certificate

AWARDED TO

Anna Ambroziak

National Member ID: 5795

Member expiry: 15 Jul 2023

FOR

Kiteboarding Australia Examiner

Ref no: 310857

AWARDED ON

Tuesday 14th March 2023



5 September 2023

CERTIFICATE OF CURRENCY

In our capacity as Insurance Broker to the Named Insured shown below, we confirm having arranged the following insurance, the details of which are correct as at the Issue Date:

Named Insured	Kiteboarding Australia Limited, including all affiliated State / Territory Associations, affiliated clubs, including all members, temporary/trialing members, first aid personnel, administrators, officials, coaches, referees, employees, event managers, executives and voluntary workers and Kiteboarding Schools and Instructors as declared by Kiteboarding Australia.
Business Description:	The principal activities of Kiteboarding Australia Limited are to administer, co-ordinate, promote and develop the sport of Kiteboarding, hydro foils, wind wings, surfing, stand up paddle boarding, Risk Management and governance of sanctioned events, games, tournaments and training sessions and any other activity incidental thereto
Association / Club:	King Wing Foil Centre
Policy Period	01 September 2023 at 4:00pm to 01 September 2024 at 4.00pm
Class of Insurance	Combined Liability Insurance
Limit of Liability	Professional Indemnity \$500,000 each and every occurrence and in the aggregate Public Liability \$20,000,000 each and every occurrence Products Liability \$20,000,000 each and every occurrence and in the aggregate
Insurer(s)	Coast Insurance
Policy Number	LIAMT02269
Policy Territory	Worldwide excluding USA and Canada
Interested Party	City of Cockburn, Perth Water Trust

In all instances, cover afforded is subject to the policy terms, conditions and exclusions. Please address any queries concerning this insurance arrangement to this office.

Noting the above as an interested party but limited to indemnity for Personal Injury and/or Property Damage which arises solely as a result of the negligence by the name insured. This indemnity will not apply where the interested party is held or alleged to have its own independent liability arising from its own negligence, breach of contract, breach of any statute, or other act/omission. The indemnity provided is subject to the conditions, limits and exclusions of the policy. For full details regarding coverage, please refer to the policy documentation.

Yours sincerely

Daniel Taotua
 Account Manager

Authorised Representative Number: 000431835

Disclaimer

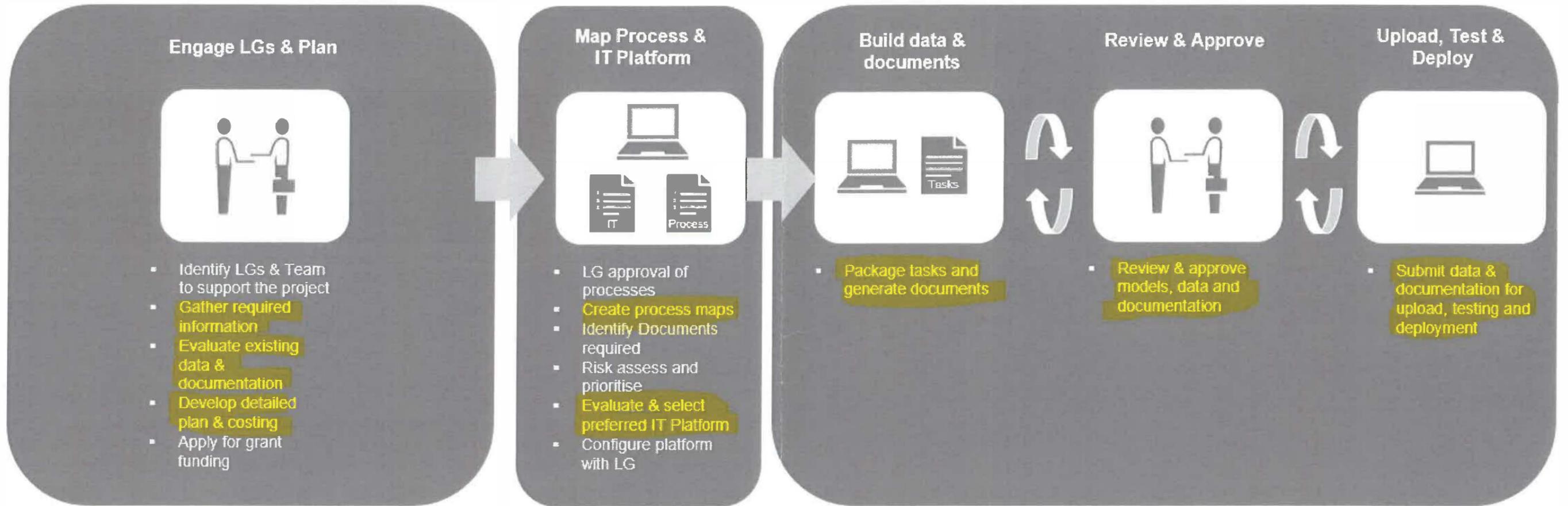
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Collaborate

Tailor for LG requirements



Stakeholders	Engage LGs & Plan	Map processes (finance, property & rating, procurement & HR)	ERP Procurement (IT Platform)	Build Data & Documents	Review and Approve	Upload, Test & Go Live
Steering Group (WALGA CEO; DLGSCI, LG CEOs)	Inform	Inform	Inform			Inform
Project Manager (MB)	Responsible [1,2,3,4]	Responsible [5, 7b]	Responsible	Responsible	Responsible	Responsible
Project Owner (Sol)	Accountable, consulted	Accountable, responsible [6, 7a, 8]	Accountable, responsible [17]	Accountable, responsible	Accountable, responsible	Accountable, responsible
Subject Matter Experts (WALGA, Metro SME secondments)		Consulted		Consulted		Consult
Working Group – process maps (Sol, SoCV)		Responsible [9]		Responsible (Docs only)	Inform	Consult
ERP Tender (WALGA, Sol, SoCV)			Responsible [9,10,11,12,13,14,15,16]			
Working Group – data migration (Sol)				Responsible [18]	Responsible [18]	Consult
Implementation Team (ERP Vendor & Sol)				Consult	Involve	Responsible [18]

Operational Health and Safety

It includes predefined procedures and policies that are developed to ensure the health and safety of all the employees. The tools in OH&S include procedures, incident reporting and claim management services.

Issue and Risk Management

Considered as key for the smooth running of the Smart City, Issue and Risk Management actively identifies, classifies and caters to all potential risks. The services include issue management, compliance tracking, insurance claim management and strategies for business continuity.

Finance

One of the most important functions, finance is used to track account receivables and account payables. It ensures proper cost accounting, enables billing and grants management.

Customer Relationship Management

Communication with the customers comes within the domain of our Relationship Management service. Some of the key areas from the Smart City perspective are service management, customer management, service improvement, customer communication, etc.

Human Capital Management

It provides complete tracking of an employee's lifecycle. Whether it's a permanent employee or a contractual one, right from joining till the completion of employment, every step is traceable and managed through our Human Capital Management.

Project Management

Allows proactive monitoring of all open projects. Ensures risk control, tracks individual projects, aligns resources and mitigates situational hazards. Provides an overview of the project along with the KPIs that help in forecasting, budgeting, planning and timely decision making.

Procurement

Includes any or all resources or services that are to be acquired from external sources. These can be tracked through the procurement system. This allows for proper contract management and maintenance with third-party vendors and suppliers and ensures an efficient purchase cycle.

Asset Management

It is used to track the complete lifecycle of assets including preventive and corrective maintenance. Asset strategy, asset planning and forecasting features are also unique parts of asset management.

Property & Rating

It enables the Smart City to manage individual properties, rate management and modelling, billing, and other services. Through property and rating, the Smart City can enforce statutory planning and building controls. Its features include animal management, infringement, local law enforcement and environmental health controls.

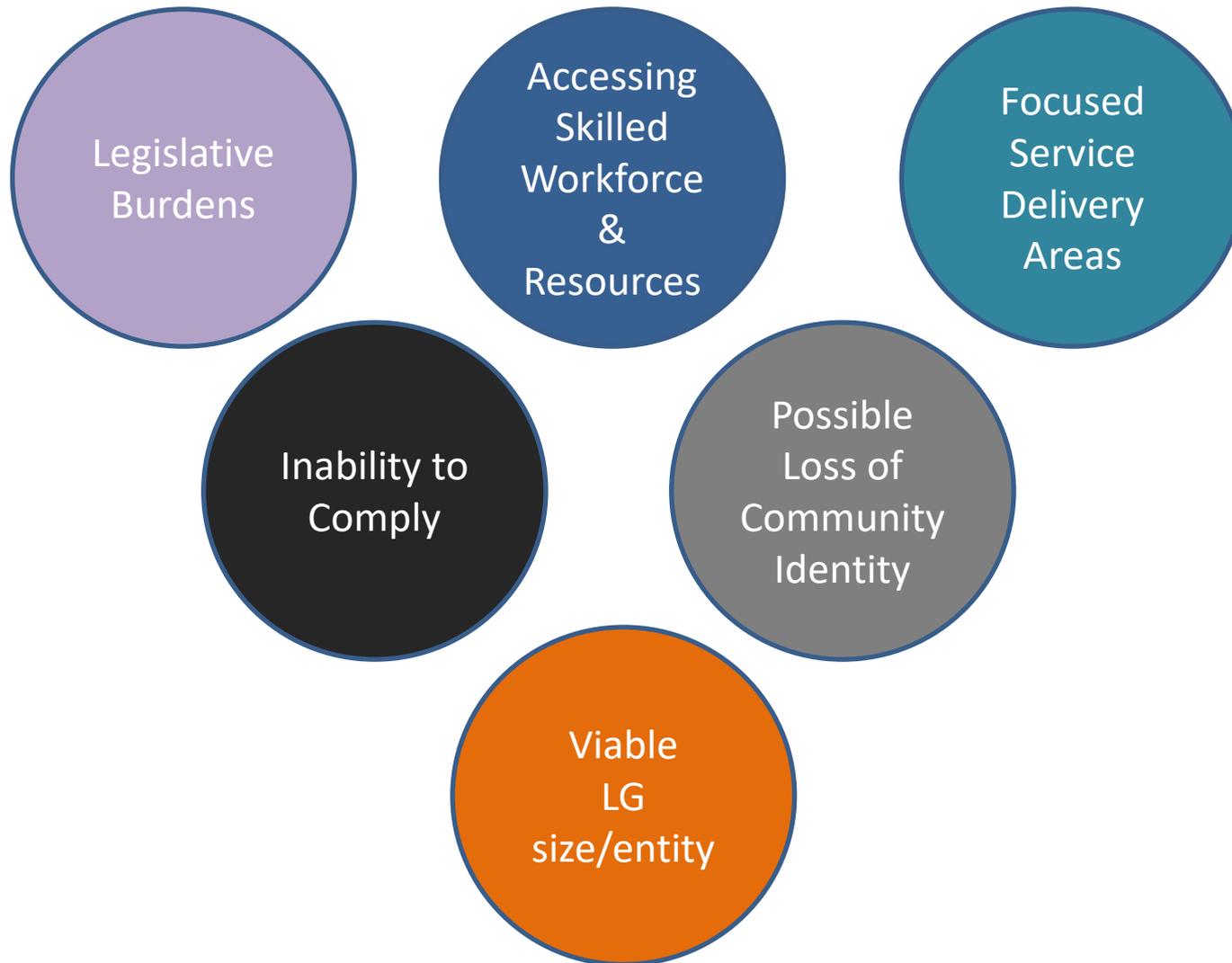
Payroll

This tool is used for compensating eligible employees in monetary terms. It captures the timesheet, attendance and payroll processing of employees. Bonus and allowance are also calculated through the tools included in the payroll system.



Consolidated Service Delivery Discussions

Reasons for Discussions



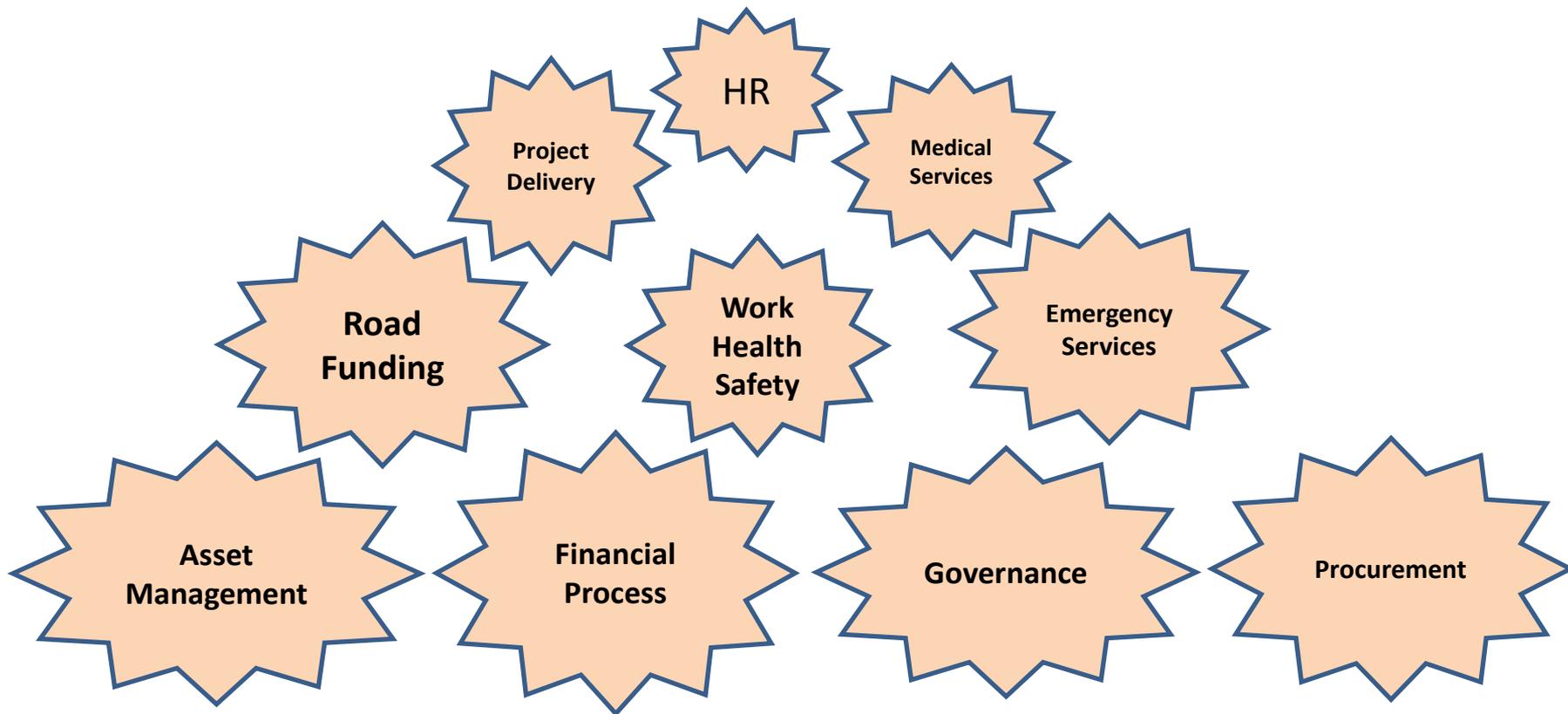
Local Government Entity?

What is a
“Local Government Entity”?

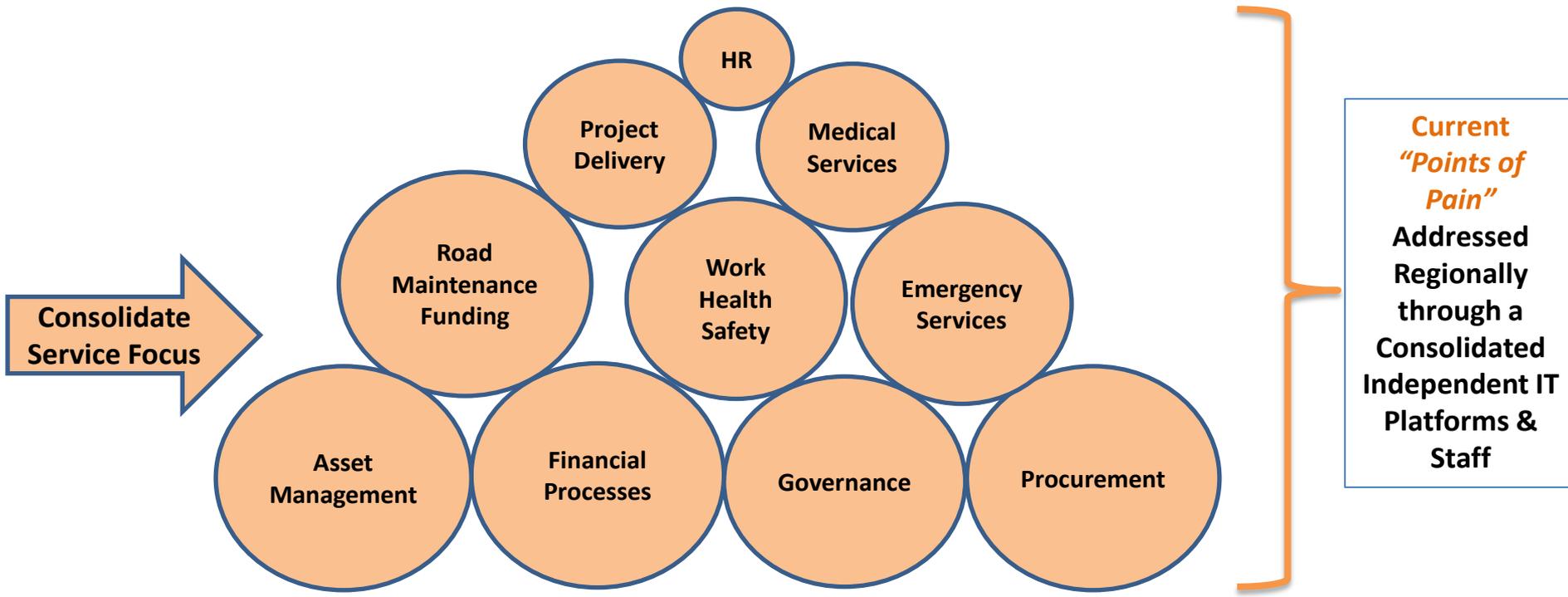
The Entity ***doesn't*** necessarily mean the amalgamation of a number of LGAs

Maintaining individual ***community identities.***

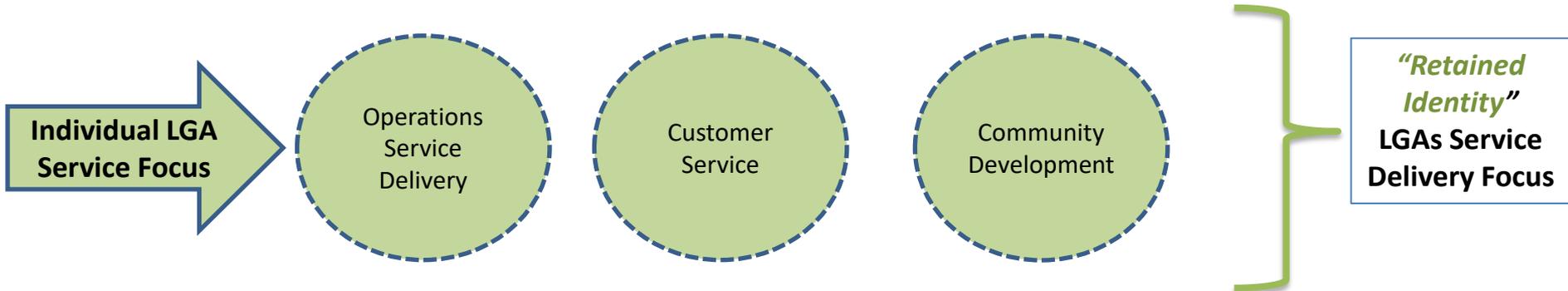
Points of Pain

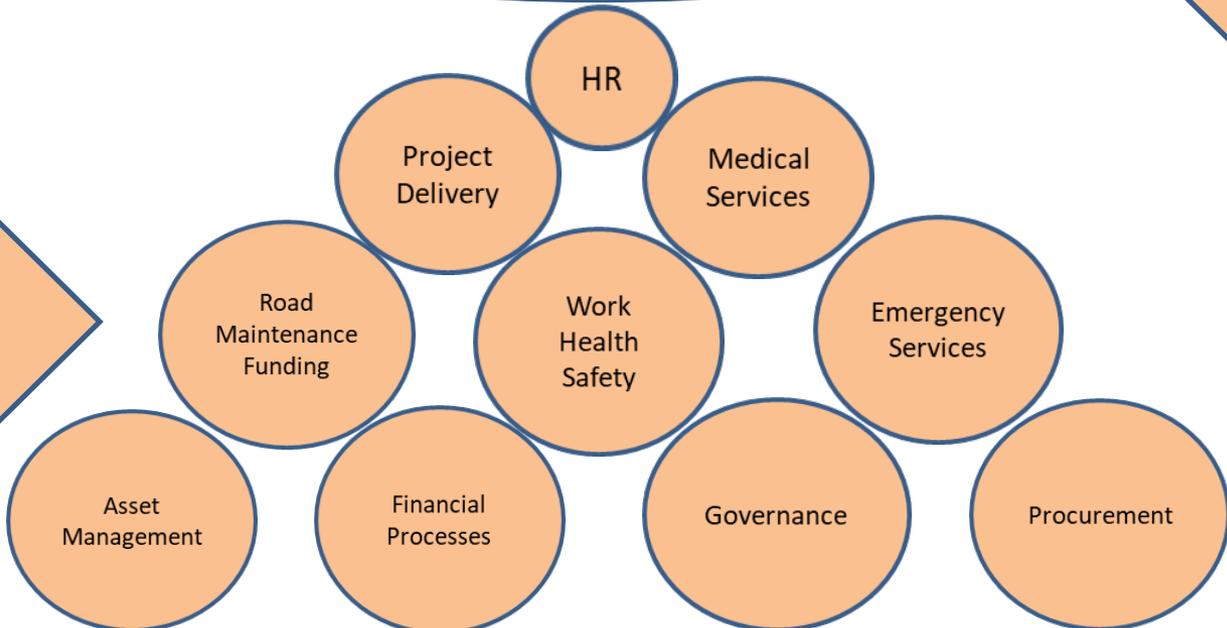
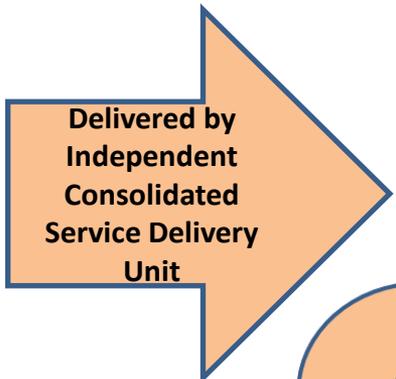


Independent Centralised Consolidated Service Delivery Areas



Individual Participating LGAs Service Delivery Areas





Alternative Services Delivery Options

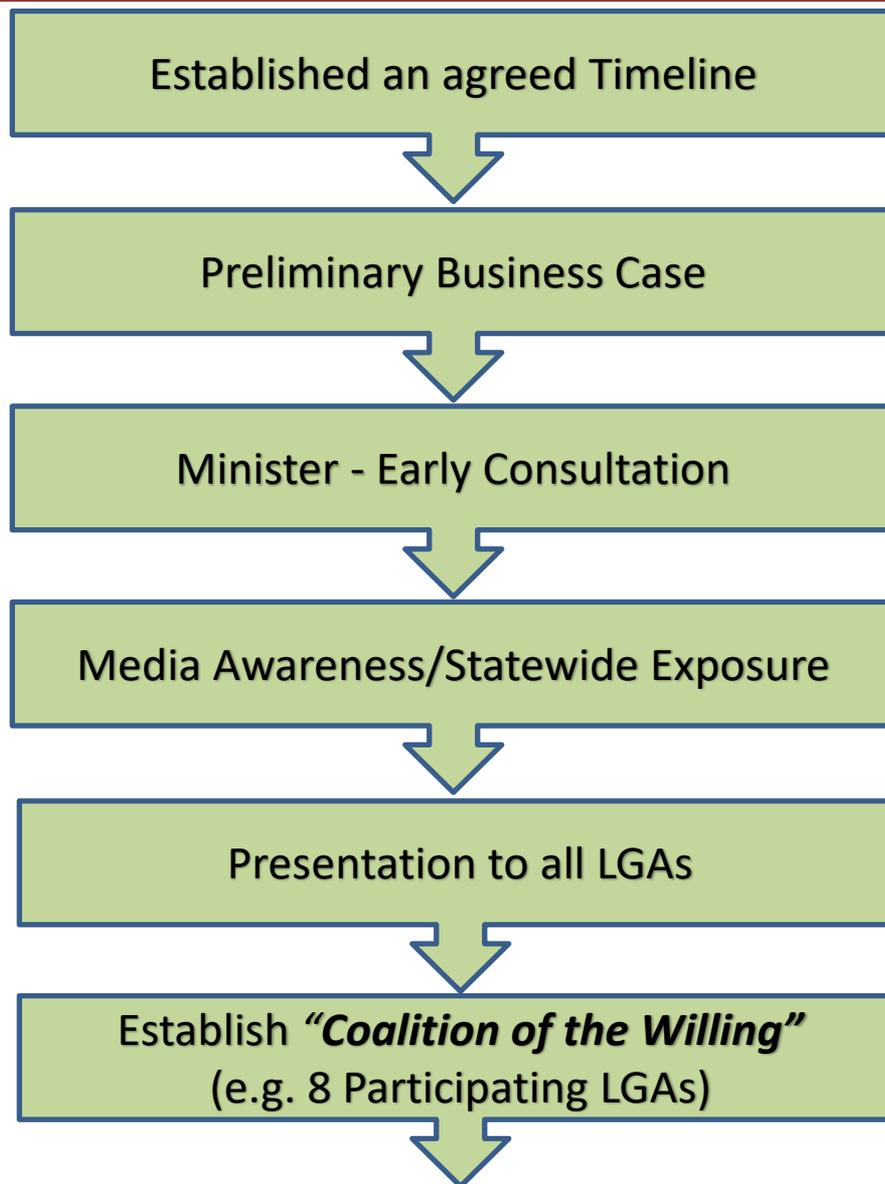
Consolidated Service Delivery

Regional Shared Service

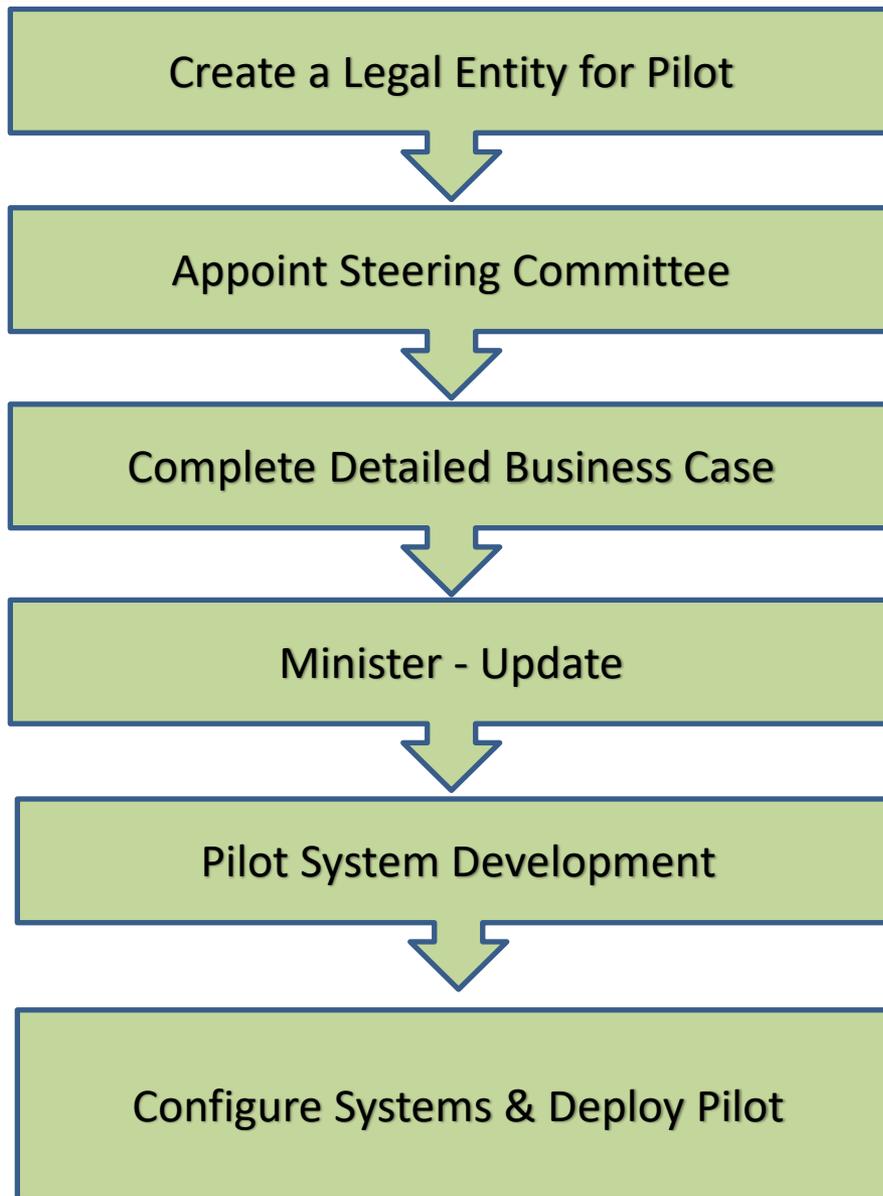
Regional Local Government

Amalgamation/Boundary Change

Progressing a Consolidated Service Delivery



Progressing a Consolidated Service Delivery



Decision Point

Is there an appetite to take the concept of investigating ***Consolidated Service Delivery*** further with our individual Council's?

