



Shire of
Chapman Valley
Love the Rural Life

AGENDA

MARCH 2014

ORDINARY COUNCIL MEETING

**Notice is hereby given that an Ordinary Meeting
of Council will be held on Wednesday 19 March 2014
at the Council Chambers, Nabawa, commencing at 9:00am.**

DISCLAIMER



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

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

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

WRITTEN CONFIRMATION

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

A handwritten signature in black ink, appearing to read 'M. Battilana', written over a large, light-colored circular scribble.

Maurice Battilana
CHIEF EXECUTIVE OFFICER

INDEX

- 1.0 DECLARATION OF OPENING/ANNOUNCEMENTS OF VISITORS
- 2.0 LOYAL TOAST
- 3.0 RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE (PREVIOUSLY APPROVED)
- 4.0 PUBLIC QUESTION TIME
- 5.0 APPLICATIONS FOR LEAVE OF ABSENCE
- 6.0 DISCLOSURE OF INTEREST

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

Section 5.60A:

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

Section 5.60B:

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

Regulation 34C (Impartiality):

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

- 7.0 PETITIONS/DEPUTATIONS/PRESENTATIONS

Mr Lyle Gray & Mrs Barbara Sheilds - Nanson Museum

- 8.0 CONFIRMATION OF MINUTES FROM PREVIOUS MEETINGS

- 8.1 Ordinary Meeting of Council – 19 February 2014
(Previously provided under separate cover)

	PAGE NO.
9.0 OFFICERS REPORTS	
9.1 MANAGER OF PLANNING	6
9.1.1 Nanson Museum Expansion	
9.1.2 Oakajee-Narngulu Infrastructure Corridor	
9.2 FINANCE	31
9.2.1 Financial Reports for February 2014	

9.3.1 Application to Waiver Private Works Fees & Charges

10.0 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

10.1 Request for Donation - Isolated Children's Parents' Association of WA Inc. (Mid-West Branch)

11.0 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

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

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

13.1 Tender 6-13/14 Western Regions Mowing, Slashing & General Maintenance

13.2 Environmental Consultant

13.3 Patten Place Drainage Basin

14.0 CLOSURE

ORDER OF BUSINESS:

1.0 DECLARATION OF OPENING/ANNOUNCEMENTS OF VISITORS

2.0 LOYAL TOAST

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

3.1 Present

3.2 Apologies

3.3 Approved Leave of Absence

4.0 PUBLIC QUESTION TIME

4.1 Questions On Notice

4.2 Questions Without Notice

5.0 APPLICATIONS FOR LEAVE OF ABSENCE

6.0 DISCLOSURE OF INTEREST

7.0 PETITIONS/DEPUTATIONS/PRESENTATIONS

8.0 CONFIRMATION OF MINUTES FROM PREVIOUS MEETINGS

8.1 Ordinary Meeting of Council held on Wednesday 19 February 2014

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

9.0 OFFICERS REPORTS

9.1 Manager of Planning March 2014

Contents

9.1 AGENDA ITEMS

- 9.1.1 Nanson Museum Expansion
- 9.1.2 Oakajee-Narngulu Infrastructure Corridor

AGENDA ITEM:	9.1.1
SUBJECT:	NANSON MUSEUM EXPANSION
PROPONENT:	CHAPMAN VALLEY HISTORICAL SOCIETY
SITE:	RESERVE 13226 EAST TERRACE, NANSON
FILE REFERENCE:	R13226
PREVIOUS REFERENCE:	06/12-4
DATE:	10 MARCH 2014
AUTHOR:	SIMON LANCASTER

DISCLOSURE OF INTEREST

Nil.

BACKGROUND

The Chapman Valley Historical Society has approached the Shire seeking support for an additional building at the Nanson Museum to cater for further display material.

COMMENT

Representatives from the Chapman Valley Historical Society met with the Shire's Building Surveyor and Community Development Officer at the Nanson Museum on 5 March 2014 to discuss their requirements for additional display area and potential locations for extension to the Museum.

Figure 1 – Aerial Photograph of Nanson Museum



The Society has agreed on a preferred location, design, materials and scale of building to house additional display material and a copy of the prepared site, elevation and floor plans has been included as **Attachment 1**. The proposed building would be 10m x 30m (300m²) with a wall height of 4m and a total height of 6.4m and clad in zincalume.

The proposed building would be sited 3m in front of the existing open fronted machinery shed upon a gravel levelled area and would not require the removal of any existing trees. Given the proposed building's scale and close proximity to the existing open fronted machinery shed Council may wish to reserve its consideration of this matter pending the Building & Disability Services Committee inspection on 25 March 2014.

Figure 2 – Photograph of proposed location for the additional Nanson Museum building



STATUTORY ENVIRONMENT

Reserve 13226 East Terrace, Nanson has a management order issued to the Shire of Chapman Valley with a management purpose of 'Historical & Community' and is zoned 'Public Purpose - Museum' under Shire of Chapman Valley Local Planning Scheme No.2. Section 3.4 of the Scheme requires that:

“3.4 Use and Development of Local Reserves

3.4.1 A person must not:

- (a) use a Local Reserve; or*
- (b) commence or carry out development on a Local Reserve, without first having obtained planning approval under Part 9 of the Scheme.*

3.4.2 In determining an application for planning approval the Local Government is to have due regard to:

- (a) the matters set out in clause 10.2; and*
- (b) the ultimate purpose intended for the Reserve.*

3.4.3 In the case of land reserved for the purposes of a public authority, the Local Government is to consult with that authority before determining an application for planning approval.”

The Nanson Museum grounds currently extends across multiple land parcels (Reserve 13226 comprises former Nanson Town Lots 13, 14, 15 & 100), a right-of-way ('ROW') and encroaches into the Lauder Road reserve, with several buildings sited across lot boundaries. **Figure 3** provides the current cadastral layout overlaid on an aerial photograph of the Nanson Museum grounds to illustrate the current situation.

To address this issue the Shire has initiated a closure action to amalgamate the 222.6m² portion of the ROW between Lots 13 and Lots 14/15 and a 206.8m² portion of Lauder Road into the Nanson Museum lot. Both portions of land already appear on-site to be part of the Nanson Museum grounds, with 20m² of the Museum building within the Lauder Road reserve, and 53.2m² of the machinery shed situated within the Lauder Road reserve, and 51.6m² of the machinery shed situated over the ROW.

Figure 3 – Nanson Museum current cadastral layout



Following the necessary advertising Council resolved at its meeting held on 20 June 2012:

“That Council:

- 1 Pursuant to Sections 58 & 59 of the Land Administration Act 1997 request the Minister of Regional Development and Lands to approve the closure of the portion of Lauder Road and the Right of Way as shown upon the plan included as Attachment 1 to this report (to enable their subsequent amalgamation with Lot 13 Lauder Street, Nanson and Lots 14, 15 & 100 East Terrace, Nanson to create one land parcel for the Nanson Museum).”*

Deposited Plan of Survey 400902 has been prepared, a copy of which is included as **Attachment 2** that closes the relevant portion of the ROW and Lauder Road and amalgamates all lots to create one new land parcel that would comprise the Nanson Museum in its on-ground entirety. DP400902 has been lodged with the Department of Lands and is currently subject to final modification prior to being declared in order for dealings.

The closure and amalgamation action will ensure that what appears on-site to be the Nanson Museum grounds correlates to the cadastral and title details and will ensure that future construction works at the Nanson Museum are not potentially at odds with the requirements of the Building Code of Australia.

POLICY IMPLICATIONS

The Shire of Chapman Valley Policy Manual contains the following policies:

“5.2 Budget

Introduction

In past years, difficulties have arisen in regards to members of Council and staff not being aware when various sections of the budget process are required to be completed to enable a smooth transition to the adoption of the budget. There is a need to ensure that the budget preparation and adoption process follows a methodical process with the opportunity being provided for input from members of Council, staff and the community.

Objective

To provide clear direction to members of Council, staff and community members of the budget adoption process to be followed, to ensure adoption of the annual budget in compliance with the Local Government Act 1995.

Policy Statement

February Meeting:

- Councillors to submit road construction priority requests;
- Write to local community organisations for budget submissions and advertise Recreation and Community Grants in local newspapers;
- Public submission on strategic plan to be presented to Council;
- Loan borrowing programme to be determined by Council; and
- Half yearly review of budget to be presented.

April Meeting:

- Works Supervisor to submit costings for the above plus any others including specific grants;
- Building Surveyor to submit 5 Year Building maintenance and construction schedules for Council buildings;
- 5 year Building maintenance and construction programmes adopted by Council; and
- Review of Strategic Plan to be presented to Council.

Special May Meeting:

- Public comment on Strategic Plan together with report and any suggested changes presented to Council. Strategic and Operational Plan adopted by Council;
- Salaries and wages reviews considered;
- All fees, charges, rents and reimbursements etc. to be reviewed;
- Proposal for additional staff considered; and
- Capital works/equipment items considered.

June Meeting:

- Preliminary draft budget submitted to Council.

July Meeting:

- Budget approved."

"5.14 Grant Applications

- 1 Original idea raised with Council once staff have completed initial investigative work, possible funding source, approximate Budget etc.
- 2 Council endorse or reject the project. If endorsed go to 4, if rejected 3.
- 3 Concerned Members of the Community (if any) to be written to advising them of the Council decision. No further action required by Council staff.
- 4 Funding submission prepared and submitted when funding round opens or funding source becomes available. This could potentially be up to 12 months after Council agreed to endorse the decision to seek funding depending on funding rounds etc.
- 5 A copy of the completed funding application is provided to Council for information purposes.
- 6 The advice of funding (approved fully or partially or rejected) is to be brought to Councils information when this advice is received and Council to formally resolve to accept or reject the funding as potentially time has passed and circumstances, needs and wants may have changed. If Council resolved to accept the funding go to 7. If Council resolved to reject the funding go to 8.

- 7 *A letter is to be written to the funding body thanking them for the funding and advising them that Council resolved to accept the funding and the terms and conditions of the grant.*
- 8 *A letter is to be written to the funding body thanking them for the funding and explaining that Council no longer wishes to proceed with the project / projects.*

Ordinary Council operating Grants such as Federal Financial Assistance Grants (FAGS), Royalty for Regions, Roads to Recovery and Regional Road Groups are to be exempt from the process and Council is to continue to have influence over these Grants by way of Budget adoption / amendments as has been the case in the past.”

FINANCIAL IMPLICATIONS

The estimated cost of the construction of the proposed building (materials and labour) is \$68,790 (GST inclusive). Council may wish to list this item in its draft 2014/2015 budget for later consideration as to the merits of some level of financial commitment towards the project (that could then be referenced by the Society when lodging its grant applications).

STRATEGIC IMPLICATIONS

Should Council support the proposed location of the additional Museum building it may consider the below alternative wording appropriate:

“The Council advise the Chapman Valley Historical Society of the following:

- 1 *Council supports the construction of an additional building at the Nanson Museum as contained within the site, elevation and floor plans included as Attachment 1 to Agenda Item 9.1.1 to enable the storage and display of further material.*
- 2 *Council will list the proposed additional building at the Nanson Museum as an item for consideration in the draft 2014/2015 budget, however, any commitment towards a level of financial contribution for the project cannot be provided at this time, and will be subject to later deliberation as part of the budget formulation process.*
- 3 *Instruct the Shire Community Development Officer to work with the Chapman Valley Historical Society to explore funding opportunities.”*

VOTING REQUIREMENTS

Simple Majority.

STAFF RECOMMENDATION

The Council advise the Chapman Valley Historical Society of the following:

- 1 Council supports in principle the construction of an additional building at the Nanson Museum to enable the storage and display of further material.
- 2 Council will reserve its consideration upon the final scale and location for the proposed additional building pending the Building & Disability Services Committee inspection on 25 March 2014.
- 3 Council will list the proposed additional building at the Nanson Museum as an item for consideration in the draft 2014/2015 budget, however, any commitment towards a level of financial contribution for the project cannot be provided at this time, and will be subject to later deliberation as part of the budget formulation process.
- 4 Instruct the Shire Community Development Officer to work with the Chapman Valley Historical Society to explore funding opportunities.

CHAPMAN VALLEY HISTORICAL SOCIETY
Old Road Board Building
NANSON
PO Box 3355 Bluff Point
Via Geraldton WA 6531



7th March, 2014

The Chief Executive Officer
Shire of Chapman Valley
Chapman Valley Road
NABAWA WA 6532

Dear Mr Battilana,

On behalf of the Chapman Valley Historical Society I would like to make a request for a group of our members to be able to attend a Council Meeting and put forward a request to apply for funding to extend our building on East Terrace, Nanson.

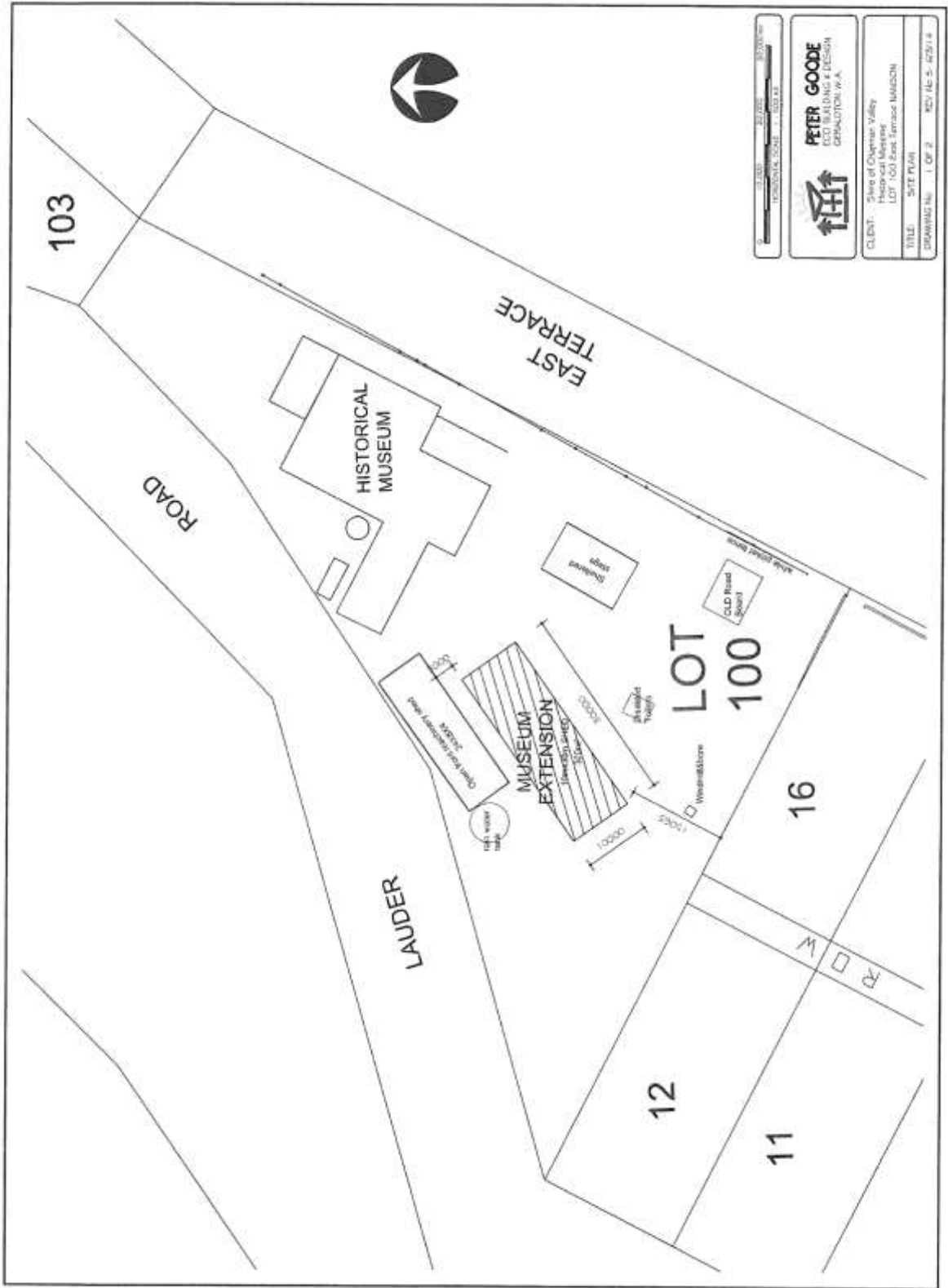
We have been fortunate to be offered a couple of Collections that would fit very nicely in our Society's ethos, however it would be pushing the boundaries to try and display them to advantage and therefore we would like to discuss this with our Council.

We would be available to visit at your next Council Meeting and do hope you can see your way clear to admit us.

Yours sincerely

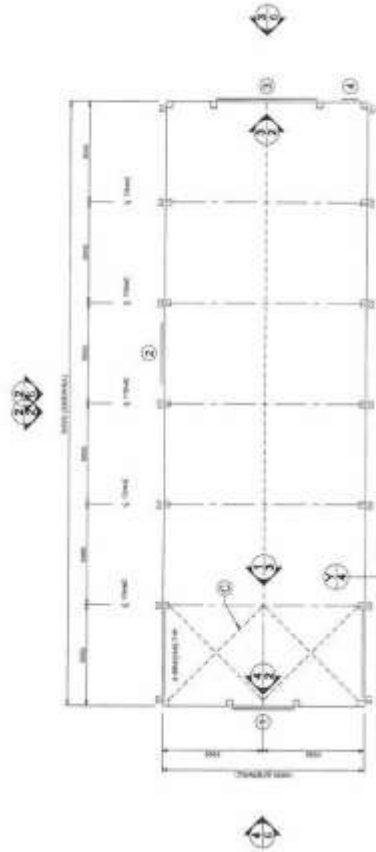
Delma Attrill

08 9921 2512
Email : dattrill@wn.com.au



The design and detail shown on these drawings are approved as the design and detail for the project only and may not be reproduced or used for any other purpose without the written permission of FJGC. FJGC Pty. Limited with whom copyright resides. The local distributor you are working with is an authorized independent distributor of Fairclinkum Sheds products and where any agreement with its customers or its own design will not be an agent of Fairclinkum Sheds.

DO NOT SCALE THIS DRAWING. USE FIGURED DIMENSIONS ONLY. ALL DIMENSIONS TO BE VERIFIED ON SITE.



FOUNDATION PLAN AND MEMBER LAYOUT
SCALE 1:100

MAIN FRAME
COLUMN LEGEND

C1	C15024
C2	C215024
C3	C25019

ROOF STRAP BRACING TO BE CONNECTED TO THE PURLIN CLOSEST TO THE LINE OF THE END WALL MULLION.

STEEL BUILDING BY FOR AUSSIE SHEDS GROUP AT 08 9964 6811		(CONTRACT) NANSON MUSEUM CHAPMAN VALLEY RD NANSON						BY Timothy Ray Messer B.E. (Struct. Engg.) Registered Professional Engineer 200990 Signature: <i>[Signature]</i> Date: 6/3/14 Provided on the NPSB to the satisfaction of the Engineer Registrar	
DRAWN	FJGS	CHECKED	TM	DATE	6/3/2014	JOB NO	GRD28531	Chief Executive Officer 50 Pacific Street Cairns, Qld 4870 Fax: 07 4755 6800 Email: enquiries@northernconsulting.com.au www.northernconsulting.com.au ABN 81 008 193 282 Trade No. 29888 Reg. No. 29888 Reg. No. 29888 Reg. No. 29888 Reg. No. 29888	
SHEET 1 OF 6									

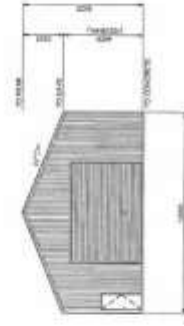
The design and details shown on these drawings are submitted to this project only and may not be reproduced in whole or any part or be used for any other purpose without the written permission of Fairs Sheds Pty Limited with whom copyright resides. The local distributor you are copying with is an authorised independent distributor of Fair Sheds Sheds products and while this agreement also includes the right to use the name of Fair Sheds Sheds.



1. SIDEWALL EXTERIOR ELEVATION
SCALE 1:100



2. SIDEWALL EXTERIOR ELEVATION
SCALE 1:100



3. ENDWALL EXTERIOR ELEVATION
SCALE 1:100



4. ENDWALL EXTERIOR ELEVATION
SCALE 1:100

REVISIONS	
NO.	DESCRIPTION
1	ISSUED FOR PERMIT
2	ISSUED FOR PERMIT
3	ISSUED FOR PERMIT
4	ISSUED FOR PERMIT
5	ISSUED FOR PERMIT
6	ISSUED FOR PERMIT

AP Timothy Roy Messer BE (MIL) Just RP/EC
Registered Professional Engineer 2502880

Signature: *[Signature]*
Date: 6/3/2014

I hereby certify that the above is the work of a professional Engineer registered with the Engineering Council of Australia.

Ch & S Consulting Engineers
50 Percival Street
Cairns, QLD 4872
Ph: 07 4725 8800
Fax: 07 4725 8801
Email: info@chands.com.au

NORTHERN CONSULTING
Engineers

Registered Consulting Engineers
Registered Consulting Engineers
Registered Professional Engineers
Registered Professional Engineers
Registered Professional Engineers
Registered Professional Engineers



STEEL BUILDING BY (CONTRACT)
AUSSIE SHEDS GROUP
08 9964 6811
FOR
NANSON MUSEUM
AT
CHAPMAN VALLEY RD
NANSON

DRAWN: TRHS
CHECKED: TM
DATE: 6/3/2014
JOB NO: GRLED28031

SHEET
6
of
6

File Windows Screen 3D View Camera Options Update Layout Undo Redo Quick Details

Building For:
 Yvill Grigg
 Nanson Museum Nanson
 Job Number: 20531
 Project Number: 20531

Aussie Sheds Group
 Phone: 1300 300 022

Kit Price: \$34,030 Inc GST
Build: \$10,160
Concrete: \$15,000 + \$1,200 Del
PMD: \$5,030
Reg Build: \$2,370
Travel: \$1,000

Total: \$68,790 Inc GST
Fully Built on Concrete Slab
Site works, shire fees not included

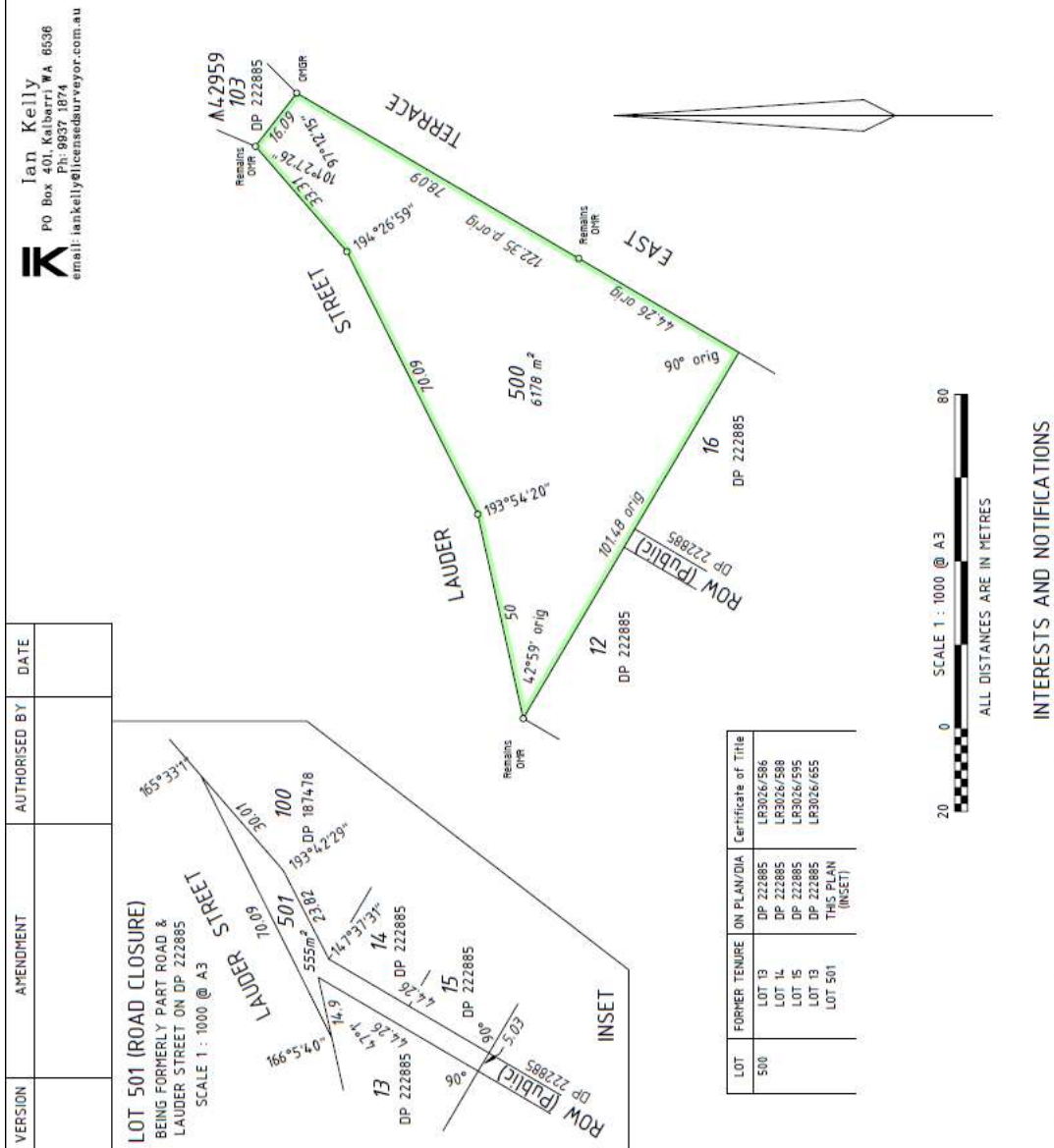
Option:
Insulations To Roof: \$5,550 S&I
Walls: \$5,550 S&I

Detail: 27000_0109

TYPE CROWN	
PURPOSE SUBDIVISION	SSA - NO
PLAN OF LOT 500	
DISTRICT TOWNSITE LOCALITY FORMER TENURE	VICTORIA NANSON NANSON SHIRE OF CHAPMAN VALLEY ON FIELD BOOK
SEE TABLE	INDEX NANSON NW (25) 123438
SCALE 1 : 1000 @ A3 ALL DISTANCES ARE IN METRES	
SURVEYOR'S CERTIFICATE - Reg 54 I, Ian Kelly, being duly sworn, depose and say that this plan is accurate and is a correct representation of the land shown and/or the measurements taken by me or under my supervision for the purposes of this plan and that it complies with the relevant written laws in relation to which it is lodged. <i>Ian Kelly</i> LICENSED SURVEYOR	
DATE	
APPROVED BY IAN KELLY PO Box 401, Kalbarri WA 6536 email: iankelly@licensedsurveyor.com.au	
WESTERN AUSTRALIAN PLANNING COMMISSION	
FILE EXEMPT FROM WAPC APPROVAL	
DATE	
IN ORDER FOR DEALINGS	
SUBJECT TO	
FOR INSPECTION OF PLANS & SURVEYS DATE	
AUTHORIZED LAND OFFICER	
APPROVED	
FOR INSPECTION OF PLANS & SURVEYS DATE	
AUTHORIZED LAND OFFICER	

DEPOSITED PLAN
400902

SHEET 1 OF 1
VERSION 1



INTERESTS AND NOTIFICATIONS

SUBJECT	PURPOSE	STATUTORY REFERENCE	ORIGIN	LAND BURDENED	BENEFIT TO	COMMENTS

AGENDA ITEM:	9.1.2
SUBJECT:	OAKAJEE-NARNGULU INFRASTRUCTURE CORRIDOR
PROPONENT:	DEPARTMENT OF PLANNING
SITE:	MULTIPLE LOTS IN THE OAKAJEE, WHITE PEAK, YETNA, NARRA TARRA AND MOONYOONOOKA LOCALITIES
FILE REFERENCE:	204.16.07
PREVIOUS REFERENCE:	N/A
DATE:	11 MARCH 2014
AUTHOR:	SIMON LANCASTER

DISCLOSURE OF INTEREST

Nil.

BACKGROUND

The Department of Planning is seeking public comment on the Oakajee-Narngulu Infrastructure Corridor ('ONIC') draft Alignment Definition Report with the closing date for submissions being 17 March 2014. The Shire has sought and received from the Department of Planning a minor extension to this submission period to enable the matter to be presented to the 19 March 2014 meeting of Council for its consideration.

A complete copy of the ONIC draft Alignment Definition Report has been provided to Councillors as a separate document to the Agenda.

COMMENT

The draft ONIC report identifies a 34km alignment intended to provide a strategic linkage between the Oakajee Port and Industrial Estate to the Narngulu Industrial Estate, Geraldton Port, iron ore mines and the wider heavy vehicle and rail network. The alignment as identified by the draft ONIC report has been included as **Attachment 1**.

The ultimate land requirements for the ONIC are estimated to be 1,048ha, with approximately 664ha of this being across 59 privately owned lots, owned by 34 different landowners, with 7 of these landowners being located within the Shire of Chapman Valley. The remaining 358ha effects land under State Government ownership as freehold title or publically reserved land.

The ONIC alignment is generally 230m in width to accommodate road, rail and service utilities infrastructure, with certain sections of greater width to accommodate engineering requirements of the road and rail alignments. The indicative cross section for the ONIC alignment as identified by the draft report has been included as **Attachment 2** with the breakdown of the cross section being as follows:

Rail

The ONIC rail component is approximately 60m wide and would have the capacity to accommodate a dual gauge, dual track rail from the existing Geraldton-Mullewa rail line (near Narngulu) through to Oakajee.

From just south-east of the Broadcast Australia site through to Oakajee, the ONIC rail component reserve has been widened to accommodate a dual gauge, dual track rail alignment consistent with that proposed by Oakajee Port and Rail.

The rail component of the ONIC has strategic importance to the State as it is likely to form an important part of the supporting rail infrastructure for the Oakajee Port through providing possible rail connections to iron ore mines to the south-east and north-east of Geraldton, Narngulu and the Geraldton Port.

Road

The ONIC road component is approximately 80m wide and is located immediately to the west of the ONIC rail component. The ONIC road is proposed to connect into the Geraldton-Mount Magnet Road west of Moonyoonooka and continue through to the North West Coastal Highway near Oakajee. The road would ultimately be a four-lane, controlled access highway that would

form part of the Geraldton Outer Bypass, that would include a connection from Brand Highway through to the ONIC and allow heavy freight vehicles to bypass the built up areas of Geraldton.

Major road intersections with the ONIC rail, including North West Coastal Highway and the Geraldton-Mount Magnet Road, are intended to be grade-separated with the ONIC rail passing under those roads.

Possible solutions for the treatment for roads intersecting with or affected by the ONIC are proposed, however, finalisation of these will need to be resolved at the detailed design stage by Main Roads WA in consultation with the local governments.

Utilities

The ONIC services component is approximately 90m wide and would be located immediately to the west of the road component. The services corridor would commence immediately north of the existing road reserve for the Geraldton-Mount Magnet Road and continue through to Oakajee and would include:

- gas – 30m (while gas needs for the Oakajee Industrial Estate and Port are likely to be met by a proposed Oakajee Gas Lateral from the Dampier-Bunbury Natural Gas Pipeline, provision is made for inclusion of a gas pipeline to potentially service future development near the ONIC);
- water main and slurry pipelines – 50m (allowance is made within the ONIC for water pipelines, which could possibly be used to source water from the Allanooka bore field (south-east of Geraldton) for future development areas adjacent to the corridor; provision is also made for slurry pipelines within the ONIC, possibly for the transport of mineral concentrate from the iron ore mine sites to the south-east of Geraldton to the Oakajee Port);
- minor services – 10m (provision has also been made to allow space for telecommunications cabling and sewer rising main to meet the requirements of future development near or adjacent to the ONIC).

Power

Depending on the timing and demand for locating utilities within the ONIC, there may also be a need to locate power infrastructure either within, or next to the alignment. The location of power infrastructure within the ONIC or an expanded corridor would require further technical studies and regulatory approvals.

The OPR project anticipated the ultimate power requirements for the Oakajee Port as being around 450 megawatts (MW) and the ultimate power demands for the Oakajee Industrial Estate, would require Western Power to transmit at 330kilovolts (kV) voltage level.

Western Power currently recommends that:

- the proposed power transmission line be included within the 90m wide services component of the ONIC subject to available space;
- where space is not available within the 90m services component of the ONIC, the ONIC's width may need to be expanded to include the power transmission line;
- within the Wokatherra Gap a steel pole transmission line should be used to minimise land requirements; and
- outside the Wokatherra Gap where land is less constrained a steel lattice power transmission line is preferred.

Shire of Chapman Valley

This agenda report, whilst acknowledging the wider strategic significance of the ONIC as the most important planning issue relevant to the greater Geraldton area, will concentrate its specific comment upon those aspects of the alignment pertinent to the Shire of Chapman Valley local government area.

North West Coastal Highway interface

The ONIC rail component would pass under the North West Coastal Highway at the proposed OPR crossing point, and there is potential for a future northern extension of the ONIC rail to

deviate to the north, to connect (at-grade) to a potential future extension of the Oakajee Port. This would mean that such a railway connection would need a second more northerly grade-separated interchange with North West Coastal Highway.

The ONIC road alignment diverges from the rail alignments continuing in a western direction to connect with North West Coastal Highway. The proposed interchange connection to North West Coastal Highway has been previously undertaken by Main Roads WA and was previously identified in the Oakajee Industrial Estate Structure Plan. The ONIC services component follows the road alignment, passing under North West Coastal Highway to connect into infrastructure corridors designated within the Oakajee Industrial Estate Structure Plan.

Wokatherra Gap

In order to reach the Oakajee Industrial Estate and Port, the ONIC must pass through the Moresby Ranges at a point known as the Wokatherra Gap which is significantly lower than the surrounding sections of Range. The criticality of rail grade requirements to allow loaded and unloaded trains to safely enter and exit the Oakajee Port means that this is the only viable location identified for rail to cross the Moresby Range.

The ONIC alignment through the Wokatherra Gap has been designed to minimise impacts on native vegetation and watercourses, avoid indigenous heritage sites, minimise land take and impacts on the visual value of the area, and reduce the amount of earthworks required where possible.

Broadcast Australia site (ABC radio transmission site)

The ONIC avoids impacting on the Broadcast Australia site (which consist of consists of ABC radio transmission towers and an underground earthmat antenna system) by locating the services corridor to the west of the site and co-locating the ONIC road and rail components with the proposed OPR rail alignment to the east of the site.

Previous studies have investigated multiple options in relation to aspects of the ONIC being east or west of the Broadcast Australia site and it was concluded that the difference in land requirements between using the ONIC grade or the OPR preferred grade for the second rail component would be only marginal. Furthermore, accommodating the OPR preferred grade allows it to remain compatible with the rail marshalling yard proposed by OPR at the west of the Wokatherra Gap. Based on these reasons it was recommended that the land requirements of the rail component be based on the OPR preferred grade. This option reflects the wishes of stakeholders to co-locate the major transport infrastructure in one corridor, so far as practical, and minimises the earthworks costs involved for both the ONIC and OPR infrastructure.

The disadvantages of this option is that it requires the realignment of the OPR rail, and requires the bulk earthworks for the ONIC alignment to be completed prior to the construction and operation of the OPR rail (a previous point of discussion on whether the State Government would fund the cost differential imposed by this option).

Chapman Valley Road intersection

The ONIC intersection with Chapman Valley Road is proposed to be via a staggered T-intersection configuration, with vehicles heading east along Chapman valley Road turning left onto the ONIC, travelling north along the ONIC for approximately 400m and then turning right off the ONIC onto Chapman Valley Road to continue heading eastwards. The portion of Chapman Valley Road east of the ONIC road component would have a grade separation overpass over the ONIC rail component. The draft ONIC report identifies a potential intersection design with Chapman Valley Road and this has been included as **Attachment 3**.

Given the heavy haulage traffic experienced along Chapman Valley Road during the harvest period that currently turns left onto Morrell Road, it is considered that further attention to this intersection design will be required, particularly given that grain export will continue through the Geraldton Port (rather than Oakajee Port) under all but the most extreme high growth/long term scenarios.

Morrell Road

Main Roads WA has previously investigated the ability to upgrade the existing Morrell Road and

Moonyoonooka–Narra Roads as a first stage of the ONIC/Geraldton Outer Bypass. However, following these investigations Main Roads WA no longer considers this temporary solution/staged development as feasible due to the vertical and horizontal alignment constraints of the existing road and predictions that road capacity would become deficient in 3 to 5 years.

Narra Tarra Road & East Chapman Road

An ONIC connection is provided to Narra Tarra Road (west of the rail alignment) and connection of Narra Tarra Road to East Chapman Road would be by means of an underpass. The draft ONIC report identifies a potential intersection design with Narra Tarra Road and East Chapman Road and this has been included as **Attachment 4**.

North West Coastal Highway (White Peak) realignment

The ONIC draft report references Main Roads WA's current planning for the proposed realignment of the North West Coastal Highway along the former Geraldton-Northampton railway alignment in the locality of White Peak. This alignment is also identified on the Department of Planning's Greater Geraldton Structure Plan (2011). The realignment was also shown in the Geraldton Region Plan (1999) and Parkfalls Estate Subdivision Guide Plan (1999) both prepared prior to the rezoning and subdivision of the Parkfalls Estate.

However, argument could be made that the cost and complication involved in constructing the proposed highway realignment would not be offset by greatly resolving transport or safety issues. The construction of the 'Parkfalls' highway realignment would not result in any heavy vehicle movements being removed from the urban Geraldton area (i.e. past/through Wandina, Tarcoola, Wonthella, Bluff Point, Spalding, Waggrakine). The construction of the ONIC however would create a by-pass route around Geraldton that would remove heavy vehicles associated with both Oakajee and projects further north in the Pilbara. The ONIC would better address safety and amenity issues, and potentially reduce the need for the 'Parkfalls' realignment. The identification, acquisition and construction of the ONIC (road component) would lower the hierarchical role of the existing North West Coastal Highway (particularly through the Buller area) to servicing local/domestic vehicular trips and tourist traffic.

The ONIC is proposed to form part of a Geraldton Outer Bypass, which will connect into and be an integral part of the regional road network, reducing regional traffic pressure on sections of Brand Highway and North West Coast Highway in the inner city area of Geraldton, and providing for efficient access to the Oakajee Port and Industrial Estate.

Regardless of the timing for development of the Oakajee Port the construction of the road component of the ONIC will be driven by the need for a connection through to Brand Highway to form part of a bypass for diverting heavy vehicles away from the Geraldton town centre and surrounding residential areas.

Development Investigation Area 1 – White Peak

The Department of Planning's Greater Geraldton Structure Plan (2011) provides a guide for future land use planning and development within the Greater Geraldton area. The Structure Plan provided for an indicative ONIC alignment that is broadly similar to the alignment now contained within the draft ONIC report. The Greater Geraldton Structure Plan shows future land uses surrounding the ONIC as remaining as rural with a few exceptions. Development investigation areas are included adjacent to the alignment at White Peak, Yetna, and Moresby-Moonyoonooka. The White Peak and Yetna areas would be considered for future intensification for rural living purposes.

The boundaries for the Development Investigation Areas are subject to completion of the ONIC planning process, as well as completion of further planning and approvals for the Development Investigation Areas themselves, such as local planning scheme amendments, structure planning, and subdivision applications (with a preference for building envelopes sited away from the ONIC alignment).

The Greater Geraldton Structure Plan makes further allowance for potential subdivision to the west and north of the Moresby Range area from that shown upon the 1999 Geraldton Region Plan. This additional land has been identified as a result of the Shire's Local Planning Strategy (2008) and Moresby Range Management Plan (2010).

Section 3.11.1 of the Greater Geraldton Structure Plan states for the area north of the Moresby Range that:

“Development Investigation Area 1 – White Peak

This area is identified as ‘rural’ with general farming currently being the predominant land use. It will be considered for future intensification. It is acknowledged that in the Shire of Chapman Valley Local Planning Strategy a portion of the subject area is proposed for rural living purposes.

The northern boundary of this area is adjacent to the proposed Oakajee-Narngulu Infrastructure Corridor. Finalisation of the alignment of the corridor and resolution of its associated buffers will effectively inform the northern extent of this precinct.

An amendment to the local planning scheme will be necessary for any eventual change in zoning. This may require an environmental assessment to be undertaken by the Environmental Protection Authority, and regard for natural features in any potential subdivision design.”

Development Investigation Area 2 – Yetna

A section of the area in Yetna identified as having potential for rural smallholdings (20-40ha) subdivision by the Shire’s Local Planning Strategy (2008) is shown on the Greater Geraldton Structure Plan as ‘Development Investigation Area’.

Section 3.11.2 of the Greater Geraldton Structure Plan states for this area that:

“Development Investigation Area 2 – Yetna

This area is identified as ‘rural’ with general farming currently being the predominant land use. It will be considered for future intensification. It is acknowledged that in the Shire of Chapman Valley Local Planning Strategy the subject area is proposed for rural living purposes.

The area is bisected by the proposed Oakajee-Narngulu Infrastructure Corridor. Finalisation of the alignment of the corridor and resolution of its associated buffers will effectively inform the extent of this precinct.

An amendment to the local planning scheme will be necessary for any eventual change in zoning. This may require an environmental assessment to be undertaken by the Environmental Protection Authority.”

The designation of this section as ‘Development Investigation Area’ rather than ‘Rural’ allows for this area to be given further consideration for subdivision upon the resolution of the ONIC alignment as it affects that area. This approach is in keeping with Council’s resolution at its 18 March 2009 meeting to defer consideration of Scheme Amendment No.44 to Scheme No.1 until the ONIC alignment had been detailed to provide greater clarity on the possible impact on the subject land.

Acoustic and Vibration Impacts

The Department of Planning commissioned a noise and vibration study of the road and rail components of the ONIC to ensure impacts on the environment and community are minimised and managed, as well as ensuring that the proposal meets the relevant State Government legislation and policy objectives.

Prediction of future transportation noise levels and potential impacts on 102 dwellings within 1km of the ONIC (with 23 of these being located within the Shire of Chapman valley and 3 owned by LandCorp) was based on 3 different traffic volume scenarios for the road component and 6 different scenarios for the rail component. For the road component (high growth scenario) of the ONIC it was predicted that noise limits defined in State Planning Policy 5.4 Road and Rail Transport Noise and Freight Considerations in Land Use Planning, would be exceeded at 6 dwellings (to achieve policy requirements for these, 4 would require façade protection and 2 would require specialist treatment).

For the rail noise, the extent of compliance with State Planning Policy 5.4 would be dependent on whether the ONIC rail component is required as part of the primary rail route for transporting iron ore to the proposed Oakajee Port. In the event that the ONIC rail component is not required as the primary rail route for transporting iron ore to Oakajee then no dwellings would be expected to exceed the identified limits. However, in the event that the ONIC forms part of the primary iron ore rail line to Oakajee, depending on the preferred alignment, it is predicted that between 16% and 24% of dwellings would exceed limits identified in State Planning Policy 5.4.

Based on noise modelling it is anticipated that any required noise mitigation would involve protection to individual dwellings rather than the use of noise barriers. In determining the appropriate noise control package, a consultation program would be required which includes surveys of the dwellings and discussion with the landowners following progression of the environmental approval and prior to construction of the road or rail infrastructure.

Heritage

The draft ONIC report identifies a number of sites listed within the Shire of Chapman Valley Municipal Inventory of Heritage Places as being within vicinity of the ONIC alignment. These sites are within proximity to, but not within the ONIC alignment, and these sites are not listed as Management Category 1 (exceptional significance) or 2 (considerable significance) by the Inventory.

The draft report notes that there are no sites listed on the State Register of Heritage Places near or within the ONIC alignment. The ONIC does cross the former Geraldton-Northampton and Wokarena-Yuna rail alignments that are under preliminary register consideration although not at locations of significance. The ONIC alignment is in proximity to the Oakajee Lime Kilns site that is being considered by the State Heritage Office for entry onto the State Register, although it is noted that the associated sites have a Management Category of 3 and 4 only, and their entry has been repeatedly opposed by the Shire and LandCorp as inappropriate.

The ONIC traverses land that is subject to 3 native title claims, and these would apply to Unallocated Crown Land (i.e. the Chapman River crossings) of which there is approximately 14.6ha within the ONIC. Consultation with Native Title claim groups has occurred on heritage matters, and specific consultation on Native Title matters will occur if and when the State Government commits to and commences acquisition of the ONIC.

There are a number of registered Aboriginal heritage sites in vicinity of the ONIC and it is anticipated that construction works may require consent from the Minister for Aboriginal Affairs under Section 18 of the *Aboriginal Heritage Act 1972*. A draft Section 18 application has been prepared and it is intended that the draft application and supporting survey report will be available for future Section 18 processes, as and when required.

Native Vegetation

The majority of the ONIC passes through cleared and/or existing disturbed agricultural land and therefore there would be minimal impact on native vegetation for most of the alignment.

Based on the undertaken vegetation surveys it is estimated that approximately 181ha of native vegetation would be directly impacted by the ONIC alignment, with the majority of this (112.87ha) being within the Oakajee Industrial Estate.

The Oakajee and Wokatherra Nature Reserves are also located adjacent to the ONIC, although it is not anticipated that either of these reserves would be impacted by the ONIC.

Native Fauna

The conducted fauna surveys indicated that no species of conservation significance were occupying the remnant vegetation within the ONIC. The surveys indicated that remnant vegetation within the Wokatherra Gap is locally significant fauna habitat and that vegetation located along the remainder of the corridor is not considered to provide significant fauna habitat as it is degraded, small in size and does not possess the required structure or diversity of plant species. It is likely that any future application to clear vegetation within the ONIC will be subject to clearing permit conditions requiring rehabilitation or securing of equivalent or greater area of satisfactorily alike native vegetation.

STATUTORY ENVIRONMENT

Section 10.2.1 of the draft ONIC report notes that:

“With the exception of industrial zoned land around the Oakajee port area, public purpose zoning around the Geraldton airport and some parks and recreation conservation zonings, the majority of existing land uses surrounding the ONIC within the City of Greater Geraldton and Shire of Chapman Valley occurs within a general rural zoning under each of the respective local planning schemes.”

Section 8 of the draft ONIC report also notes that:

“To date, the Oakajee Narngulu Infrastructure Corridor has not been included within the local planning schemes for the Shire of Chapman Valley or City of Greater Geraldton. The reservation and inclusion of the ONIC within both planning schemes may be required at a future date. The Department of Planning will be preparing a business case and implementation strategy that will further outline the processes and mechanisms that will be utilised to secure the land required for the ONIC.”

It is recommended that Council not initiate any scheme amendments ('rezonings') to its Shire of Chapman Valley Local Planning Scheme No.2 to recognise the ONIC as a public purpose until at minimum a formal commitment has been made by the State Government for the funding and acquisition of the ONIC, and more preferably the ONIC has been acquired by the State Government and the zoning map can then correlate to the created cadastral boundaries. The reasoning behind this recommendation being that where privately owned land is zoned for an exclusively public purpose then the effected landowner can make a claim for compensation to the Local Government under Section 11.5.1 of the Scheme.

POLICY IMPLICATIONS

Shire of Chapman Valley Local Planning Policy 16.190 'Development adjacent to the proposed Oakajee to Talling Peak and Oakajee to Narngulu Rail Corridors' seeks to prevent incompatible development to the ONIC.

FINANCIAL IMPLICATIONS

The intent of the draft ONIC report is to undertake planning to a sufficient level of detail to define a corridor suitable for possible future reservation. The report notes that there is currently no commitment or funding allocated for the acquisition of the land or construction of infrastructure within the ONIC. It is anticipated that a business case for funding the acquisition of the ONIC and an implementation strategy for the acquisition and management of the ONIC will need to be further considered by the State Government.

To ascertain the possible timing for construction of infrastructure within the ONIC, the Oakajee Narngulu Infrastructure Corridor Capacity Analysis Study (2013) was undertaken. The ONIC Capacity Analysis predicted that there is likely to be an unacceptably high number of heavy vehicles travelling on Brand Highway and North West Coastal Highway through Geraldton by around 2018 (based on a low growth projection). This could be considered as a trigger point for the ONIC road to form part of a high standard outer heavy vehicle bypass of the Geraldton City Centre and surrounding residential areas.

For the ONIC rail component the Capacity Analysis Study acknowledged that it is unlikely that rail within the ONIC would be required until such time as it is needed to complement the capacity, or form an integral part of the iron ore rail network. Further, in the longer term the ONIC rail would also be required to address the haulage needs between the Narngulu and Oakajee industrial estates. Construction of utilities infrastructure within the ONIC would be dependent on the timing of development and the needs of the Oakajee Port and Industrial Estate.

The ONIC represents the final major piece of state acquisition for the Oakajee Mid West Development Project and a commitment to funding its acquisition is essential for this project. Once the ONIC alignment is acquired as a state owned corridor then it would be reasonable to accept that private enterprise should drive the project to a significant level thereafter. Without certainty and security over access into the Oakajee Port and Industrial Estate then the previous

land acquisitions of the Oakajee Industrial Estate and buffer area are isolated and unworkable, and private enterprise is unable to access the site which can lead to further incidents such as the socially divisive and unsuccessful application for Mining Tenement Miscellaneous Licence (for the purpose of transporting minerals) as previously lodged by a private enterprise party.

The acquisition of the ONIC will remove uncertainty for both landowners and private enterprise.

The acquisition of the ONIC will also remove issues for the Shire whereby landowners of private land zoned 'Rural' under the Scheme may seek to lodge applications for development upon the ONIC alignment.

Main Roads WA is considered to be the most appropriate lead agency for the acquisition of the ONIC as they are most likely to be the initial user of the ONIC to construct the heavy vehicle bypass around Geraldton, and they also have a proven record of land acquisition for alignment corridors as witnessed by the Southern Transport Corridor.

It is noted that the Department of Planning position as stated in Table 1 of the draft ONIC Report includes the following statement:

“Studies have been undertaken to identify the possible drivers and timing for construction of infrastructure within the ONIC, however undertaking acquisition at the earliest possible stage (before construction of infrastructure) will be the most desirable as it creates certainty to landowners and investors as well as potential cost savings to Government.”

STRATEGIC IMPLICATIONS

The ONIC is one component of the broader Oakajee Mid West Development Project which is coordinated by the Department of State Development, with the aim to establish an integrated port and industrial estate at Oakajee; supporting rail and infrastructure corridors to facilitate the development of the resources sector in the Mid West; and ensure the long-term prosperity of the region.

A road and rail bypass east of the Moresby Range around Geraldton has been identified in a number of planning studies including the 1976 and 1989 editions of the Department of Planning's Geraldton Region Plan. A number of studies were undertaken in the 1990's to identify and assess a suitable railway corridor from the Narngulu Industrial Estate to the proposed Oakajee Industrial Estate and to service the then An Feng Kingstream Steel Project.

The ONIC alignment has been further refined through the 1999 and 2011 editions of the Geraldton Region Plan (and its aligned Greater Geraldton Structure Plan) and is recognised in the following planning documents relevant to the Shire of Chapman Valley:

- Shire of Chapman Valley Local Planning Strategy (2008).
- Moresby Range Management Strategy (2009) prepared by the Department of Planning;
- Moresby Range Management Plan (2010) prepared jointly by the Shire of Chapman Valley and City of Greater Geraldton;
- Oakajee Industrial Estate Structure Plan (2011) prepared by LandCorp.

VOTING REQUIREMENTS

Simple majority of Council

STAFF RECOMMENDATION

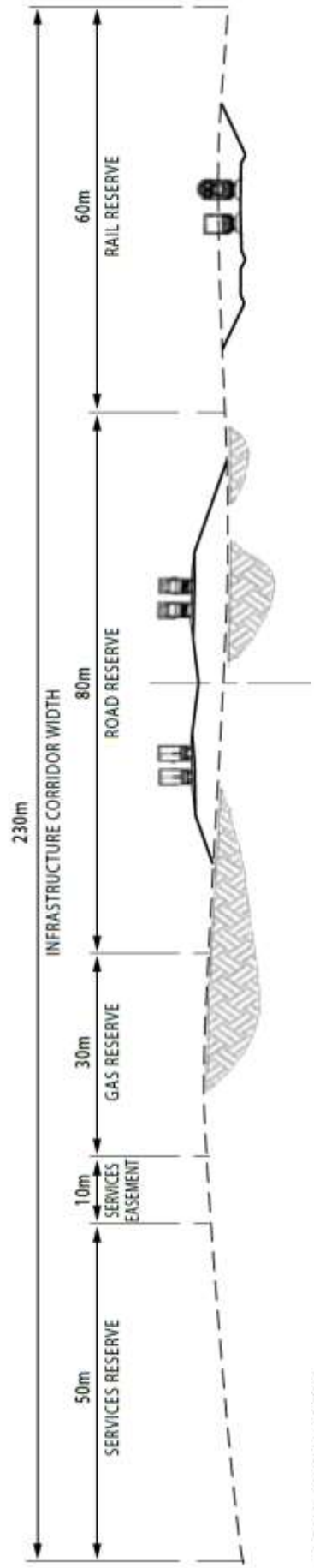
That Council:

- 1 Advise the Department of Planning that Council is generally supportive of the Oakajee-Narngulu Infrastructure Corridor draft Alignment Definition Report (February 2014) as it relates to the Shire of Chapman Valley local government area and requests that the following minor suggested modifications be undertaken to the document:
 - (a) Remove the term 'Wells Road' from Figure 1 (and all other Figures contained within the report) to accurately reflect that this is not a road reserve;

- (b) Amend pages 14/15 to identify the Shire Scheme as being the Shire of Chapman Valley Local Planning Scheme No.2 (2013);
 - (c) Amend Figure 17 to assist its legibility and better illustrate the proposed/preferred Chapman Valley Road intersection design;
 - (d) Insert Figures 21 and 22 into the main document and include notation upon Figures 17 and 21 that this is only a possible solution for the treatment for roads intersecting with the ONIC, and that it will be subject to further detailed design by Main Roads WA in consultation with the Local Government.
- 2 Write to the Department of State Development emphasising the essential strategic role of the Oakajee-Narngulu Infrastructure Corridor and the urgency for the acquisition of the alignment and seeking its commitment to the following actions:
- (a) Preparation and lodgement of the business case for funding the acquisition of the Oakajee-Narngulu Infrastructure Corridor;
 - (b) Appointment of Main Roads WA as the lead agency for the acquisition of the Oakajee Narngulu Infrastructure Corridor;
 - (c) Preparation and lodgement of any necessary environmental referral (under part IV of the *Environmental Protection Act 1986*) and Section 18 referral (under the *Aboriginal Heritage Act 1972*) to assist in the acquisition and management of the Oakajee Narngulu Infrastructure Corridor.



Indicative ONIC cross section



Source: KBR 2009

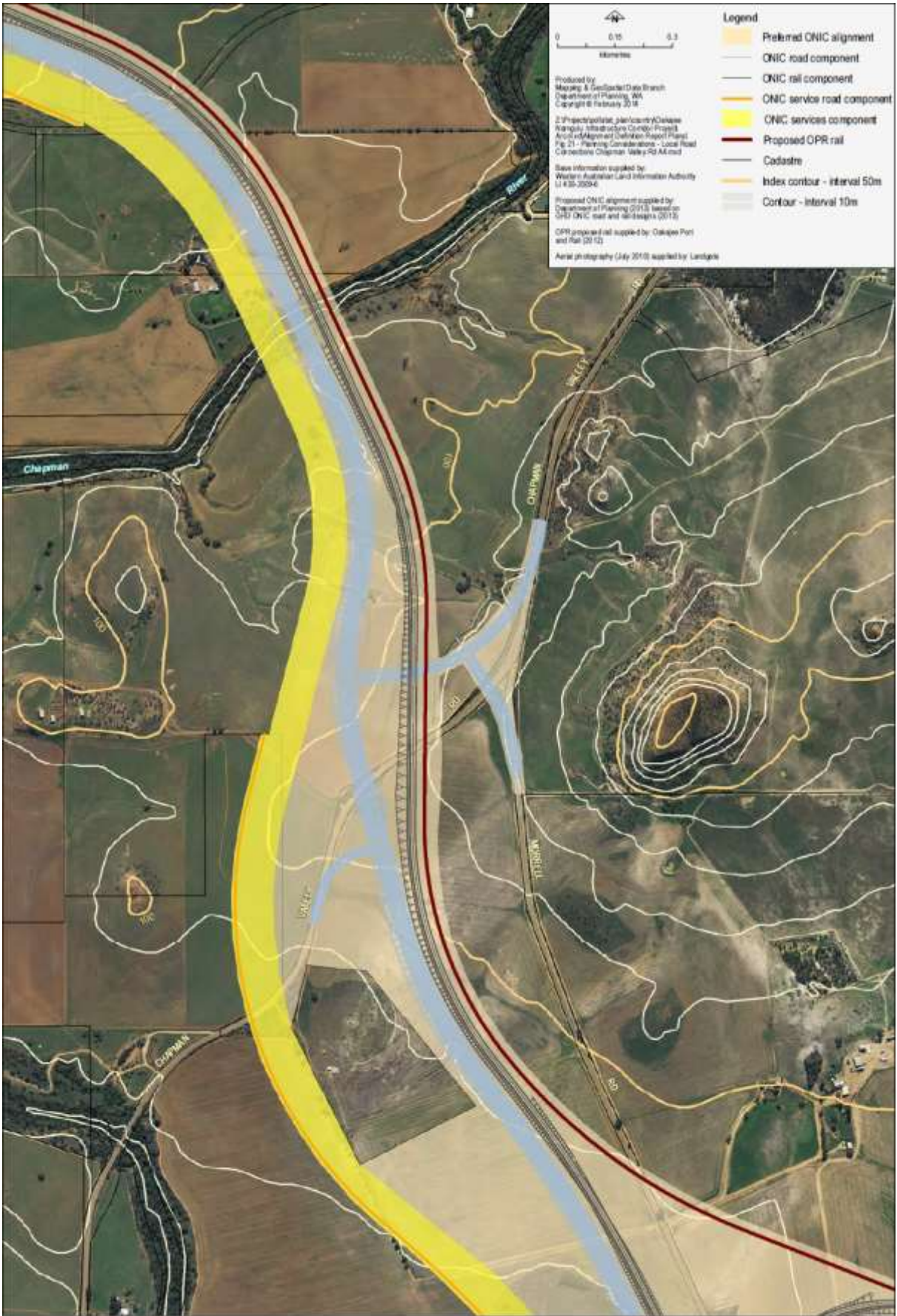


Figure 21: Planning considerations - Local road connections Chapman Valley Road and Morrell Road

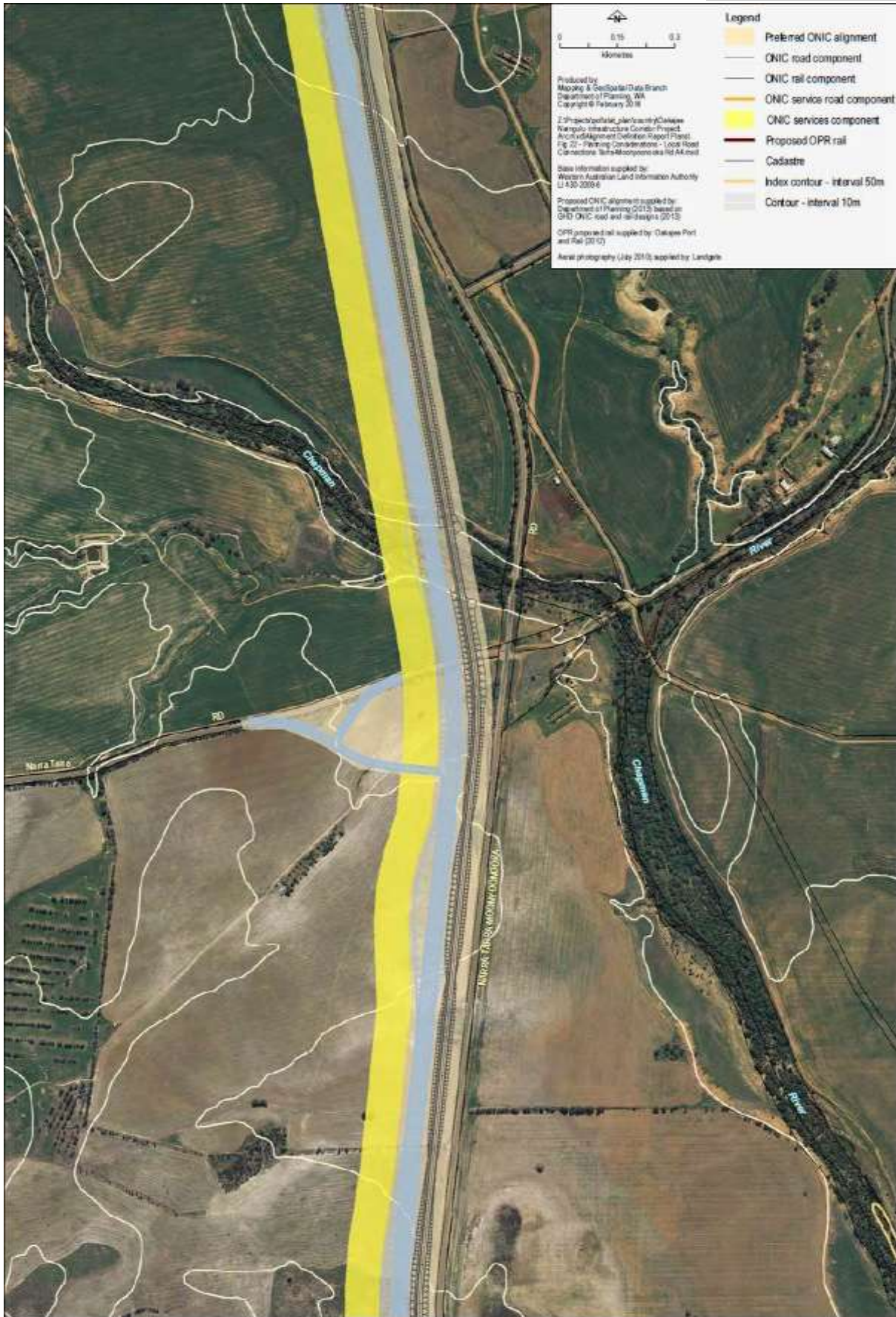


Figure 22: Planning considerations - Local road connections Narra Tarra Road

9.2 Finance March 2014

Contents

9.2 AGENDA ITEMS

9.2.1 Financial Reports for February 2014

AGENDA ITEM:	9.2.1
SUBJECT:	FINANCIAL REPORTS FOR FEBRUARY 2014
PROPONENT:	SHIRE OF CHAPMAN VALLEY
SITE:	SHIRE OF CHAPMAN VALLEY
FILE REFERENCE:	307.04
PREVIOUS REFERENCE:	N/A
DATE:	19 MARCH 2014
AUTHOR:	DIANNE RAYMOND & KRISTY WILLIAMS

DISCLOSURE OF INTEREST

Nil

BACKGROUND

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

COMMENT

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

STATUTORY ENVIRONMENT

Local Government Act 1995 Section 6.4

Local Government (Financial Management) Regulations 1996 Section 34

POLICY IMPLICATIONS

Policy 5.70 Significant Accounting Policies

Extract:

"2. Monthly Reporting

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

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

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

FINANCIAL IMPLICATIONS

As presented in February financial statements.

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

STAFF RECOMMENDATION

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

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

THIS PAGE HAS BEEN LEFT BLANK INTENTIONALLY

9.3

Chief Executive Officer

March 2014

Contents

9.3 AGENDA ITEMS

9.3.1 Application to Waiver Private Works Fees & Charges

AGENDA ITEM:	9.3.1
SUBJECT:	APPLICATION TO WAIVER PRIVATE WORKS FEES & CHARGES
PROPONENT:	ROTARY CLUB OF GERALDTON/GREENOUGH - ANNUAL REDHILL CONCERT
SITE:	SHIRE OF CHAPMAN VALLEY
FILE REFERENCE:	A1279
PREVIOUS REFERENCE:	NIL
DATE:	19th MARCH 2014
AUTHOR:	MAURICE BATTILANA

DISCLOSURE OF INTEREST

Nil

BACKGROUND

Council has received a request from Rotary Club of Geraldton/Greenough to waive the private works fees and charges to undertake grading works on the private property where the annual Redhill Concert is held.

COMMENT

The Redhill Concert is an annual event which attracts a significant number of people attending the concert and some camping on site overnight.

Though Council may have informally assisted the event by undertaking private works in the past it has never been formally resolved by Council to waive (or reduce) the actual private works fees and charges.

STATUTORY ENVIRONMENT

Local Government Act, 1995 – Section 6.12 – Power to Defer, Grant Discount, Waive or Write off Debts

- (1) *Subject to subsection (2) and any other written law, a local government may —*
- (a) *when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money; or*
 - (b) ***waive or grant concessions in relation to any amount of money; or***
 - (c) *write off any amount of money,*

which is owed to the local government.

** Absolute majority required.*

- (2) *Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.*
- (3) *The grant of a concession under subsection (1)(b) may be subject to any conditions determined by the local government.*
- (4) *Regulations may prescribe circumstances in which a local government is not to exercise a power under subsection (1) or regulate the exercise of that power.*

POLICY IMPLICATIONS

5.30 DONATIONS AND GRANTS

Local Nature

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

- *of a State or National nature, or*

- if they are not concerned or connected with the Chapman Valley area.

Exceptions to the above will be -

- Disaster or emergency appeals.

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

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

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

Applications

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

- as a general principle, funds for any project will only be considered where maximum Government (State and Federal) funding has been obtained, the Club, or Organisation, is ineligible for Government funding, or Government funding has been refused (in whole or part).
- Council will be seeking evidence of procurement of, or attempted procurement of, Government grant monies.
- it must be demonstrated that Council funding is necessary to the success of the project.
- funds will only be permitted to be used for projects upon land under the care, or control, of Council; unless it otherwise determines.
- detailed project financial information including budget estimates, quotes etc. accompanied by project drawings and specifications, to a satisfactory standard, must be provided.
- detailed financial information about the Club or Organisation will also need to be provided. Such information will need to include financial statements.

Where Council considers the information as provided in accordance with the above to be satisfactory, the provision of any funds will be in accordance with the following;

- payment will only be made at the conclusion of the project, and then only in strict accordance with the determination as to amount and conditions as set by Council; unless otherwise agreed upon.

Council reserves the right to approve/decline any application irrespective of previous decisions of a similar nature and no prior decision in any way or manner can be construed as setting a precedent.

FINANCIAL IMPLICATIONS

Estimated cost of private works is as follows:

Plant Item	Hourly Rate	Total Hours	Costs
Grader	\$125	2	\$250
Truck & Water Tanker	\$140	2	\$280
Admin Fee – Job Value < \$2,000	Nil	NA	\$0
Total Estimated Costs (GST Inc.)			\$530

- **Long Term Financial Plan:**

No significant affect on Long Term Financial Plan

STRATEGIC IMPLICATIONS

Objective	Strategy	Outcome	Partners
We want to be able to spend our money locally and encourage others to do the same	Develop tourism in the Shire, including cottage industries, caravan park and events	Showcasing our attractions increases the number of people visiting the area	Chapman Valley business community Shire of Chapman Valley

- **Strategic Community Plan:**

No significant affect on Strategic Community Plan

VOTING REQUIREMENTS

Simple Majority – Staff Recommendation

Absolute Majority – To waiver or reduce private works fees & charges

STAFF RECOMMENDATION

Council approve the request for the waiver of private works fees for two hours hire of the Shire Grader and Truck/Water Tanker to assist with the preparation of the site for the Annual Redhill Concert.

Maurice,

As you are probably aware the Shire of Chapman Valley has previously assisted the Rotary Club of Geraldton Greenough in holding the Annual Redhill Concert. Once again, we ask again for your assistance for the success of this well received fundraiser. On April 5, Shannon Noll will be performing at Redhill and I request the Shire's assistance in the preparation/grading of dirt roads from Chapman Valley Rd to the ticketing gate and stage surrounds within the Redhill site.

These works are requested to be completed by Friday, March 28 to allow our Rotary Club to conduct a busy bee on site on Saturday, March 29.

As the community benefits from this event I respectfully request that the costs associated with this be waived.

I can be contacted on 0411069443 to discuss further if required.

Thank you in advance for your support.

Jason Dunn
Rotary Club of Geraldton Greenough
Service/Community Projects Committee

10.0 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

AGENDA ITEM:	10.1
SUBJECT:	REQUEST FOR DONATION
PROPONENT:	ISOLATED CHILDREN'S PARENTS' ASSOCIATION of WA Inc. (Mid-West Branch)
SITE:	SHIRE OF CHAPMAN VALLEY
FILE REFERENCE:	401.06
PREVIOUS REFERENCE:	NIL
DATE:	19 MARCH 2014
AUTHOR:	Cr KIRRILEE WARR; MAURICE BATTILANA, CHIEF EXECUTIVE OFFICER;

DISCLOSURE OF INTEREST

Nil

BACKGROUND

At the November 2013 OCM the following decision was made:

MOVED: CR WARR

SECONDED: CR ROYCE

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

Voting 4/3

LOST

Minute Reference 11/13-12

Though the resolution put was Lost the legal ruling is this is still considered a decision of Council and will need to go through the same Revocation process as if a resolution was Carried.

COMMENT

Background ICPA;

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

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

The ICPA is engaged in securing quality education for families in the Mid-West, including the shire of Chapman Valley. The ICPA Mid-West branch most recently has advocated for Chapman Valley children via way of;

- PEAC classes (extension classes for gifted and talented),
- Petitioning for equitable residential boarding facilities in Geraldton,
- Facilitated discussion for better education for children from kindergarten to Year 12, and
- Members continue to have regional representation on the Rural Remote Education Advisory Council, which strives for a better education for young rural people.

The ICPA WA State Council holds an annual conference, convened by one of the State's branches. In 2014 the Midwest Branch will be convening the March State Conference themed 'Enjoy the Journey' at Ascot Quays in Perth. We have secured Maggie Dent; Author, Educator

and Parenting and Resilience Specialist, as our Guest Speaker. Members (parents, and delegates) will be attending from all across Western Australia.

The financial cost involved in organising and running a conference for between 80 - 120 people is substantial (see budget Appendix B), as are the voluntary hours required from the convening team (Mid West ICPA). We must cover costs such as venue hire, meals, photocopying, sound systems, postage, stationery and much more. As ICPA is a not for profit organisation, it is vital our conference registrations costs are kept to a minimum to enable maximum attendance by branch members.

CEO's Comments (November 2013 OCM)

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

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

STATUTORY ENVIRONMENT

CEO's Comments – Attached (see **Appendix A**) a copy of the legislative process required to revoke a Council decision

POLICY IMPLICATIONS

CEO's Comments (November 2013 OCM)

Council's Policy Manual relating to donations provides:-

5.30 DONATIONS AND GRANTS

Local Nature

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

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

Exceptions to the above will be -

- *Disaster or emergency appeals.*

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

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

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

Applications

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

- *as a general principle, funds for any project will only be considered where maximum Government (State and Federal) funding has been obtained, the Club, or Organisation, is ineligible for Government funding, or Government funding has been refused (in whole or part).*
- *Council will be seeking evidence of procurement of, or attempted procurement of, Government grant monies.*
- *it must be demonstrated that Council funding is necessary to the success of the project.*

- *funds will only be permitted to be used for projects upon land under the care, or control, of Council; unless it otherwise determines.*
- *detailed project financial information including budget estimates, quotes etc. accompanied by project drawings and specifications, to a satisfactory standard, must be provided.*
- *detailed financial information about the Club or Organisation will also need to be provided. Such information will need to include financial statements.*

Where Council considers the information as provided in accordance with the above to be satisfactory, the provision of any funds will be in accordance with the following;

- *payment will only be made at the conclusion of the project, and then only in strict accordance with the determination as to amount and conditions as set by Council; unless otherwise agreed upon.*

Council reserves the right to approve/decline any application irrespective of previous decisions of a similar nature and no prior decision in any way or manner can be construed as setting a precedent.

FINANCIAL IMPLICATIONS

CEO's Comments (November 2013 OCM)

In the 2013/14 Budget Council allocated the following amounts to Donations & Gifts:

Recipient	Budget	YTD Actuals
Midwest Agric. Societies – Royal Show	\$200	\$0
Monsignor Hawes Interpretative Signage	\$2,000	\$2000
Primary Schools - Books	\$100	\$60
Yuna Swimming Pool – Contribution towards relining pool	\$2,000	\$2000
Valley Vibes Photocopier contribution	\$4,000	\$4000
Chapman Valley Harvest Ball	\$2,500	\$0
Provisional amount	\$1,000	\$100
~ Red Card for Red Fox Donation	\$100	
Totals	\$11,800	\$8160

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

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

CEOs Comments – **Appendix A** explains the revocation process and Voting Requirements. If further clarification is required I am more than willing to assist.

The first step: Council needs a minimum of one third of Elected Members (i.e. minimum of three (3) affirmative votes) to agree to deal with the revocation motion presented below by Cr Farrell.

If the one third is obtained then Council can move to the Elected Members Recommendations No. 2.

If the one third is not obtained then Council cannot deal with the Elected Members Recommendation N. 2 and simply record this in the Minutes and move on to the next item on the Agenda for the meeting.

The Second Step: Subject the one third of Councillors agreeing (as stated above) Council then need to deal with the Elected Members Motion No.2, which actually revokes (or substantially

changes) the initial revocation motion (i.e. Minute Ref: 12/13-5). This motion requires an **Absolute Majority** (i.e. minimum of five (5) affirmative votes).

ELECTED MEMBERS RECOMMENDATION 1

Council agrees to deal with a motion to revoke the decision of Council made at Minute Reference 11/13-12 regarding not contributing towards the Isolated Children's Parents' Association of WA's March 2014 Annual Conference.

(Note: Minimum one third required)

ELECTED MEMBERS RECOMMENDATION 2 (If Recommendation 1 Carried)

Council revoke the decision made at the 20th November 2013 Ordinary Council Meeting, Minute Reference 11/13-12.

(Note: Absolute Majority required)

ELECTED MEMBERS RECOMMENDATION 3 (If Recommendation 1 & 2 Carried)

That Council donate \$500 to the Isolated Children's Parents' Association of WA's March 2014 Annual Conference.

(Note: Simple Majority required)

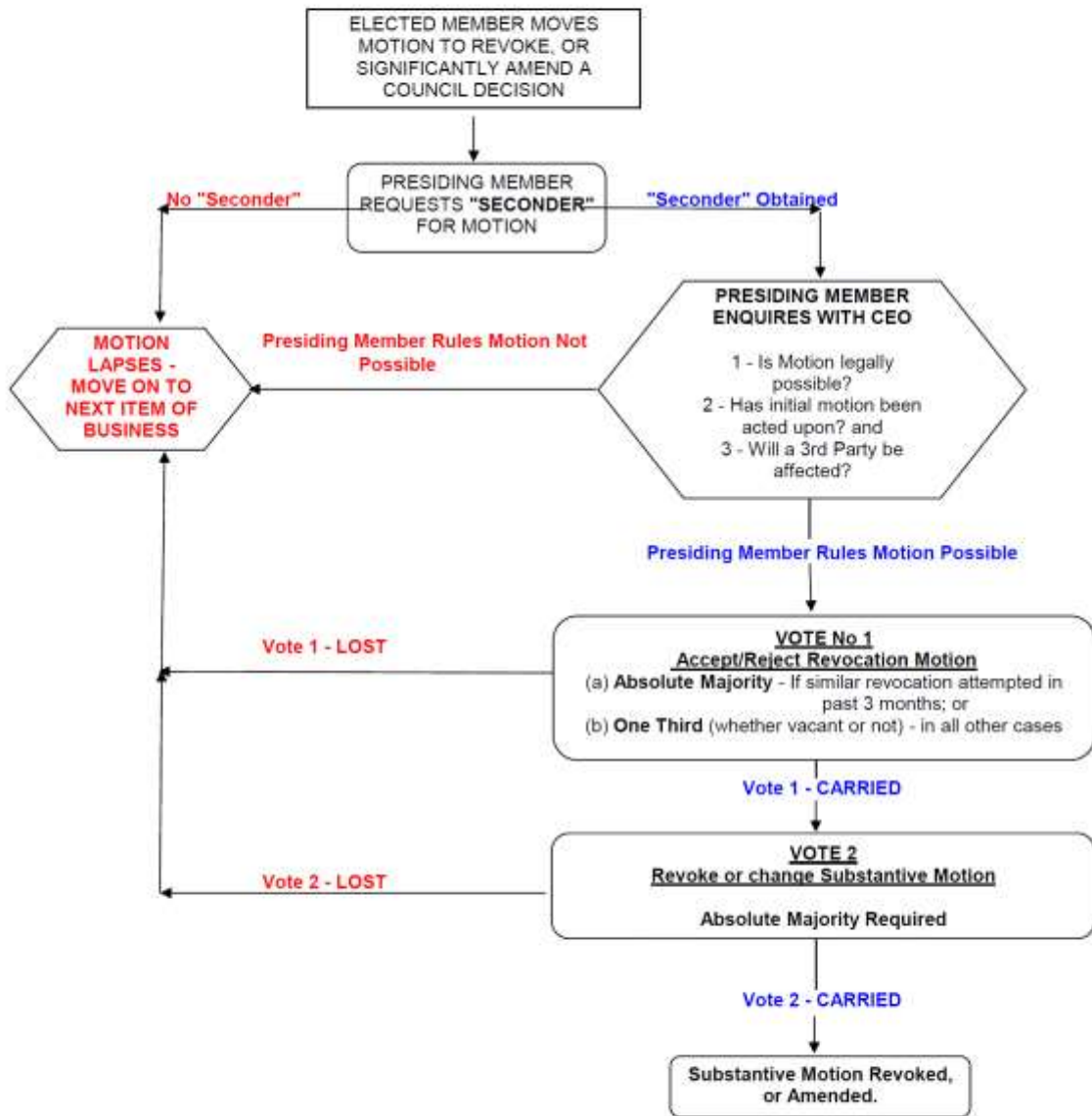
REVOCATION PROCEDURES AT COUNCIL & COMMITTEE MEETINGS (WITHOUT PRIOR NOTICE)

The following procedure is to ensure Council complies with Clause 10 of the *Local Government (Administration) Regulations 1996*, in regards to revoking, or significantly changing, previously agreed Council Resolutions:

1. Elected Member moves a motion to revoke, or significantly amend, a Council decision.
2. Presiding Member requests a "Seconder" for the motion.
3. If no "Seconder" forthcoming the motion will lapse and Council are then required to move onto the next item of business.
4. If a "Seconder" is achieved the Presiding Member will then enquire with the Chief Executive on the following:
 - 4.1 Is revocation motion legally possible?
 - 4.2 Has initial resolution been acted upon?
 - 4.3 Will any third party be adversely affected by the revocation of motion change?
5. If the Presiding Member rules the revocation motion is acceptable he/she will request TWO VOTES to occur:
 - 5.1 VOTE 1 Accept/Reject the Revocation Motion
 - (a) In the case where an attempt to revoke or change the decision had been made within the previous three months but had failed, requires an ABSOLUTE MAJORITY (i.e. 5 votes/8 positions i.e. more than 50% of number of offices whether vacant or not) if a similar attempt has been made to revoke/change the substantive motion within the past 3 months.
 - (b) In any other case requires at least 1/3 of Elected Members, whether vacant or not (i.e. 3 Votes).

(As per reg 10 *Local Government (Administration) Regulations 1996*)
If the required votes are not achieved the revocation process is discontinued and the substantive motion remains valid and Council are then required to move onto the next item of business.
If the required votes are achieved then the second vote is called for to actually revoke, or change, the substantive motion (i.e. move to point 5.2).
 - 5.2 VOTE 2 Actually Revoke, or Change, a Substantive Motion
An ABSOLUTE MAJORITY (i.e. 5 votes) is required to carry this motion.
If this revocation motion is not successful the substantive motion remains valid and Council are then required to move onto the next item of business.
If the revocation motion is successful then the substantive motion lapses, or is effectively changed in accordance with the revocation motion.
Where the substantive motion fully lapses, Council may then present alternative motion(s) on this matter for discussion.

REVOCATION PROCESS - FLOW CHART



Income	\$	Expenses	\$
Delegates rego 80 @ \$80	6400	Day Delegates Package	6320
Dinner 50 @ \$60	3000	Dinner 55 @ \$60	3000
		Fruit platters morning and afternoon tea	800
raffle	350	AV	2560
		Room Hire pre conference meeting	375
Sponsorship		Morning tea 19th State Council & convent	150
FMG	5000	Lunch pre conf meeting 15 @ \$25	375
Murchison Shire	1000	Accommodation Convenors 2 nights	1600
Northampton Shire	1000	Room hire dinner	250
Yalgoo Shire	1000	room hire lunch	250
CSBP	1000	Travel convenors	3000
CBH	2500	Printing	1000
Landmark	250	Guest Speaker Maggie Dent	4000
Ian Blayney	200	Postage Invitations etc	350
Northern Star	2500	Ink cartridges	280
High Tea	300	Folders	160
Total at Oct 29th 2013	24500	Stationary	250
In Kind		Gifts	50
Printing Mullewa DO	1000	Auditor	80
smokos for the 19th-members	150	Total	24850
	25650	Optional Extras	
		drinks tab	

City calls on State Government to reverse decision blocking non-Government students from boarding rooms

Picture: Linda Eise



GERALDTON RESIDENTIAL COLLEGE

Boarding school crisis

■ Ian Culler and Lewis Freer

A decision by the State Government to stop non-Government students boarding at the Geraldton Residential College has come under fire from the City of Greater Geraldton, the Inland Children's Parents Association and non-government schools. Councillors at the City of Greater Geraldton called on the State Government to reverse the decision this week.

The council said the ICNA would like to contribute to the residential college, and it's not a track we want to go down. Nagle is a good school, and they have the backing but we can't at this time," he said.

"We have already lost one potential family due to the uncertainty and many more will follow if the issue is not resolved," Nagle principal Rob Crothers acknowledged the challenges parents faced in setting up suitable boarding arrangements for their children.

Collier said students already enrolled at Geraldton Residential College would receive first priority for a place next year, regardless of which school they attended.

"The State Government is building a new wing and renovating another to house Year 7 students who enter secondary school for the first time next year.

"However, additional space for enrolments, other than new public school students, is limited." Mr Culler said he was always willing to discuss educational is-

sues with local authorities. ICNA Midwest Branch president Emma Toukko-Jaylor said the move by the association had arisen due to developments late last year.

"It is discrimination by the government to allow students from some schools to attend country residential colleges and not others. If there is no other option for boarding in a town or city it should be a responsibility of the State Government to provide beds for all students, no matter where they choose to attend school."

State Education Minister Peter

State Education Minister Peter

State Education Minister Peter

MP wants college fee structure change

Member for the Agricultural Region Paul Brown MLC is supporting the City of Greater Geraldton and Isolated Children's Parents Association's call for the State Government to consider tiered fees for students attending Geraldton Residential College.

The call comes after the recent decision by the State Government to restrict new enrolments at the college to government school students only.

Enrolments to the non-government school sector are on the basis of a capital contribution made by the school to the government towards the cost of funding beds, which is cost prohibitive for smaller independent schools.

Mr Brown, who has raised his concerns with the Minister for Education, said the closure of

Nagle Catholic College in 2016 mean Geraldton Residential College would become the only student boarding facility open to families in the Mid West.

He also said non-government school students should be allowed access to boarding at the college, which could be achieved through a tiered fee structure.

"It is a great opportunity for the Government to put formal arrangements in place with the non-government school sector to provide boarding opportunities for their students," Mr Brown said.

"This will secure the long-term future of the college while still first and foremost servicing the government school sector."

Mr Brown said Geraldton Residential College was in a unique

position of being located in a large regional city which offered a good choice of schooling for regional and remote students.

"There are currently 96 boarding places available at Geraldton Residential College, of which about 63 enrolments have been taken for 2014," he said.

"This leaves 33 places available in the college that will not be utilised under the current policy with another 30 new beds expected to be available in semester 2 as part of the Royalties for Regions-funded facility expansion.

"It is inappropriate to have a facility of the calibre of the Geraldton Residential College to be under-utilised in this manner and force regional families to relocate to Perth in order to access school and boarding facilities."

11.0 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

11.1 Elected Member Reports

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

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

13.1 Tender 6-13/14 Western Regions Mowing, Slashing & General Maintenance

13.2 Environmental Consultant

13.3 Patten Place Drainage Basin

14.0 CLOSURE