



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

## ORDINARY COUNCIL MEETING

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

Maurice Battilana  
CHIEF EXECUTIVE OFFICER

# **UNCONFIRMED MINUTES**

## **NOVEMBER 2014**

## 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 in a cursive style.

Maurice Battilana  
**CHIEF EXECUTIVE OFFICER**

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- 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
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## ORDER OF BUSINESS:

### 1.0 DECLARATION OF OPENING/ANNOUNCEMENTS OF VISITORS

The Chairman, Cr Collingwood welcomed Elected Members and Staff and declared the meeting open at 9.03am.

### 2.0 LOYAL TOAST

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

#### 3.1 Present

##### a. Councillors

Member	Ward
Cr John Collingwood President	North East Ward
Cr Kirrilee Warr	North East Ward
Cr Pauline Forrester	North East Ward
Cr Peter Humphrey	South West Ward
Cr Veronica Wood	South West Ward
Cr Ian Maluish	South West Ward
Cr Trevor Royce	North East Ward (from 9.22am)
Cr Anthony Farrell	North East Ward

##### b. Staff

Officer	Position
Mr Maurice Battilana	Chief Executive Officer
Mr Simon Lancaster	Manager of Planning
Mrs Karen McKay	Executive Assistant (Minute Taker)
Mrs Kristy Williams	Accountant (from 10.17am to 10.38am)
Mrs Dianne Raymond	Manager of Finance & Corporate Services (from 10.17am to 10.38am)

##### c. Visitors

Name	
Nil	

#### 3.2 Apologies

Name	
Nil	

#### 3.3 Approved Leave of Absence

Nil

### 4.0 PUBLIC QUESTION TIME

#### 4.1 Questions On Notice

Nil

#### 4.2 Questions Without Notice

Nil

## **5.0 APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

## **6.0 DISCLOSURE OF INTEREST**

Cr Warr declared an impartiality interest in Item 9.3.3

## **7.0 PETITIONS/DEPUTATIONS/PRESENTATIONS**

Nil

## **8.0 CONFIRMATION OF MINUTES FROM PREVIOUS MEETINGS**

8.1 Ordinary Meeting of Council held on Wednesday 15 October 2014

### **COUNCIL RESOLUTION**

**MOVED: CR FORRESTER**

**SECONDED: CR WOOD**

That the minutes of the Ordinary Meeting of Council held Wednesday 15 October 2014 be confirmed as a true and accurate record.

**Voting 7/0**

**CARRIED**

**Minute Reference 11/14-1**

## **9.0 OFFICERS REPORTS**

# 9.1 Manager of Planning November 2014

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### 9.1 AGENDA ITEMS

- 9.1.1 Short Stay Nature Based Park
- 9.1.2 Siting of Sea Container, White Peak
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- 9.1.4 Proposed Part Road Closure – Green Drive
- 9.1.5 Proposed Part Road Closure & Disposal – Wicka Road, Durawah Road & Station Road
- 9.1.6 Bill Hemsley Park

<b>AGENDA ITEM:</b>	<b>9.1.1</b>
<b>SUBJECT:</b>	<b>SHORT STAY NATURE BASED PARK</b>
<b>PROPONENT:</b>	<b>P GOODE</b>
<b>SITE:</b>	<b>2975 (LOT 54) NORTH WEST COASTAL HIGHWAY, HOWATHARRA</b>
<b>FILE REFERENCE:</b>	<b>A1306</b>
<b>PREVIOUS REFERENCE:</b>	<b>Nil</b>
<b>DATE:</b>	<b>4 NOVEMBER 2014</b>
<b>AUTHOR:</b>	<b>SIMON LANCASTER</b>

#### DISCLOSURE OF INTEREST

Nil.

#### BACKGROUND

Council is in receipt of an application seeking to establish a short stay nature based park upon 2975 (Lot 54) North West Coastal Highway, Howatharra. This report recommends conditional approval of the application.

#### COMMENT

Lot 54 is a 12.351ha property located on the western side of North West Coastal Highway 400m north of the Coronation Beach Road intersection. The property had been previously cleared for farming purposes, and the applicant has undertaken significant revegetation works since purchase in 2007.

**Figure 1 – Location Plan for 2975 (Lot 54) North West Coastal Highway, Howatharra**



The applicant is seeking to establish a nature based park to provide short stay accommodation. The park would have 20 campsites, with each campsite measuring 6m x 6m and having 1 car parking bay. The camp sites would be set amidst the revegetated areas, and located about a central oval/muster point. The campsites would be serviced by a camp hub that all campsites will be within 90m of. The camp hub will provide a kitchen area (cold storage, cooking area, washing area, dining area), ablution block (1 waterless composting toilet, 1 basin, 2 hot/cold showers) and laundry facility. A network of trails have been established throughout the block radiating out from the proposed camping area.

A copy of the applicant's submitted correspondence, site plan, and elevation and floor plans for the camp hub have been included as **Attachment 1** for Council's information.



**Figure 2 – Aerial Photograph of 2975 (Lot 54) North West Coastal Highway, Howatharra**



The nature based park would be serviced by rainwater tanks for water supply (4 x 23,000L tanks in total), and additional water would be provided for non-potable uses (e.g. laundry, fire fighting) by means of an existing bore and connection to the Water Corporation's Northampton pipeline which provides a restricted non-potable flow of 2.8L per minute to a maximum of 4kL per day. On-site firefighting equipment would include portable tank and pump.

Power for the facility would be by means 'off-grid' solar generation providing 24kWh/day with battery storage of 3 days at 12kWh/day.

The underlying principle for the proposed development would be eco-friendly utilising solar energy, passive/thermal energy in building design, signage to encourage minimal water usage, nature trails through the vegetation, and signage about the development utilising recycled materials (e.g. old surfboards with deck-grip type lettering).

**Figure 3 – View of oval/muster point and camping area looking north-east**



**Figure 4 – View of proposed Camp Hub looking south-east**



**Figure 5 – View of northern and southern highway approaches to access point**



**Figure 6 – View of proposed signage style for nature based park**



The recent development history for 2975 (Lot 54) North West Coastal Highway, Howatharra is as follows:

7 May 2007	Applicant purchases property
25 July 2008	Development approval issued for a 200 person outdoor music event to be held on 16 August 2008
3 June 2009	Development approval issued for a 2 bedroom x 2 bathroom dwelling
29 June 2009	Building permit issued for a 2 bedroom x 2 bathroom dwelling
18 February 2010	Development approval issued for outbuilding (proposed to be converted to camp hub for nature based park)
25 February 2010	Development approval issued for outbuilding (proposed to be converted to camp hub for nature based park)
1 November 2010	Building permit for original 2 bedroom x 2 bathroom dwelling cancelled at applicant's request
1 November 2010	Development approval issued for a 2 bedroom x 1 bathroom dwelling (proposed to serve as caretaker's residence for nature based park)
2 December 2010	Building permit issued for a 2 bedroom x 1 bathroom dwelling
31 October 2013	Query received by Shire concerning operation of a campsite following erection of signage at highway entrance to Lot 54, Shire wrote to

	landowner advising that application was required to be submitted, and approval obtained from the local government prior to operation of a caravan park or camping ground
1 November 2013	Landowner responded to Shire by phone and email advising they would remove signage and it was their intention to lodge an application for a camping ground
11 November 2013	Shire writes in follow up requesting immediate removal of signage
27 November 2013	Development application submitted for short stay accommodation facility (10 campsites)
23 December 2013	Shire wrote to landowner advising of further information required to be submitted to enable an assessment of the application to be undertaken
24 June 2014	Query received by Shire concerning display of promotional material on various websites for a caravan and camping ground offering kitchen and shower facilities, Shire wrote to landowner advising that no approval had been issued for short stay accommodation and instructing removal of promotional material, and further advising of fines applicable
14 August 2014	Revised development application submitted for short stay accommodation facility (20 campsites)
16 September 2014	Consultation period for application commenced with Shire writing to 18 landowners within a 1km radius of the proposed site and the Department of Fire and Emergency Services, Department of Health, Department of Local Government & Communities, Main Roads WA, Telstra, Tourism WA, Water Corporation, Western Power
17 October 2014	Consultation period for application concluded

At the conclusion of the advertising period, 10 submissions had been received, with 1 in support of the application (this being from a nearby landowner) and 2 in objection to the application (these also being from nearby landowners) and the remaining 7 submissions all being from government agencies providing no objection and technical comment only.

A Schedule of Submissions has been prepared and included as **Attachment 2** to this report, the Schedule identifies the respondents, summarises the matters raised, provides detailed individual comment upon the matters raised, and a specific recommendation in regard to each.

A copy of the received submissions can be provided to Councillors upon request.

## STATUTORY ENVIRONMENT

2975 (Lot 54) North West Coastal Highway, Howatharra is zoned 'Rural' under Shire of Chapman Valley Local Planning Scheme No.2 ('the Scheme').

The Scheme lists 'Camping Ground' as a 'D' use that is not permitted unless the local government has exercised its discretion by granting planning approval.

The Scheme lists 'Caravan Park' as an 'A' use that is not permitted unless the local government has exercised its discretion by granting planning approval after advertising the application.

The application would generally be considered as meeting the definition of a camping ground, however, it is considered likely that in the future operation of the development that caravans and larger self-contained vans might utilise the facility (with the application noting 2 campsites upon the oval designated for larger vehicles) and on this basis the application was advertised prior to being presented to Council for its deliberation.

Section 5 of the *Caravan Parks and Camping Grounds Act 1995* defines camping grounds and caravan parks as follows:

*"camping ground means an area of land on which camps, but not caravans, are situated for habitation but does not include any land prescribed for the purposes of this definition;*

*caravan park means an area of land on which caravans, or caravans and camps, are situated for habitation."*

Schedule 8 of the *Caravan Parks and Camping Grounds Regulations 1997* defines a nature based park as follows:

*“nature based park means a facility where an occupier may stay no longer than 3 consecutive months.”*

Section 4.2.6 of the Scheme lists the objectives of the ‘Rural’ zone as being:

- “(a) Provide for a variety of agricultural/rural activities;*
- (b) Provide for other land-uses compatible with the predominant use of the land;*
- (c) Prevent the establishment of land-uses more appropriately undertaken in commercial and/or industrial areas;*
- (d) Provide appropriate protection from incompatible development for existing land-uses; and*
- (e) Protect the environmental and landscape values of the land.”*

Section 10.2 of the Scheme lists the following matters to be considered by the local government relevant to development:

- “(f) any Local Planning Policy adopted by the Local Government under clause 2.4, any heritage policy statement for a designated heritage area adopted under clause 7.2.2, and any other plan or guideline adopted by the Local Government under the Scheme;...*
- ...(i) the compatibility of a use or development with its setting;*
- (j) any social issues that have an effect on the amenity of the locality;...*
- ...(n) the preservation of the amenity of the locality;*
- (o) the relationship of the proposal 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 proposal;*
- (p) whether the proposed means of access to and egress from the site are adequate and whether adequate provision has been made for the loading, unloading, manoeuvring and parking of vehicles;...*
- ...(y) any relevant submissions received on the application.”*

The *Caravan Parks and Camping Grounds Act 1995* and *Caravan Parks and Camping Regulations 1997* provide statutory direction in relation to this application.

The Department of Local Government and Communities have released a consultation paper to facilitate the development of new caravan parks and camping grounds legislation. It was considered by the Department, local government, industry and users that the *Caravan Parks and Camping Grounds Act 1995* were outdated and limiting the way operators can adapt their businesses to suit changing consumer needs.

The consultation period concluded on 1 September 2014 and submissions were sought from anyone with an interest in caravanning and camping be they consumers, industry or government agency.

The Shire has been previously approached by the Department of Local Government and Communities, as an operator of a nature based park and invited to have input into the review process.

The *Caravan Parks and Camping Grounds Regulations 1997* currently address the operation of nature based parks and the Shire has previously expressed concern over Regulation 49 that prohibits granting a licence for a transit park or a nature-based park if there is a caravan park or camping ground within 50km.

Coronation Beach Nature Based Park does not comply with these spatial requirements of the Regulations, being within 50km of caravan parks in both Geraldton and Northampton, although the Department have previously advised that Shire operated facilities are not required to be licensed in accordance with section 15 of the *Caravan Parks and Camping Grounds Act 1995*, and the Coronation Beach site was previously given state approval as part of the social offset for the Oakajee Port project that would ultimately be constructed on the popular windsurfing location of Spot X.

Fig Tree Crossing is located within 50km of caravan parks in Geraldton, and it is located within an expanded road reserve area (rather than neighbouring Reserve 11351) it is currently sign posted by the Shire as being for overnight stay to ensure that it meets Section 11.1(b) of the *Caravan Parks and Camping Grounds Regulations 1997* that allows for camping up to 24 consecutive hours in a caravan or other vehicle on a road side rest area.

However, it is a previously raised concern of the Shire that private proponents of nature based parks would not be subject to this local government exemption from the 50km requirement. This view was shared by a National Competition Policy review which found Regulation 49 to be anti-competitive and recommended that it be removed. It also recommended that a set of minimum standards for nature-based parks become legislative provisions.

Following this finding, the repeal of Regulation 49 was endorsed by the Caravan Parks and Camping Grounds Advisory Committee and approved by the Minister for Local Government. In addition to the removal of Regulation 49, there will also be amendments to the Regulations in relation to nature-based parks. Currently, 'nature-based park' is a licence category under the legislation, however, the definition is vague in its current form and requires urgent clarification.

The objectives of the review as it relates to nature based parks are as follows:

- clarify the definition of nature-based parks;
- encourage investment and establishment of nature-based parks;
- introduce a set of minimum standards on nature-based parks while maintaining flexibility;
- discourage illegal camping by providing legal options;
- make it easier to license and regulate nature-based parks; and
- create uniformity with licensing.

The Department have prepared 'Nature-based Parks: Licensing Guidelines for Developers and Local Governments' and made recommendation that the Shire assess the received application against these guidelines. It is noted that the guidelines are in a draft format at this time but it is considered likely that the guidelines will be formalised without substantial changes and will then form the basis for assessment of nature based parks following the completion of the review and amendment of the *Caravan Parks and Camping Grounds Regulations 1997*.

Schedule 7 of the *Caravan Parks and Camping Regulations 1997* Regulations states the current statutory requirements for Caravan Parks and Camping Grounds, and the 'Nature-based Parks: Licensing Guidelines for Developers and Local Governments' provides the likely statutory requirements following the Department's completion of the review of the Regulations, and the application has been assessed against these criteria. A copy of both documents can be provided to Councillors upon request.

The application to establish a nature based park upon Lot 54 is considered to be in accordance with the requirements of the *Caravan Parks and Camping Regulations 1997* and 'Nature-based Parks: Licensing Guidelines for Developers and Local Governments' with the exception of Sections 16 and 17 of the Guidelines.

#### *"16 Toilets and showers*

*Number of showers, toilets and hand basins*

*Proposed Regulations: Schedule 7, Clause 23 (1-2)*

*(1) A nature-based park is to have two toilets for every 20 sites, unless otherwise approved.*

*(2) If fewer toilets are provided than specified under (1), a chemical waste dump point is to be available in logical proximity.*

*Toilets may be uni-sex or single sex. The toilets and any showers need to comply with disability access requirements.*

*The type of toilets and showers should be determined with attention to their environmental impact and availability of services (water and power etc).*

*In determining the number of toilets, there needs to be consideration of the market segment and whether the facility only caters for fully self-contained vehicles. If no toilets are provided, the nature-based park should only cater to fully self-contained vehicles with either a chemical dump point in logical proximity or a restricted length of stay of three days.*

*If there is a mixed market segment where not all vehicles are fully self-contained, the local government needs to balance the needs of the segment and consider how many toilets are needed before granting approval for any lesser number under the proposed subclause (1).*

*The words 'unless otherwise approved' allows local governments discretion in situations where extreme remoteness or major impracticalities prevent an operator from providing these amenities. It should also be considered for nature based parks that are catering entirely for fully self-contained vehicles."*

“17 `Waste Disposal

*Black water management*

*The waste management section of the Management Plan is to provide details of the number of toilets, if less than the Regulation specifies. It should also include how the toilets are to be serviced and maintained and the frequency of servicing.*

*The Department of Health’s website contains information and a list of approved systems.*

*Chemical dump point*

*Proposed Regulations: Schedule 7, Clause 23 (1-2)*

*(1) A nature-based park is to have two toilets for every 20 sites, unless otherwise approved.*

*(2) If fewer toilets are provided than specified under (1), a chemical waste dump point is to be available in logical proximity.*

*A chemical waste dump point should be provided in logical proximity, including an off-site location that can be readily accessed by users of the nature based park. The chemical waste point may be provided in conjunction with a local government or owner/operator of another facility. In these circumstances, the applicant must provide evidence and details of the agreement with the owner of the chemical waste point for use by users of the nature-based park.”*

Schedule 7 Clause 19 of the *Caravan Parks and Camping Grounds Regulations 1997* requires for caravan parks and camping grounds that at least 1 toilet and 1 shower must be provided within 90m of each site. However, Schedule 7 Clause 23 of the Regulations requires that a nature based park is to have toilets, showers and hand basins as is approved with no prescribed numbers set by the current Regulations.

“19. *Location of toilets and showers*

*(1) There is to be at least one toilet and one shower within 90 metres of each site.*

*(2) Subclause (1) applies despite anything else in this division.*

23. *Number of showers, toilets and hand basins at nature based parks*

*A nature based park is to have such toilets, showers and hand basins as is approved.”*

The application is for a nature based park with 20 sites that will cater for camper vans and small caravans, and proposes 1 toilet, 2 showers with hot & cold water and 1 basin. The Guidelines specify a minimum of 1 shower and 1 hand basin for every 20 sites unless otherwise approved and the application satisfies this requirement in relation to showers. However, the Guidelines state that a nature based park is to have 2 toilets for every 20 sites unless otherwise approved. Where fewer toilets are provided a chemical waste dump point is to be available in logical proximity. The application does not make reference to a chemical dump point. It is considered as per the guidelines that an additional toilet is therefore required unless a chemical waste dump point is provided.

## **POLICY IMPLICATIONS**

Council adopted Shire of Chapman Valley Local Planning Policy ‘Rural Tourism Development’ at its 19 February 2014 meeting (superseding the ‘Rural Tourist Development’ Local Planning Policy previously adopted by Council under Scheme No.1 at its 18 April 2007 meeting). The objective of this Policy is to provide for a range of accommodation and other tourist related uses in the rural areas of the Shire in a manner that is complementary and sensitive to the agricultural and environmental fabric of the municipality.

The Policy states that Holiday Accommodation and other tourist related uses will generally be approved where the Council is satisfied that the minimum criteria and standards can be achieved. The minimum criteria specified for an application for a Caravan Park & Camping Area is listed as follows:

Use	Criteria	Standard
Caravan Park & Camping Ground	Location	Within close proximity to public recreation areas/natural attractions – beaches, walk trails, scenic lookouts etc. & distances from other Caravan Parks/Camp Sites as prescribed by <i>Caravan and Camping Act 1995</i>
	Public Road Access	Type 5–7m bitumen seal + bitumen seal crossover to Council specifications or Type 3 – 12m form/8m gravel paved at Council discretion
	Potable Water Supply	As per <i>Caravan Parks and Camping Grounds Regulations 1997</i>
	Ablutions	As per <i>Caravan Parks and Camping Grounds Regulations 1997</i> & Building Code of Australia
	Car Parking	1 car bay per caravan/camp site + 1 bay for manager – gravel standard/Council specs
	Lot size	15ha
	Setback	30m from the front boundary and 75m from water features with all other boundaries to comply with Local Planning Scheme requirements unless otherwise determined by Council
	Siting	Away from sand dunes, ridge lines and side slope/breakaway areas
	Clearing	No removal of remnant vegetation
	Screening	Well screened from view of neighbouring properties
	Design & Materials	Buildings to be complementary with landscape – earth tones – no reflection
	Management	On site managers residence

Part 4.2.b of the Policy also requires that:

*“The Council will only approve tourist accommodation and development where it has been demonstrated that the proposed use is compatible with surrounding land uses and will not result in unacceptable environmental impacts as a result of noise, light-spill or visual intrusion, and that the quality of the development will present a positive image of the locality.”*

The application accords with the policy requirements with the exception of the lot size, with the subject property being 12.351ha rather than the policy requirement of 15ha, it is considered that the variation is acceptable in this instance, given the extensive landscaping that has been undertaken upon the property, the property’s 526.09m frontage to a significant tourism alignment in the North West Coastal Highway, and the land on the western side of the highway is not identified for further subdivision in the Shire’s Local Planning Strategy.

In relation to the other standards prescribed by the Local Planning Policy it is considered that the application either complies with the requirements or has the ability, subject to conditions of approval, to meet with the policy requirements (for example Main Roads WA require the crossover to be sealed, and the requirement for an additional toilet as discussed in the statutory section of this report).

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

On determination of this application (refusal/approval) should the applicant be aggrieved by the determination or conditions of approval they have a right of appeal to the State Administrative Tribunal with a cost likely to be imposed on the Shire through its involvement in the appeal process.

- **Long Term Financial Plan:**

The Shire of Chapman Valley Long Term Financial Plan (2013) was received by Council at its 18 September 2013 meeting. It is not considered that the determination of this application by Council would have impact in relation to the Long Term Financial Plan.

## **STRATEGIC IMPLICATIONS**

The Shire of Chapman Valley adopted its Local Planning Strategy in 2008 that was prepared within the context of the State and Regional planning framework. The Local Planning Strategy falls into line with the Mid-West Region vision statement of the State Planning Strategy which states:

*“In the next three decades, the Mid-West Region will continue to diversify its economic base in the areas of agriculture, minerals development, downstream processing of commodities and tourism. Geraldton will develop as the largest regional centre north of Perth, offering a wide range of facilities and attractions.”*

The Shire’s Local Planning Strategy identifies Lot 54 as being located within ‘Precinct 5 – Howatharra’ the vision for which is:

*“Low to medium-key tourist development and activities coexist with agricultural practices undertaken in the Precinct in accordance with rural, landscape and conservation functions.”*

The Strategy states that the land use of ‘Tourism (low to medium-key and eco-tourism)’ is considered appropriate for this precinct area and also identifies the following economic objective:

*“5.2.2 Promote tourist related uses/development and encourage agricultural diversification in appropriate areas where there will be no detrimental impact to the surrounding land and existing uses.”*

The Western Australian Planning Commission’s ‘Planning Bulletin 83 - Planning for Tourism’ (2013) 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 emphasises the importance of strategic planning for tourism and that this should be addressed through the local government’s Local Planning Strategy identifying tourism sites and determine their strategic value and importance to tourism development.

The Bulletin notes that identification of tourism sites does not imply that the site is suitable for immediate development or re-development (in many cases sites may be identified to facilitate the long term protection of land for tourism purposes where economic conditions appropriate for development may not be reached for a number of years) but does set out general location criteria to determine the tourism value of a site as follows:

*“Accessibility*

*The site has adequate existing or proposed transport links (such as major road or airport access).*

*Uniqueness*

*The site contains, or is in the vicinity of, an attraction or prominent and/or unique landmark of local, regional or State significance.*

*Setting*

*The setting of the site has an aspect and outlook that supports recreational tourism activities and/or the creation of a tourism character and ambience (e.g. immediately adjacent to a beach).*

*Tourism activities and amenities*

*The site provides, has easy access to, or is capable of development of supporting activities and amenities such as tours, fishing, historic sites, walk trails, environmental interpretation, cafes, restaurants, shops and the like.*



### *Supply of land*

*The site has an element of scarcity in that it may be the only opportunity, or one of a limited number of opportunities, to achieve a significant tourism development in an area.*

*Site specific criteria to determine the tourism value of the site includes:*

#### *Suitability in a land use context*

*The site is located in a land use context that will not limit the extent of activities available to guests due to amenity impacts on adjoining residents or where the adjoining uses potentially detract from the tourism character of the site (e.g. located within a residential area).*

#### *Capability*

*The site has the capacity to be developed for tourism purposes and accommodate the associated services in a manner that does not detract from the natural attributes of the site or result in environmental degradation. Examples include: clearing for bushfire protection, sewerage capacity, water supply and rubbish disposal.*

#### *Size*

*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.*

#### *Function*

*The use of the site meets a particular accommodation, market need and/or ensures a range of tourism accommodation within the locality. Examples are: beachfront caravan parks, school holiday camps and Crown tourism leases.*

*These criteria are to guide local government in the assessment of the strategic value of tourism sites and determination of the value will be based on the outcome of the assessment of the site against all criteria.”*

### • **Strategic Community Plan:**

The Shire of Chapman Valley Strategic Community Plan 2013-2023 was adopted by Council at its 19 June 2013 meeting. The Strategic Community Plan has the following economic strategies:

<b>Objective</b>	<b>Strategy</b>	<b>Outcome</b>	<b>Partners</b>
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
	Develop short-term and overnight accommodation options across the Shire	Visitors stay longer in our community Short-term employees can reside in the Shire	Chapman Valley business community Chapman Valley farming community Shire of Chapman Valley

### **VOTING REQUIREMENTS**

Simple majority required.

### **COUNCIL RESOLUTION / STAFF RECOMMENDATION**

**MOVED: CR FARRELL**

**SECONDED: CR HUMPHREY**

That Council grant formal planning approval for a short stay nature based park upon 2975 (Lot 54) North West Coastal Highway, Howatharra subject to compliance with the following conditions:

- 1 The development is not to commence operations until such time as Regulation 49 of the *Caravan Parks and Camping Grounds Regulations 1997* has been removed, or the applicant has obtained a Ministerial exemption to commence operations prior to the removal of Regulation 49.

- 2 Development shall be in accordance with the attached approved plan(s) dated 19 November 2014 and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the local government.
- 3 Any additions to or change of use of any part of the buildings or land (not the subject of this consent/approval) considered by the Chief Executive Officer to represent significant variation from the approved development plan requires further application and planning approval for that use/addition.
- 4 The applicant is to prepare, submit and adhere to a Management Plan to the approval of the Local Government, with all costs met by the applicant.
- 5 The proponent is to implement and maintain reporting mechanisms for complaints concerning the operation of the development. In the event of a substantiated complaint being received the applicant is required to demonstrate mitigation response(s) to the approval of the Local Government. Such response(s) will be treated as conditions of approval/required modifications to the Management Plan.
- 6 The development shall comply with the requirements of the *Caravan Parks and Camping Grounds Regulations 1997* and the 'Nature-based Parks: Licensing Guidelines for Developers and Local Governments' to the approval of the local government.
- 7 The development is required to be serviced by a minimum of 2 unisex toilets (one to a disabled access standard), the applicant is advised that this may be reduced to 1 unisex toilet (to a disabled access standard) providing that a chemical dump point is installed, maintained and operated on-site to the requirements of the Department of Health, with all costs met by the applicant.
- 8 The development shall be connected to an on-site wastewater and effluent disposal system that is located, designed, installed and operated to the requirements of the Department of Health, with all costs met by the applicant.
- 9 The potable water supply shall meet the minimum prescribed Australian Drinking Water Standards and be tested by the applicant at their cost on a periodic basis as directed by the local government, with the results to be submitted to the local government. If deemed required by the local government, a suitable water treatment system such as chlorination or ultra violet light shall be provided.
- 10 All external water pipes associated with the development shall be laid under ground to a minimum depth of 300 mm to withstand the effects of a bush fire;
- 11 The location, design and construction/upgrading of the access point onto the North West Coastal Highway shall be to the requirements of Main Roads WA, with all costs met by the applicant.
- 12 The installation of any directional signage along North West Coastal Highway shall be to the requirements of Main Roads WA, with all costs met by the applicant.
- 13 Repairing of any damage to the North West Coastal Highway road surface or any other Main Roads asset required by reason of the use of the crossover or the works to construct the crossover must be repaired by the applicant to the requirements of Main Roads WA and the local government with all costs met by the applicant.
- 14 No signs or hoardings are to be erected in relation to the development (with the exception of the signs included within Figure 6 of the accompanying Council Agenda Report) without prior authorisation being obtained from Main Roads WA and the Local Government.
- 15 All lighting devices must be installed and shaded in such a way as to not cause undue light spill to passing motorists or neighbouring residences to the approval of the Local Government.

- 16 All permanent buildings including sheds and storage tanks shall be sympathetic in design and colour (muted tones) to complement the natural landscape features of the area and minimise visual impact.
- 17 Landscaping is required to be maintained between the development and the North West Coastal Highway to the approval of the Local Government.
- 18 The internal road network and vehicle manoeuvring and parking areas shall be constructed and maintained to an all-weather compacted gravel standard to the approval of the local government with all costs met by the applicant.
- 19 The approved development shall be substantially commenced within a period of 2 years from the date of this approval and if the development is not substantially commenced the approval shall lapse and be of no further effect. Where an approval has so lapsed, no development shall be carried out without the further approval of the responsible authority having first been sought and obtained.

#### Advice Notes

- (a) In relation to condition 1 the Department of Local Government & Communities have advised that they anticipate the removal of Regulation 49 from the *Caravan Parks and Camping Grounds Regulations 1997* will take place on 1 January 2015. However the applicant will need to consult with the Department of Local Government & Communities directly to confirm the date of removal prior to commencing of any operations. Alternatively the Department of Local Government & Communities have advised that there is an ability to apply for a Ministerial exemption to commence operations prior to the amendments to the Regulations, and the applicant may wish to contact the Department in regards to this. The Department have advised, however, that there is no guarantee that any requests for Ministerial exemption would be approved due to the imminent amendments to the Regulations.
- (b) In relation to condition 4 the Management Plan is to include a section relating to Fire Management prepared to the requirements of the Department of Fire and Emergency Services, and the approval of the Local Government.
- (c) In relation to condition 4 the Management Plan is to include a section relating to Noise Management prepared to the requirements of the Department of Environment Regulation, and the approval of the Local Government.
- (d) In relation to condition 4 the Management Plan is to include a section relating to Alcohol Management prepared to the requirements of the Department of Racing, Gaming & Liquor, and the approval of the Local Government.
- (e) In relation to condition 4 the Management Plan is to include a section relating to Camp Kitchen/Food Management prepared to the requirements of the Department of Health, and the approval of the Local Government.
- (f) In relation to condition 4 the Management Plan is to include a section relating to Waste Management prepared to the requirements of the Department of Health, and the approval of the Local Government.
- (g) In relation to condition 4 the Management Plan is to include a section relating to Disaster Management and Emergency Response Plan prepared to the requirements of the Department of Health, Department of Fire and Emergency Services, and the approval of the Local Government.
- (h) In relation to condition 6 the development shall only permit short stay accommodation based on a single stay for a period of not more than a total of three (3) months in any one (1) twelve (12) month period, or alternative tenure as directed by the review of the *Caravan Parks and Camping Grounds Regulations 1997*.
- (i) In relation to condition 11 the applicant is advised that North West Coastal Highway is under the management of Main Roads WA who have advised that the access point for the development shall be broadly in accordance with details shown on Main Roads WA 'Rural Driveways' standard drawing number 9831-6281-3. The level of the crossover shall be built up so that vehicles joining the highway do so from a level surface to assist

vehicles pull smoothly away from the site. The crossover shall be sealed at least 6m back from the edge of the existing road surface. The seal shall extend to cover the fishtails, which shall be big enough to accommodate vehicles to remain on the sealed area throughout a lane correct turn into or out of the site (including campervans and vehicles towing caravans).

- (j) Telstra have advised that there are optic fibre and coaxial cable running inside the property parallel with North West Coastal Highway. The applicant is required to contact Dial Before You Dig for location of existing services prior to commencement of works.
- (k) Western Power have advised that there are overhead power lines and/or underground cables adjacent to or traversing the property. The applicant is required to contact Western Power if the proposed works involve any changes to existing ground levels around poles and structures or working under overhead power lines and/or over underground cables.
- (l) The applicant is advised of the local and tourism importance of the existing Coronation Beach Nature Based Camping Area and that the local government is not obliged to withdraw from the operation of this facility.
- (m) The applicant is advised that this planning approval does not negate the requirement for any additional approvals which may be required under separate legislation including but not limited to the, Building Code of Australia, *Building Act 2011*, *Building Regulations 2012*, *Caravan Parks and Camping Grounds Act 1995* (or its replacement legislation), *Caravan Parks and Camping Grounds Regulations 1997* (or its replacement legislation), *Health Act 1911*, *Liquor Control Act 1988*, and the *Local Government (Miscellaneous Provisions) Act 1960*. It is the applicant's responsibility to obtain any additional approvals required before the development/use lawfully commences.
- (n) 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.

**Voting 7/0  
CARRIED  
Minute Reference 11/14-2**

14 August 2014

Shire of Chapman Valley  
PO Box 1  
NABAWA WA 6532

ATTN: Town Planning Services  
Simon Lancaster & Kathryn Jackson,

**REF A1306 - PROPOSED ACCOMMODATION FACILITY  
GOODIES' ECO CAMP  
LOT 54 (NO.2975) NORTH WEST COASTAL HIGHWAY , HOWATHARRA.**

In response to correspondence on 23 December 2013, and 27 June 2014.

Proposal

Application for Planning Approval, covering facilities of-

- Nature Based Park
  - o Camp HUB
  - o 20 camp sites

While an Eco-theme covers the whole proposal, the outcome is to create a space to bring together tourists and local interests. The tourist development is intended for short stay accommodation, while providing access to 'Chapman Valley' Attractions and showcasing Australian recreation & lifestyle.

The land parcel appears to be zoned 'Rural' under the Shire of Chapman Valley's Town Planning Scheme No.2. The requirements of the Shire's 'Rural Tourist Development Policy' are addressed as follows;

1. There are numerous attractions within close proximity to the subject site. These include but are not limited to; Coronation Beach (Fishing, Kitesurfing, Windsurfing, Swimming), Coronation Beach Lookout, Nukara Farm, Paintballing, Chapman Valley Fishing Park, Nanson Museum, Wildflowers, Howatharra Nature Reserve.
2. The existing crossover is gravel. The vehicle access point will meet the requirements of Main Roads 'Rural Driveway Set out Details for Light Vehicles - Two Way'. As discussed with Main Roads representative Rod Gillis on 1 April 2014, and further with Naomi Mynott up to 8 August 2014. 'Refer to appendix A'.

3. The subject site while connected to scheme water is under a 'Farmlands Service by Agreement' 'Refer to appendix B' In short,

- Non-potable water supply
- Restricted to 2.8 litres per minute
- And not to be used for commercial purposes

Due to this agreement, rainwater tanks have been integrated within the proposed development and are to be used for water supply. In addition there is a functional bore on site.

4. Electricity is provided by a Standalone Solar Power Supply (Off Grid).

5. The area of the land parcel subject to the proposed development is 12.351 ha.

6. All setbacks appear to meet the requirements of both the Rural Tourism Development Policy and Shire of Chapman Valley Town Planning Scheme No. 2.

7. The development does not appear to impinge on sand dunes, ridge lines, and side slope or breakaway areas.

8. All remnant vegetation existing on site is to be retained. In addition the lot has been substantially revegetated between the years of 2007 and 2012, as outlined on the site plan provided. "Appendix C" provides a schedule of species integrated within the revegetation.

9. The development is not anticipated to be visible from adjoining properties, or from the street frontage. This is due to adequate setbacks from all lot boundaries and existing mature vegetation on site.

10. The proposed buildings are considered to be complimentary with the landscape and of earthy, neutral tones. There are no zincalume buildings either existing or proposed on site.

11. A Caretaker's residence exists on site.

The development is intended to allow those who would otherwise pass by to stop and take interest in Chapman Valley and its surrounds.

#### Sites & Facilities – see Plans

The proposed layout of the site is to be in keeping with the natural setting. While providing level hard ground camp sites, it is proposed to minimally disturb the site. Therefore sites will be positioned close to the trails indicated, and no trees will be removed.

The majority of the site will be sized and positioned to accommodate campers and small caravans, though the sports oval can accommodate larger caravans and busses.

1. Existing Caretakers Residence
2. Nature Based Park
  - 20 campsites – 6m x 6m
    - i. Level hard ground camp sites will be provided.
    - ii. The sports oval utilised for larger vehicles.
    - iii. All campsites are to be within 90mtr of the Camp HUB to facilitate regulations for location of toilets and showers.
    - iv. Car parking -1 bay per campsite.
  - Camp HUB
    - i. Kitchen is proposed with
      1. Cold storage
      2. Cooking area
      3. Washing area
      4. Shaded Dining area
    - ii. Ablution block
      1. 2 Hot / Cold showers
      2. 1 Toilets
      3. 1 Basin
    - iii. Laundry Facility including clothes lines.
    - iv. Visitor car parking near Camp Hub.
  - Recreation facilities including
    - i. Football oval / Cricket oval
    - ii. Nature Trails

#### Water Supply

Rainwater tanks will be used for water supply. In addition there is a fully functioning bore on site.

The total number of Rain water tanks on site will be as follows.

- The Existing House to have 2 x 23,000 litre tanks.
- Existing Shed converted to Camp HUB to have 2 x 23,000 litre tanks.

Waterless – ‘Composting toilets’ will be utilised to reduce the need for water. Solar Hot Water units will be installed. Eco principals will be encouraged, via signage, to minimise water usage.

### Electricity Supply

Electricity is provided by a Standalone Solar Power Supply (Off Grid). This system contained in the Camp Hub area has capacity of 24kWh/day, with battery storage of 3 days @ 12kWh/ day.

Like the water supply, eco principals will be encouraged to minimise electricity usage. Solar passive and thermal energy principals have been incorporated into the design of habitable dwellings, to minimise excessive energy consumption.

### Signage, Advertising Entry Statement

1. Proposal for an unobtrusive sign, to integrate recycled materials in keeping with the theme of the development being eco-friendly
2. Old surfboards with deck-grip type lettering
3. Text to state: 'Goodies' Eco Camp' with simple symbol signage indicating:
  - Camping
  - Cooking
  - Hot showers

Proposed signage attached as 'Appendix D' for reference.

### Safety

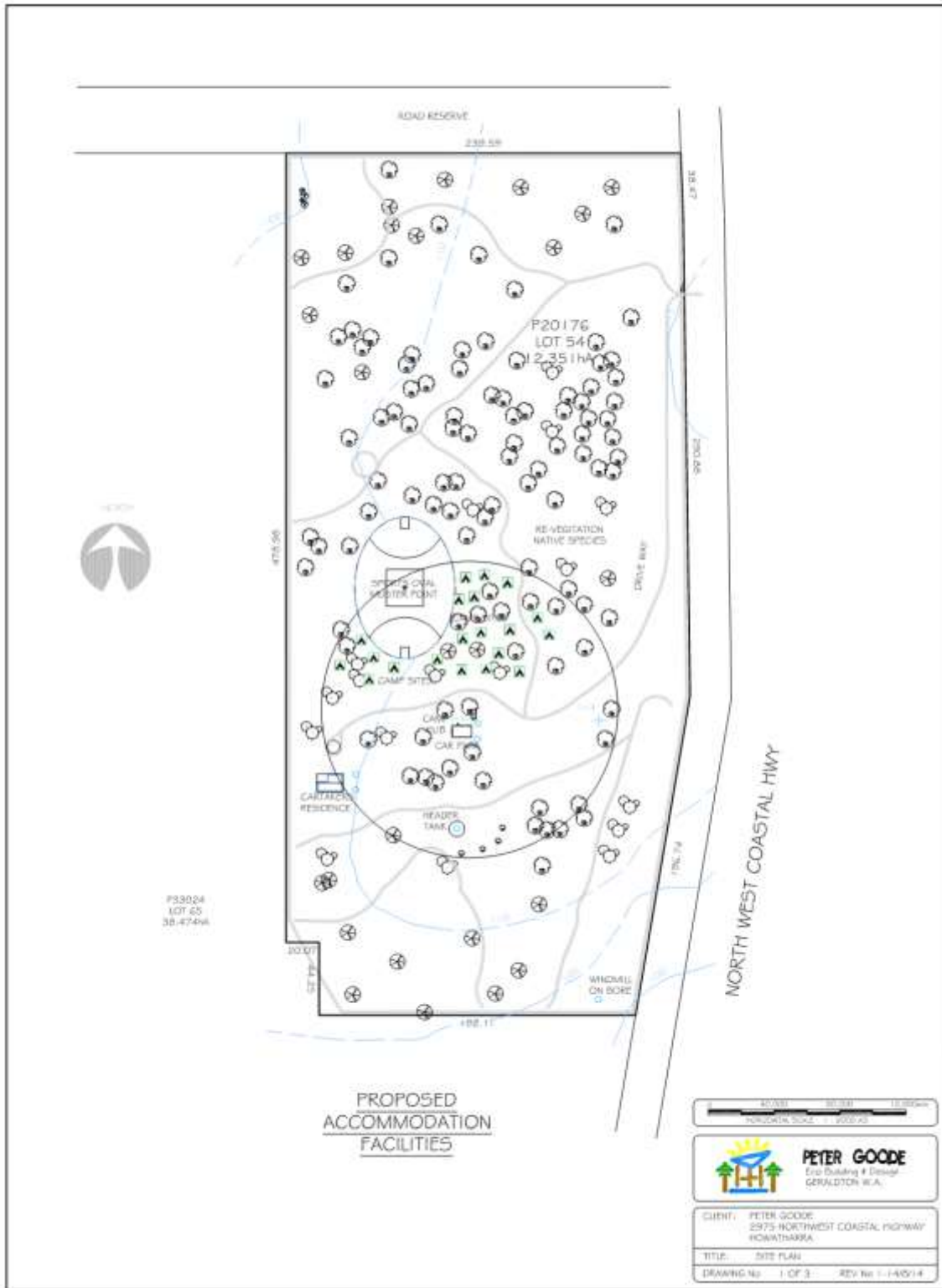
1. Well maintained firebreaks to Shire of Chapman Valley requirements
2. Onsite firefighting equipment, including portable tank and pump
3. Site Plan indicates the sports oval as Muster Point
4. Signage will be used for
  - Muster Point
  - Signage indicating fire lighting restrictions
  - First-aid location

### Waste Management

1. Waste management plan in accordance with the *Caravan and Camping Regulations 1997* and *Nature Based Parks, Guidelines for Developers and Local Governments – DRAFT*.
  - Rubbish bins provided within close proximity to Camp Facilities
  - Weekly bin collection or as required
  - Hard waste to be disposed of at Local Refuse Site.
  - Location of Refuse Site, 11.8km from subject site.

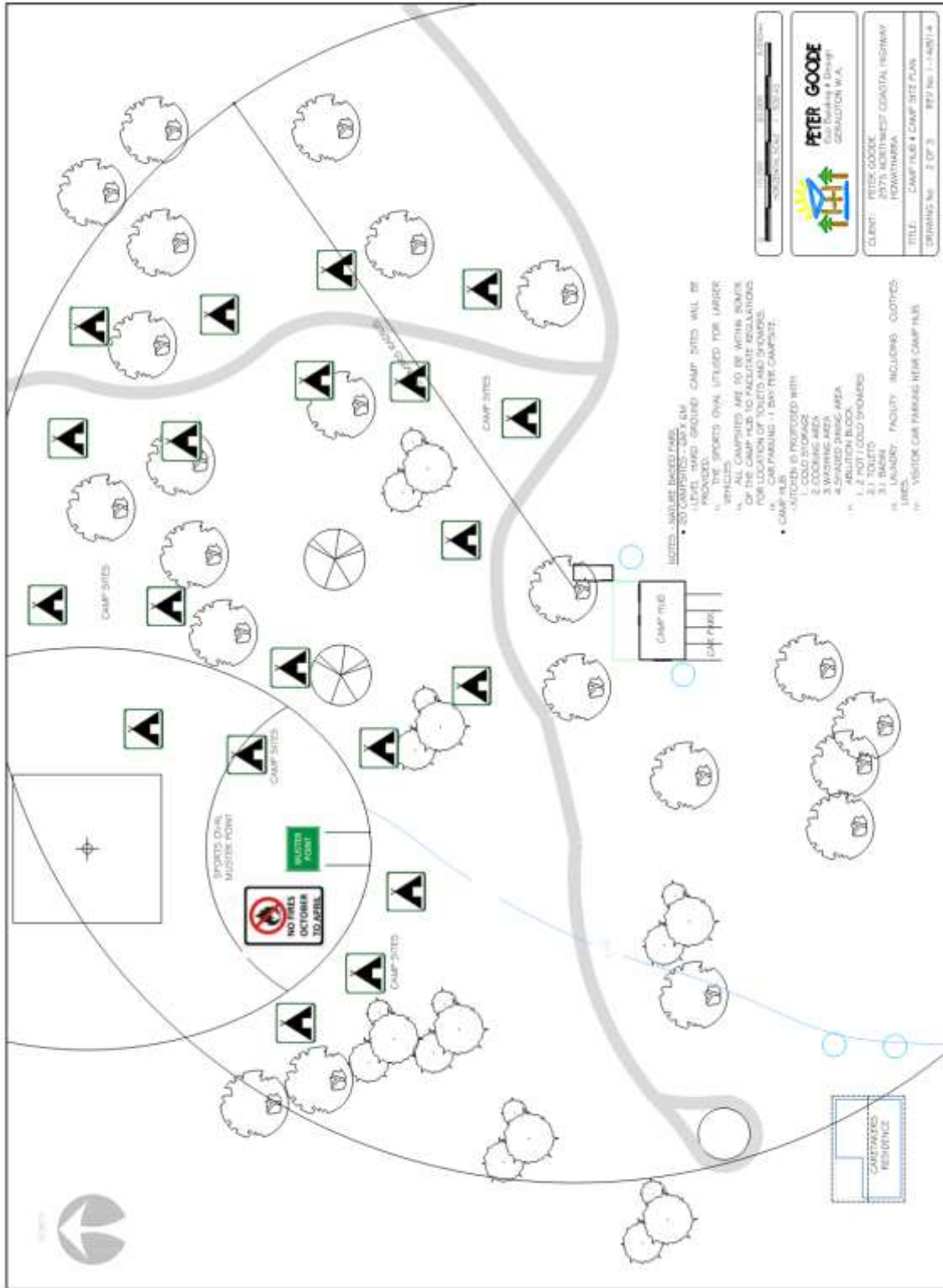
Ablution and Waste water management to Health Department Regulations and Building Code of Australia requirements. AS/NZS 3500.2.2: 1996 "National Plumbing and Drainage.

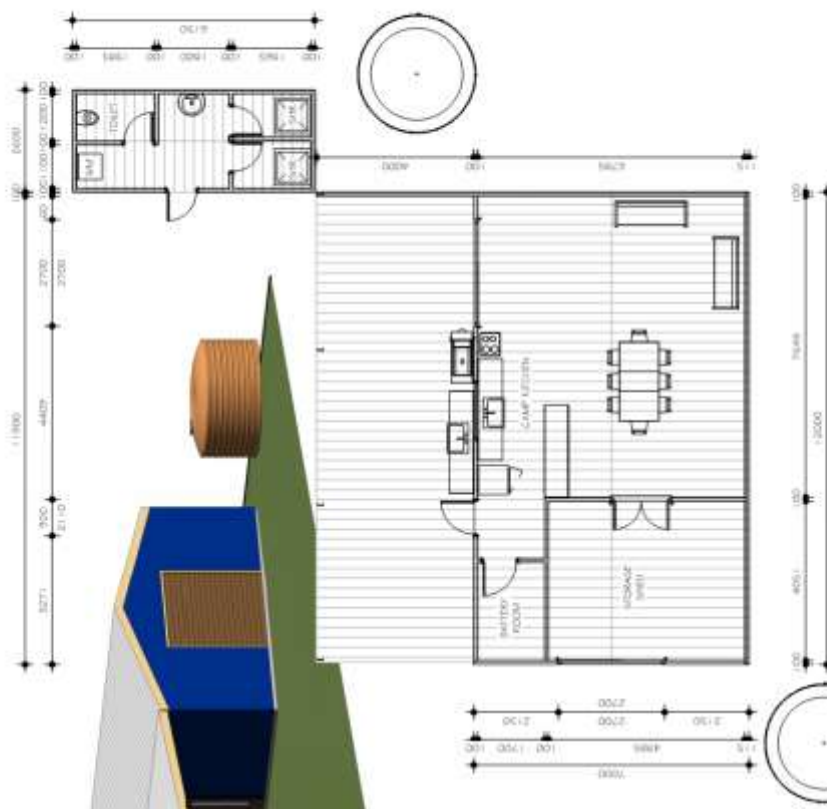




**PROPOSED  
ACCOMMODATION  
FACILITIES**

 <b>PETER GOODE</b> Eco Building & Design Geraldton W.A.	
CLIENT:	PETER GOODE 2975 NORTHWEST COASTAL HIGHWAY HOWATHARRA
TITLE:	SITE PLAN
DRAWING No:	1 OF 3
REV No:	1-14014





2 3D Rendering

- Notes:**
1. All dimensions are in millimeters unless otherwise stated.
  2. The north arrow is shown for reference only.
  3. All dimensions are to be within 50mm of the design dimensions for location of fixtures and elements.
  4. All dimensions are to be within 50mm of the design dimensions for location of fixtures and elements.
- Client:**
1. Client
  2. Client
  3. Client
  4. Client
  5. Client
  6. Client
  7. Client
  8. Client
  9. Client
  10. Client

1 FLOOR 1:100

**PETER GOODE**  
Eco Building & Design  
GERRALTON W.A.

CLIENT: PETER GOODE  
2975 NORTHWEST COASTAL HIGHWAY  
HOWLANDWA

TITLE: FLOOR PLAN

DRAWING No: 3 OF 3 REV No: 1-140514

Species	QTY
Acacia Acuminata (Jam Wattle)	200
Acacia Aneura (Mulga)	200
Acacia Coriacea (Desert Oak)	200
Acacia Cyclops (Red Eye Wattle)	200
Acacia Tetragonophylla (Kurara)	200
Agonis Flexuosa (WA Peppermint)	200
Callistemon Phoeniceus (Fiery Bottlebrush)	120
Calothamnus Quadrifidus (Net Bush Red)	200
Casuarina Obesa (Swamp Oak)	200
Corymbia Calophylla (Marni)	200
Euc. Camaldulensis Obtusa (Red River Gum)	200
euc. cladocalyx nana (Dwarf Sugar Gum)	200
Euc. Erythronema (Red Fruited Mallee)	200
Eucalyptus Foecunda (Narrow Leaved Red Mallee)	200
Euc. Leucoxylon rosea (Pink Flowering Gum)	200
Euc. Lox. lissaphloia (Mallee York Gum)	200
Euc. Loxophleba (Northern York Gum)	200
Euc. Macrandra (Long Flower Marlock)	200
Euc. Rudis (WA Flooded Gum)	200
Euc. Sargentii (Salt River Gum)	200
Euc. Torquata (Coral Gum)	200
Euc. Utilis (Platypus Gum)	200
Euc. Victrix (Coolibah)	200
Mel. Armillaris (Bracelet HoneyMyrtle)	250
Mel. Fulgens (Scarlet HoneyMyrtle)	120
Mel Huegeli (Chenille HoneyMyrtle)	250
Mel. Lanceolata (Rottnest Tea Tree)	1000
Mel. Nesophila (Showy Honey Myrtle)	860
Mel. Uncinata (Broombush)	250
Mel.Vimineae (Mohan)	250
	7500

Schedule of Submissions – Proposed Short Stay Nature Based Camping Facility – 2975 (Lot 54) North West Coastal Highway, Howatharra			
Submission No & Date Rec'd	Submitter & Affected Property	Nature of Submission	Comment
1 (18/9/14)	J & Y Paxa 2942 North West Coastal Highway HOWATHARRA WA 6532 (PO Box 504 GERALDTON WA 6531)	<p><i>Objection</i></p> <p>We don't live out there at the moment but hope to in the future.</p> <p>Proposed camping facility would be right across from our property and the noise is a major reason for opposing the campsite and unwanted visitors when alcohol is involved.</p> <p>There is a campsite at Coronation Beach which is sufficient for this area.</p>	<p>The front boundary of the respondent's property is located 150m east (at its closest point) from the proposed camping area. The properties are separated by the North West Coastal Highway which is a road train alignment and as such generates traffic noise.</p> <p>It is suggested that should the application be approved by Council that it be made subject to a Management Plan that addresses, amongst other matters, the issues of noise management and alcohol consumption.</p> <p>The existing Shire operated Coronation Beach Nature Based Camping Area and the approved privately owned, although not yet operational, 50 bay caravan park, upon Lot 171 immediately north of the Coronation Beach campground are located 7km west of the proposed development site.</p> <p>The Department of Planning have previously addressed the issue of economic competition in Section 3.3.7 of its publication 'Development Assessment Panel: Training Notes' (201) as follows:</p> <p><i>"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."</i></p> <p><i>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:</i></p> <p><i>"economic competition feared or expected from a proposed use is not a planning consideration within the terms of the planning ordinance governing this matter."</i></p> <p><i>Stephen J at [687] noted that:</i></p> <p><i>"...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."</i></p>
			<p>Note submission and recommend that any approval for the application be made subject to the following:</p> <p><u>Condition</u></p> <p>"The applicant is to prepare, submit and adhere to a Management Plan to the approval of the Local Government, with all costs met by the applicant."</p> <p><u>Advice Notes</u></p> <p>"The Management Plan is to include a section relating to Fire Management prepared to the requirements of the Department of Fire and Emergency Services, and the approval of the Local Government."</p> <p>"The Management Plan is to include a section relating to Noise Management prepared to the requirements of the Department of Environment Regulation, and the approval of the Local Government."</p> <p>"The Management Plan is to include a section relating to Alcohol Management prepared to the requirements of the Department of Racing, Gaming &amp; Liquor, and the approval of the Local Government."</p>

Schedule of Submissions – Proposed Short Stay Nature Based Camping Facility – 2975 (Lot 54) North West Coastal Highway, Howtharra			
Submission No & Date Rec'd	Submitter & Affected Property	Nature of Submission	Comment
2 (19/9/14)	Telstra	<p><i>No objection</i></p> <p>Telstra has optic fibre and coaxial cable running inside the property parallel with North West Coastal Highway.</p> <p>Please contact Dial Before You Dig for location of existing services if required.</p>	<p>The proposed development would be setback 75m from the eastern property boundary at its closest point and approximately 120m from the North West Coastal Highway centreline.</p> <p>Landgate indicates that the easement located within Lot 54 runs parallel with the eastern/highway frontage to an encroachment width of 20 from the eastern/highway boundary and the proposed short stay nature based camping facility is outside of this easement area.</p> <p>The vehicle access alignment between the North West Coastal Highway and the development area will traverse the easement and it is therefore recommended that an advice note be include with any development approval to this effect.</p>
3 (21/9/14)	Western Power	<p><i>No objection</i></p> <p>There are overhead powerlines and/or underground cables adjacent to or traversing the property.</p> <p>The following should be considered prior to any works commencing:</p> <ul style="list-style-type: none"> <li>- all works must comply with Worksafe Regulation 3.64- Guidelines for work in the vicinity of overhead power lines;</li> <li>- if any work is to breach the minimum safe working distance a request to work in vicinity of powerlines form must be submitted.</li> </ul> <p>Western Power must be contacted if the proposed works involve any changes to existing ground levels around poles and structures or working under overhead powerlines and/or over underground cables.</p> <p>Any change to the existing power system if required is the responsibility of the individual developer.</p>	<p>Landgate indicates that the easement located within Lot 54 runs parallel with the eastern/highway frontage to an encroachment width of 20 from the eastern/highway boundary and the proposed short stay nature based camping facility is outside of this easement area.</p> <p>The vehicle access alignment between the North West Coastal Highway and the development area will traverse the easement and it is therefore recommended that an advice note be include with any development approval to this effect.</p>
			<p>Note submission and recommend that any approval for the application be made subject to the following:</p> <p><u>Advice Note</u></p> <p>"Telstra have advised that there are optic fibre and coaxial cable running inside the property parallel with North West Coastal Highway. The applicant is required to contact Dial Before You Dig for location of existing services prior to commencement of works."</p> <p>Note submission and recommend that any approval for the application be made subject to the following:</p> <p><u>Advice Note</u></p> <p>"Western Power have advised that there are overhead powerlines and/or underground cables adjacent to or traversing the property. The applicant is required to contact Western Power if the proposed works involve any changes to existing ground levels around poles and structures or working under overhead powerlines and/or over underground cables."</p>

Schedule of Submissions – Proposed Short Stay Nature Based Camping Facility – 2975 (Lot 54) North West Coastal Highway, Howatharra			
Submission No & Date Rec'd	Submitter & Affected Property	Nature of Submission	Comment
4 (23/9/14)	I & R Cherry 3082 North West Coastal Highway HOWATHARRA WA 6532 (PO Box 1131 GERALDTON WA 6531)	<i>No objection</i> We fully support this proposal. Excellent idea and well planned out.	No additional comment.
5 (20/10/14)	Department of Local Government & Communities	<i>Comment provided</i> Applications to establish a nature based facility within 50km of an existing facility licensed under the <i>Caravan Parks and Camping Grounds 1997</i> should not be approved until such time that Regulation 49 has been removed. It is expected that the removal of Regulation 49 will take effect from 1 January 2015.  There are a number of amendments to the Regulations being proposed that will coincide with the removal of Regulation 49. The Shire will need to consider these prior to making a decision on this application.  The applicant does have the option of seeking an exemption prior to the removal of Regulation 49, however there is no guarantee that any requests for Ministerial exemption would be approved due to the imminent amendments to the Regulations.  The Department has developed a set of guidelines which are designed to assist local governments and operators in understanding the legislative proposals and a draft copy	Note submission.  Note submission and recommend that any approval for the application be made subject to the following:  <u>Condition</u>  "The development is not to commence operations until such time as Regulation 49 of the <i>Caravan Parks and Camping Grounds Regulations 1997</i> has been removed, or the applicant has obtained a Ministerial exemption to commence operations prior to the removal of Regulation 49."  "The applicant is to prepare, submit and adhere to a Management Plan to the approval of the Local Government, with all costs met by the applicant."  "The development shall comply with the requirements of the <i>Caravan Parks and Camping Grounds Regulations 1997</i> and the 'Nature-based Parks: Licensing Guidelines for

Fig Tree Crossing is located within 50km of caravan parks in  
Page 3 of 13

Schedule of Submissions – Proposed Short Stay Nature Based Camping Facility – 2975 (Lot 54) North West Coastal Highway, Howatharra			
Submission No & Date Rec'd	Submitter & Affected Property	Nature of Submission	Comment
		<p>has been provided. The guidelines are not finalised at this stage but the proposed amendments detailed in the guidelines are unlikely to differ significantly from those to be put in place on 1 January 2015. A copy of the draft Management Plan that is being proposed is also provided.</p> <p>In regards to this particular development, the Department would recommend the Shire consider the following sections of the guidelines:</p> <ul style="list-style-type: none"> <li>- Section 7: appears that the proposed kitchen facility will be in breach of the building types to be permitted at a nature based park;</li> <li>- Section 16: noted that there are 20 camping sites being proposed and only 1 toilet, which is only accessible through the washing machine room. The proposed amendments will require a nature based park operator to provide 2 toilets per 20 sites however local governments can exempt an operator from this requirement under certain circumstances. If it is unrealistic to provide another toilet, the Shire does have the option of placing conditions on the licence whereby portable toilets are required when the park reaches a certain capacity. The health and safety aspects of this and potential impact on the environment would need to be carefully considered.</li> <li>- Section 17: if a nature based park doesn't meet the toilet requirements, a chemical waste dump point will be required in</li> </ul>	<p>Developers and Local Governments."</p> <p>"The development is required to be serviced by 2 unisex toilets (one to a disabled access standard). The applicant is advised that this may be reduced to 1 unisex toilet (to a disabled access standard), providing that a chemical dump point is installed, maintained and operated on-site to the approval of the Department of Health."</p> <p>"The development shall be connected to an on-site effluent disposal system that is located, designed, installed and operated to the approval of the Department of Health."</p> <p><u>Advice Note</u></p> <p>"The Department of Local Government &amp; Communities have advised that they anticipate the removal of Regulation 49 from the <i>Caravan Parks and Camping Grounds Regulations 1997</i> will take place on 1 January 2015. However the applicant will need to consult with the Department of Local Government &amp; Communities directly to confirm the date of removal prior to commencing any operations. Alternatively the Department</p>
		<p>Gerardton, and it is located within an expanded road reserve area (rather than neighbouring Reserve 11351) it is currently sign posted by the Shire as being for overnight stay only to ensure that it meets Section 11.1(b) of the <i>Caravan Parks and Camping Grounds Regulations 1997</i> that allows for camping up to 24 consecutive hours in a caravan or other vehicle on a road side rest area.</p> <p>However, it is a previously raised concern of the Shire that private proponents of the nature based parks would not be subject to this local government exemption from the 50km requirement. This view was shared by a National Competition Policy review which found Regulation 49 to be anti-competitive and recommended that it be removed. It also recommended that a set of minimum standards for nature-based parks become legislative provisions.</p> <p>Following this finding, the repeal of Regulation 49 was endorsed by the Caravan Parks and Camping Grounds Advisory Committee and approved by the Minister for Local Government. In addition to the removal of Regulation 49, there will also be amendments to the Regulations in relation to nature-based parks. Currently, 'nature-based park' is a licence category under the legislation, however, the definition is vague in its current form and requires urgent clarification.</p> <p>The objectives of the review as it relates to nature based parks are as follows:</p> <ul style="list-style-type: none"> <li>• clarify the definition of nature-based parks;</li> <li>• encourage investment and establishment of nature-based parks;</li> <li>• introduce a set of minimum standards for nature-based parks while maintaining flexibility;</li> <li>• discourage illegal camping by providing legal options;</li> <li>• make it easier to license and regulate nature-based parks; and</li> <li>• create uniformity with licensing.</li> </ul> <p>The Department have prepared 'Nature-based Parks: Licensing Guidelines for Developers and Local Governments' and made recommendation that the Shire assess the received application against these guidelines. It is noted that the guidelines are in a draft format at this time but it is considered likely that the guidelines will be formalised without substantial changes and will then form the basis for assessment of nature based parks following the</p>	<p>Developers and Local Governments."</p> <p>"The development is required to be serviced by 2 unisex toilets (one to a disabled access standard). The applicant is advised that this may be reduced to 1 unisex toilet (to a disabled access standard), providing that a chemical dump point is installed, maintained and operated on-site to the approval of the Department of Health."</p> <p>"The development shall be connected to an on-site effluent disposal system that is located, designed, installed and operated to the approval of the Department of Health."</p> <p><u>Advice Note</u></p> <p>"The Department of Local Government &amp; Communities have advised that they anticipate the removal of Regulation 49 from the <i>Caravan Parks and Camping Grounds Regulations 1997</i> will take place on 1 January 2015. However the applicant will need to consult with the Department of Local Government &amp; Communities directly to confirm the date of removal prior to commencing any operations. Alternatively the Department</p>



Schedule of Submissions – Proposed Short Stay Nature Based Camping Facility – 2975 (Lot 54) North West Coastal Highway, Howatharra			
Submission No & Date Rec'd	Submitter & Affected Property	Nature of Submission	Comment
		<p>logical proximity. This is expected to apply to parks that cater primarily to the self-contained market. As it appears the oval is to be used for self-contained vehicles, a dump point would be required.</p> <p>It may be prudent for the Shire to consider whether this is the most appropriate licence type for this proposal, based on its understanding of the proposed amendments.</p> <p>In regards to an existing nature based facility operated by the Shire within 50km of caravan parks in both Geraldton and Northampton the Department advises that Shire operated facilities are not required to be licensed in accordance with section 15 of the <i>Caravan Parks and Camping Grounds Act 1995</i>, however section 13 and 31 and all subsidiary legislation made under this Act apply.</p> <p>You will also be advised through a Circular, once the amendments have been finalised, prior to 1 January 2015.</p>	<p>completion of the review and amendment of the <i>Caravan Parks and Camping Grounds Regulations 1997</i>.</p> <p>In relation to the specific sections of the draft guidelines raised by the Department the following comment is provided:</p> <p>Section 7 – the Shire's Environmental Health Officer has inspected the site and considers that the proposed camp kitchen would meet the requirements of the existing Regulations as well as the guidelines if there is hot and cold water at the sinks and the premises can be easily cleaned.</p> <p>An issue of concern is the proposed regulation on the type of buildings allowed on a nature based park (Proposed Regulation Schedule 7, Clause 11(4): the only buildings allowed on a nature-based park are a manager's house, toilets, showers or washing up facilities and there will be no buildings allowed on an individual site).</p> <p>The Shire's Environmental Health Officer has contacted the Department directly to discuss its raised concern over the proposed camp kitchen set-up within a nature based park, and discussed that, in his opinion, this level of kitchen could be considered appropriate for a nature based park setting and pointed out that there would be numerous nature based parks which have basic camp kitchens. The Department recognised that this may be an issue and advised that that the guideline in relation to this issue had not yet been finalised and could be yet subject to change. It is suggested that to address this issue that any approval of the application be made subject to the camp kitchen being constructed and operated in accordance with the requirements of the local government, and the Shire's Environmental Health Officer would then ensure that the facility operated in accordance with the relevant current legislation (this can include, but is not limited to the <i>Caravan Parks and Camping Grounds Act 1995</i> (or its replacement legislation), <i>Caravan Parks and Camping Grounds Regulations 1997</i> (or its replacement legislation), <i>Health Act 1911</i>.</p> <p>Sections 16 &amp; 17 - The application is for a nature based park with 20 sites that will cater for camper vans and small caravans. Schedule 7 Clause 19 of the <i>Caravan Parks and Camping Grounds Regulations 1997</i> requires for caravan parks and camping grounds that at least 1 toilet and 1 shower must be provided within 90m of</p>
			<p>of Local Government &amp; Communities have advised that there is an ability to apply for a Ministerial exemption to commence operations prior to the amendments to the Regulations, and the applicant may wish to contact the Department in regards to this. The Department have advised, however, that there is no guarantee that any requests for Ministerial exemption would be approved due to the imminent amendments to the Regulations."</p> <p>"The applicant is advised that this planning approval does not negate the requirement for any additional approvals which may be required under separate legislation including but not limited to the, <i>Building Code of Australia, Building Act 2011, Building Regulations 2012, Caravan Parks and Camping Grounds Act 1995</i> (or its replacement legislation), <i>Caravan Parks and Camping Grounds Regulations 1997</i> (or its replacement legislation), <i>Health Act 1911, Liquor Control Act 1988, and the Local Government (Miscellaneous Provisions) Act 1960</i>. It is the applicant's responsibility to obtain any additional approvals required before the development/use lawfully commences."</p>

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6 (23/10/14)	Tourism WA	<p><i>Comment provided</i></p> <p>The North West Coastal Highway is an important connection from Geraldton to the northern towns of WA and attracts tourists particularly in the self-drive sector. This is a growing market and demand for facilities is continuing to increase around the state.</p> <p>The 2012 report 'A Strategic Approach to Caravan and Camping in WA' does not identify the Shire of Chapman Valley as an area which is in demand for increased caravan or camping accommodation. Based on this it is difficult for Tourism WA to provide</p>	<p>each site. It is considered that the toilet will need to be constructed to a disabled access standard. However, Schedule 7 Clause 23 of the Regulations requires that a nature based park is to have toilets, showers and hand basins as is approved with no prescribed numbers set by the current Regulations.</p> <p>The application proposes 1 toilet, 2 showers with hot &amp; cold water and 1 basin. Sections 16 &amp; 17 of the draft 'Nature-based Parks: Licensing Guidelines for Developers and Local Governments' state that a nature based park is to have 2 toilets for every 20 sites unless otherwise approved. Where fewer toilets are provided a chemical waste dump point is to be available in logical proximity. The application does not make reference to a chemical dump point. It is considered as per the guidelines that an additional toilet is therefore required unless a chemical waste dump point is provided. The guidelines specify a minimum of 1 shower and 1 hand basin for every 20 sites unless otherwise approved. The proposal satisfies this requirement.</p> <p>All waste water disposal systems are required to be approved by the Department of Health. The composting toilet needs to be a type approved by the Department of Health and details of the make and servicing requirements will be required to be submitted in the event that the application is given development approval prior to any installation and commencement of operations.</p> <p>The Tourism WA Action Plan is a 4 page document that provides broad recommendations addressing the whole caravan and camping sector, the only specific locational recommendations it makes are in relation to increasing the number of campgrounds in National Parks by 450, increasing the number of 24 hour roadside rest areas (particularly in the north-west), increasing the number of new commercial caravan and camping facilities upon indigenous land in the Kimberley region. Given this high level of recommendation the comment that the plan does not specifically reference the Shire of Chapman Valley as being in demand for increased caravan and camping accommodation is considered incongruous.</p> <p>The Action Plan draws its recommendations from the 'A Strategic Approach to Caravan and Camping Tourism in Western Australia 2012' report which notes that the greater Geraldton area has 40,000 caravan and camping visitors annually that stay for a total</p>
			<p>"The Management Plan is to include a section relating to Camp Kitchen/Food Management prepared to the requirements of the Department of Health, and the approval of the Local Government."</p>
			<p>Note submission.</p>

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			Recommendation
7 (17/10/14)	G & S McGillivray 2988 North West Coastal Highway HOWATHARRA WA 6532 (PO Box 2480 GERALDTON WA 6531)	<p>detailed comments on the proposal and the general demand for a new facility.</p> <p>It is important to ensure that Tourism WA's Caravan and Camping Action Plan, Planning Bulletin 83 and Planning Bulletin 49 are considered when assessing this development application. The application needs to meet the objectives and requirements of these documents to ensure that the development will meet visitor needs.</p> <p><b>Objection</b></p> <ul style="list-style-type: none"> <li>- increased chance of break in and theft;</li> <li>- increased noise levels;</li> <li>- increased rubbish in area;</li> <li>- more chance of fires in area as people will be around e.g. smokers, campfire etc.</li> <li>- increase of feral animals in area as more rubbish may be around and any hitchhiker animals (cane toads/ferals) that are on caravans etc.</li> </ul> <p>We enjoy our privacy and don't want that invaded by having extra people staying in the area.</p> <p>We feel that Drummond Cove Caravan Park, Coronation Beach, Oakabella, Northampton and Fig Tree are sufficient rest/stop areas for people travelling that are interested in Chapman Valley.</p>	<p>number of 163,000 nights, with caravan and camping visitors comprising 21.28% of the total number of visitors to the region.</p> <p>WAPC Planning Bulletin 49 'Caravan Parks' (May 2014) was not produced to address nature-based parks. Planning Bulletin 83 'Planning for Tourism' (January 2013) 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 identifies that the importance of strategic planning for tourism and that this should be addressed through the local government's Local Planning Strategy. The Shire's Local Planning Strategy (2008) identifies the subject lot as being located within Precinct No.5-Howatharra where 'Tourism (low to medium-key &amp; eco-tourism)' is listed as being an appropriate type of land use.</p> <p>The objector's residence is located approximately 350m north-east from the closest point of the proposed camping area. The properties are separated by the North West Coastal Highway which is a road train alignment and as such generates traffic noise.</p> <p>It is suggested that should the application be approved by Council that it be made subject to a Management Plan that addresses, amongst other matters, the issues of noise, waste and fire management.</p> <p>Schedule 7 Clause 49 of the <i>Caravan Parks and Camping Grounds Regulations 1997</i> requires that rubbish bins in nature based parks are to be provided as approved. Rubbish bins are required to be water and vermin proof, in a clean and hygienic condition and emptied as necessary but at least once per week. The applicant states that refuse bins will be provided within close proximity of camp facilities and emptied weekly or as required and waste disposed of at the local refuse site. The Shire's Environmental Health Officer has advised that standard domestic 240L mobile garbage bins are considered suitable.</p> <p>Schedule 7 Clause 33, 35 &amp; 36 of the <i>Caravan Parks and Camping Grounds Regulations 1997</i> requires that every site is to be within reach of a fire hose. If water supply is not adequate then fire extinguishers to Australian Standard 2444-1995 are required. The applicant addresses this issue in their covering letter. The Shire's Environmental Health Officer has advised that the applicant will</p>
			<p>Note submission and recommend that any approval for the application be made subject to the following:</p> <p><b>Condition</b></p> <p>"The applicant is to prepare, submit and adhere to a Management Plan to the approval of the Local Government, with all costs met by the applicant."</p> <p><b>Advice Notes</b></p> <p>"The Management Plan is to include a section relating to Noise Management prepared to the requirements of the Department of Environment Regulation, and the approval of the Local Government."</p> <p>"The Management Plan is to include a section relating to Waste Management prepared</p>

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			<p>to the requirements of the Department of Health, and the approval of the Local Government."</p> <p>"The Management Plan is to include a section relating to Fire Management prepared to the requirements of the Department of Fire and Emergency Services, and the approval of the Local Government."</p> <p>"The Management Plan is to include a section relating to Alcohol Management prepared to the requirements of the Department of Racing, Gaming &amp; Liquor, and the approval of the Local Government."</p>
			<p>need to be able to ensure there will be sufficient water available and detail the capacity of the portable tanks. It is suggested that should this application be approved that the applicant be required to prepare, implement and adhere to a Fire Management Plan that addresses the risk of fire, how it will be managed and what firefighting equipment will be available and maintenance of this equipment to the requirements of the Department of Fire and Emergency Services, and the approval of the Local Government.</p> <p>The objection provides the opinion that there are already sufficient alternative short stay facilities located at Drummond Cove, Coronation Beach, Oakabella, Northampton and Fig Tree. Whilst it is valid to give planning consideration as to a site's suitability in regards to the proposed land use, the issue of whether demand for that land use is met (or otherwise) by current supply is generally not something a local government should entertain.</p> <p>The Department of Planning have previously addressed the issue of economic competition in Section 3.3.7 of its publication 'Development Assessment Panel: Training Notes' (2011) as follows:</p> <p><i>"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."</i></p> <p><i>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 [687] said that:</i></p> <p><i>"economic competition feared or expected from a proposed use is not a planning consideration within the terms of the planning ordinance governing this matter".</i></p> <p>Stephen J at [687] noted that:</p> <p><i>"...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."</i></p> <p>It is noted that Tourism WA's publication 'A Strategic Approach to Caravan and Camping Tourism in Western Australia 2012'</p>

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			Recommendation
8 (21/10/14)	Department of Health	<p><i>Comment provided</i></p> <p>The development is to have access to a sufficient supply of potable water that is of a quality specified under the Australian Drinking Water Quality Guidelines 2004.</p> <p>The proposed development complies with the provisions of the draft Country Sewerage Policy. The Department has no objection to the application subject to the installation of on-site wastewater being satisfactory to Department of Health for its approval. The proponents to be advised that approval is required for any on-site wastewater treatment process.</p> <p>All food related aspects to comply with the provisions of the <i>Food Act 2008</i> and related code, regulations and guidelines.</p> <p>The proponent be required to develop a site specific Disaster Management and Emergency Response Plan that should be approved by and integrated into the Shire of Chapman Valley Disaster Management and Recovery Plan.</p>	<p>identified that the greater Geraldton region had an average short stay occupancy rate of 73.9%.</p> <p>Schedule 7 Clause 42 of the <i>Caravan Parks and Camping Grounds Regulations 1997</i> requires that a supply of potable water of at least 300L per day for each site, or such lesser amount as is approved by the local government and Department of Health. The application proposes 20 sites which would amount of 6,000L of potable water to be available per day. The applicant has provided correspondence from the Water Corporation stating that scheme water cannot be provided to this facility.</p> <p>The applicant proposes to have 2 x 23,000L rainwater tanks at the camp hub, which would satisfy the capacity requirements in the event of rain. It would be a requirement that the water supply must clearly state that it is rainwater. In the event of insufficient rain the applicant states that there is a functioning bore on the property. Before this bore could be used for supplementing the rainwater tanks tests would be required to be carried out to ensure it is potable. The Shire's Environmental Health Officer has recommended that rainwater and bore water should be treated with chlorine or ultra violet light to ensure a constant supply of potable water.</p> <p>Schedule 7 clause 40 of Schedule 7 Clause 42 of the <i>Caravan Parks and Camping Grounds Regulations 1997</i> requires that there is to be a centrally located tap for use by all occupants unless otherwise approved. The proposal has taps at the camp hub which is within 90m of all sites.</p> <p>It is suggested that should the application be approved by Council that it be made subject to a Management Plan that addresses, amongst other matters, the issues of water, waste, food, emergency and fire management.</p>
			<p>Note submission and recommend that any approval for the application be made subject to the following:</p> <p><u>Condition</u></p> <p>"The applicant is to prepare, submit and adhere to a Management Plan to the approval of the Local Government, with all costs met by the applicant."</p> <p>"The development shall comply with the requirements of the <i>Caravan Parks and Camping Grounds Regulations 1997</i> and the "Nature-based Parks: Licensing Guidelines for Developers and Local Governments."</p> <p>"The development shall be connected to an on-site effluent disposal system that is located, designed, installed and operated to the approval of the Department of Health."</p> <p><u>Advice Notes</u></p> <p>"The Management Plan is to include a section relating to Waste Management prepared to the requirements of the Department of Health, and the approval of the Local Government."</p>

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			<p>"The Management Plan is to include a section relating to Disaster Management and Emergency Response Plan prepared to the requirements of the Department of Health, Department of Fire and Emergency Services, and the approval of the Local Government."</p> <p>"The applicant is advised that this planning approval does not negate the requirement for any additional approvals which may be required under separate legislation including but not limited to the, <i>Building Code of Australia, Building Act 2011, Building Regulations 2012, Caravan Parks and Camping Grounds Act 1995</i> (or its replacement legislation), <i>Caravan Parks and Camping Grounds Regulations 1997</i> (or its replacement legislation), <i>Liquor Health Act 1911), Liquor Control Act 1988, and the Local Government (Miscellaneous Provisions) Act 1960</i>. It is the applicant's responsibility to obtain any additional approvals required before the development/use lawfully commences."</p> <p>"The Management Plan is to include a section relating to Camp Kitchen/Food Management prepared to the requirements of the</p>

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Submission No & Date Rec'd	Submitter & Affected Property	Nature of Submission	Comment
9 (28/10/14)	Main Roads WA	<p><i>Comment provided</i></p> <p>It is considered that 20 campsites would not create a significant detrimental impact on the safety or amenity of highway users, subject to certain controls on the use and the design/construction of the access.</p> <p>No objection subject to the following conditions:</p> <ul style="list-style-type: none"> <li>- number of campsites limited to 20;</li> <li>- highway crossover requires upgrading to approval of Main Roads WA and Shire.</li> </ul> <p>The intersection upgrade shall be broadly in accordance with details shown on Main Roads 'Rural Driveways' standard drawing number 9831-6281-3. The level of the crossover shall be built up so that vehicles joining the highway do so from a level surface to assist vehicles pull smoothly away from the site.</p> <p>Crossover shall be sealed at least 6m back from the edge of the existing road surface. The seal shall extend to cover the fishtails, which shall be big enough to accommodate vehicles to remain on the sealed area throughout a lane correct turn into or out of the site (including campervans and vehicles towing caravans).</p> <p>All costs of design, construction and maintenance of crossover shall be the responsibility of the proponent.</p>	<p>North West Coastal Highway is under the management of Main Roads WA and the Shire will be bound to have regard therefore for the advice received from Main Roads WA in its deliberation upon the application.</p> <p>In its consideration and approval of previous development applications fronting Main Roads WA alignments Council has required that access points must be located, designed and constructed/upgraded to the requirements of Main Roads WA at the applicant's expense and it would be appropriate for similar condition to be applied to this approval.</p> <p>The correspondence received from Main Roads WA acknowledges that the applicant has previously made contact with them early in the process to discuss requirements and specifications and a copy of all received submissions has been given to the applicant to review them with the opportunity for comment. The Shire has recommended to the applicant that they contact the Geraldton office of Main Roads WA to discuss their requirements.</p>
			<p>Department of Health, and the approval of the Local Government."</p> <p>Note submission and recommend that any approval for the application be made subject to the following:</p> <p><u>Condition</u></p> <p>"The location, design and construction/upgrading of the access point onto the North West Coastal Highway shall be to the requirements of Main Roads WA and the local government, with all costs met by the applicant."</p> <p>"The installation of any directional signage along North West Coastal Highway shall be to the requirements of Main Roads WA, with all costs met by the applicant."</p> <p>"Repairing of any damage to the North West Coastal Highway road surface or any other Main Roads asset required by reason of the use of the crossover or the works to construct the crossover must be repaired by the applicant to the requirements of Main Roads WA and the local government with all costs met by the applicant."</p> <p><u>Advice Note</u></p> <p>"The applicant is advised that</p>

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10 (4/11/14)	Department of Fire & Emergency Services	<p>Any damage to the road surface or any other Main Roads asset attributable to the use of the crossover or the works to construct the crossover must be repaired by the proponent at their own cost to the satisfaction of Main Roads.</p> <p><i>No objection</i></p> <p>The Department advises that the following "minimum" conditions are required for assured fire safety:</p> <p>A Fire Management Plan addressing water supply for firefighting and aggress/egress.</p>	<p>The applicant proposes that the nature based park would be serviced by rainwater tanks for water supply (4 x 23,000L tanks in total), and additional water would be provided for non-potable uses (e.g. laundry, fire fighting) by means of an existing bore and connection to the Water Corporation's Northampton pipeline which provides a restricted non-potable flow of 2.8L per minute to a maximum of 4kL per day. On-site firefighting equipment would include portable tank and pump.</p> <p>Power for the facility would be by means 'off-grid' solar generation providing 24kWh/day with battery storage of 3 days at 12kWh/day.</p> <p>It is suggested that should the application be approved by Council that it be made subject to a Management Plan that addresses, amongst other matters, the issues of water, emergency and fire</p>
			<p>North West Coastal Highway is under the management of Main Roads WA who have advised that the access point for the development shall be broadly in accordance with details shown on Main Roads WA 'Rural Driveways' standard drawing number 9831-6281-3. The level of the crossover shall be built up so that vehicles joining the highway do so from a level surface to assist vehicles pull smoothly away from the site. The crossover shall be sealed at least 6m back from the edge of the existing road surface. The seal shall extend to cover the fishtails, which shall be big enough to accommodate vehicles to remain on the sealed area throughout a lane correct turn into or out of the site (including campervans and vehicles towing caravans)."</p> <p>Note submission and recommend that any approval for the application be made subject to the following:</p> <p><u>Condition</u></p> <p>"The applicant is to prepare, submit and adhere to a Management Plan to the approval of the Local Government, with all costs met by the applicant."</p> <p>Advice Note</p>



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Submission No & Date Rec'd	Submitter & Affected Property	Nature of Submission	Comment
			management.
			<p>"The Management Plan is to include a section relating to Fire Management prepared to the requirements of the Department of Fire and Emergency Services, and the approval of the Local Government."</p> <p>"The Management Plan is to include a section relating to Disaster Management and Emergency Response Plan prepared to the requirements of the Department of Health, Department of Fire and Emergency Services, and the approval of the Local Government."</p>

Cr Royce entered Chambers at 9.22am

<b>AGENDA ITEM:</b>	<b>9.1.2</b>
<b>SUBJECT:</b>	<b>SITING OF SEA CONTAINER, WHITE PEAK</b>
<b>PROPONENT:</b>	<b>S &amp; R DUGGAN</b>
<b>SITE:</b>	<b>161 (LOT 237) PARMELIA BOULEVARD, WHITE PEAK</b>
<b>FILE REFERENCE:</b>	<b>A1615</b>
<b>PREVIOUS REFERENCE:</b>	<b>12/13-4</b>
<b>DATE:</b>	<b>10 NOVEMBER 2014</b>
<b>AUTHOR:</b>	<b>SIMON LANCASTER</b>

#### DISCLOSURE OF INTEREST

Nil.

#### BACKGROUND

Council is in receipt of an application seeking the permanent siting of a sea container and additional works at 161 (Lot 237) Parmelia Boulevard, White Peak. The application has been placed before Council as it exceeds the delegation limits of the Shire's 'Sea Containers' Local Planning Policy. This report recommends conditional approval of the application.

#### COMMENT

Lot 237 is a 3ha property, 235m in length and 127.66m in width, located on the western side of Parmelia Boulevard in the Parkfalls Estate. The property contains a single storey residence completed in 2010.

**Figure 1 – Location Plan for 161 (Lot 237) Parmelia Boulevard, White Peak**



The applicant is seeking to permanently site a 20ft (15m<sup>2</sup>) sea container upon Lot 237 for storage of horse feed and equipment. The sea container is already sited upon the property 22m to the north-west of the existing residence, and setback approximately 60m from the front boundary and 65m from nearest side (northern) property boundary.

The applicant is proposing to construct a 6.05m x 5.43m (32.85m<sup>2</sup>) colorbond skillion roof over and to the eastern side of the sea container, and clad the walls of the sea container in grey colorbond to give the appearance of a standard outbuilding and to match the existing colorbond fence that is in proximity to it.

A copy of the applicant's submitted correspondence; and site, floor and elevation plans have been included as **Attachment 1** for Council's information.

In support of their application the landowner has advised that the permanent siting of a sea container and cladding it to look like an outbuilding would be preferable to constructing an

outbuilding as it would be sealed, thereby better protecting hay and equipment from water damage and vermin.

**Figure 2 – Aerial Photograph of 161 (Lot 237) Parmelia Boulevard, White Peak**



The recent development history for 161 (Lot 237) Parmelia Boulevard, White Peak is as follows:

15 April 2010 - Planning approval issued for residence

7 May 2010 - Building permit issued for residence

29 August 2013 - Shire wrote to the landowner advising that the siting of a sea container was only permitted within this area where the structure is being used for the temporary storage of building equipment, and where a current building permit has been issued. Shire correspondence required the removal of the sea container within 60 days (i.e. 29 October 2013).

4 October 2013 - Landowner wrote to the Shire seeking permission to retain the sea container upon the property for storage purposes until they purchased a shed.

11 December 2013 - Landowner's correspondence presented to Council, where it was resolved to permit the sea container to remain on-site for a period of 12 months (i.e. 11 December 2014) after which time the sea container must be removed, this temporary approval was subject to a building permit being issued for a Class 10 structure upon the property.

28 March 2014 - Shire wrote to the landowner reminding that the temporary approval was subject to a building permit being issued for a Class 10 structure upon the property.

17 April 2014 - Landowner contacted Shire to obtain necessary forms to make application and to make enquiry on an alternative proposal to clad the sea container in colorbond and attach roof structure to give appearance of permanent outbuilding.

28 July 2014 - Shire wrote to the landowner reminding that the temporary approval was subject to a building permit being issued for a Class 10 structure upon the property, and advising that the application should include details pertaining to stable constructed to the south of the residence without approval.

31 July 2014 - Landowner contacted Shire to acknowledge receipt of forms and they would prepare application seeking to undertake external works to the sea container and permanently site it upon the property.

6 & 13 October 2014 - Landowner contacted Shire seeking further information in relation to lodging application.

5 November 2014 - Landowner lodged application for planning approval. Shire wrote to the landowner advising that their application would be presented to Council for its consideration.

**Figure 3 – View of sea container upon Lot 237 looking west from Parmelia Boulevard**



**Figure 4 – View of sea container and separation distance from residence upon Lot 237 looking south-west from Parmelia Boulevard**



#### **STATUTORY ENVIRONMENT**

161 (Lot 237) Parmelia Boulevard, White Peak is zoned 'Rural Residential 1' under Shire of Chapman Valley Local Planning Scheme No.2 ('the Scheme').

Section 4.2.5 of the Scheme lists the objectives of the 'Rural Residential' zone as being:

- (a) Provide for residential development within a low-density environment;*
- (b) Provide for other land-uses compatible with a high level of residential amenity;*

- (c) *Prevent the establishment of land-uses more appropriately undertaken in commercial and/or industrial areas; and*
- (d) *Protect the environmental and landscape values of the land.”*

Part 4 of Schedule 11 of the Scheme notes the following for the ‘Rural Residential 1’ zone:

*“All buildings constructed on the land shall be sympathetic to existing landscape elements, namely landform, vegetation and amenity, in terms of their design, height, location, materials and cladding colours.”*

Section 1.5 lists the following purposes of the Scheme:

- “(d) control and guide land use and development;*
- (e) make provision for the administration and enforcement of the Scheme.”*

Section 1.6 of the Scheme lists the following aims of the Scheme:

- “(d) Protect, preserve and enhance the environment, natural and cultural heritage, and landscape and streetscape values.”*

Section 5.8 of the Scheme states:

**“5.8 Appearance of Land and Buildings**

*5.8.1 Unless otherwise approved, no person shall erect any building or other structure which by reason of colour or type of materials, architectural style, height or bulk, ornament or general appearance, has an exterior appearance which is out of harmony with existing buildings or the landscape character of the area.*

*5.8.2 All buildings and land on which they are located within the Scheme area shall be maintained in a manner, which preserves the amenity of the surrounding locality to the satisfaction of the Local Government.*

*5.8.3 Where in the opinion of the Local Government an activity is being undertaken that results in the appearance of the property having a deleterious effect on the amenity of the area in which it is located, the Local Government shall require the owner or occupier to restore or upgrade the conditions of that property to a standard commensurate with those generally prevailing in the vicinity.”*

Section 10.2 of the Scheme lists the following relevant matters to be considered by the local government in relation to this development:

- “(f) any Local Planning Policy adopted by the Local Government under clause 2.4, any heritage policy statement for a designated heritage area adopted under clause 7.2.2, and any other plan or guideline adopted by the Local Government under the Scheme;*
- (i) the compatibility of a use or development with its setting;*
- ...(n) the preservation of the amenity of the locality;*
- (o) the relationship of the proposal 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 proposal;...*
- ...(v) whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved.*
- (za) any other planning consideration the Local Government considers relevant.”*

The proposed permanent siting of a sea container and the addition of structural extensions meets the definition of ‘development’ as listed under Section 1.7 of the Scheme:

*“Means the use or development of any land and includes the erection, construction, alteration or carrying out as the case may be, of any building, excavation or other works on any land.”*

The proposal meets the definition for 'development' under Section 4 of the *Planning and Development Act 2005* 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.”*

Section 8.1 of the Scheme states:

*“8.1 Requirement for Approval to Commence Development*

*Subject to clause 8.2, all development on land zoned and reserved under the Scheme requires the prior approval of the Local Government. A person shall not commence or carry out any development without first having applied for and obtained the planning approval of the Local Government under Part 9.*

*Note:*

- 1 The planning approval of the Local Government is required for both the development of land (subject of this Part) and the use of land (subject of Part 4).*
- 2 Development includes the erection, placement and display of any advertisements.”*

Section 8.4 of the Scheme states:

*“8.4 Unauthorised Existing Developments*

*8.4.1 The Local Government may grant planning approval to a use or development already commenced or carried out regardless of when it was commenced or carried out, if the development conforms to the provisions of the Scheme.*

*8.4.2 Development which was unlawfully commenced is not rendered lawful by the occurrence of any subsequent event except the granting of planning approval, and the continuation of the development unlawfully commenced is taken to be lawful upon the grant of planning approval.*

*Note:*

- 1 Applications for approval to an existing development are made under Part 9.*
- 2 The approval by the Local Government of an existing development does not affect the power of the Local Government to take appropriate action for a breach of the Scheme or the Act in respect of the commencement or carrying out of development without planning approval.”*

Section 11.4 of the Scheme states that:

*“11.4 Person must comply with Provisions of Scheme*

*A person must not:*

- (a) contravene or fail to comply with the provisions of the Scheme;*
- (b) use any land or commence or continue to carry out any development within the Scheme area –*
  - (i) otherwise than in accordance with the Scheme;*
  - (ii) unless all approvals required by the Scheme have been granted and issued;*
  - (iii) otherwise than in accordance with any conditions imposed upon the grant and the issue of any approval required by the Scheme; and*
  - (iv) otherwise than in accordance with any standards laid down and any requirements prescribed by the Scheme or determined by the Local Government under the Scheme with respect to that building or that use.*

*Note: Section 223 of the Planning and Development Act 2005 provides that a person who commits an offence under this Act is liable to a penalty of \$200,000 and, in the case of a continuing offence, a further fine of \$25,000 for each day during which day the offence continues.”*

## **POLICY IMPLICATIONS**

Shire of Chapman Valley Local Planning Policy ‘Sea Containers’ lists that planning approval for the siting of a sea container will only be granted where the sea container is being used for the temporary storage of equipment on a building site, where a building permit has been issued and remains current for the construction of a dwelling, and for a maximum period of 12 months in the case of dwellings, and 6 months in the case of outbuildings. As the proposed development seeks to incorporate the permanent siting of a sea container upon Lot 237 it exceeds the level of delegated authority and is required to be presented to Council for its consideration.

A copy of the Shire of Chapman Valley Local Planning Policy ‘Sea Containers’ is included as **Attachment 2**.

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.

It is considered that the proposed external works which include constructing a colorbond skillion lean-to roof over the sea container and affixing colorbond to its walls will alter the appearance of the sea container to that of a constructed outbuilding. Council has previously approved the permanent siting of 4 sea containers in the Parkfalls Estate, in each instance the approval has been subject to conditions requiring the sea container to either be painted to match the existing outbuilding/residence, or colorbond wall cladding of matching colour being affixed to the sea container, the installation of a roof structure atop the sea container to give the appearance of a permanent building, and installation and maintenance of landscaping to soften the visual impact of the development.

## **FINANCIAL IMPLICATIONS**

On determination of this application (refusal/approval) should the applicant be aggrieved by the determination or conditions of approval they have a right of appeal to the State Administrative Tribunal with a cost likely to be imposed on the Shire through its involvement in the appeal process.

- **Long Term Financial Plan:**

The Shire of Chapman Valley Long Term Financial Plan (2013) was received by Council at its 18 September 2013 meeting. It is not considered that the determination of this application by Council would have impact in relation to the Long Term Financial Plan.

## **STRATEGIC IMPLICATIONS**

Council commenced an audit of sea containers in the Waggrakine and White Peak localities in August 2013, and further discussed this matter at its 11 December 2013 and 19 February 2014 meetings to ensure that sea containers were only being temporarily stored upon site where a building permit was current.

- **Strategic Community Plan:**

The Shire of Chapman Valley Strategic Community Plan 2013-2023 was adopted by Council at its 19 June 2013 meeting. It is not considered that the determination of this application by Council would have impact in relation to the Strategic Community Plan.

## **VOTING REQUIREMENTS**

Simple majority required.

## **COUNCIL RESOLUTION / STAFF RECOMMENDATION**

**MOVED: CR FORRESTER**

**SECONDED: CR HUMPHREY**

That Council grant formal planning approval for the permanent siting of a sea container and additional works upon 161 (Lot 237) Parmelia Boulevard, White Peak subject to compliance with the following conditions:

- 1 Development shall be in accordance with the plans included as Attachment 1 and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the local government.
- 2 Any additions to or change of use of any part of the building or land (not the subject of this consent/approval) requires further application and planning approval for that use/addition.
- 3 The walls of the sea container are required to be externally clad with metal sheeting, in a colour complementary to the adjoining fence to the approval of the local government.
- 4 The skillion roof structure on top of the sea container is to use metal sheeting in a colour complementary to the adjoining fence to the approval of the local government.
- 5 The sea container is only to be used for general storage purposes associated with the predominant use of the land and shall not be used for habitation, commercial or industrial purposes.
- 6 Landscaping is required to be installed and maintained between the sea container and Parmelia Boulevard and the northern property boundary for the purpose of softening the visual impact of the development to the approval of the local government.
- 7 The works must be completed prior to 17 June 2015.

Advice Notes

- (i) Should the landowner fail to comply with the direction under condition 7 of this approval they may be deemed to have committed an offence under Section 214(7)(b) of the *Planning and Development Act 2005* and liable to a penalty not exceeding \$200,000 and a further daily penalty of \$25,000 for each day during which the offence continues.
- (ii) If an applicant is aggrieved by this determination there is a right pursuant to the *Planning and Development Act 2005* to have the decision reviewed by the State Administrative Tribunal. Such application must be lodged within 28 days from the date of determination.

**Voting 7/1  
CARRIED  
Minute Reference 11/14-3**



## APPLICATION FOR PLANNING APPROVAL

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Steven & Roshelle Duggan | s.rduggan@hotmail.com

November 5, 2014

To Whom It May Concern:

We have attached the application for planning approval as Owner Builders to erect a lean to off the existing Zoff Sea Container located on 161 (Lot 237) Parmelia Boulevard, Parkfalls (White Peak) WA 6532.

We are proposing the sea container to have a lean to placed, and to be covered to look like a normal shed. We will be cladding the entire roof, north and east walls with corrugated tin so it ties in with the existing fence and our feature entrance that we have yet to put up.

The sea container current and future use will be used to store horse feed and equipment as the container is sealed, it keeps out field mice, snakes, and there is no risk of water damp to hay or equipment.

Can we please request the attached application be reviewed and meets the Shire application requirements.

If you have any further questions relating to this matter please do not hesitate to contact Steven Duggan on 0400 700 509.

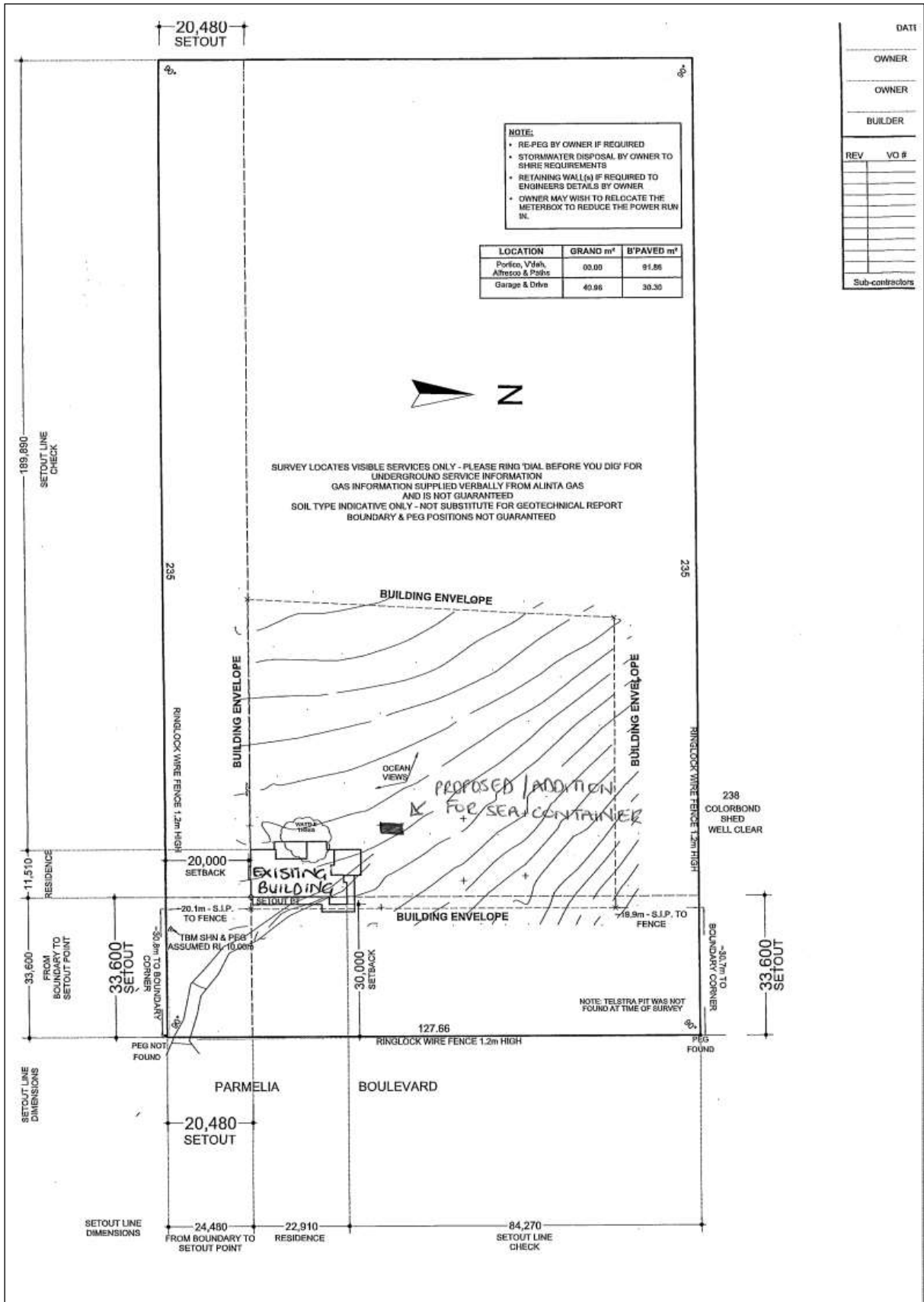
Sincerely,

STEVEN & ROSHELLE DUGGAN

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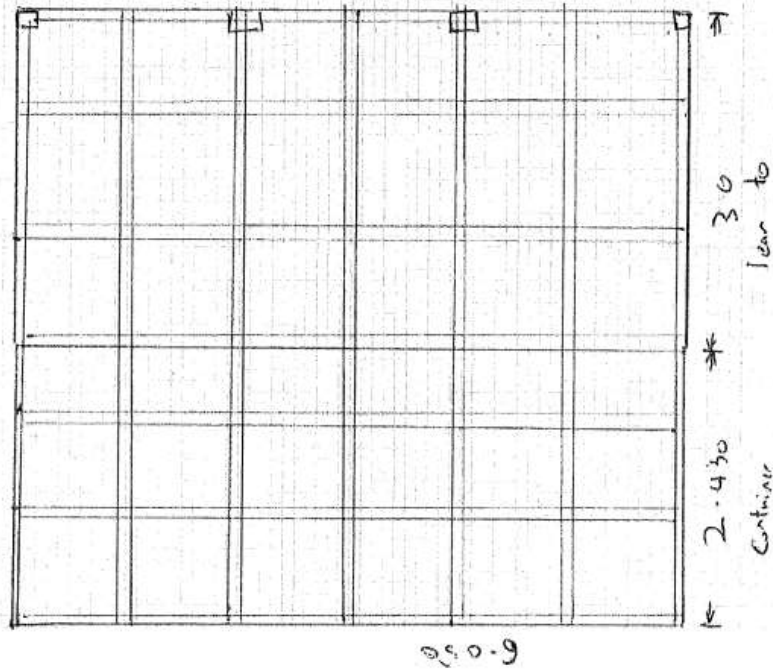
161 (Lot 237) Parmelia Boulevard, Parkfalls (White Peak) WA 6532

Contact Details: Hm: 9938 2955, Steven Mob: 0400 700 509, Roshelle Mob: 0409 117 847

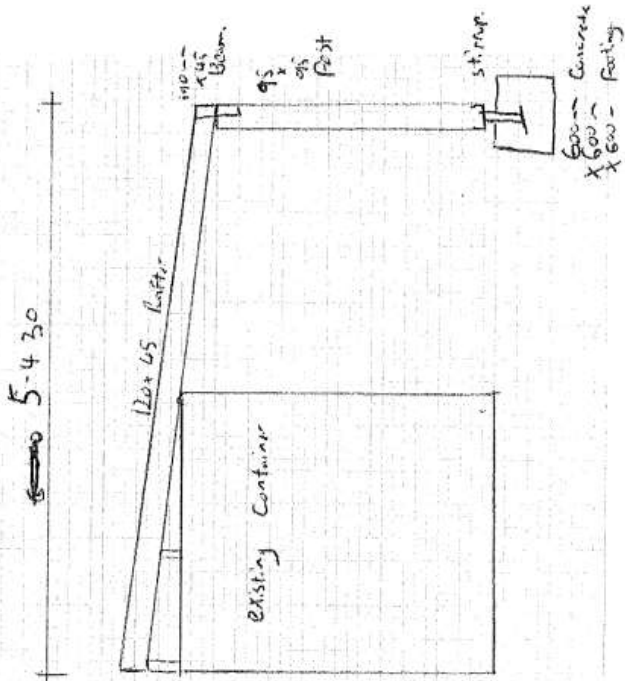


Proposed Sea Containers Lean to  
For Steve Duggan.

NOT TO SCALE



120mm x 45mm Rafter CCA  
70 x 35mm Battens @ 900 centres  
Grey colorbond cladding roof & walls  
TO MATCH EXISTING FENCE



## SEA CONTAINERS

### LOCAL PLANNING POLICY



#### 1. PURPOSE

Local Planning Policies are guidelines used to assist the local government in making decisions under the Scheme. The Scheme prevails should there be any conflict between this Policy and the Scheme.

It is not intended that a policy be applied rigidly, but each application be examined on its merits, with the objectives and intent of the policy the key for assessment. However, it should not be assumed that the local government, in exercising its planning discretion, be limited to the policy provisions and that mere compliance will result in an approval. This approach has produced many examples of inappropriate built form that has a long-term impact on the amenity and sustainability of the locality.

The Shire encourages applicants to produce innovative ways of achieving the stated objectives and acknowledges that these may sit outside the more traditional planning and architectural approaches. In these instances the local government is open to considering (and encourages) well-presented cases, during pre-application consultation, having due regard to the outcome of any public consultation undertaken and the orderly and proper planning of the locality.

#### 2. SCOPE

A Local Planning Policy is not part of the Scheme and 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.

#### 3. OBJECTIVE

- 3.1 To ensure an acceptable quality of development is achieved that does not detrimentally affect the amenity and streetscape of the locality.
- 3.2 Establish guidelines for the assessment of proposals to place sea containers or other similar re-locatable storage units on land within the municipality.

#### 4. POLICY STATEMENT

- 4.1 For the purposes of this Policy a sea container shall also include a sea container or any other re-locatable 'box type' storage container or unit. A sea container modified for the purpose of human habitation is not addressed in this Policy but subject to the necessary applications and approvals for a dwelling.
- 4.2 Sea containers are a class of development that can have an adverse effect on the visual amenity of an area. Therefore, in general the Shire carries a presumption against the use of sea containers other than in industrial and rural areas unless the Council can be satisfied a genuine need exists for temporary storage of building materials and equipment, and the use and placement of a sea container/s can meet acceptable amenity standards in the locality.

- 4.3 The placement of a sea container or similar re-locatable storage unit, other than on 'industrial' zoned land or 'rural' zoned land greater than 20 hectares in area, requires the planning approval of the local government as it is considered to fall within the definition of 'development' under the *Planning and Development Act 2005*.
- 4.4 Planning approval for a maximum period of 12 months will only be granted where:
- a. the sea container is being used for the temporary storage of plant, machinery and/or building equipment on a building site;
  - b. a building permit has been issued and remains current for the construction of a dwelling;
  - c. the construction of the dwelling has commenced; &
  - d. the sea container being removed immediately at the conclusion of the 12 month period or at the completion of the construction of the dwelling, whichever comes first.
- 4.5 Planning approval for a maximum period of 6 months will only be granted where:
- a. the sea container is being used for the temporary storage of plant, machinery and/or building equipment on a building site;
  - b. a building permit has been issued and remains current for the construction of an outbuilding;
  - c. the construction of the outbuilding has commenced; &
  - d. the sea container being removed immediately at the conclusion of the 6 month period or at the completion of the construction of the outbuilding, whichever comes first.
- 4.6 Subject to compliance with clauses 4.4 or 4.5 above the Shire will generally support an application that complies with the following criteria:
- a. A maximum of one (1) sea container on a lot;
  - b. The sea container is sited behind the front building line of a dwelling or located alongside or behind existing built development upon the property;
  - c. Maximum dimensions of 6.1m in length, 2.4m in width, and 2.6m in height for lots zoned 'Residential'; &
  - d. Maximum dimensions of 12.2m in length, 2.4m in width and 2.6m in height for lots zoned 'Rural Residential' and 'Rural Smallholdings' or for 'Rural' zoned lots less than 20ha in area.

4.7 Applications for the use of a sea container are required to address the following;

- a. The submission of:
  - i. a completed and signed planning application form and payment of application fee;
  - ii. a site plan showing the proposed location of the development in relation to boundary setbacks, natural features, existing development, and adjoining buildings, to a scale of no less than 1:100;
  - iii. a written submission detailing the use, condition, unit dimensions and visual amenity associated with the sea container;
  - iv. any elevation drawings and/or photographs illustrating the presentation and appearance of a sea container in good repair and in uniform colour with no visible rust marks.
- b. The placement of a sea container, or similar, shown on a scaled site plan located behind an existing building and/or screen vegetation to minimize the visual impact from a road and adjoining properties.

## 5. REFERENCES AND ADOPTION

Shire of Chapman Valley Local Planning Scheme No.2  
*Planning & Development Act 2005.*

*Adopted at the 19 February 2014 Ordinary Meeting of Council*

<b>AGENDA ITEM:</b>	<b>9.1.3</b>
<b>SUBJECT:</b>	<b>SITING OF SEA CONTAINERS &amp; CARAVAN PARK</b>
<b>PROPONENT:</b>	<b>R &amp; A WESTERN</b>
<b>SITE:</b>	<b>3354 (LOT 1) CHAPMAN VALLEY ROAD, NABAWA</b>
<b>FILE REFERENCE:</b>	<b>A657</b>
<b>PREVIOUS REFERENCE:</b>	<b>12/99-18, 10/00-2, 8/13-21, 8/13-22, 9/13-6 &amp; 914-15</b>
<b>DATE:</b>	<b>11 NOVEMBER 2014</b>
<b>AUTHOR:</b>	<b>SIMON LANCASTER</b>

#### DISCLOSURE OF INTEREST

Nil.

#### BACKGROUND

Council is in receipt of an application to temporarily site 2 sea containers, install a playground and develop a caravan park at the Valley Tavern at 3354 (Lot 1) Chapman Valley Road, Nabawa. This report recommends conditional approval of the application to temporarily site 2 sea containers, install a playground, and support in principle to develop a caravan park.

#### COMMENT

Lot 1 is a 1.2219ha property located on the southern side of Chapman Valley Road in the Nabawa townsite and has been the site for the Valley Tavern since its opening on 1 July 1973.

**Figure 1 – Location Plan for 3354 (Lot 1) Chapman Valley Road, Nabawa**



The applicant is seeking to site 2 sea containers to the rear of the tavern, with one to serve as a storeroom and the other as a chiller. The sea containers would each be 6m/20ft x 2.4m (14.4m<sup>2</sup>) and the applicant has advised they would be located against existing fences and buildings at the rear (south) of the tavern to reduce their visual impact. The applicant has advised that the sea containers would be temporary (24 months) pending the later extension of the tavern building to better accommodate their storage requirements.

The applicant is seeking to install playground equipment in the garden area to the side (west) of the tavern.

The applicant is also seeking to develop a small caravan park in the vacant (approximately 5,500m<sup>2</sup>) area to the rear (south) of the tavern. The applicant is currently investigating the purchase of 2 transportable accommodation buildings, that each contain 4 bedrooms with individual en-suites.

**Figure 2 – Aerial Photograph of 3354 (Lot 1) Chapman Valley Road, Nabawa**



A copy of the applicant's submitted correspondence, site plan, and photographs of the sea containers, accommodation units and playground have been included as **Attachment 1** for Council's information.

Council previously approved an application at its 17 October 2000 meeting for 3 caravan bays, a future caravan park development area, a 1,125m<sup>2</sup> camping area, 8 relocatable accommodation units and ablution, laundry and kitchen facilities upon Lot 1. This development was not proceeded with and the approval has now lapsed. It is noted that the approval did include 8 'donga' style buildings similar to those now being considered by the applicant. A copy of the previously approved site plan has been included as **Attachment 2** for Council's information.

**Figure 3 – Proposed location for sea container (chiller) to side/east of tavern**





**Figure 4 – Proposed location for sea container (storeroom) to rear/south of tavern**



**Figure 5 – Proposed location for playground to side/west of tavern**



**Figure 6 – Proposed location for caravan park to rear of tavern looking south**



The recent development history for 3354 (Lot 1) Chapman Valley Road, Nabawa is as follows:

- |                   |  |
|-------------------|--|
| 21 December 1999  | Council approved the development of fuel bowsers at the front/north of the tavern.                   |
| 17 October 2000   | Council approved the development of a caravan park and camping area to the rear/south of the tavern. |
| 11 December 2001  | Shire approved the development of an incinerator to the side/east of the tavern.                     |
| 18 September 2013 | Council agreed to a lease for the provision of fuel facilities at the tavern.                        |
| 15 October 2014   | Council agreed to a lease for the provision of fuel facilities at the tavern with the new owners.    |

## STATUTORY ENVIRONMENT

3354 (Lot 1) Chapman Valley Road, Nabawa is zoned 'Local Centre' under Shire of Chapman Valley Local Planning Scheme No.2 ('the Scheme').

Section 4.2.7 of the Scheme lists the objectives of the 'Local Centre' zone as being to:

- “(a) Provide for retailing, office, government, health, entertainment and community facilities which serve the local community;*
- (b) Provide for other land-uses compatible with the predominant use of the land; &*
- (c) Prevent the establishment of land-uses more appropriately undertaken in other areas.”*

The Scheme lists 'Camping Ground', 'Caravan Park' and 'Short Stay Accommodation' as 'D' uses in the 'Local Centre' zone, that is not permitted unless the local government has exercised its discretion by granting planning approval.

Schedule 1 of the Scheme defines 'Caravan Park' and 'Camping Ground' as having the same meaning as in the *Caravan Parks and Camping Grounds Act 1995*.

Section 5 of the *Caravan Parks and Camping Grounds Act 1995* defines camping grounds and caravan parks as follows:

*“camping ground means an area of land on which camps, but not caravans, are situated for habitation but does not include any land prescribed for the purposes of this definition;*

*caravan park means an area of land on which caravans, or caravans and camps, are situated for habitation.”*

The *Caravan Parks and Camping Grounds Act 1995* and *Caravan Parks and Camping Regulations 1997* provide statutory direction in relation to assessment of applications of this nature. The Department of Local Government and Communities are currently conducting a review of the act, recognising that aspects of this legislation are outdated and limiting the way operators can adapt their businesses to suit changing consumer needs.

Schedule 1 of the Scheme defines 'Short Stay Accommodation' as follows:

*“means a building, or group of buildings forming a complex, designed for the accommodation of short-stay guests and which provides on-site facilities for the convenience of guests and for management of the development, where occupation by any person is limited to a maximum of three months in any 12-month period and excludes those uses more specifically defined elsewhere.”*

Section 10.2 of the Scheme lists the following matters to be considered by the local government relevant to development:

- “(a) the aims and provisions of the Scheme;...*
- ...(f) any Local Planning Policy adopted by the Local Government under clause 2.4, any heritage policy statement for a designated heritage area adopted under clause 7.2.2, and any other plan or guideline adopted by the Local Government under the Scheme;...*
- ...(i) the compatibility of a use or development with its setting;*
- (j) any social issues that have an effect on the amenity of the locality;...*
- ...(n) the preservation of the amenity of the locality;*
- (o) the relationship of the proposal 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 proposal;*
- (p) whether the proposed means of access to and egress from the site are adequate and whether adequate provision has been made for the loading, unloading, manoeuvring and parking of vehicles;*
- (q) the amount of traffic likely to be generated by the proposal, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;...*

- (v) *whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;...*
- ... (za) *any other planning consideration the Local Government considers relevant.*”

## **POLICY IMPLICATIONS**

Shire of Chapman Valley Local Planning Policy ‘Sea Containers’ provides some guidance on the siting of sea containers with the following policy statement:

- “4.2 *Sea containers are a class of development that can have an adverse effect on the visual amenity of an area. Therefore, in general the Shire carries a presumption against the use of sea containers other than in industrial and rural areas unless the Council can be satisfied a genuine need exists for temporary storage of building materials and equipment, and the use and placement of a sea container/s can meet acceptable amenity standards in the locality.*
- 4.3 *The placement of a sea container or similar re-locatable storage unit, other than on ‘industrial’ zoned land or ‘rural’ zoned land greater than 20 hectares in area, requires the planning approval of the local government as it is considered to fall within the definition of ‘development’ under the Planning and Development Act 2005.*
- 4.4 *Planning approval for a maximum period of 12 months will only be granted where:*
- (a) *the sea container is being used for the temporary storage of plant, machinery and/or building equipment on a building site;*
  - (b) *a building permit has been issued and remains current for the construction of a dwelling;*
  - (c) *the construction of the dwelling has commenced; &*
  - (d) *the sea container being removed immediately at the conclusion of the 12 month period or at the completion of the construction of the dwelling, whichever comes first.*
- 4.5 *Planning approval for a maximum period of 6 months will only be granted where:*
- (a) *the sea container is being used for the temporary storage of plant, machinery and/or building equipment on a building site;*
  - (b) *a building permit has been issued and remains current for the construction of an outbuilding;*
  - (c) *the construction of the outbuilding has commenced; &*
  - (d) *the sea container being removed immediately at the conclusion of the 6 month period or at the completion of the construction of the outbuilding, whichever comes first.*
- 4.6 *Subject to compliance with clauses 4.4 or 4.5 above the Shire will generally support an application that complies with the following criteria:*
- (a) *A maximum of one (1) sea container on a lot;*
  - (b) *The sea container is sited behind the front building line of a dwelling or located alongside or behind existing built development upon the property;*
  - (c) *Maximum dimensions of 6.1m in length, 2.4m in width, and 2.6m in height for lots zoned ‘Residential’; &*
  - (d) *Maximum dimensions of 12.2m in length, 2.4m in width and 2.6m in height for lots zoned ‘Rural Residential’ and ‘Rural Smallholdings’ or for ‘Rural’ zoned lots less than 20ha in area.”*

The Sea Container Policy is generally utilised to address applications within the Shire’s rural-residential and residential areas rather than upon commercial properties. The strict application of the policy in this instance is considered to exceed the level of authority delegated to Shire staff and this matter is therefore presented to Council for its consideration on merit.

Shire staff do not raise objection to the application to site 2 sea containers upon Lot 1 on the basis that the use would be temporary in nature, the proposed location for the sea containers is obscured from the Chapman Valley Road by existing development, and the siting of a sea container to the rear of a commercial premises for storage and chiller purposes is not an uncommon occurrence.

Shire of Chapman Valley Local Planning Policy 'Rural Tourism Development' provides some guidance on tourism related development within the Shire, but is not strictly relevant to this application which is located within a townsite. Nonetheless, section 4.2.b of the policy does provide some guidance with the following policy statement:

*"The Council will only approve tourist accommodation and development where it has been demonstrated that the proposed use is compatible with surrounding land uses and will not result in unacceptable environmental impacts as a result of noise, light-spill or visual intrusion, and that the quality of the development will present a positive image of the locality."*

The 'Rural Tourism Development' Policy provides some minimum criteria and standards for the development of a Caravan Park & Camping Area, and with the exception of the 12ha minimum lot size which is more appropriate for a rural property than a commercial one it is considered that development of the rear of the tavern could meet the policy criteria. It is suggested that any approval should be made with careful consideration to the requirements for screening, to reduce the potential for impact on the neighbouring residence, located 100m south of Lot 1's rear property boundary.

Use	Criteria	Standard
Caravan Park & Camping Ground	Location	Within close proximity to public recreation areas/natural attractions – beaches, walk trails, scenic lookouts etc. & distances from other Caravan Parks/Camp Sites as prescribed by <i>Caravan and Camping Act 1995</i>
	Public Road Access	Type 5–7m bitumen seal + bitumen seal crossover to Council specifications or Type 3 – 12m form/8m gravel paved at Council discretion
	Potable Water Supply	As per <i>Caravan Parks and Camping Grounds Regulations 1997</i>
	Ablutions	As per <i>Caravan Parks and Camping Grounds Regulations 1997</i> & Building Code of Australia
	Car Parking	1 car bay per caravan/camp site + 1 bay for manager – gravel standard/Council specs
	Lot size	15ha
	Setback	30m from the front boundary and 75m from water features with all other boundaries to comply with Local Planning Scheme requirements unless otherwise determined by Council
	Siting	Away from sand dunes, ridge lines and side slope/breakaway areas
	Clearing	No removal of remnant vegetation
	Screening	Well screened from view of neighbouring properties
	Design & Materials	Buildings to be complementary with landscape – earth tones – no reflection
	Management	On site managers residence

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

On determination of this application (refusal/approval) should the applicant be aggrieved by the determination or conditions of approval they have a right of appeal to the State Administrative Tribunal with a cost likely to be imposed on the Shire through its involvement in the appeal process.

- **Long Term Financial Plan:**

The Shire of Chapman Valley Long Term Financial Plan (2013) was received by Council at its 18 September 2013 meeting. It is not considered that the determination of this application by Council would have impact in relation to the Long Term Financial Plan.

## **STRATEGIC IMPLICATIONS**

The Shire of Chapman Valley Local Planning Strategy (2008) identifies Lot 1 as being located within 'Precinct 9 – Nabawa townsite' the vision for which is:

*“The planned expansion of the Nabawa townsite as the administration centre for the Shire with the provision of light industry and rural residential opportunities.”*

The Strategy states that the land use of 'Tourism (low to medium-key)' is considered appropriate for this precinct and also identifies the following economic objective:

*“9.2.2 Promote commercial, light industrial and tourist related uses/development to support economic growth.”*

The Strategy map for Precinct No.9 identifies Lot 1 as being 'Commercial' and the neighbouring land to the rear, that might about a future caravan park development is identified as being suited for 1ha rural-residential development.

The Western Australian Planning Commission's 'Planning Bulletin 83 - Planning for Tourism' (2013) 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 emphasises the importance of strategic planning for tourism and that this should be addressed through the local government's Local Planning Strategy identifying tourism sites and determine their strategic value and importance to tourism development.

The Bulletin notes that identification of tourism sites does not imply that the site is suitable for immediate development or re-development (in many cases sites may be identified to facilitate the long term protection of land for tourism purposes where economic conditions appropriate for development may not be reached for a number of years) but does set out general location criteria to determine the tourism value of a site as follows:

*“Accessibility*

*The site has adequate existing or proposed transport links (such as major road or airport access).*

*Uniqueness*

*The site contains, or is in the vicinity of, an attraction or prominent and/or unique landmark of local, regional or State significance.*

*Setting*

*The setting of the site has an aspect and outlook that supports recreational tourism activities and/or the creation of a tourism character and ambience (e.g. immediately adjacent to a beach).*

*Tourism activities and amenities*

*The site provides, has easy access to, or is capable of development of supporting activities and amenities such as tours, fishing, historic sites, walk trails, environmental interpretation, cafes, restaurants, shops and the like.*

*Supply of land*

*The site has an element of scarcity in that it may be the only opportunity, or one of a limited number of opportunities, to achieve a significant tourism development in an area.*

*Site specific criteria to determine the tourism value of the site includes:*

*Suitability in a land use context*

*The site is located in a land use context that will not limit the extent of activities available to guests due to amenity impacts on adjoining residents or where the adjoining uses potentially detract from the tourism character of the site (e.g. located within a residential area).*

### *Capability*

*The site has the capacity to be developed for tourism purposes and accommodate the associated services in a manner that does not detract from the natural attributes of the site or result in environmental degradation. Examples include: clearing for bushfire protection, sewerage capacity, water supply and rubbish disposal.*

### *Size*

*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.*

### *Function*

*The use of the site meets a particular accommodation, market need and/or ensures a range of tourism accommodation within the locality. Examples are: beachfront caravan parks, school holiday camps and Crown tourism leases.*

*These criteria are to guide local government in the assessment of the strategic value of tourism sites and determination of the value will be based on the outcome of the assessment of the site against all criteria.”*

The Department of Water released the ‘Nabawa Water Reserve - Drinking Water Source Protection Plan’ in 2008, the plan was based on the assumption that the drinking water for Nabawa was sourced from the Nabawa Water Reserve borefield located 1km south of the townsite. The Water Corporation no longer use the borefield, with scheme water now trucked in from Geraldton. The Plan still provides some useful reference should the borefield be reactivated and general guidance on sound environmental management, and is recognised by the Scheme.

Lot 1 was identified by the plan as being within the Priority 3 source protection areas which is the lowest risk category of the plan and has the fundamental water quality objective of risk mitigation. Section 4.3 of the plan states:

*“The remainder of the water reserve is classified for Priority 3 (P3) source protection. This classification is appropriate for the following reasons:*

- Nabawa’s water supply sources need to co-exist with these other existing land uses: residential, community, recreation, school, hotel and service station.*
- Compatible development rights are recognised.*
- Existing land uses are considered compatible with P3 protection objectives.*

*In P2 and P3 priority areas there is a strong reliance on landowners, developers, regulators and other users to be aware of the drinking water resource and risks, and to adopt and implement best management practices to help protect the drinking water source.*

*Existing, lawfully established but non-conforming land in the P2 and P3 priority areas are allowed to continue and land users will be encouraged to adopt environmentally responsible/best practice land use methods.”*

The Shire is currently preparing the ‘Nabawa Townsite Revitalisation Plan’ which identifies a number of actions intended to provide a dynamic, attractive and functional town, this includes not just physical redevelopment but also community activation required to fulfil the town’s potential. The plan remains in draft format only at this time but does identify Lot 1 as having potential for future short stay accommodation development.

- Strategic Community Plan:**

The Shire of Chapman Valley Strategic Community Plan 2013-2023 was adopted by Council at its 19 June 2013 meeting. The Strategic Community Plan has the following economic strategies:

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
	Develop short-term and overnight accommodation options across the Shire	Visitors stay longer in our community Short-term employees can reside in the Shire	Chapman Valley business community Chapman Valley farming community Shire of Chapman Valley

## VOTING REQUIREMENTS

Simple majority required.

## COUNCIL RESOLUTION / STAFF RECOMMENDATION

**MOVED: CR FARRELL**

**SECONDED: CR FORRESTER**

That Council:

- 1 Grant formal planning approval for the temporary siting of 2 sea containers upon 3354 (Lot 1) Chapman Valley Road, Nabawa subject to compliance with the following conditions:
  - 1.1 Development shall be in accordance with the plans included as Attachment 1 and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the local government.
  - 1.2 Any additions to or change of use of any part of the building or land (not the subject of this consent/approval) requires further application and planning approval for that use/addition.
  - 1.3 The sea containers are only to be used for general storage purposes associated with the predominant use of the land and shall not be used for habitation purposes.
  - 1.4 The sea containers are required to be sited and screened for the purpose of softening the visual impact of the development from Chapman Valley Road to the approval of the local government.
  - 1.5 The period of approval is valid for 24 months (i.e. expiry date 17 December 2016).

### Advice Notes

- (i) 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.
- 2 Grant formal planning approval for a playground upon 3354 (Lot 1) Chapman Valley Road, Nabawa subject to development generally being in accordance with the plans included as Attachment 1.
- 3 Advise the landowner of its support in principle for the establishment of a caravan park and camping ground upon 3354 (Lot 1) Chapman Valley Road, Nabawa (noting its previous, now lapsed, approval for short stay accommodation upon this site) and that its formal assessment will be subject to receipt of a planning application that demonstrates regard for the *Caravan Parks and Camping Grounds Regulations 1997*.

**Voting 8/0  
CARRIED  
Minute Reference 11/14-4**

RE & AM Western  
PO Box 5150  
WONTHELLA WA 6530

9 November 2014

Simon Lancaster  
Manager of Planning  
Shire of Chapman Valley  
PO Box 1  
NABAWA WA 6532

Dear Simon

As you are aware we have purchased the Valley Tavern with settlement being planned for the 20 November 2014. We would like to apply to place two sea containers and playground on site.

The sea containers are temporary and will be used for storage. One container will be placed tightly against the existing building and fence. The other container is a chillier and will be placed against the shed. Both containers will not be visible from the road and there should be no to limited visibility from the oval. You can see the placement of both containers and playground on the attached site plan.

These containers are only temporary as our plan is to extend the tavern to accommodate our storage requirements and also build a bigger shed which will accommodate the chillier once completed. We hope that placement of the containers will be for no more than 24 months.

We also want to place a small caravan park to the rear of the tavern in the future. The caravan park will include caravan bays, ablution blocks and accommodation dongas. We have attached pictures of the proposed accommodation dongas, as we are currently in the process of looking at purchasing these and would like to know if the Shire will approve these for the future caravan park before we purchase them. Each donga contains four rooms with each room containing its own bathroom, these dongas are cyclone rated as they have been located in Port Hedland. We are proposing placement of two of these dongas for the future caravan park. We have mark on the attached site plan roughly where we would like to place the proposed caravan park. Once settlement has taken place and we have had a chance to look at the tavern plans we will be able to make a final decision on placement of the caravan park and will then apply to the Shire for final approval.

We have many ideas for the Tavern and are looking forward to working with the Shire to make these happen, with the hope of bring more tourists to the Valley.

Thank you for your time and we look forward to hearing from you soon.

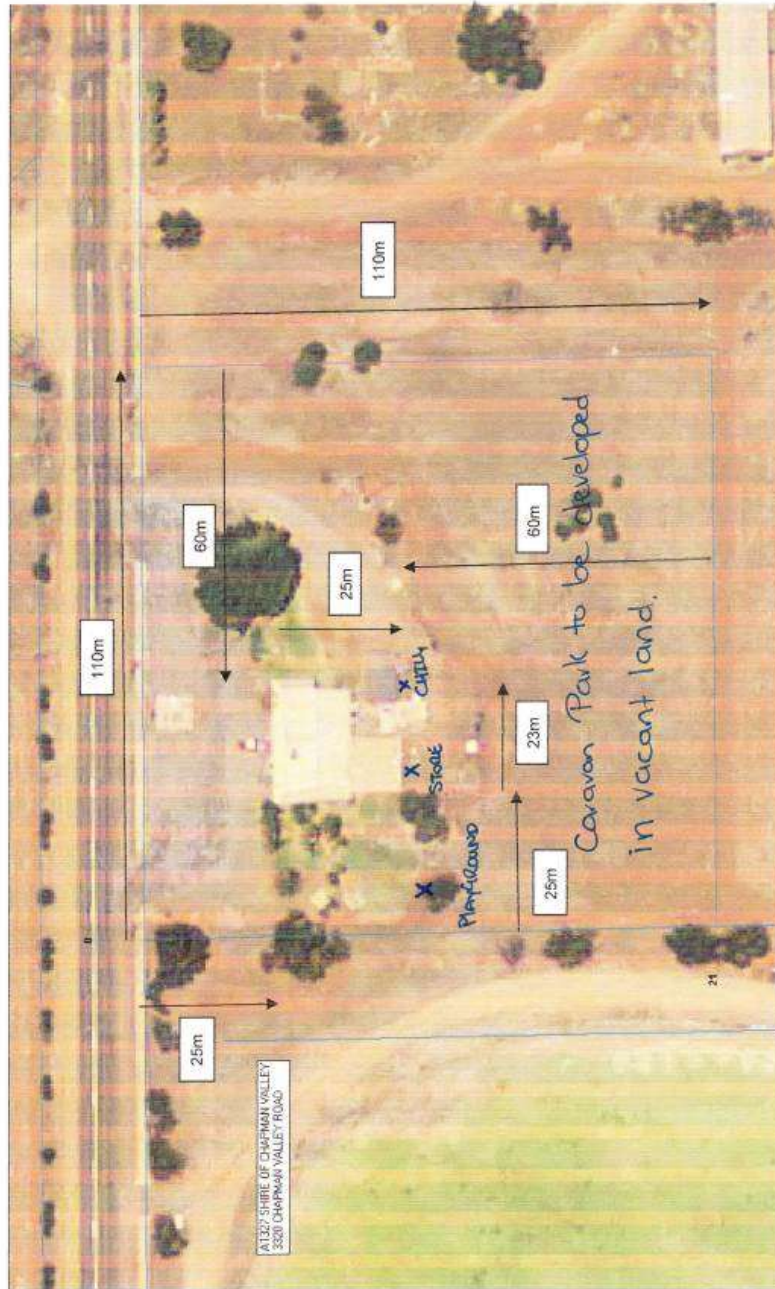
Yours sincerely

Ross & Alyce Western



**NABAWA VALLEY TAVERN**  
 Ross Western, 0459 845 325

Not to scale, approx. dimensions



**Proposed Sea containers being 2 / 6.0m x 2.4m;**

- A) 1 / Chiller Room container;
- B) 1 / Storage container;
- C) Proposed Playground.

**Storage Container**



**Chillier Container**

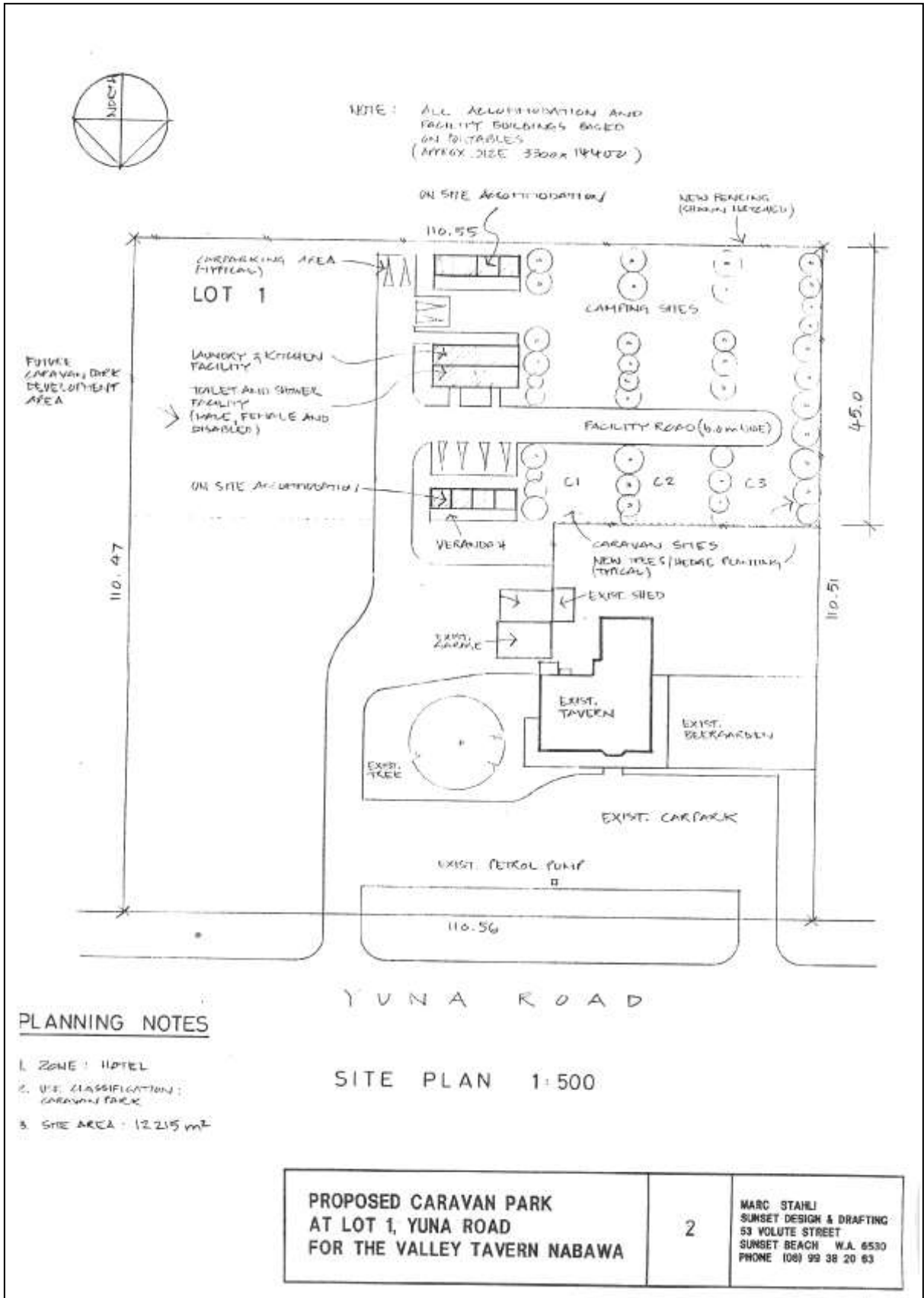


**Proposed Accommodation Dongas**



**Playground**





<b>AGENDA ITEM:</b>	<b>9.1.4</b>
<b>SUBJECT:</b>	<b>PROPOSED PART ROAD CLOSURE – GREEN DRIVE</b>
<b>PROPONENT:</b>	<b>SHIRE OF CHAPMAN VALLEY &amp; LANDCORP</b>
<b>SITE:</b>	<b>LOT 9500 GREEN DRIVE, NABAWA</b>
<b>FILE REFERENCE:</b>	<b>A1662</b>
<b>PREVIOUS REFERENCE:</b>	<b>05/08-13, 12/13-6 &amp; 02/14-6</b>
<b>DATE:</b>	<b>20 OCTOBER 2014</b>
<b>AUTHOR:</b>	<b>SIMON LANCASTER</b>

#### **DISCLOSURE OF INTEREST**

Nil.

#### **BACKGROUND**

Council considered an application from LandCorp to undertake a 9 residential lot subdivision of Lot 9500 Green Drive, Nabawa on its behalf under the Regional Development Assistance Program at its 19 February 2014 meeting. The proposed subdivisional layout required a part road closure to be undertaken and Council previously resolved that:

*“In the event that WAPC application 149282 is given approval subject to conditions, Council, pursuant to Section 58 of the Land Administration Act 1997 initiate closure action of the portion of Green Drive road reserve across Lots 48 & 9500 as shown upon the plan included as Attachment 3 to this report.”*

The advertising period has now been completed and this report recommends that Council support the road closure and seek the final approval of the Minister for Lands.

#### **COMMENT**

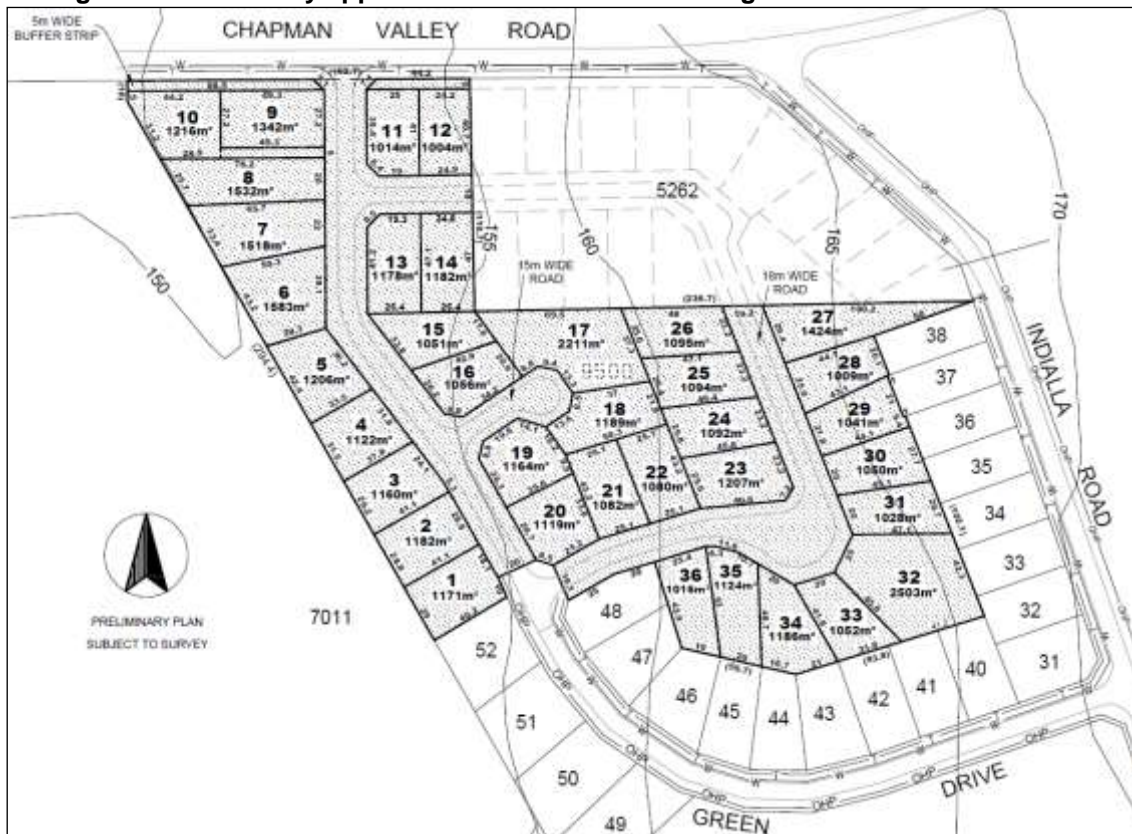
Lot 9500 Green Drive, Nabawa is a freehold title owned by the Shire of Chapman Valley located at the eastern end of the Nabawa townsite.

**Figure 1 – Location Plan for Lot 9500 Green Drive, Nabawa**



The Shire had a previous subdivision design (provided as **Figure 2**) prepared in 2005 to create 36 residential lots from this 5.7567ha property to assist growth within the Nabawa townsite.

**Figure 2 – Previously approved 36 lot subdivision design for Lot 9500 Green Drive**



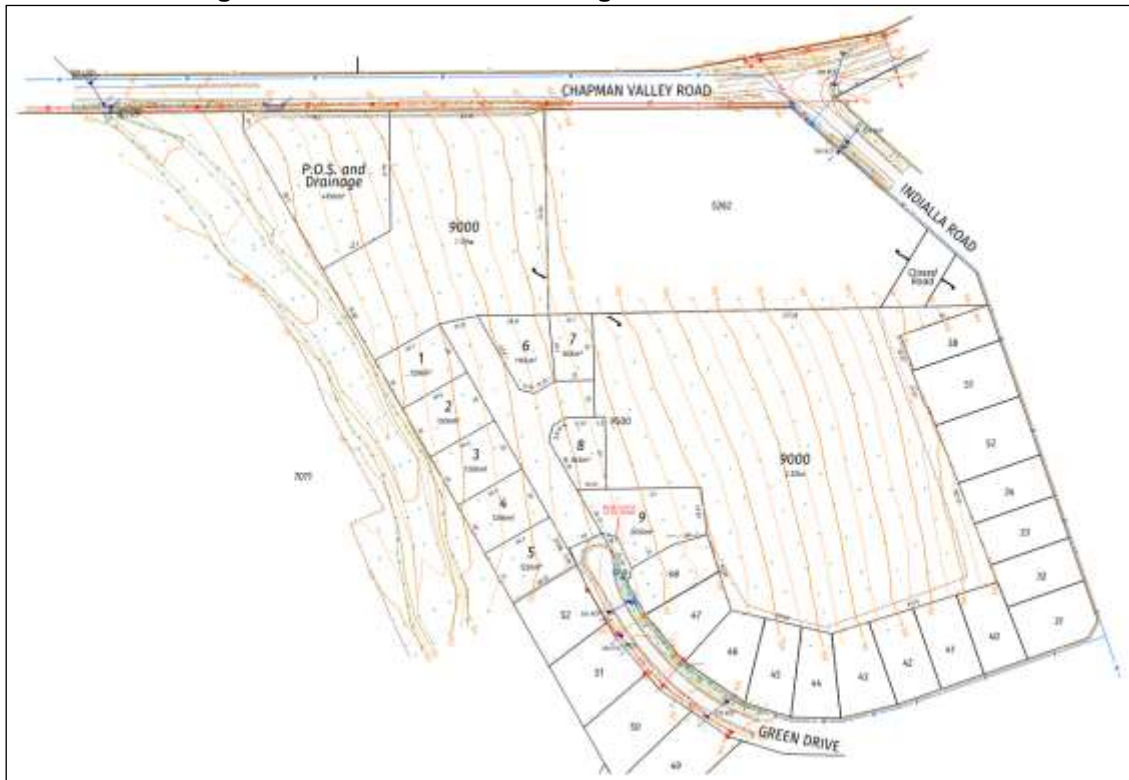
Council resolved at its 18 February 2013 meeting to lodge an application under the Regional Development Assistance Program whereby LandCorp would undertake subdivision of 36 residential lots upon Lot 9500 Green Drive as per the previously approved subdivision plan.

The Regional Development Assistance Program enables the development of land where the project may be cost prohibitive but would benefit or stimulate growth in a regional area, and LandCorp have previously advised that Council's application had been selected as one of the final shortlisted 'shovel ready' projects.

LandCorp after having reviewed the subdivision plan previously prepared for the Green Drive subdivision in 2005, sought the Shire's comment on whether it might consider a revised plan being prepared that would reduce subdivision costs. The Shire indicated that it would be receptive to discussing a revision if it assisted LandCorp in delivering the project. Some initial design work assessed the removal of the proposed Green Drive intersection with Chapman Valley Road as this would remove a considerable expense to meet the requirements of Main Roads WA, and some redesign of the internal layout to enable staging of lot release and improved handling of stormwater drainage. An alternate layout that would ultimately create 32 lots (as opposed to the previous 36) was discussed although it should be noted that one of these lots was of a size that would allow for strata development, and the previous plan had not allowed for drainage with it likely that the north-western most of the original 36 lots would have been required for drainage purposes.

LandCorp subsequently lodged an application that was approved by the Western Australian Planning Commission ('WAPC') on 21 March 2014 to subdivide 9 residential lots, a drainage/recreation reserve and a 3.83ha balance lot that would be returned to the Shire (provided as **Figure 3**).

**Figure 3 – 9 lot subdivision design for Lot 9500 Green Drive**



The revised LandCorp subdivision layout would result in a change to the internal subdivisional road network that would make a 142m<sup>2</sup> portion of road reserve previously created through the Green Drive subdivision for future intersection truncation (and temporary cul-de-sac head) purposes redundant. A plan illustrating this road reserve area has been provided as **Attachment 1**

With the approval of the revised subdivision plan, the closure process for the 142m<sup>2</sup> area of surplus road reserve could be commenced as per Council's 19 February 2014 resolution.

The proposed road closure was advertised in accordance with the provisions of the *Land Administration Act 1997* commencing on 28 August 2014 and concluding on 3 October 2014. Advertising included the placement of a notice in the Mid West Times on 28 August 2014, erection of a sign at the end of Green Drive, and correspondence being mailed to Alinta Energy, Department of Aboriginal Affairs, Department of Fire & Emergency Services, Department of Lands, Main Roads WA, Telstra, Water Corporation, Western Power, Westnet Energy and the 4 surrounding landowners inviting comment.

At the conclusion of the advertising period a total of seven (7) submissions had been received with six (6) of these offering no objection to the proposed road closure and one (1) in objection, although the nature of the objection was in relation to aspects of the wider Green Drive subdivision project and did not relate to the proposed road closure in itself.

A Schedule of Submissions has been prepared and included as **Attachment 2** to this report, the Schedule identifies the respondents, summarises the matters raised, provides individual comment upon the matters raised, and a recommendation in regard to each.

A copy of the received submissions can be made available to Councillors upon request.

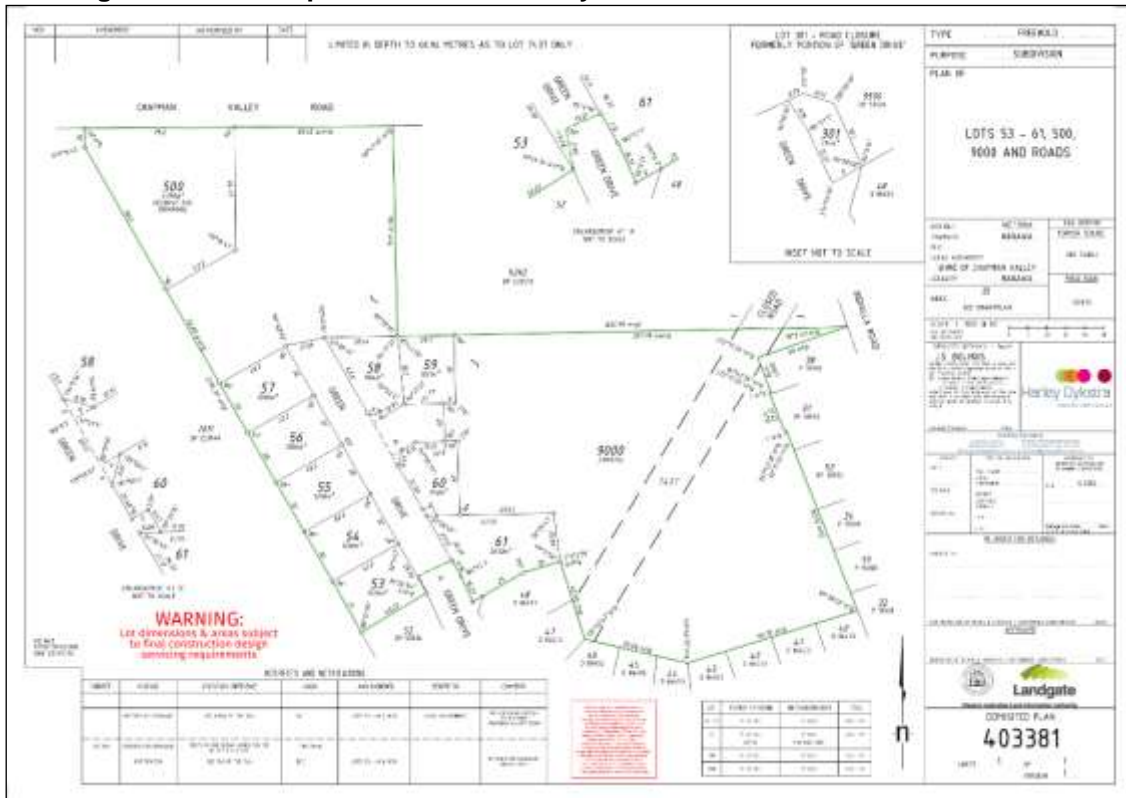
## **STATUTORY ENVIRONMENT**

Lot 9500 Green Drive, Nabawa is zoned 'Residential R10' under Shire of Chapman Valley Local Planning Scheme No.2.





**Figure 5 – draft Deposited Plan of Survey for Lot 9500 Green Drive subdivision**



Council resolved at its 19 February 2014 meeting to advise LandCorp that it would be prepared to purchase 1 lot in the 9 lot subdivision for the amount of \$60,000. Council also further advised that to provide greater certainty to LandCorp over the preparation of tender documents, awarding of contracts, warranty, liability and site access issues the Shire that would not undertake in-kind works, and instead limit its contribution to financial only. When lodging the original application Council gave consideration to making later resolution to source its financial contribution to the Green Drive subdivision project from its Land Development Reserve Account GL6511 (which presently contains \$118,343.88) rather than making allocation from general budgeted revenue.

An Engineering Report (prepared by TME) underscored that the cost of the Green Drive subdivision made the project unviable for Council to undertake on its own given the likely sales prices that would be achieved. The 9 lot subdivision, for example, was estimated to cost \$695,000 (GST ex) or \$73,000 (GST ex) per lot to provide power, water, telecommunications, earthworks, roadworks, drainage and a 20% contingency sum (this cost was likely to rise to \$90,000 per lot after factoring in non-engineering costs).

• **Long Term Financial Plan:**

The Shire of Chapman Valley Long Term Financial Plan received by Council at its 18 September 2013 notes a key issue for the Shire is its ability to grow the revenue base so that sufficient operational revenue is collected to fund all operating expenses, but does also note that a growing population will place increasing demands on Council for services.

**STRATEGIC IMPLICATIONS**

The Shire of Chapman Valley Local Planning Strategy (2008) identifies Lot 9500 within the 'Precinct 9 – Nabawa'. The Strategy lists the following economic objectives for this precinct:

- “9.2.1 Accommodate urban growth with a focus on larger lots for affordable rural lifestyle opportunities.
- 9.2.2 Promote commercial, light industrial and tourist related uses/development to support economic growth.
- 9.2.3 Ensure urban and rural residential development can proceed through the provision of appropriate services and infrastructure.”

In its support of the application Council considered the strategic outcome of making available further residential lots in the Nabawa townsite, either for general sale, or to allow for an upgrading of its Shire housing stock (potentially linked to sale of some of its existing housing stock).

- **Strategic Community Plan:**

The Shire of Chapman Valley Strategic Community Plan 2013-2023 adopted by Council at its 19 June 2013 meeting lists 'making the right land available to increase housing' as a Community Strategy to achieve the outcome of 'more people and families move into the Shire'.

#### **VOTING REQUIREMENTS**

Simple majority required.

#### **COUNCIL RESOLUTION / STAFF RECOMMENDATION**

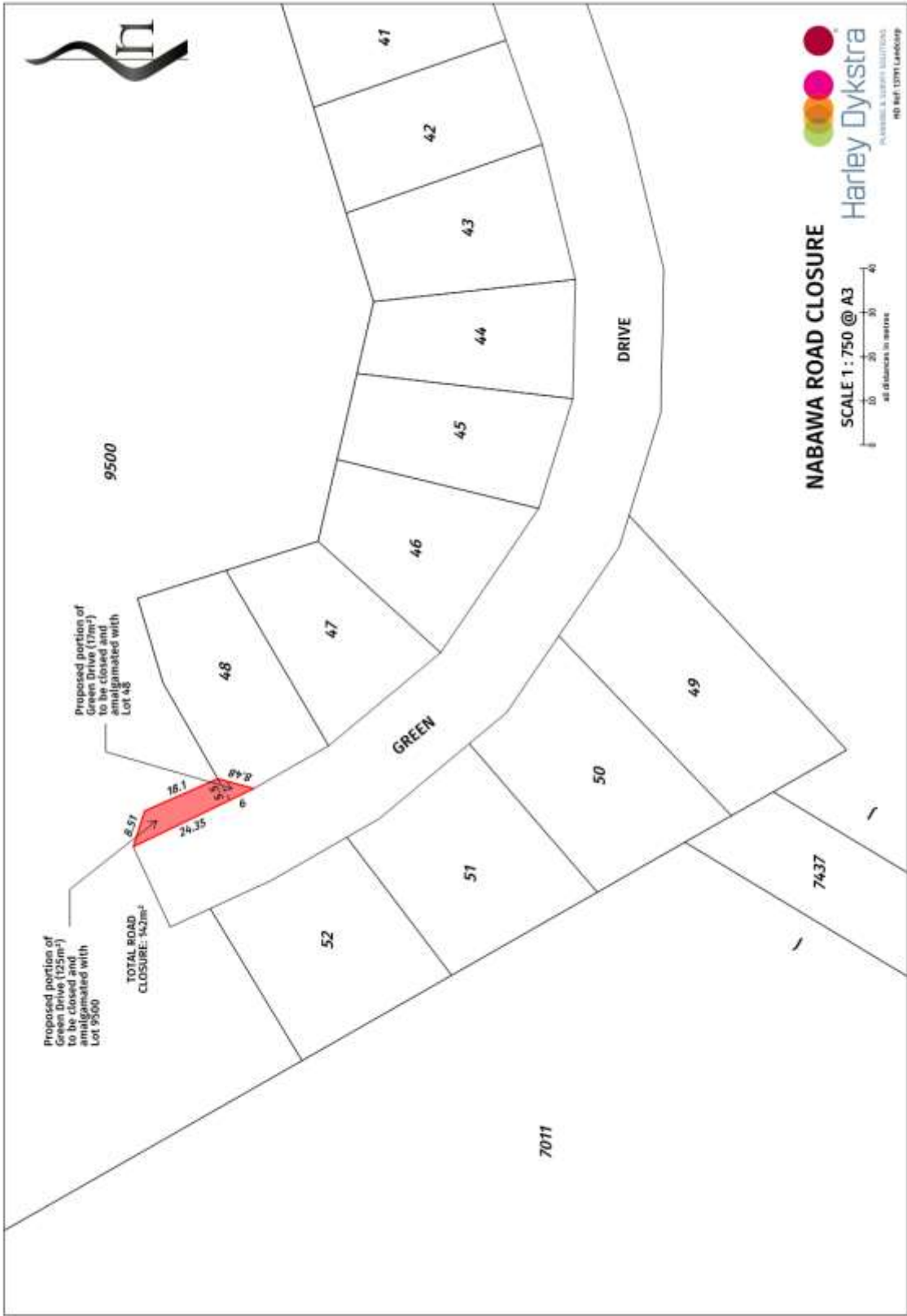
**MOVED: CR FARRELL**

**SECONDED: CR HUMPHREY**

That Council:

- 1 Pursuant to Section 58 of the *Land Administration Act 1997* request the Minister for Lands to approve the closure of the portion of Green Drive, Nabawa as shown upon the plan included as Attachment 1 to this report. &
- 2 Advise LandCorp of its preference for heavy vehicles to access the subdivision site via the temporary Chapman Valley Road access point during subdivisional works to reduce the impact upon Green Drive residents.

**Voting 8/0  
CARRIED  
Minute Reference 11/14-5**



Schedule of Submissions - Proposed Road Closure – Portion of Green Drive, Nabawa			
Submission No & Date Rec'd	Submitter & Affected Property	Nature of Submission	Comment
1 (1/9/14)	ATCO Gas	<i>No objection</i> ATCO Gas has no assets in the area specified and have no proposed work which will require amendment to your works.	No additional comment.
2 (2/9/14)	Telstra	<i>No objection</i> Telstra has received a plan indicating new lots along Green Drive and infrastructure to service these lots.	No additional comment.
3 (9/9/14)	Department of Fire & Emergency Services	<i>No objection</i> The Department has perused the subdivision and advises that the following conditions are required for assured fire safety: A Fire Management Plan addressing water supply for firefighting and access/egress.	The Department appear to have misunderstood the difference between the subdivision and road closure process. The provided advice is considered more relevant to the subdivision referral process conducted by the Western Australian Planning Commission ('WAPC') where government agencies are requested to make comment upon applications. It is noted that the requirement for the preparation of a Fire Management Plan was not included as a condition of WAPC subdivision approval 149282. However, it is further noted that subdivision 149282 is required to be serviced by reticulated scheme water, that there is a fire hydrant already located at the current (temporary) cul-de-sac head for Green Drive, and a further fire hydrant will be installed on the new section of Green Drive as part of the subdivisional works, and that emergency access/egress will be created to a gravel all-weather standard to Chapman Valley Road in addition to the sealed Green Drive connection onto the wider road network.
4 (5/9/14)	Western Power	<i>No objection</i> There are assets adjacent to your proposed works. It is the responsibility of the person in control of the workplace to ensure that works comply with <i>Occupational Health Regulations 1996</i> . Any change to the existing power system if required is the responsibility of the individual developer.	The comments of Western Power comments relate to on-ground works rather than the road closure action, this issue is already addressed separately through conditions 9 & 10 of WAPC subdivision approval 149282 that requires underground power connection to be undertaken by the subdivider to the requirements of Western Power.
5 (11/9/14)	Water Corporation	<i>No objection</i> Plan provided showing the Water Corporation's services in the area which remains unaffected.	The plan provided by the Water Corporation indicates they do not have assets in the 142m <sup>2</sup> portion of road reserve proposed to be closed. Condition 7 of WAPC subdivision approval 149282 requires reticulated water connection to be undertaken by the subdivider to the requirements of the Water Corporation.

Schedule of Submissions - Proposed Road Closure – Portion of Green Drive, Nabawa			
Submission No & Date Rec'd	Submitter & Affected Property	Nature of Submission	Comment
6 (16/9/14)	Mr Rodney Gillis subject property: 29 (Lot 51) Green Drive NABAWA WA 6532	<p><i>Objection</i></p> <p>Current entry/exit from Indialla Road has safety concerns (reduced sight distance from eastern Chapman Valley Road approach). Potential for accident will increase with the additional traffic generated when the development reaches its full potential.</p> <p>Original plan reduces possibility of accidents due to the entry/exit onto Chapman Valley Road having excellent sight distances and being in a 60km/hour speed zone. This road is a heavy vehicle restricted access route with road train combinations up to 36.5m in length and is very busy during most of the year particularly during seeding and harvest.</p> <p>Original plan allows for greater access for emergency vehicles, at present there is only one way in and out, not satisfactory.</p> <p>Once blocks are developed fully there will be significant increase in traffic along Green Drive which will increase noise for current residents.</p> <p>Proposed drainage area due to the soil type will retain water for long periods and increase mosquito breeding.</p> <p>Value of lots needs to be maintained so as to protect the investment of those in the area.</p> <p>A caveat needs to be placed on titles for blocks near the creek to allow only Alternative Treatment Units related to grey and black water systems as with lots now developed (no standard septic allowed). The blocks north of Lots 51-52 are closer to the creek and the Chapman River.</p> <p>If this is not the case the Shire should be required to reimburse the additional costs</p>	<p>The objection addresses issues more concerned with the overall Green Drive subdivision project rather than specific to the proposed closure of a 142m<sup>2</sup> portion of Green Drive road reserve.</p> <p>It is noted that the subdivision plan was referred by the WAPC to the Department of Fire &amp; Emergency Services, Main Roads WA, Department of Water, and the Department of Health for comment prior to subdivision 149282 being given conditional approval.</p> <p>The applicant (LandCorp) was invited to make comment upon the issues raised within this submission and have responded as follows:</p> <p>"Submission 6 (Mr Gillis) raises a number of issues not related to the road closure and therefore his submission should simply be noted.</p> <p>Of the issues he does raise, my comments are:</p> <ul style="list-style-type: none"> <li>Indialla Road is a MRWA approved and managed intersection where it meets Chapman Valley Road. MRWA have clear design standards and can manipulate traffic speeds, road alignments, etc to achieve acceptable safety standards. Connecting Green Drive to Chapman Valley Road would have produced 2 intersections within close proximity to each other, adding to road safety concerns (hence the substantial widening originally proposed by MRWA at the new Green Drive entry). If there are current safety concerns at the Indialla Road junction, the new subdivision will increase pressure on MRWA to address those concerns.</li> <li>The financial capacity to subdivide Lot 9500 was totally compromised by the standards being sought by MRWA to make a "safe" road junction to connect Green Drive onto Chapman Valley Road. Mr Gillis has a legitimate concern, however residents fronting Indialla Road would continue to use the current intersection, if Green Drive was to be constructed, and MRWA would continue to see this need as a low priority. There are mechanisms available to MRWA to</li> </ul>

Schedule of Submissions - Proposed Road Closure – Portion of Green Drive, Nabawa			
Submission No & Date Rec'd	Submitter & Affected Property	Nature of Submission	Comment
		<p>related to current developments on Lots 51-52 plus ongoing financial support for the ongoing cost associated with the electrical costs associated with these systems.</p> <p>A caveat needs to be implemented to ensure some quality of the buildings to be placed within the development.</p> <p>Needs to be stricter controls on the types and amounts of animals that a residential area can hold i.e. only dogs, cats and chickens not goats, sheep etc.</p>	<p>improve traffic safety at the existing intersection and they should be pursued.</p> <ul style="list-style-type: none"> <li>The construction will provide an all-weather two wheel drive emergency access track off Green Drive onto Chapman Valley Road to provide emergency access and egress.</li> <li>There will be increased noise and traffic on Green Drive if Lot 9500 was to be fully developed, however, the traffic will be primarily passenger vehicles and in two peak periods each day. On the up-side the built form on the lots will aid in buffering noise at the existing houses from the trucks travelling along Chapman Valley Road. I would also expect the build-up of noise will be "extremely" gradual (over a couple of decades to build out the lots) and the existing residents will be largely unaware of any changes in traffic noise levels. It should also be noted that changes in ownership of houses can also aid in reducing and increasing traffic noise (retired couple versus family with school aged children or a family with adult children) and we are unable to regulate car ownership, etc on the lots.</li> <li>The basin is designed and will be built so that water is held for a minimal period of time and retention times will be insufficient to accommodate the mosquito breeding cycle. The current natural creek flowing through the Kupsch property would pose a greater threat for mosquito breeding.</li> <li>The lots are to be sold at or above market value. Neither LandCorp nor the Shire can regulate or control the asking price placed on the existing lots by a willing seller and Mr Gillis's capacity to claim compensation for loss of value would be not find traction if legally challenged. The addition of more houses into Nabawa will add to commercial viability, school numbers, etc and that would have a positive effect on lot prices and the desire of people to live in the town.</li> <li>The Shire of Chapman Valley regulates the built form on the lots. Regulating "quality" is always going to be a challenge, given the high quality of "pre-fabricated" buildings being offered into the market at present.</li> </ul>

Schedule of Submissions - Proposed Road Closure – Portion of Green Drive, Nabawa			
Submission No & Date Rec'd	Submitter & Affected Property	Nature of Submission	Comment
7 (24/9/14)	Mr Peter Eriandson subject property: 12 (Lot 43) Green Drive NABAWA WA 6532	No objection No comment on the proposed subdivision of Lot 9500 other than to see interest that buyers show.  My concern is that during development stage Green Drive may be used as the main access for the work, this will entail considerable movement of trucks and equipment. As a prevention against a rapid deterioration of the corner of Green Drive and Indialla Road and the mitigation of dust from trucks carrying gravel/sand (assuming such loads are dry and not covered) that consideration be given to using the wide entry to the east of Rushy Gully as the main access for heavy vehicles.	<p>Animal control is also a matter handled by the Shire under Local Laws."</p> <p>Further to the comments provided by the applicant it is noted that condition 6 of WAPC subdivision approval 149282 requires that a notification, pursuant to section 70A of the Transfer of Land Act 1893 be placed on the Certificates of Title of the proposed lots stating as follows:</p> <p>"A reticulated sewerage service is not available to the lot/s, and a suitable on-site effluent disposal system complying with the specifications of the Health Department designed for long term use will be required to service any new development on each lot."</p> <p>This notification will advise prospective purchasers that effluent disposal systems will be required to meet with the specifications of the Health Department. It is further noted that under the requirements of the 'Special Control Area 3-Public Drinking Water Source Protection Area' of the Shire of Chapman Valley Local Planning Scheme No.3 the Shire may refer applications (including for effluent disposal systems) to the Department of Water for consideration and recommendation.</p> <p>The applicant (LandCorp) was invited to make comment upon the issues raised within this submission and have responded as follows:</p> <p>"Submission 7 (P Eriandson) asks that construction traffic to the site be diverted directly on and off Chapman Valley Road. This submission also covers matters irrelevant to the road closure. This request is not unreasonable and can be resolved as part of the construction management plan and at the project start-up meeting (the Shire's Work's Manager will be invited to attend). I have no objection to this requirement, but the contractor and supervising engineer will need to resolve with MRWA and erect suitable signage for the duration of the contract."</p>
			<p>Note submission and advise LandCorp that Council's preference is for heavy vehicles to access the subdivision site via the temporary Chapman Valley Road access point during subdivisional works to reduce the impact upon Green Drive residents.</p>

<b>AGENDA ITEM:</b>	<b>9.1.5</b>
<b>SUBJECT:</b>	<b>PROPOSED PART ROAD CLOSURE &amp; DISPOSAL – WICKA ROAD, DURAWAH ROAD &amp; STATION ROAD</b>
<b>PROPONENT:</b>	<b>SMART NOMINEES PTY LTD</b>
<b>SITE:</b>	<b>LOT 3 DURAWAH ROAD, DURAWAH</b>
<b>FILE REFERENCE:</b>	<b>A1648 &amp; 1001.1330</b>
<b>PREVIOUS REFERENCE:</b>	<b>9/14-6</b>
<b>DATE:</b>	<b>3 NOVEMBER 2014</b>
<b>AUTHOR:</b>	<b>SIMON LANCASTER</b>

## DISCLOSURE OF INTEREST

Nil.

## BACKGROUND

Council resolved at its 17 September 2014 meeting:

*“Pursuant to Section 58 of the Land Administration Act 1997 initiate closure action for Wicka Road and its amalgamation into Lot 3 Durawah Road, Durawah as shown upon the plan included as Figure 15 to this report.”*

The advertising period has now been completed and this report recommends that Council support the road closure and seek the final approval of the Minister for Lands.

The Shire has been in discussion with the landowner of multiple farming properties concerning the proposed realignment, closure and disposal of several roads and this matter was discussed at the 17 September 2014 meeting, with Council resolving to initiate the various procedures in relation to the East Nabawa Road realignment (to enable subsequent sealing), ‘Wicka Road’ closure and disposal, and disposal of the closed section of the former East Chapman Road reserve.

The Shire is working towards sealing the 35km length of East Nabawa Road to a 7m wide seal standard through the Regional Road Group Commodity Routes Funding Program. However, the curve geometry at 4 points along the road has been assessed by the Shire’s consultant engineer as not creating an acceptable safe design speed once sealed. To address this issue the Shire would need to realign these 4 bends, and this would require an area of approximately 1.27ha on the inside of each bend (5.08ha in total approximate) to be included within the road reserve.

The Shire wrote to the landowner (EF Smart & Partners, Smart Nominees Pty Ltd, Minda Properties Pty Ltd) on 22 August 2014 seeking their support for the proposed realignment of 4 bends along East Nabawa Road. The landowner responded on 1 September advising as follows:

*“In exchange for providing the land on East Nabawa Road (Ref 100.420, A1572 & A1653) free of charge I would request the following*

- The closure of the portion of Wicka road goes ahead, as outlined in your letter dated 28/7/2014 (Ref 1001.1330 and A1648) and is incorporated into the most suitable lot(s) owned by Smart Nominees*
- The section of closed road that was once part of the main East Chapman Road, Narra Tarra (see map) is to be incorporated the most suitable lot(s) owned by Smart Nominees*
- All of the above to be at no cost to the land owner or associated entities.”*

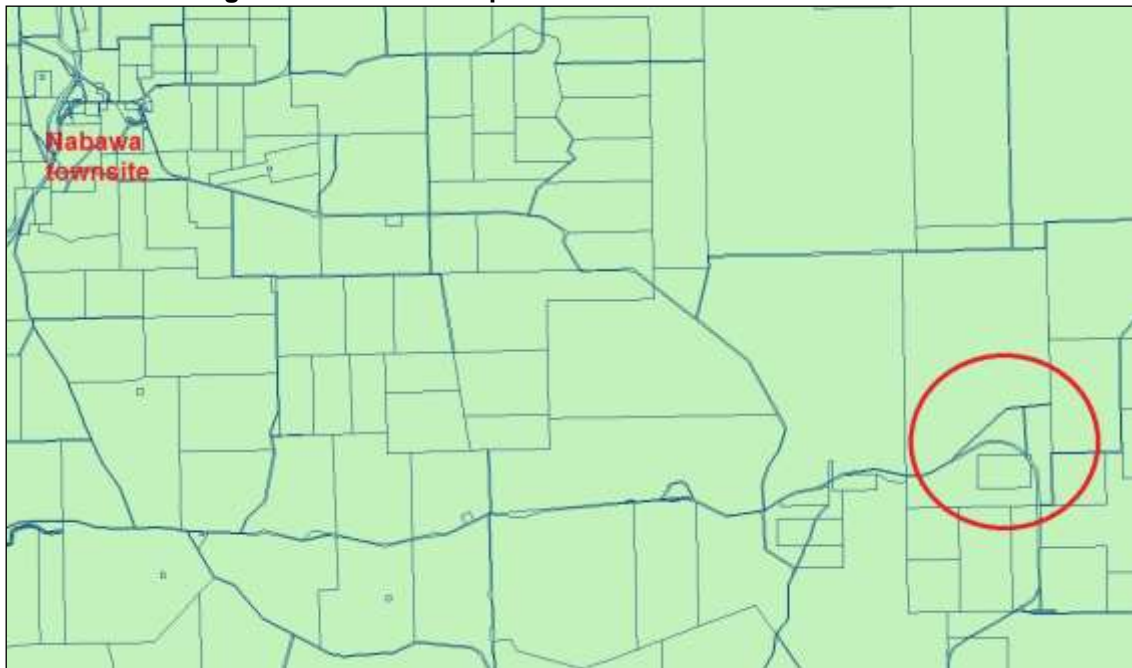
The Shire had been in previous discussion with the same landowner concerning the closure and disposal of two other road reserves (one of these being ‘Wicka Road’) that are surplus to requirements and their amalgamation into their surrounding landholding. Council supported at the 17 September 2014 meeting these three road actions being undertaken concurrently to progress the realignment and subsequent sealing of East Nabawa Road.



**COMMENT**

The area of land proposed to be closed is a 5.05ha section of road reserve located on the outside of a bend between Durawah Road and Station Road 17km south-east of the Nanson townsite.

**Figure 1 – Location Map for Wicka/Durawah/Station Roads**



During the Councillor Road Inspection held on 14 March 2014 the possibility of closing and amalgamating the section of road, locally known as 'Wicka Road' into the neighbouring property was listed as an action for investigation as it was considered surplus to Shire requirements and may benefit the landowner's farm security by restricting general access into this area of the farm's operations.

This matter was again discussed at the Councillor Forum Session on 16 July 2014 and the Shire subsequently wrote to the landowner of Lot 3 Durawah Road, Durawah (Smart Nominees Pty Ltd) which borders the subject section of road on all sides on 28 July 2014 seeking their interest in the road closure and amalgamation process.

**Figure 2 – Aerial Photograph of road that is proposed to be closed**

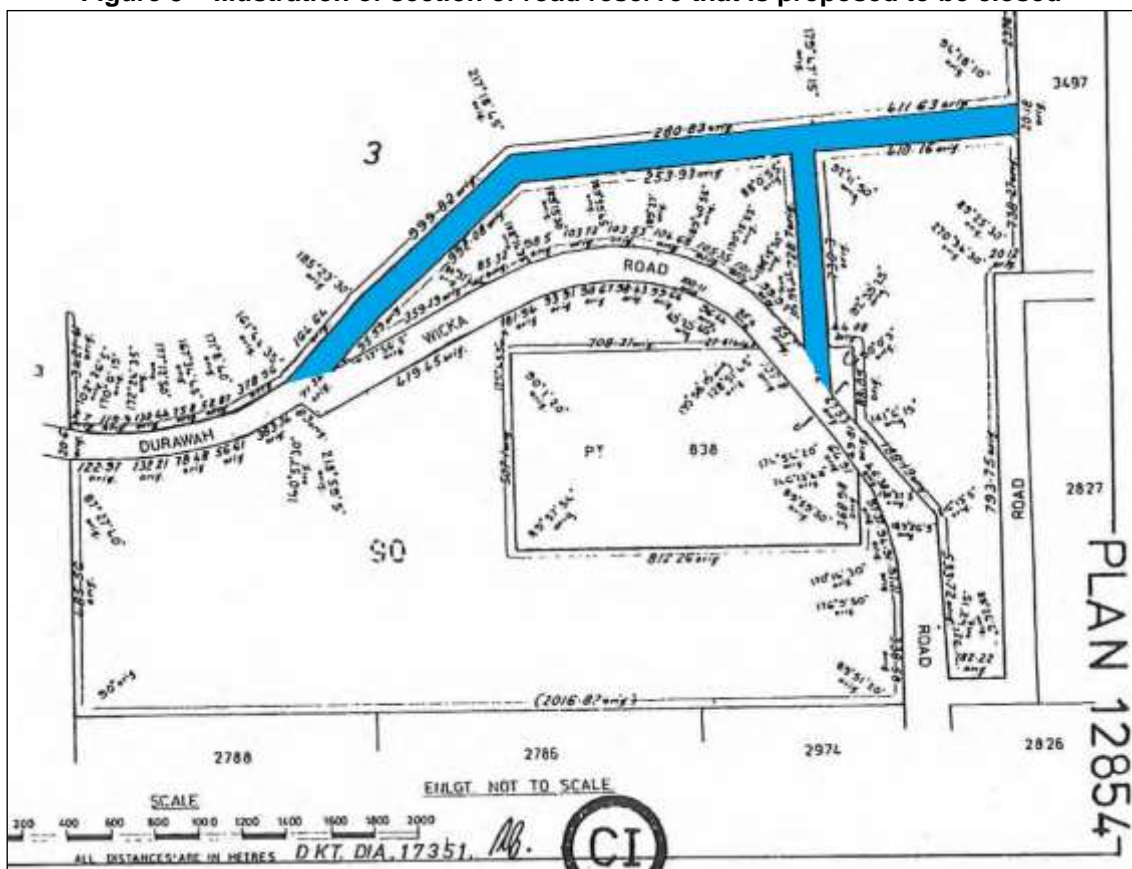


Shire staff raise no objection to the closure and disposal of the subject portion of road reserve on the following basis:

- the road is considered surplus to Shire requirements;
- the road is only required for access purposes by one landowner who would be the party acquiring the land;
- closing the road would benefit farm security for the landowner;
- closing the road and amalgamating the land into Lot 3 would enable the landowner to maintain the two access legs as driveways or elect to close one of them and use that area for farming purposes;
- disposal of Wicka Road would remove 2.55km of road from the Shire's asset database and remove ongoing management cost, responsibility and liability; &
- closing the subject 'outer bend' section of road will not inconvenience the surrounding landowners or wider public as the 'inner bend' is the alignment used by general traffic.

The subject section of road is sometimes referred to as 'Wicka Road' given that it has a farm sign to this effect at its intersection with Durawah Road, however, Deposited Plan of Survey 12854 dating from 1979 (included as **Attachment 1**) illustrates that the subject portion of road reserve comprising the 'outside bend' (proposed to be closed) is named in part as Durawah Road and Station Road, and the 'inside bend' (proposed to remain open) is named Wicka Road.

**Figure 3 – Illustration of section of road reserve that is proposed to be closed**



To avoid any confusion over the closure action it is recommended that the resolution of Council, should it formally resolve to close the subject portion of road, make reference to the official road names and reference Figures 2 & 3 of this report that graphically illustrate the subject portion of road reserve. It is further recommended that Council write to the Geographic Names Committee and request that the 'inside bend' which will be retained as a road reserve and is currently named 'Wicka Road' be renamed 'Durawah Road'. This action will ensure that a contiguous alignment of road has the same road name for its full length. The name 'Wicka' will still be recognised locally through the farm name sign which is at the entrance of the road proposed to be closed that will in effect become a farm driveway.

Figure 4 – View of recommended road naming modification

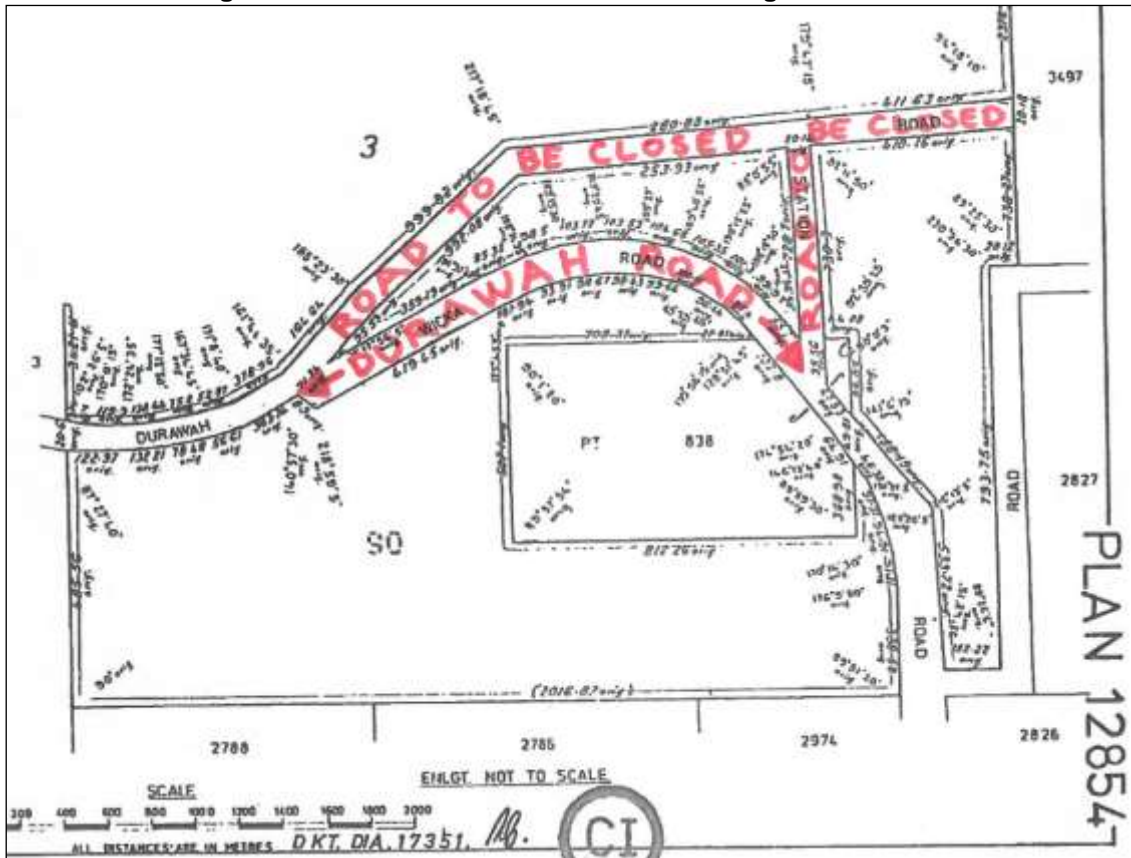


Figure 5 – View of road proposed to be closed (western entrance) on left and road proposed to remain open on right



Figure 6 – View of road from north-east corner bend looking south-west at both sections of road proposed to be closed



Figure 7 – View of road proposed to be closed (eastern entrance) on right

and road proposed to remain open on left



The proposed road closure was advertised in accordance with the provisions of the *Land Administration Act 1997* commencing on 25 September 2014 and concluding on 31 October 2014. Advertising included the placement of a notice in the Mid West Times on 25 September 2014, erection of a sign at the entrance to the section of road that is proposed to be closed, and correspondence being mailed to Alinta Energy, Department of Aboriginal Affairs, Department of Fire & Emergency Services, Department of Lands, Main Roads WA, Telstra, Water Corporation, Western Power and Westnet Energy. No surrounding landowners were written to as the applicant is the only landowner within a 2½km radius of the section of road reserve that is proposed to be closed, and the 'inner bend' which is the alignment utilised by general traffic is not proposed to be altered through this closure action.

At the conclusion of the advertising period a total of four (4) submissions had been received with all of these offering no objection to the proposed road closure.

A Schedule of Submissions has been prepared and included as **Attachment 2** to this report, the Schedule identifies the respondents, summarises the matters raised, provides individual comment upon the matters raised, and a recommendation in regard to each.

A copy of the received submissions can be made available to Councillors upon request.

### **STATUTORY ENVIRONMENT**

Section 58 of the *Land Administration Act 1997* provides for the closure of public roads and requires such actions to be publicly advertised for a period of 35 days, and where, following consideration of the submissions received, the Council wishes to permanently close a portion of road then it may make request to the Minister of Lands.

The amalgamation of the area of closed road into the neighbouring landholding is required to be undertaken through the *Planning & Development Act 2005* and the Shire would engage a surveyor to prepare the necessary amalgamation and survey plans, and obtain the signature of the landowner in order to lodge the Form 1A with the Western Australian Planning Commission to commence and complete this amalgamation process.

### **POLICY IMPLICATIONS**

Nil

### **FINANCIAL IMPLICATIONS**

The landowner has advised that they would be willing to provide the approximate 5.08ha of land required for the purpose of widening East Nabawa Road without payment in return for the following, at no cost to themselves:

- the closure and amalgamation of the approximate 5.05ha of 'Wicka Road' into their landholding; &
- the amalgamation of the 5.7884ha closed road reserve (former East Chapman Road alignment) into their landholding.

This would require the Shire to bear the cost of the approximate 5.7584ha difference in land area between the private land being acquired for road purposes and the area of road reserve being amalgamated into private land.

The Department of Lands will request the Valuer Generals Office to set a valuation for this difference, however, the Shire will make request that the following previous actions be considered to reduce the land area to 4.8573ha over which the valuation is being made:

- the 1,546m<sup>2</sup> of private land provided on 22 March 2012 as road reserve by the same landowner without charge for the Morrell Road and Chapman Valley Road intersection widening (Deposited Plan 68482); &
- the 7,465m<sup>2</sup> of private land provided in 2009 as road reserve from the same landholding without charge for the Narra Tarra Road and Chapman Valley Road intersection widening (Deposited Plan 53537).

It should be noted determination in regards to whether these prior contributions will be taken into account rests with the Department of Lands and not the Shire so there is a level of uncertainty over whether the Department will accept these deductions.

It is also noted that there is an ability to include land acquisition costs within the project budget for the Regional Road Group Commodity Routes Funding Program enabling the Shire to make application for the figure set by the Valuer Generals Office for the 4.8573ha land area to be included within the grant funded East Nabawa realignment/sealing project amount.

The Shire would also be responsible for the surveying and settlement costs involved in the three road actions, although it would be appropriate for the costs associated with the East Nabawa Road realignment to be included within the Regional Road Group Commodity Routes Funding Program allocation.

The Shire has undertaken several road closure and amalgamation applications in recent years, most commonly when realigning roads. Much of the process can be undertaken in-house (e.g. advertising of the road closure, liaising with government departments and landowners) although the surveying and settlement/lodgement fee components will require the use of external firms, with the respective costs for these stages being approximately \$6,000 and \$2,500 on recent jobs of a comparable nature.

The Surveying & Land Expenses account (Account 7052, containing \$40,000 in the 2014/2015 budget) can be used to pay for the surveying and settlement costs associated with the disposal of the former East Chapman Road closed road reserve, and the closure and disposal of 'Wicka Road', with the East Nabawa Road widening costs to be included within that separate project budget. Although there would be a cost to the Shire in this overall process it would represent the opportunity to seal and improve the alignment of a significant haulage road (in East Nabawa Road); and permanently remove what have been identified as unrequired assets, thereby also removing any future and ongoing maintenance costs and public liability concerns.

Council resolved at the 17 September 2014 meeting as follows:

*"Advise the landowner (EF Smart & Partners, Smart Nominees Pty Ltd & Minda Properties Pty Ltd) that Council accepts the offer dated 1 September 2014 of their providing land necessary for the widening of East Nabawa Road without charge in return for assistance in the closure and amalgamation of Wicka Road, and the amalgamation of the closed road (former East Chapman Road alignment) into their neighbouring land, and the Council accepts the application, surveying, conveyancing and (difference in) land valuation/acquisition costs involved in this exchange process."*

- **Long Term Financial Plan:**

The Shire of Chapman Valley Long Term Financial Plan (2013) was received by Council at its 18 September 2013 meeting, Section 1.3 'The Challenges We Face' of which notes that:

*"The majority of assets and infrastructure are only affordable to Council with the assistance of State and/or Federal funding. This can be unpredictable and uncertain which makes it difficult to determine the exact timing of being able to afford new infrastructure. However, it is important to not lose sight of the Community's aims."*

*The road network is the Shire's biggest asset and transport and communication are the main priorities. Maintaining and upgrading the road network and communication network are important to the community."*

## **STRATEGIC IMPLICATIONS**

- **Strategic Community Plan:**

The Shire of Chapman Valley Strategic Community Plan 2013-2023 was adopted by Council at its 19 June 2013 meeting and it is not considered that determination of this matter is contrary to this document.

## **VOTING REQUIREMENTS**

Simple majority required.

## **COUNCIL RESOLUTION / STAFF RECOMMENDATION**

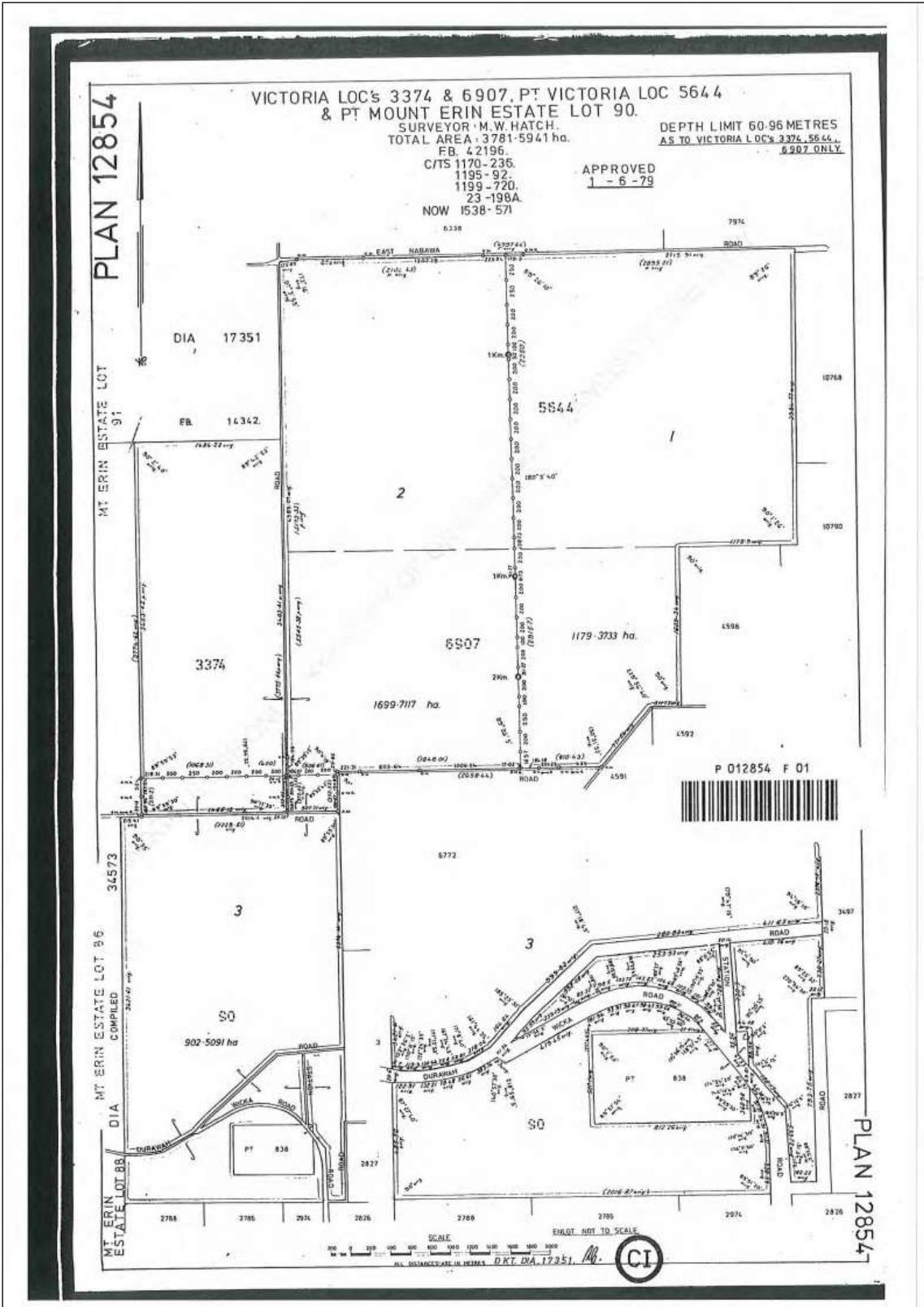
**MOVED: CR HUMPHREY**

**SECONDED: CR ROYCE**

That Council:

- 1 Pursuant to Section 58 of the *Land Administration Act 1997* request the Minister for Lands to approve the closure of the portion of Durawah Road and Station Road as shown upon the plans included as Figures 2 & 3 to this report and its amalgamation into Lot 3 Durawah Road, Durawah.
- 2 Write to the Geographic Names Committee requesting that Wicka Road be renamed to Durawah Road as shown upon the plan included as Figure 4 to this report to ensure that a contiguous alignment of road has the same name, and to align with the local understanding of road names, and also noting that the newly named section of road is the 'inner bend' alignment used by general traffic and the 'outer bend' alignment (partly named Durawah Road and Station Road) is subject to road closure action that will eliminate confusion.

**Voting 8/0  
CARRIED  
Minute Reference 11/14-6**



Schedule of Submissions - Proposed Road Closure – Portion of Durawah Road & Station Road ('Wicka Road')				
Submission Number & Date Received	Respondent	Nature of Submission	Comment	Recommendation
1 (3/10/14)	ATCO Gas	<i>No objection</i> ATCO Gas has no assets in the area specified and have no proposed work which will require amendment to your works.	No additional comment.	Note submission.
2 (6/10/14)	Water Corporation	<i>No objection</i> Plan provided showing no Water Corporation services in the area.	No additional comment.	Note submission.
3 (10/10/14)	Main Roads WA	<i>No objection</i> MRWA has no comment to make.	No additional comment.	Note submission.
4 (4/11/14)	Department of Fire & Emergency Services	<i>No objection</i> DFES has no comment to make.	No additional comment.	Note submission.



<b>AGENDA ITEM:</b>	<b>9.1.6</b>
<b>SUBJECT:</b>	<b>BILL HEMSLEY PARK</b>
<b>PROPONENT:</b>	<b>BILL HEMSLEY PARK MANAGEMENT COMMITTEE</b>
<b>SITE:</b>	<b>RESERVE 49641 ELIZA SHAW DRIVE, WHITE PEAK</b>
<b>FILE REFERENCE:</b>	<b>R49641</b>
<b>PREVIOUS REFERENCE:</b>	<b>02/14-10, 02/14-11, 02/14-12, 02/14-13, 06/14-6 &amp; 08/14-5</b>
<b>DATE:</b>	<b>7 NOVEMBER 2014</b>
<b>AUTHOR:</b>	<b>SIMON LANCASTER</b>

## DISCLOSURE OF INTEREST

Nil.

## BACKGROUND

A meeting of the Bill Hemsley Park Management Committee was held on 7 November 2014 to progress planning for the future development of the park and this report recommends that Council receive the unconfirmed minutes and adopt the recommendations from this committee meeting.

## COMMENT

The fifth Bill Hemsley Park Management Committee meeting was held on 7 November 2014 and a copy of the agenda for the meeting is presented as **Attachment 1** to this report.

A copy of the unconfirmed minutes of the 7 November 2014 Bill Hemsley Park Management Committee meeting are presented as **Attachment 2** to this report.

Council previously resolved at its 20 August 2014 meeting the following:

*“That Council:*

- 1 *Receive the Unconfirmed Minutes of the Bill Hemsley Park Management Committee meeting held on 25 July 2014.*
- 2 *Accept the revised concept plan included as Attachment 1 in the Unconfirmed Minutes of the 25 July 2014 Bill Hemsley Park Management Committee meeting (which includes all the preferences listed in the community survey, and a meeting room and public toilets to cater for expected demand).*
- 3 *Seek quotes for the drafting of the revised concept plan to enable further design consideration and community consultation.*
- 4 *Issue delegated authority to the Shire Chief Executive Officer to appoint a drafting company (as recommended by the Management Committee) funded from the Bill Hemsley Park 2014/2015 budget allocation (Account 2642-seed capital) to undertake the drafting of the revised concept plan, for later Management Committee and Council consideration.*
- 5 *A Draft Concept Plan produced by the drafting company will be sent out to all individual landowners in the Parkfalls Estate seeking their feedback on this draft plan or any other design for the park. Council will consider all feedback prior to finally endorsing the concept plan.*
- 6 *Approach the landowner of 9 (Lot 249) Cargeeg Bend, White Peak seeking their consent to, and should they be in agreement, undertake a 48 hour flow rate test of the bore upon their property, funded from the Bill Hemsley Park 2014/2015 budget allocation (Account 2642-seed capital).”*

## STATUTORY ENVIRONMENT

Reserve 49641 Eliza Shaw Drive, White Peak is zoned ‘Parks & Recreation’ under Shire of Chapman Valley Local Planning Scheme No.2.

The legal agreement between the developer of the Parkfalls Estate and the Shire provided the terms for the transfer of the intended park and payment of funds by the developer to the Shire to be held in trust for expenditure on the park.

The Management Committee Agreement provides for the ongoing management of Bill Hemsley Park and the process by which recommendations to Council on the expenditure of the trust funds must be made.

Part 3 of the agreement states:

**“3 Decisions not binding on Shire**

*The parties acknowledge and agree that the decisions and recommendations of the Management Committee are advisory only, and are not binding on the Shire or the Shire’s Council.”*

Part 4 of the Management Agreement states:

**“4.1 Use of Trust Payment**

*The Shire covenants and agrees to deposit the Trust Payment into a trust fund in accordance with the provisions of the Local Government Act 1995, and to only use such funds for construction and development upon the Recreation Site.*

**4.2 Acknowledgement**

*The parties covenant and agree that the expenditure of the trust fund can only be approved by the Council of the Shire based on the recommendations of the Management Committee provided such expenditure is for construction and development upon the Recreation Site.”*

## **POLICY IMPLICATIONS**

Section 5.70 of the Shire of Chapman Valley Policy Manual 2014/2015 notes that 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 for trust accounts.

## **FINANCIAL IMPLICATIONS**

The 2014/2015 Shire budget was adopted by Council at its 16 July 2014 with an allocation of \$15,000 included within Account 2642 as seed capital for the Bill Hemsley Park project.

The 2014/2015 budget also lists within Account 2834 an expenditure allocation of \$272,727 to be drawn from Trust Account 18 in the event that the Management Committee recommends an expenditure allocation and this is subsequently endorsed by Council (as per Section 4.2 of the Management Committee Agreement).

The developer made payment of \$300,000 (GST inclusive) to the Shire on 3 March 2014 and this amount was deposited in a specifically created trust account for the purpose of expenditure upon Bill Hemsley Park. The Shire may consider supplementing this amount through future budgetary allocation and pursuit of external funding sources.

The transfer of the park site from private to public ownership has enabled the Shire to work with the community to create an area that meets its recreational and community requirements. In its consideration of the responsible and staged development of the park the Management Committee, and subsequently Council, should have regard for the following:

- the type of facilities that are demanded by the community (this would be established through a consultation process);
- the type of facilities that are likely to be used by the community (this would be established through an evaluation and review process);
- the capital and maintenance cost of the facilities (this would factor the initial and ongoing cost of any facility);

- the appropriateness of the facilities in relation to their setting (this would include consideration of the facilities function, appearance and impact).

- **Long Term Financial Plan:**

The Shire of Chapman Valley Long Term Financial Plan (2013) received by Council at its 18 September 2013 meeting identifies this as a major project to be determined by the Management Committee. The Strategy also identifies that the project can only proceed if the majority of funds can be obtained from grants and should not proceed until all funding and a contract price is secured. With the payment of the developer contribution of \$300,000 (GST inclusive) on 3 March 2014 it should be noted that a key funding contribution has been secured, and that this can be increased through Council budgetary allocation, pursuit of grants and community contribution.

## **STRATEGIC IMPLICATIONS**

The development of Bill Hemsley Park as a recreation and community node will capitalise on the Parkfalls Estate's radial network of bridle paths and roads that should lead to utilisation of the site as it would be relatively easy to access for the community it will serve.

A community survey was previously undertaken by the Parkfalls Residents Association of 215 White Peak landowners that sought to ascertain what facilities the community wanted, and did not want, to see developed upon the park site. 62 surveys were returned (29% response rate) and the results of the community survey were presented to the Management Committee at its 15 August 2013 meeting.

- **Strategic Community Plan:**

The Shire of Chapman Valley Strategic Community Plan 2013-2023 adopted by Council at its 19 June 2013 meeting lists developing community facilities to provide gathering places as a Community Strategy to achieve the outcome of stronger, inclusive communities across the Shire.

## **VOTING REQUIREMENTS**

Simple Majority required.

## **COUNCIL RESOLUTION / STAFF RECOMMENDATION**

**MOVED: CR MALUISH**

**SECONDED: CR ROYCE**

That Council:

- 1 Receive the Unconfirmed Minutes of the Bill Hemsley Park Management Committee meeting held on 7 November 2014.
- 2 Note the Management Committee recommendation in relation to the selection of a consultant to undertake the drafting of the Bill Hemsley Park concept plan.
- 3 Note the Management Committee recommendation in relation to the bore upon 9 (Lot 249) Cargeeg Bend, White Peak.
- 4 Instruct the Shire's solicitor to draft a lease agreement in relation to the bore upon 9 (Lot 249) Cargeeg Bend, White Peak for consideration by the Management Committee and Council prior to being presented to the subject landowner.
- 5 Note the Management Committee recommendation in relation to the expenditure of funds from the trust account, and approve that any variation to the \$15,000 allocation in Account 2642 in the 2014/2015 Shire budget arising from the appointment of a drafting consultant and a solicitor be funded through the Bill Hemsley Park Trust Account (2803/2834).

**Voting 7/1  
CARRIED  
Minute Reference 11/14-7**



## BILL HEMSLEY PARK MANAGEMENT COMMITTEE MEETING

**VENUE:** Shire of Chapman Valley Chambers  
3270 Chapman Valley Road, Nabawa

**DATE:** Friday 7 November 2014

**TIME:** 1:00pm - 3:00pm

**COMMITTEE:** Councillor Trevor Royce (Shire of Chapman Valley) - Chair  
Councillor Veronica Wood (Shire of Chapman Valley)  
Ian Wheatland/Peter Sukiennik (Developer)  
Tom Davies (Parkfalls Residents Association)  
Ian Maluish (Parkfalls Residents Association)

**ADVISORS:** Maurice Battilana (CEO-Shire of Chapman Valley)  
Simon Lancaster (Manager of Planning/Minute Taker-Shire)  
Anthony Abbott (Building Surveyor/Project Officer-Shire)  
Nicole Batten (Community Development Officer-Shire)

## AGENDA

### Order of Business

1. **Welcome by the Chair** – Councillor Trevor Royce
2. **Apologies** – Ian Wheatland, Peter Sukiennik
3. **Confirmation of Previous Meeting Minutes** – 25 July 2014
4. **Items for discussion -**
  - 4.1 20 August 2014 Council meeting resolution
  - 4.2 Bill Hemsley Park Concept Plan quotes
  - 4.3 Superseded/temporary Lot 266 Brown Lane tank and pump
  - 4.4 48 hour flow rate test of 9 (Lot 249) Cargeeg Bend bore
  - 4.5 Grant timeframes and processes
5. **General Discussion**
6. **Next Meeting** - to be decided at the 7 November 2014 meeting
7. **Close**

*Bill Hemsley Park Management Committee Meeting Agenda – 7 November 2014 - Page 1 of 10*



- 1 Welcome by the Chair** – Councillor Trevor Royce
- 2 Apologies** – Ian Wheatland, Peter Sukiennik, Maurice Battilana
- 3 Confirmation of Previous Meeting Minutes** – 25 July 2014
- 4 Items for discussion -**

#### **4.1 20 August 2014 Council meeting resolution**

The Bill Hemsley Park Management Committee made the following recommendations at the meeting held on 25 July 2014:

*"That:*

- 1 The Committee recommend to Council that it accept the revised concept plan included as Attachment 1 (which includes all the preferences listed in the community survey, and a meeting room and public toilets to cater for expected demand);*
- 2 The Committee recommend to Council that it seek quotes for the drafting of the revised concept plan to enable further design consideration and community consultation; and*
- 3 The Committee recommend that the CEO be given delegated authority to appoint a drafting company (as recommended by the Management Committee) funded from the Bill Hemsley Park 2014/2015 budget allocation (Account 2642-seed capital) to undertake the drafting of the revised concept plan, for later Management Committee and Council consideration."*

*"The Management Committee recommend to Council that it approach the landowner of 9 Cargeeg Bend seeking their consent to, and should they be in agreement, undertake a 48 hour flow rate test of the bore upon their property, funded from the Bill Hemsley Park 2014/2015 budget allocation (Account 2642-seed capital)."*

The unconfirmed minutes of the 25 July 2014 meeting of the Bill Hemsley Park Management Committee meeting were presented to the meeting of Council held on 20 August 2014 with it being resolved:



"That Council:

- 1 *Receive the Unconfirmed Minutes of the Bill Hemsley Park Management Committee meeting held on 25 July 2014.*
- 2 *Accept the revised concept plan included as Attachment 1 in the Unconfirmed Minutes of the 25 July 2014 Bill Hemsley Park Management Committee meeting (which includes all the preferences listed in the community survey, and a meeting room and public toilets to cater for expected demand).*
- 3 *Seek quotes for the drafting of the revised concept plan to enable further design consideration and community consultation.*
- 4 *Issue delegated authority to the Shire Chief Executive Officer to appoint a drafting company (as recommended by the Management Committee) funded from the Bill Hemsley Park 2014/2015 budget allocation (Account 2642-seed capital) to undertake the drafting of the revised concept plan, for later Management Committee and Council consideration.*
- 5 *A Draft Concept Plan produced by the drafting company will be sent out to all individual landowners in the Parkfalls Estate seeking their feedback on this draft plan or any other design for the park. Council will consider all feedback prior to finally endorsing the concept plan.*
- 6 *Approach the landowner of 9 (Lot 249) Cargeeg Bend, White Peak seeking their consent to, and should they be in agreement, undertake a 48 hour flow rate test of the bore upon their property, funded from the Bill Hemsley Park 2014/2015 budget allocation (Account 2642-seed capital)."*

#### **4.2 Bill Hemsley Park Concept Plan quotes**

10 firms with a landscape architecture background were written to on 1 September 2014 and invited to provide a fee estimate (within a 5 week submission period) to undertake the drafting of the Bill Hemsley Park Concept Plan (copy of request for quotes included as **Attachment 1**).

The firms were also queried as to whether they undertook nature playground design work and requested for an additional fee estimate to assist the Committee in later considerations should the finalised concept plan include a nature play component and design work for aspect is commissioned at a late stage.



Copies of each of the 6 received quotes have been provided separate to the agenda for the Committee's review and selection of an appropriate consultant.

A summary of the submitted fee estimates is provided as follows (all figures GST exclusive):

- **Landscape Planners Pty Ltd**  
**\$13,220** (\$12,500 + \$720 disbursements for site visit)  
Note: This figure includes 1 site visit and in the event that the Committee do not consider a site visit necessary then this figure would be reduced
- **Ecoscape**  
**\$7,500** (+\$2,200 per person if site visit required)  
Note: This figure does not include a site visit and in the event that the Committee does consider a site visit necessary then this figure would be increased  
(Additional quote provided if a nature playground design is later deemed to be required - \$26,900)
- **Emerge Associates**  
**\$32,915**  
Note: This figure does include 1 site visit and 1 community consultation day and in the event that the Committee do not consider either of these necessary then this figure would be reduced  
(Additional quote provided if a nature playground design is later deemed to be required - \$8,000)
- **Cardno**  
**\$11,200** (+\$1,650 per person if site visit required)  
Note: This figure does not include a site visit and in the event that the Committee does consider a site visit necessary then this figure would be increased  
(Additional quote provided if a nature playground design is later deemed to be required - \$8,200)
- **Urbis**  
**\$12,860** (+\$2,865 per person if site visit required)  
Note: This figure does not include a site visit and in the event that the Committee does consider a site visit necessary then this figure would be increased  
(Additional quote provided if a nature playground design is later deemed to be required - \$6,000)
- **Josh Byrne & Associates**  
**\$10,720** (+\$2,865 if site visit required)



Note: This figure does not include 1 site visit and in the event that the Committee do not consider either of these necessary then this figure would be increased, however, the consultant has also advised that should the site visit coincide with other works being undertaken in the region then the site visit would be at no cost.

(Additional quote provided if a nature playground design is later deemed to be required - \$12,500)

The 2014/2015 Shire budget was adopted by Council at its 16 July 2014 meeting with a \$15,000 allocation included within account 2642 for Bill Hemsley Park.

In the event that the Committee select a consultant that is within this budget allocation then the Shire Chief Executive Officer has delegated authority to advise the drafting company of their appointment to undertake the drafting of the revised concept plan, for later Committee and Council consideration.

In the event that the Committee select a consultant that exceeds this budget allocation then a recommendation from the Committee seeking that Council consider a budget variation to Account 2642, or alternatively that Council make expenditure from the Trust Account (2803/2834) (\$272,727) for the variation will be required to be presented to Council for its consideration.

The draft Concept Plan once prepared by the consultant will be presented to a future meeting of the Management Committee for discussion, and if the Committee is satisfied (or following modification as directed by the Committee) the plan will be presented to Council, and in the event that Council is satisfied the plan will be sent out to all landowners in the Parkfalls Estate seeking their feedback. The received feedback will then be able to be presented to the Committee and subsequently Council for consideration prior to finally endorsing the concept plan, or further modification of the plan dependant on the Committee and Council direction based on the received submissions.

*Draft Management Committee Recommendation:*

*That the Management Committee recommend that (insert selected consultant name here) undertake the drafting of the Bill Hemsley Park concept plan, thereby enabling the Shire CEO under delegated authority to appoint the recommended consultant as per the 20 August 2014 resolution of Council.*

#### **4.3 Superseded/temporary Lot 266 Brown Lane tank and pump**

Representatives of the developers of the Parkfalls Estate have contacted the Shire to advise that following the Water Corporation's installation of the new scheme water tank and pump on Lot 15 Brown Lane that the temporary pump and tank on Lot 266 Brown Lane is now surplus to requirements and whether there may be some opportunity for them to be utilised in the development of Bill Hemsley Park.





#### **4.4 48 hour flow rate test of 9 (Lot 249) Cargeeg Bend bore**

Following the 20 August 2014 Council meeting the landowner of 9 Cargeeg Bend was written to seeking their consent to undertake a 48 hour flow rate test of the bore upon their property. The landowner advised in writing on 15 October 2014 of their agreeance and the Shire is currently approaching contractors seeking quotes to undertake this test (copy of preliminary draft wording for request for quotes included as **Attachment 2**)

Council resolved at its 20 August 2014 meeting that the 48 hour flow rate test should be funded from the \$15,000 Bill Hemsley Park 2014/2015 budget allocation (Account 2642).

However, in the event that the Committee select a consultant to undertake the draft concept plan that will result in their being insufficient funds to also undertake the 48 hour flow rate test then a recommendation from the Committee seeking that Council consider a budget variation to Account 2642, or alternatively that Council make expenditure from the Trust Account (2803/2834) (\$272,727) will be required to be presented to Council for its consideration.

*Draft Management Committee Recommendation:*

*That the Management Committee recommend to Council that any variation to the \$15,000 budgeted for in the 2014/2015 Shire budget arising from the appointment of a drafting consultant and a contractor to undertake the 48 hour flow rate test be funded through the Bill Hemsley Park Trust Account.*



#### **4.5 Grant timeframes and processes**

Discussion on grant opportunities and what is required for applications to be successful.

#### **5 General Discussion**

**6 Next Meeting** - to be decided at the 7 November 2014 meeting

**7 Close**



## BILL HEMSLEY PARK MANAGEMENT COMMITTEE MEETING

**VENUE:** Shire of Chapman Valley Chambers  
3270 Chapman Valley Road, Nabawa  
**DATE:** Friday 7 November 2014  
**TIME:** 1:10pm - 2:30pm

# UNCONFIRMED MINUTES

### Order of Business

#### **1 Welcome by the Chair – Councillor Trevor Royce**

The Chairman opened the meeting of the Bill Hemsley Park Management Committee at 1:10pm.

#### **2 Record of Attendance**

Committee Members:

Trevor Royce (Chairman & Councillor - Shire of Chapman Valley)  
Veronica Wood (Councillor - Shire of Chapman Valley)  
Tom Davies (Parkfalls Residents Association)  
Ian Maluish (Parkfalls Residents Association)

Observers:

Maurice Battilana (Chief Executive Officer-Shire of Chapman Valley)  
Anthony Abbott (Building Surveyor/Project Officer-Shire of Chapman Valley)  
Nicole Batten (Community Development Officer-Shire of Chapman Valley)  
Simon Lancaster (Minute Taker-Shire of Chapman Valley)

#### **3 Apologies**

Ian Wheatland (Developer)  
Peter Sukiennik (Developer)

*Bill Hemsley Park Management Committee Meeting Unconfirmed Minutes – 7/11/14 - Page 1 of 3*



#### **4 Confirmation of Previous Meeting Minutes – 25 July 2014**

Management Committee Resolution:

*"That the minutes of the previous meeting held on 25 July 2014 be confirmed as a true and accurate record."*

Moved: Ian Maluish

Seconded: Veronica Wood

Voting 4/0

CARRIED

#### **5 Items for discussion**

5.1 20 August 2014 Council meeting resolution

The Committee noted the 20 August 2014 Council meeting resolution.

5.2 Bill Hemsley Park Concept Plan quotes

The received quotes were discussed by the Management Committee.

Management Committee Resolution:

*"That the Management Committee recommend that Urbis undertake the drafting of the Bill Hemsley Park concept plan, thereby enabling the Shire CEO under delegated authority to appoint the recommended consultant as per the 20 August 2014 resolution of Council."*

Moved: Veronica Wood

Seconded: Tom Davies

Voting 4/0

CARRIED

5.3 Superseded/temporary Lot 266 Brown Lane tank and pump

General discussion and agreement that the temporary pump and tank on Lot 266 Brown Lane that is now surplus to Water Corporation requirements would not be suitable for the requirements in the development of Bill Hemsley Park.

5.4 48 hour flow rate test of 9 (Lot 249) Cargeeg Bend bore

Simon Lancaster provided an update on 4 companies contacted to provide a quote to undertake a 48 hour flow rate test of bore and tabled received quote.

General discussion on received fee estimate for 48 hour flow rate test and bore history and capability.



General discussion on contour heights of bore and along bridle path alignment, types of pumps and means of powering them (solar, wind, electricity).

Management Committee Resolution:

*"That the Management Committee:*

- 1 Does not consider that the 48 hour flow rate test is required to be conducted upon 9 (Lot 249) Cargeeg Bend, White Peak;*
- 2 Recommend that a lease agreement be drafted for consideration by the Management Committee and Council prior to being presented to the subject landowner;*
- 3 Recommend that any variation to the \$15,000 budgeted for in the 2014/2015 Shire budget arising from the appointment of a drafting consultant and a solicitor be funded through the Bill Hemsley Park Trust Account."*

Moved: Tom Davies      Seconded: Ian Maluish  
Voting 4/0  
CARRIED

5.5 Grant timeframes and processes

Nicole Batten tabled a summary of grant funding agencies and programs and provided an overview on grant funding opportunities and what is required for applications to be successful.

**6 General Discussion**

No further discussion

**7 Next Meeting**

To be advised upon receipt of draft concept plan and draft lease agreement

**8 Close**

The meeting was declared closed by the Chairman at 2:30pm.

*Meeting adjourned at 10.17am*

*Meeting recommenced at 10.22am with Mrs Raymond and Mrs Williams in attendance.*

# **9.2**

## **Finance**

### **November 2014**

---

## **Contents**

### **9.2 AGENDA ITEMS**

9.2.1 Financial Reports for October 2014

<b>AGENDA ITEM:</b>	<b>9.2.1</b>
<b>SUBJECT:</b>	<b>FINANCIAL REPORTS FOR OCTOBER 2014</b>
<b>PROPONENT:</b>	<b>SHIRE OF CHAPMAN VALLEY</b>
<b>SITE:</b>	<b>SHIRE OF CHAPMAN VALLEY</b>
<b>FILE REFERENCE:</b>	<b>307.04</b>
<b>PREVIOUS REFERENCE:</b>	<b>N/A</b>
<b>DATE:</b>	<b>11 NOVEMBER 2014</b>
<b>AUTHOR:</b>	<b>KRISTY WILLIAMS &amp; DIANNE RAYMOND</b>

#### **DISCLOSURE OF INTEREST**

Nil

#### **BACKGROUND**

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

#### **COMMENT**

Attached to this report are the monthly financial statements for October 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 October 2014 financial statements.

## **STRATEGIC IMPLICATIONS**

Nil

## **VOTING REQUIREMENTS**

Simple Majority

## **COUNCIL RESOLUTION / STAFF RECOMMENDATION**

**MOVED: CR FARRELL**

**SECONDED: CR MALUISH**

That Council receive the financial report for the month of October 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

**Voting 8/0  
CARRIED  
Minute Reference 11/14-8**

*Mrs Raymond and Mrs Williams left Chambers at 10.38am*



**SHIRE OF CHAPMAN VALLEY**

**BANK RECONCILIATION  
As at 31st October 2014**

**SYNERGY**

<u>Balance as per Cash at Bank Account GL 160000</u>	28,669.64
<u>Balance as per Cash at Bank Account GL 170000</u>	2,930,342.44
Plus Income on smt not in system	-
Less Expenditure on smt not in system	-
	<b>\$2,959,012.08</b>


**BANK**

Business Account (Account No 000040)	\$ 16,470.87
Investment Accounts (Account No 305784)	\$ 2,230,095.86
Term Deposit 473702 maturing 24Nov14	\$ 100,246.58
Term Deposit 473710 maturing 25Dec14	\$ 600,000.00
	<u>2,946,813.31</u>
<i>Less Outstanding Payments</i>	-
<i>Plus Outstanding Deposits</i>	12,198.77
<i>Less Receipts Not Posted to GL</i>	
<i>Less Transfer from Muni to Trust</i>	-
	<b>\$ 2,959,012.08</b>

Difference Check 0.00

Date Completed: 31/10/14

Completed by: Moreen Stewart  
Finance Officer 

Reviewed by: Dianne Raymond  
Mgr Finance & Corporate Services 

G:\030 Finance Rates and General Purpose Income\304 Banks & Financial Institutions\304.01 - Bank Reconciliations\Muni Account\2014-2015\04 - Oct 2014 Muni

## List of Accounts Paid - October 2014

Chq/EFT	Date	Name	Amount
<b>MUNICIPAL ACCOUNT</b>			
CHQ 4917	16/10/2014	Petty Cash	-75.35
EFT17269	07/10/2014	Western Australian Treasury Corporation	-1912.70
EFT17270	15/10/2014	Water Corporation	-1754.59
EFT17271	08/10/2014	Apprentice and Traineeship Company - Midwest	-986.95
EFT17272	08/10/2014	Cobra Earthmoving & Construction Machinery (WA) Pty Ltd	-1045.00
EFT17273	08/10/2014	Courier Australia - Toll Ipec	-49.34
EFT17274	08/10/2014	Janet Johnson	-50.00
EFT17275	08/10/2014	LANDGATE	-1235.60
EFT17276	08/10/2014	MAURICE BATTILANA	-413.62
EFT17277	08/10/2014	N.A.C.C.	-28930.00
EFT17278	08/10/2014	Option Refrigeration & Air Conditioning	-398.75
EFT17279	08/10/2014	Pest a Kill WA	-1512.50
EFT17280	08/10/2014	Western Australian Local Government Association.	-610.72
EFT17281	15/10/2014	AMP Flexible Super - AMP Retirement Trust	-191.47
EFT17285	16/10/2014	Sanford Settlements	-80.00
EFT17286	16/10/2014	Aussie Natural Spring Water Geraldton	-152.40
EFT17287	16/10/2014	Australian Super - Westscheme Division	-196.92
EFT17288	16/10/2014	BT Business Super	-4190.54
EFT17289	16/10/2014	Barney's Bobcat	-5280.00
EFT17290	16/10/2014	Colonial Personal Super	-1153.19
EFT17291	16/10/2014	Echelon Australia Pty Ltd - LGIS Risk Management	-3535.40
EFT17292	16/10/2014	Five Star Business Equipment and Communications	-795.17
EFT17293	16/10/2014	Geraldton Fuel	-21455.35
EFT17294	16/10/2014	Hostplus Superannuation	-148.83
EFT17295	16/10/2014	Ian Kelly	-1500.02
EFT17296	16/10/2014	JR & A Hersey Pty Ltd	-3072.67
EFT17297	16/10/2014	Josh Byrne & Associates	-5123.25
EFT17298	16/10/2014	LGSP	-7548.31
EFT17299	16/10/2014	Option Refrigeration & Air Conditioning	-216.70
EFT17300	16/10/2014	Parkfalls Mowing Service	-6500.00
EFT17301	16/10/2014	Patience Sandland Pty Ltd.	-254.10
EFT17302	16/10/2014	Rest Superannuation	-121.75
EFT17303	16/10/2014	STAPLES AUSTRALIA PTY LIMITED	-484.00
EFT17304	16/10/2014	Shire of Chapman Valley - Muni Account	-155.00
EFT17305	16/10/2014	Simon Lancaster	-32.12
EFT17306	16/10/2014	Southside Mechanical Services	-1374.05
EFT17307	16/10/2014	Valley Tavern	-811.50
EFT17308	16/10/2014	Western Resource Recovery Pty Ltd	-708.60
EFT17309	21/10/2014	Australian Taxation Office	-74625.00
EFT17310	22/10/2014	Synergy	-780.50
EFT17311	22/10/2014	Apprentice and Traineeship Company - Midwest	-1062.22
EFT17312	22/10/2014	Archie & Cate Davies Fencing	-150.00
EFT17313	22/10/2014	Cleanpak Total Solutions	-119.33
EFT17314	22/10/2014	Dumbris, Ivor	-500.00
EFT17315	22/10/2014	Geraldton Truck Align	-3176.12
EFT17316	22/10/2014	Lavender Valley Farm	-2406.50
EFT17317	29/10/2014	AMP Flexible Super - AMP Retirement Trust	-191.47
EFT17318	29/10/2014	City of Greater Geraldton	-1980.00
EFT17319	29/10/2014	Telstra	-1926.17
EFT17320	30/10/2014	A.K. Davies & J.R. Hyde	-4200.00
EFT17321	30/10/2014	AFGRI(Waltons)	-6282.64
EFT17322	30/10/2014	ASHDOWN INGRAM (EXEGO PTY LIMITED)	-57.64
EFT17323	30/10/2014	Australia Post	-276.18
EFT17324	30/10/2014	Australian Super - Westscheme Division	-196.92
EFT17325	30/10/2014	BT Business Super	-196.92

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## List of Accounts Paid - October 2014

Chq/EFT	Date	Name	Amount
EFT17326	30/10/2014	Boc Limited	-358.51
EFT17327	30/10/2014	Bridgestone Tyre Centre	-1378.00
EFT17328	30/10/2014	Bunnings Group Limited	-160.77
EFT17329	30/10/2014	CADGROUP Australia Pty Ltd	-14859.90
EFT17330	30/10/2014	CJD Equipment PTY LTD	-209.66
EFT17331	30/10/2014	Colonial Personal Super	-1146.89
EFT17332	30/10/2014	Coates Hire Operations Pty Ltd	-1279.72
EFT17333	30/10/2014	Conplant Pty Limited	-649.46
EFT17334	30/10/2014	Courier Australia - Toll Ipec	-44.79
EFT17335	30/10/2014	Department of Fire and Emergency Services	-768.00
EFT17336	30/10/2014	GJ & JA Hutchinson	-147.00
EFT17337	30/10/2014	Geraldton Ag Services	-1645.93
EFT17338	30/10/2014	Geraldton Mower & Repair Specialists	-284.80
EFT17339	30/10/2014	Geraldton Toyota	-344.21
EFT17340	30/10/2014	Hostplus Superannuation	-138.02
EFT17341	30/10/2014	IT Vision	-2200.00
EFT17342	30/10/2014	K9 Electrical	-101.20
EFT17343	30/10/2014	LANDGATE	-934.05
EFT17344	30/10/2014	LGSP	-7404.48
EFT17345	30/10/2014	Landmark	-140.14
EFT17346	30/10/2014	Leading Edge Computers	-4485.00
EFT17347	30/10/2014	Local Government Insurance Services WA	-60595.37
EFT17348	30/10/2014	McLeods Barristers and Solicitors	-154.00
EFT17349	30/10/2014	Midwest Chemical & Paper	-750.70
EFT17350	30/10/2014	Midwest Fire Protection Service- Deltazone	-129.54
EFT17351	30/10/2014	NEVILL & CO PTY LTD	-833.35
EFT17352	30/10/2014	Nigels Service Centre	-261.16
EFT17353	30/10/2014	OPTEON (Mid West WA) Pty Ltd	-1100.00
EFT17354	30/10/2014	Paper Plus Office National	-229.02
EFT17355	30/10/2014	Purcher International	-4271.60
EFT17356	30/10/2014	Queens Iga	-39.75
EFT17357	30/10/2014	Rest Superannuation	-85.72
EFT17358	30/10/2014	STAPLES AUSTRALIA PTY LIMITED	-217.93
EFT17359	30/10/2014	STEWART, MOREEN SIAN	-98.93
EFT17360	30/10/2014	Shire of Chapman Valley - Muni Account	-155.00
EFT17361	30/10/2014	Statewide Bearings	-15.40
EFT17362	30/10/2014	Stewart & Heaton Clothing Co Pty Ltd.	-953.13
EFT17363	30/10/2014	The West Australian	-207.20
EFT17364	30/10/2014	Totally Work Wear	-161.92
EFT17365	30/10/2014	Westrac Pty Ltd	-8981.97
DD14610.1	06/10/2014	Westpac - Commercial Cards	-151.24
			<b>-320257.53</b>
<b>TRUST ACCOUNT</b>			
CHQ 416	28/10/2014	BOND ADMINISTRATOR	-720.00
CHQ 417	28/10/2014	Co-operative Bulk Handling Ltd	-525.00
EFT17282	16/10/2014	Building Commission	-3471.74
EFT17283	16/10/2014	Building and Construction Industry Training Fund	-5776.45
EFT17284	16/10/2014	Shire of Chapman Valley - Muni Account	-204.11
			<b>-10697.30</b>



Westpac Banking Corporation ABN 33 007 457 141.

Account: WESTPAC MASTERCARD 5163 2531 0083 1327 Maurice Battilana  
Current balance: \$0.00 DR  
Available funds: \$6,000.00 CR

Date	Description	Withdrawals	Deposits
03 Nov 2014	AUTOMATIC PAYMENT		88.20
17 Oct 2014	COMMERCE BUILDING COMM CANNINGTON AUS	60.00	6114320
03 Oct 2014	AUTOMATIC PAYMENT		151.24
29 Sep 2014	SKEETAS RESTAURANT & GERALDTON AUS	28.20	6104620
11 Sep 2014	CALTEX SUNSET GERALDTON AUS	151.24	
01 Sep 2014	AUTOMATIC PAYMENT		345.74
20 Aug 2014	CARD FEE	13.25	
11 Aug 2014	SORRENTO RESTAURANT PERTH AUS	316.50	
08 Aug 2014	TAXI EPAY AUSTRALIA AUS	15.99	
01 Aug 2014	AUTOMATIC PAYMENT		212.61
04 Jul 2014	AUTOMATIC PAYMENT		480.07
26 Jun 2014	SKEETAS RESTAURANT & GERALDTON AUS	42.00	
24 Jun 2014	MINGENEW BAKERY MINGENEW AUS	22.50	
23 Jun 2014	CROWN PROMENADE PERT BURSWOOD AUS	50.83	
23 Jun 2014	CROWN PROMENADE PERT BURSWOOD AUS	97.28	

This page is current as at 11/11/2014 17:55:17 EST. This is not an official statement and is subject to change.



Westpac Banking Corporation ABN 33 007 457 141.

Account: WESTPAC MASTERCARD 5163 2531 0083 4453 Simon Lancaster  
Current balance: \$0.00 DR  
Available funds: \$4,000.00 CR

Date	Description	Withdrawals	Deposits
01 Sep 2014	AUTOMATIC PAYMENT		13.25
20 Aug 2014	CARD FEE	13.25	

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# **9.3**

# **Chief Executive Officer**

# **November 2014**

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## **Contents**

### **9.3 AGENDA ITEMS**

9.3.1 Regional Waste Services

9.3.2 Community Growth Fund - Applications

9.3.3 Swimming Pool Compliance – Building Regulations

<b>AGENDA ITEM:</b>	<b>9.3.1</b>
<b>SUBJECT:</b>	<b>REGIONAL WASTE SERVICES</b>
<b>PROPONENT:</b>	<b>BATAVIA REGIONAL WASTE MANAGEMENT GROUP</b>
<b>SITE:</b>	<b>SHIRES OF CHAPMAN VALLEY, IRWIN, NORTHAMPTON &amp; CITY OF GREATER GERALDTON</b>
<b>FILE REFERENCE:</b>	<b>201.00</b>
<b>PREVIOUS REFERENCE:</b>	<b>MINUTE REFS: 12/13-18; 02/14-27 &amp; 8/14-12</b>
<b>DATE:</b>	<b>19<sup>th</sup> NOVEMBER 2014</b>
<b>AUTHOR:</b>	<b>MAURICE BATTILANA, CHIEF EXECUTIVE OFFICER</b>

#### DISCLOSURE OF INTEREST

Nil

#### BACKGROUND

At the December 2013 OCM Council resolved the following:

*Council:*

*1 Endorses the Regional Investment Plan for the Preparation of Waste Management Facilities Improvement Plan and commences the implementation of the Plan within the Shire of Chapman Valley within the budget constraints of the grant;*

*2 Defers any action to repair or improve waste oil facilities at both the Nabawa and Yuna Refuse Site until the completion of the Waste Management Facilities Improvement Plan;*

*3 As an interim measure discontinue accepting waste oil at the Nabawa and Yuna Refuse Sites until the outcomes of the Waste Management Facilities Improvement Plan are known;*

*4 Defers any action on amending or removing the existing domestic & commercial rubbish collection service to the Yuna Town Site until the completion of the Waste Management Facilities Improvement Plan and the outcomes of this Plan are known.*

*Voting 7/0*

*CARRIED*

*Minute Reference 12/13-18*

At the February 2014 OCM Council resolved the following:

*Council:*

*1 Endorses the proposal of establishing and participating in a Regional Waste Management Service Contract(s) for the mid-west area for delivery of waste management services to the Shire of Chapman Valley;*

*2 Budget accordingly for the use of Waste Management Consultancy services for the establishment of and participation in a Regional Waste Management Service for mid-west local government authorities.*

*Voting 8/0*

*CARRIED*

*Minute Reference 02/14-27*

At the August 2014 OCM Council resolved the following:

*Council:*

*1. Endorses the Nabawa & Yuna Waste Management Facilities Improvement Plan as presented and recommendations within;*

*2. Delegate authority to the Chief Executive Officer to prioritise aspects of the Nabawa & Yuna Waste Management Facilities Improvement Plan for implementation within the existing grant and budget constraints;*

3. *Request the Chief Executive Officer investigate other funding opportunities, including Council own resources, to fully implement the recommendations of the Nabawa & Yuna Waste Management Facilities Improvement Plan;*
4. *Include within the specifications of the proposed Regional Waste Management tender those recommendations identified within the Nabawa & Yuna Waste Management Facilities Improvement Plan relevant to a regional waste management services.*

Voting 5/0  
CARRIED  
Minute Reference 08/14-12

All the above resolutions, and subsequent actions, have now brought Council to the point where the four local government authorities forming the Batavia Regional Council's Waste Management Group (BRCWMG) (i.e. City of Greater Geraldton, and the Shires of Chapman Valley, Irwin & Northampton) finalising specifications and commencing the Request for Quote (RFQ) process from the WALGA Preferred Suppliers List for the provision of waste management services.

Attached is a copy of notes from the recent BRCWMG meeting where the specifications were discussed, developed and finalised to meet both the needs of each individual LGA and the collective group.

#### COMMENT

The issue the BRCWMG has is the staggered expiry dates of the individual contract we all have with our current contractors (all with Veolia) i.e.

LGA	Waste Services Contract Expiry
Shire of Northampton	1 <sup>st</sup> July 2015
City of Greater Geraldton	15 May 2015
Shire of Chapman Valley	1 <sup>st</sup> Feb 2015
Shire of Irwin	rolling contract

The BRCWMG has co-opted the assistance of WALGA Procurement Services to broker an extension of all existing individual LGA contracts with Veolia until at least the 31st August 2015, hopefully under the current contract conditions, to allow a smooth transition from existing to new contractual arrangements.

The basis of setting the new contract date to commence on the 1<sup>st</sup> September 2015 is to allow all existing contracts to terminate and to ensure a level, unbiased situation is created for all contractors listed on the WALGA Preferred Suppliers List to have enough time to gear-up to provide the service to the region. Industry standards suggest this time period can be up to six months or more.

The main purpose of this Agenda Item is to seek delegate authority to the Chief Executive Officer to accept the preferred contractor of the BRCWMG once the RFQ period has expired and evaluation completed, rather than wait until the February 2015 OCM. The timeframe for the RFQ process is as follows:

Task	Date
Open RFQ through WALGA Portal	17 <sup>th</sup> November 2014
Close of RFQ Period	8 <sup>th</sup> December 2014
Complete Evaluation of Submissions	mid/late December 2014
Sign off by all local governments (delegations to CEOs required)	early/mid January 2015
Award of Contract to preferred supplier	mid/late January 2015
Contractor Mobilisation	February – August 2015
Commencement of Contract	1 <sup>st</sup> September 2015

One aspect of the tender specification was to remove the current anomalies we have with the varying charges per lift for the 240lt Mobile Garbage Bin (MGB) service. The current lift charges between the City and Shire of Chapman Valley can differ by \$1.00 per lift on streets/roads which form the boundary between the two local government authorities (i.e. CGG approx. \$1.50/lift

and SoCV approx. \$2.50/lift). To address this anomaly the BRCWMG has agreed to structure the tender specifications to cater for lifts per locality and for pick-ups enroute between these localities. Once these have been established an overall lift rate will be calculated for the LGA.

The estimated lifts per locality in the Shire of Chapman Valley are as follows:

Locality	Estimated No. of lifts/week
White Peak/Buller	152
Waggrakine (Nth & Sth)	42
Nabawa	42
Nanson	23
Yuna	13
En Route	41

As per the Council endorsed *Nabawa & Yuna Waste Management Facilities Improvement Plan* the RFQ specifications have been structured to include the option *including or excluding* the 240ltr MGB service to the Yuna Townsite. If the Shire discontinues the service to Yuna there may also be a few services en route which could also be discontinued. However, the feeling of the BRCWMG and consultants (Talis) was it may be beneficial to retain the Yuna service as it could make the overall service on this route more viable to a contractor than it would be if the site was removed. The intention is to await the evaluation of the RFQ when I can determine the viability of retaining this service. However, at this stage, it looks likely it will be retained. Council may wish to revisit the Yuna service at the time the 2015/2016 Budget is being considered.

Again, as per the Council endorsed *Nabawa & Yuna Waste Management Facilities Improvement Plan* the RFQ specifications have been structured to include the option providing a cost to man the Nabawa Refuse Site on an as needs basis, rather than permanently. The intention here was to periodically have the contractor man the Nabawa Site in the event of a spate of illegal dumping occurs here. It was not intended to man the Yuna Refuse Site at all.

There are many other aspects to the specifications, which are summarised in the attached document for Council information.

## STATUTORY ENVIRONMENT

Using the WALGA Preferred Suppliers List circumvents the need for Council to go through the full tender process, therefore expediting the process and ensuring all statutory requirements are fully complied with.

The fact all the major waste management contractors are on the WALGA Preferred Suppliers List also means we are dealing with all the key organisations capable of providing the service to the individual LGAs and the collective group at (hopefully) the best possible price. Something we would not be guaranteed of if we tendered the process individually, as has occurred in the past.

The Nabawa and Yuna Refuse Sites are scheduled as Prescribed Premises and classified as Category 89 Putrescibles Landfill facilities. Whilst waste transfer activities currently take place on these sites, they do not need to be licensed as transfer stations (Category 62 - Solid Waste Depot) unless the licensing threshold of 500 tonnes per annum of waste received for transfer is exceeded.

As Registrations do not have conditions, the Nabawa and Yuna Refuse Site do not have specific conditions to comply with. As registered municipal landfills they are, however, required to comply with the *Environmental Protection (Rural Landfill) Regulations 2002*, which set out the management requirements for sites in lieu of conditions.

## POLICY IMPLICATIONS

No existing policy affected.

## FINANCIAL IMPLICATIONS

At this stage there are no financial implications. However, it is anticipated the regional concept of providing waste management services may result in cost minimisation.



- **Long Term Financial Plan (LTFP):**

Waste management is an integral part of the Shire's operations and all attempts to minimise costs (e.g. participating in a regional waste management service RFQ) may have positive long term affects on the Shire's LTFP.

**STRATEGIC IMPLICATIONS**

As stated in previous reports on this matter, I maintain it is imperative Council investigates all the options available to improve the waste management activities within the shire, which includes cross-boundary cooperation and collaboration with neighbouring local government authorities.

Though the Batavia Regional Organisation of Council's (BROC) has been disbanded the BRCWMG has continued and all member local governments are working collaboratively to improve waste management in the greater area.

**STRATEGIC IMPLICATIONS**

**Strategic Community Plan/Corporate Business Plan:**

Objective	Strategy	Actions
We need good services to support our development as a Shire	Maintain existing services and facilities	Provide and maintain waste collection services and transfer stations

**VOTING REQUIREMENTS**

Absolute Majority – Local Government Act, 1995, Section 5.42 – Delegation to CEO

**COUNCIL RESOLUTION / STAFF RECOMMENDATION**

**MOVED: CR WOOD**

**SECONDED: CR HUMPHREY**

Council:

1. Delegate authority to the Chief Executive Officer to determine and appoint the most suited contractor for the supply of waste management services to the Shire of Chapman Valley after evaluation of submissions from the Western Australian Local Government Authority (WALGA) Request for Quote process and in collaboration with the Batavia Regional Council's Waste Management Group (BRCWMG).
2. Allocate funds accordingly in the 2015/2016 Budget to accommodate the appointed contractor for the supply of waste management services to the Shire of Chapman Valley.
3. Delegate authority to the Chief Executive Officer, in collaboration with WALGA and the BRCWMG, an extension of the existing contract Council has with Veolia (expiring in February 2015) for the supply of waste management services to the Shire of Chapman Valley.

In the event the extended contract with the existing supplier exceeds the 2014/2015 Budget this specific delegation (i.e. item 3 only) is not to be exercised by Chief Executive Officer and this specific item is to be brought back to Council for consideration of a 2014/2015 budget variation.

**Voting 8/0  
CARRIED  
Minute Reference 11/14-9**



## REGIONAL WASTE COLLECTION CONTRACT

### Term Sheet Workshop

#### Key Decisions

Date and Time: Monday 20 October 2014 9:00am

Location: City of Greater Geraldton Offices

#### *Information to be provided by Councils*

- Details of settlements/localities to be used for the Price Schedule:
  - Name;
  - Location;
  - Number of services;
- Contact Person(s) for site visits;
- Opening hours for facilities and details of daily duties required; and
- Insurance requirements.

#### *Discussion Points*

##### Services

- All Councils require special event services
- All Councils require special services for disabled or elderly residents
  - Services not to be advertised
- All Councils require call centre
- Contractor to report if two bins are presented by resident
- Camera required in hopper of collection vehicles
- Missed and late bins to be reported by Contractor to the Principal
- Education
  - Change of services notification to be newspaper advertisements approved by the Principal
  - Annual brochure with Rate Notices as approved by the Principal
  - WALGA Local Laws
- Vehicle Specifications:
  - No Council Logos required
  - Contractors phone number required
  - Details of vehicles to be provided in the RFQ response

- Fleet to be approved by the Principal
- Condition of hook lift and front lift bins to be as approved by Principal

#### **Commercial Services**

- City of Greater Geraldton Commercial Services:
  - 240Ls owned by Commercial Property Owner
  - Approximately \$250 per bin per year (one lift per week)
  - No maximum number of bins
  - Can go to Contractor direct
- Shire of Northampton Commercial Services:
  - 240Ls Council provided
  - Front lift Contractor services
- Shire of Chapman Valley Commercial Services:
  - 240Ls Council provided
  - Front lift Contractor services
- Shire of Irwin Commercial Services:
  - All provided by Council

#### **Facilities**

- Wet hire of plant and equipment at:
  - Mullewa,
  - Dee Street,
  - Nabawa,
  - Yuna,
  - Northampton,
  - Kalbarri,
  - Port Gregory and
  - Binnu
- Shire of Irwin – Dee Street to be manned (1 or 2 persons) including fire suppression/services as required
- Shire of Chapman Valley – Nabawa manning as required
- Shire of Northampton - Northampton, Kalbarri, Port Gregory and Binnu as required
- City of Geraldton – Mullewa as required
- Collection of tyres to be added to specification and price schedules for all sites
- Removal of fencing wire from Shire of Chapman Valley – removal and/or transport to Meru
- Shire of Irwin – transfer station signage to comply with minimum standards
- City of Greater Geraldton – Mullewa
  - Transfer of waste only – using side tipping vehicles
  - Meru is separate to this process
  - Obtain price for contractor to operate Mullewa

#### **Collection Areas**

- Collection days can be altered to cross boundaries to reduce costs

- Contractor to advertise changes
- Shire of Chapman Valley – price Yuna separately
- All – remote communities to be a variation to the Contract

#### **KPIs**

- Missed Services – outside of Geraldton return to collection within 48 hours
- Accuracy of accounts and timeliness of accounts
  - Result in performance notice
- Late Invoice – reduction in payment
- Invoices to be issued monthly in the second week of the following month
- Plant and equipment to be added as KPI
- OHS to be added as KPI – number of incidents

#### **Rise and Fall**

- Use Talis suggested formula

#### **RFQ**

- Implementation timeline required as part of the RFQ process
- Transition of new Contracts in late August 2015 – penalties for not achieving timelines and goals
- Separable portions – evaluate individually and collectively
- Price schedule to individually list settlements/localities – to be provided by Councils
- Non-mandatory briefing to be held in Perth
- Tenderers can organise site visits for facilities
- No questions in the last week of RFQ
- Talis to be technical inquiries contact
- WALGA to be contractual inquiries contact – need to confirm with WALGA
- Vehicles:
  - Logo not required
  - Contact number is required
- Contractor to maintain local representative to manage Contracts
- Contract for site visits:
  - Supply enough information for the RFQ
  - Locality plans
  - Aerial plans
  - Contact persons for tours if required

#### **Evaluation**

- Each Council has member on Evaluation Panel
- Talis has one member on the Evaluation Panel
- Reduce the key personnel weighting

#### **Other**

- Office to be maintained in Geraldton with Contractor Representative located there
- Bins damaged by Contractor to be replaced at Contractor's cost
- Veolia may own the bins in Shire of Chapman Valley
- Veolia owns bins in Mullewa (City of Greater Geraldton)
- Shire of Chapman Valley:
  - Yuna – price with Yuna included and price with Yuna excluded

<b>AGENDA ITEM:</b>	<b>9.3.2</b>
<b>SUBJECT:</b>	<b>COMMUNITY GROWTH FUND - APPLICATIONS</b>
<b>PROPONENT:</b>	<b>VARIOUS APPLICANTS</b>
<b>SITE:</b>	<b>SHIRE OF CHAPMAN VALLEY</b>
<b>FILE REFERENCE:</b>	<b>403.10</b>
<b>PREVIOUS REFERENCE:</b>	<b>NOT APPLICABLE</b>
<b>DATE:</b>	<b>19<sup>th</sup> NOVEMBER 2014</b>
<b>AUTHOR:</b>	<b>MAURICE BATTILANA, CHIEF EXECUTIVE OFFICER</b>

**DISCLOSURE OF INTEREST**

Nil

**BACKGROUND**

Council included in the 2014/2015 Budget an amount of \$30,000 for a Community Growth Fund (CGF) with the purpose of the fund being as follows:

The CGF Operational Procedures are provided at Attachment 1 for Council information.

**COMMENT**

The Shire of Chapman Valley Community Growth Fund Committee comprises of the following Council appointed representatives, met on the 10<sup>th</sup> November to consider applications received for the inaugural round of the CGF:

- Cr Anthony Farrell
- Cr Peter Humphrey
- Chief Executive Officer
- Manager Finance & Corporate Services
- Community Development Officer
- Executive Assistant (Minute Taker)

The purpose of the Committee is as follows:

*“Evaluate applications received for funding under the Shire of Chapman Valley Community Growth Fund program in accordance with Guidelines, policies and procedures set by Council and make recommendations to Council to allocate funds.”*

A copy of the Unconfirmed Minutes of the CGF Committee is provided at Attachment 2.

Applications received for the inaugural round of the CGF included:

Project Name	Applicant	CGF \$ Request	Total Project \$	Project Timeline	Project Summary	Project Partners
Chapman Valley Community Hub – Needs Analysis	Chapman Valley Community Newspaper	\$4,290	\$4,940	19 Jan 2015 – 22 April 2015	Preparation of needs analysis for a Chapman Valley Community Online Hub. Establish the interest of developing a community website; deliver a report and list of requirements including ownership and training.	Chapman Valley communities Local organisations Local businesses Potential sponsors Shire of Chapman Valley Web Designer

The Windmill Project	Yuna Country Women's Association	\$1,000	\$3,055	Feb – April 2015	Engage professional artist to teach skills to women through painting windmill blades, which will be exhibited at the official opening of the Yuna Community Centre.	Creating A Better Yuna Local Chapman Valley Women Professional Artist
Community Promotion Package for Chapman Valley Agricultural Show	Chapman Valley Agricultural Society	\$2,790	\$3,515	1 <sup>st</sup> Feb – 31 <sup>st</sup> March 2015	Create a brand through a promotional package including a graphic designed logo and letter head, as well as website for	Blaze Digital Art Gecko Graphic Design Sponsors
Community Christmas Party	Chapman Valley P & C	\$400	\$650	20 <sup>th</sup> December 2014	Community Christmas Tree for the Nabawa community to include a bouncy castle funded by the Shire. P&C provide sausage sizzle and lollies. Parents provide presents.	Chapman Valley Primary School

The Recommendations of the CGF Committee are shown in the

#### **STATUTORY ENVIRONMENT**

Not relevant

#### **POLICY IMPLICATIONS**

Council has approved the CGF Operational Procedures, and was the basis upon which the Committee evaluated the applications received.

#### **FINANCIAL IMPLICATIONS**

Council has allocated \$30,000 towards the CGF in the 2014/2015 Budget. The CGF Committee recommendation come within this Budget amount, therefore there will be no effect on the 2014/2015 financial position.

The intention of the annual allocation of CGF in the Budget is that any residual amount unallocated at 30<sup>th</sup> June each year will not be carried over into the new financial year (i.e. will not accumulate). All unallocated CGF budgeted amounts at the 30<sup>th</sup> June each year will form part of Council's end of financial year position and consideration will be made by Council in the new Budget on what is to be allocated in the forthcoming year to the CGF.

- **Long Term Financial Plan (LTFP):**

No affect envisaged on Council's LTFP

## STRATEGIC IMPLICATIONS

Supporting Community organisations and individuals in accordance with the CGF Operational Procedures is designed to develop and assist the Chapman Valley community. It is also designed to remove the ongoing, periodical requests for funding assistance requests made to Council.

This is the first round of the CGF and it will take some time for the community to understand the new process. The Community Development Officer has had regular dialogue with the individual groups and individuals within the community to explain the new CGF Operational Procedures and will continue to do this.

- **Strategic Community Plan/Corporate Business Plan:**

Objective	Strategy	Outcome
We want inclusive communities	Develop community facilities to provide gathering places, including community centre, swimming pools	Stronger, inclusive communities across the Shire

## VOTING REQUIREMENTS

Simple Majority

## COUNCIL RESOLUTION / COMMITTEE RECOMMENDATION

**MOVED: CR FARRELL**

**SECONDED: CR HUMPHREY**

Council endorses the Community Growth Fund Committee's recommendations as follows:

### Recommendation 1

The following applications and associated conditions are recommended to Council for funding allocation under the Shire of Chapman valley's Community Growth Funds for 2014/2015:

Project 1 – The Windmill Project – Grant Amount \$1,000

- Recommend the project depicts the culture and heritage aspects of Chapman Valley.

Project 2 – Chapman Valley Community Hub – Grant Amount \$4,290

- Subject to establishment of Steering Group to help guide the Needs Analysis to include the Shire's Community Development Officer.
- Encourage group to have a representative from the CV Ag Society sit on the Steering Group.
- Critical requirement is have a report back to Council of outcomes.
- A log of hours and activities report to accompany acquittal.
- A Progress Report to CEO mid-way through project will release 50% of the project funding.

Project 3 – Community Promotion Package for CV Ag Show – Grant Amount \$1,110

- Support the graphic design and branding logo's only at this stage; however, decline support of the establishment of the CV Ag Society website development until the outcomes of the *needs analysis* of the CV Community Hub Concept are available. Committee would prefer to have the requirements and functionality of the CV Hub prior to the creation of another website. The two would strengthen each by working together.



- Suggest a Chapman Valley Agricultural Society representative participate on the Steering Group for the Chapman Valley Community Hub.

Project 4 – Chapman Valley P&C Christmas tree Bouncy Castle – Grant Amount \$400

- Acceptance of this application without the completion of the CGF Application form will be accepted on this occasion only. All future applications for funding must follow the requirements of the Community Growth Fund Operational Procedures, otherwise the application will not be considered.

**Voting 8/0  
CARRIED  
Minute Reference 11/14-10**

#### **COUNCIL RESOLUTION / COMMITTEE RECOMMENDATION**

**MOVED: CR FARRELL**

**SECONDED: CR HUMPHREY**

##### Recommendation 2

It is recommended Council amends the Community Growth Fund Operational Procedures as follows:

Clause 9 – Grant Conditions – remove words “..and 1<sup>st</sup> March...” to limit the number of Rounds for Community Growth Fund to one per annum.

**Voting 8/0  
CARRIED  
Minute Reference 11/14-11**



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# UNCONFIRMED MINUTES

**COMMUNITY GROWTH FUND COMMITTEE  
MONDAY 10<sup>TH</sup> NOVEMBER 2014  
COUNCIL CHAMBERS NABAWA  
2.02PM**

The Community Growth Fund Committee is comprised of:-

**Cr Anthony Farrell  
Cr Peter Humphrey  
Cr Veronica Wood (Proxy)**

**Chief Executive Officer  
Manager Finance & Corporate Services  
Community Development Officer  
Executive Assistant (Minute Taker)**

## DISCLAIMER



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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', is written over a large, light-colored circular scribble.

Maurice Battilana  
**CHIEF EXECUTIVE OFFICER**



**UNCONFIRMED MINUTES FOR COMMUNITY GROWTH FUND COMMITTEE MEETING HELD  
IN THE COUNCIL CHAMBERS NABAWA ON MONDAY 10<sup>TH</sup> NOVEMBER 2014  
COMMENCING AT 2.02PM**

**1.0 Election of Presiding and Deputy Presiding Member (if required)**

Mr Battilana opened the meeting at 2.02pm and called for the Election of Presiding Member and Deputy Presiding Member of Shire of Chapman Valley Community Growth Fund Committee (S5.12 Local Government Act).

Cr Farrell Nominated Cr Humphrey as Presiding Member. There being no further nominations Cr Humphrey accepted the nomination and was declared Presiding Member and took the Chair.

Cr Humphrey called for nominated for Deputy Presiding Member.

Cr Humphrey nominated Cr Farrell as Deputy Presiding Member. There being no further nominations, Cr Farrell accepted the nomination and was declared Deputy Presiding Member.

**2.0 Declaration of Opening / Announcements of Visitors**

The Presiding Member, Cr Humphrey welcomed Councillors and staff.

**3.0 Record of Attendance / Apologies / Leave of Absence**

3.1 Present:

Cr Peter Humphrey	
Cr Anthony Farrell	
Mr Maurice Battilana	Chief Executive Officer
Mrs Dianne Raymond	Manager of Finance & Corporate Services
Mrs Nicole Batten	Community Development Officer (Minute Taker)

3.2 Apologies: Nil

**4.0 Petitions / Deputations / Presentations**

None presented or in attendance

**5.0 Confirmation of Minutes from Previous meetings**

(Not applicable for this meeting as this is the inaugural meeting of the Committee)

## 6.0 Agenda Items

### 6.1 Consideration of Applications Received and Recommendations to Council

The following applications were received:

Project Name	Applicant	CGF \$ Request	Total Project \$	Project Timeline	Project Summary	Project Partners
Chapman Valley Community Hub – Needs Analysis	Chapman Valley Community Newspaper	\$4,290	\$4,940	19 Jan 2015 – 22 April 2015	Preparation of needs analysis for a Chapman Valley Community Online Hub. Establish the interest of developing a community website, deliver a report and list of requirements including ownership and training.	Chapman Valley communities Local organisations Local businesses Potential sponsors Shire of Chapman Valley Web Designer
The Windmill Project	Yuna Country Women's Association	\$1,000	\$3,055	Feb – April 2015	Engage professional artist to teach skills to women through painting windmill blades, which will be exhibited at the official opening of the Yuna Community Centre.	Creating A Better Yuna Local Chapman Valley Women Professional Artist
Community Promotion Package for Chapman Valley Agricultural Show	Chapman Valley Agricultural Society	\$2,790	\$3,515	1 <sup>st</sup> Feb – 31 <sup>st</sup> March 2015	Create a brand through a promotional package including a graphic designed logo and letter head, as well as website for	Blaze Digital Art Gecko Graphic Design Sponsors
Community Christmas Party	Chapman Valley P & C	\$400	\$650	20 <sup>th</sup> December 2015	Community Christmas Tree for the Nabawa community to include a bouncy castle funded by the Shire. P&C provide sausage sizzle and lollies. Parents provide presents.	Chapman Valley Primary School

#### COMMITTEE DECISION

##### MOVED CR FARRELL

##### SECONDED CR HUMPHREY

The following applications and associated conditions are recommended to Council for funding allocation under the Shire of Chapman valley's Community Growth Funds for 2014/2015:

##### Project 1 – The Windmill Project – Grant Amount \$1,000

- Recommend the project depicts the culture and heritage aspects of Chapman Valley.

##### Project 2 – Chapman Valley Community Hub – Grant Amount \$4,290

- Subject to establishment of Steering Group to help guide the Needs Analysis to include the

- Shire's Community Development Officer.
- Encourage group to have a representative from the CV Ag Society sit on the Steering Group.
  - Critical requirement is have a report back to Council of outcomes.
  - A log of hours and activities report to accompany acquittal.
  - A Progress Report to CEO mid way through project will release 50% of the project funding.

**Project 3 – Community Promotion Package for CV Ag Show – Grant Amount \$1,110**

- Support the graphic design and branding logo's only at this stage; however, decline support of the establishment of the CV Ag Society website development until the outcomes of the *needs analysis* of the CV Community Hub Concept are available. Committee would prefer to have the requirements and functionality of the CV Hub prior to the creation of another website. The two would strengthen each by working together.
- Suggest a Chapman Valley Agricultural Society representative participate on the Steering Group for the Chapman Valley Community Hub.

**Project 4 – Chapman Valley P&C Christmas tree Bouncy Castle – Grant Amount \$400**

- Acceptance of this application without the completion of the CGF Application form will be accepted on this occasion only. All future applications for funding must follow the requirements of the Community Growth Fund Operational Procedures, otherwise the application will not be considered.

**CARRIED**  
**Voting 5/0**  
**Minute Ref: CGF 11/14-01**

**7.0 General Business**

**7.1 Community Growth Fund Operational Procedures**

The Committee discussed the practicality of the Community Growth Fund Operational Procedures and the feeling was there needs to be some minor adjustments to the Application Form to make it clearer to the applicant what is required. The CEO will look into the necessary adjustments for the next Round.

Discussion took place on the current condition of having two CGF Rounds per annum, as stipulated in the existing Community Growth Fund Operational Procedures. It was considered the 2<sup>nd</sup> Round timing was not practical (i.e. 1<sup>st</sup> March) as this would make it very difficult for projects to be completed by 30<sup>th</sup> June each year.

**COMMITTEE DECISION**

**MOVED CR HUMPHREY**

**SECONDED CR FARRELL**

It is recommended Council amends the Community Growth Fund Operational Procedures as follows:

Clause 9 – Grant Conditions – remove words “..and 1<sup>st</sup> March...” to limit the number of Rounds for Community Growth Fund to one per annum.

**CARRIED**  
**Voting 5/0**  
**Minute Ref: CGF 11/14-02**

## **8.0 Closure**

The chairman thanked the Committee members and staff for their attendance and declared the meeting closed at 3.45pm.



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**COMMUNITY GROWTH FUND  
OPERATIONAL PROCEDURES**



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## **INTRODUCTION**

The Shire of Chapman Valley allocates an annual budget amount to form the Community Growth Fund (CGF). The fund provides the Shire of Chapman Valley the opportunity to support and assist services, activities and programs throughout the Shire.

The intention of the CGF is for funds to be fully allocated within each financial year and there will not be any accrual of unallocated funds beyond the 30<sup>th</sup> June each year.

In the event there are residual unallocated funds at the 30<sup>th</sup> June each year these funds will form part of the Shire's End of Financial position and a new amount placed into the Draft Budget for Council consideration for the forthcoming financial year.

## **AIM**

The Shire of Chapman Valley Community Growth Fund is to provide funds to not for profit community based organisations, event organisers and individuals to support the promotion and development of social, economic, recreational, art and cultural projects for the benefit of residents of the Shire of Chapman Valley.

## **1. OBJECTIVES**

The Objectives of the Chapman Valley Community Growth Funds are to:

- Assist the efficiency of operations of community groups by improving organisational development, asset purchases, marketing and management.
- Encourage partnerships fostering cooperative planning between groups to maximise effective use of resources
- Increase the range of and access to quality events, activities, services and groups within the Shire of Chapman Valley.
- Support community development initiatives and socially responsible community approaches.
- Encourage the community to actively promote Chapman Valley's positive attributes.
- Encourage the development of excellence and leadership in recreational, sporting, economic, tourist, environmental, skill/capacity building and cultural pursuits.

One of the most effective means of promoting community development is through the use of volunteers and non-government organisations. The Shire of Chapman Valley acknowledges and supports the contribution that community members make of their time, labour and expertise toward improving our community's quality of living.

## **2. RESPONSIBILITY**

The responsibility for the selection and approval of successful grant applications rests with the Chapman Valley Shire Council who will meet to determine funding allocations. Shire staff plays an important role liaising with CGF applicants to ensure submissions meet criteria described in this guide, and to manage the payment of grants.

## **3. CRITERIA**

- Arts, culture & entertainment
- Disability Services
- Youth & family services

- Seniors
- Event management & sponsorship
- Natural environment & cultural heritage
- Tourism & promotion
- Sport and recreation
- Health
- Crime prevention & community safety
- Monuments & projects to commemorate
- Events or people
- Upgrading community facilities
- Skill & capacity building

#### 4. ESSENTIAL ELIGIBILITY CRITERIA

**In order to be eligible for funding an organisation must:**

- Council shall consider requests for donations on their individual merit however, generally will decline appeals for applications:
  - ~ of a State or National nature, or
  - ~ if they are not concerned or connected with the Chapman Valley area.
- Be a non-profit organisation and, depending on amount of grant requested, be able to supply audited accounts and annual reports
- Demonstrate a substantial degree of community support and representation
- Undertake to give due recognition to the Shire of Chapman Valley for its contribution to their activities
- Reflect the objectives and strategy of the larger association (Local, Regional, State or National). E.g. Tennis West ...and Shire of Chapman Valley Strategic Community Plan <http://www.chapmanvalley.wa.gov.au>
- Agree to complete a specified evaluation report. *Failure to do so may render the applicant ineligible for future funding.*
  - 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.
- 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.

**In order to be eligible for funding an individual must:**

- Achieve or demonstrate recognition in their field of endeavour at a State, National or International level. Recognition at a regional level may be considered in special circumstances
- Demonstrate a substantial degree of community support
- Provide a letter of support from the Association or Organisation relevant to their field of endeavour
- Provide the names and contact details of two referees
- Undertake to give due recognition to the Shire of Chapman Valley for its contribution to their activities
- Agree to complete a specified evaluation report. *Failure to do so may render the person ineligible for future funding.*
- Funding application requests for individuals will only be to a maximum of \$1000.00

#### 5. **APPLICATIONS**

Applications will only be considered if they are submitted on the CGF Application Form and completed in full. Projects are expected to be conducted within the Shire of Chapman Valley with possible exception of funding to outstanding individuals. Check the Application Form to see if you are required to provide additional information such as:

- Membership information
- Funding profile and non-profit status
- Clear description of your project's broad community benefits
- Marketing intentions and acknowledgment of Shire of Chapman Valley contribution
- Project budget including details of matching funding

#### 6. **FUNDING REQUIREMENTS**

##### A. **MINOR GRANTS - Requests under \$2000**

Typically used for small purchases. Written applications must clearly state:

- amount requested;
- grant purpose;

Other documents we require are:

- Financial statement for the most recently completed financial year
- The most recent annual report or an equivalent document, such as the President's report, outlining activities of the organisation
- Two (2) quotations for all items

##### B. **GENERAL GRANTS and EVENT SPONSORSHIP– Over \$2,000**

Grant requests over \$2,000 will suit community-based organisations seeking management funding (to assist with the running of your organization – including wages & honorariums) or project funding (to help your organization plan and conduct activities).

Some applications for grants in excess of \$10,000 may be deemed inappropriate under the Community Growth Fund guidelines and redirected to other funding avenues, such

as the Ministry of Sport and Recreation 'Community Sporting and Recreation Facilities Fund' (CSRFF), or Lotterywest. Please discuss grant applications for major capital works (e.g. clubroom renovations/upgrades, new facilities) with the Community Services Manager.

Your event need not be considered a major cultural or sporting activity to qualify for funding. For example, you may plan to coordinate a conference or forum aimed at a specific audience or addressing a particular issue. Because your event is likely to attract visitors to the district, and help your organization build networks and broaden its knowledge base, it is likely to be considered as worthy of funding assistance.

Sponsorship can also be provided in the form of wages for an event co-ordinator or honorarium.

Please discuss your event plans with the Community Development Officer.

#### C. WHAT WON'T BE FUNDED

- Private and commercial business' and organisations
- Applications which are not completed on the CGF form.
- General **ongoing** operational costs of organisations such as, wages, salaries, rent, utilities, etc.
- Political organisations or events.
- Projects or facilities which have none or limited public access.
- Projects or activities which are considered to be hazardous.
- Organisations who have failed to comply with the acquittal process or guidelines for previous grants.

#### 7. ASSESSMENT AND APPROVAL PROCESS

##### ACKNOWLEDGMENT OF APPLICATIONS

Applications for grants received by the Shire of Chapman Valley on or before the closing date will be registered and an acknowledgment of their receipt sent to applicants.

##### ASSESSMENT PROCESS

The Community Growth Fund Committee members will have access to a full copy of all valid applications.

##### ASSESSMENT CRITERIA

Eligible organisations and individuals will be ranked and prioritised by examining each of the following:

- Ability to achieve tangible and/or measurable outcomes for the benefit of the Shire of Chapman Valley community;
- Effort for cooperative and partnership arrangements with others;
- Relevance to the current issues and status of the community;
- Evidence of consultations with relevant others in and out of Chapman Valley;
- Levels of volunteer participation and wider community participation;

- Funding history and profile, and capacity to make a significant financial or in-kind contribution to the project;
- Other state/ federal funding available to the applicant;
- Alignment and/or linkages with Local, Regional, State or National Strategic Plans or Objectives of associated organisations.

#### NOTIFICATION OF OUTCOME

All applicants will be notified in writing of the success or otherwise of their application, as soon as Council has finalised its funding commitment. Commencement of the project or expenditure of expected funds must not take place until this notification is received in writing.

#### PUBLICITY

The Shire of Chapman Valley may use your event, project or activity for publicity purposes and if so will ask for promotional material to be used.

#### FREEDOM OF INFORMATION

Applications for funds and other written information provided to Council will be treated confidentially. However, the provisions of the *Freedom of information Act, 1982*, apply to all documents held by the Shire of Chapman Valley.

#### 8. DISBURSEMENT OF GRANTS

Where Council considers the information provided by the applicant in accordance with the these guidelines 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.

#### 9. GRANT CONDITIONS

##### PERIOD OF FUNDING

Community Growth Fund grants become available from 1 September and 1<sup>st</sup> March and must be expended by 30 June following, unless agreed otherwise at the outset **OR** a written request for an extension and carry-over of funds is made to, and approved by, the Chapman Valley Shire Council. Advertisements will be called in August and February of each year.

##### PURPOSE OF GRANT

Funds are allocated only for the purpose of the project as described in the application and must not be used for any other purpose or transferred or assigned to any other party without the prior approval of the Council.

#### UNSPENT FUNDS

Funds which are unspent at the conclusion of the funding period must be returned to Council within 60 days of the completion of the project, activity or event, or the end of the financial year, whichever occurs first. If you anticipate a surplus of funds and have plans for its expenditure you are advised to seek Council approval, bearing in mind the expectation that any secondary project will also have broad benefits to the community.

#### ABN/GST REGISTERED

Incorporated applicants must have an ABN. GST registration is not essential; however the Shire is obliged to meet all relevant GST legislative requirements. Please ensure your budget indicates whether GST is included.

#### 10. EVALUATION AND ACQUITTAL

Groups, organisations or individuals receiving grants from the Community Growth Fund must submit to Council acquittal and evaluation of the outcomes of the grant provided by Council within 30 days of either the conclusion of the project or activity, or the end of the financial year, whichever falls first.

Information to be provided will include:

#### FINANCIAL REPORT

- A statement of actual and budgeted expenditure in relation to the grant. For grants of \$10,000 and over, this statement must be audited.
- Copies of supporting documentation such as of receipts, invoices, accounts and financial statements

#### GRANT EVALUATION

Recipients of the grant will be asked to assess their performance according to the following indicators:

- Be a non-profit organisation and, depending on amount of grant requested, be able to supply audited accounts and annual reports.
- The level of public awareness of their activity or project.
- Public presentations (number held/attendance levels).
- Amount/type of media coverage generated.
- Involvement of volunteers.
- Demonstrate a substantial degree of community support and representation.
- Reflect the objectives and strategy of the larger association (Local, Regional, State or National).
- Agree to complete a specified evaluation report. *Failure to do so may render the applicant ineligible for future funding.*
- Maximum Government (State and Federal) funding has been obtained.
- Undertake to give due recognition to the Shire of Chapman Valley for its contribution to their activities
- To be used for projects upon land under the care, or control, of Council; unless it otherwise determines
- Demonstrated that Council funding is necessary to the success of the project

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Tangible evidence to support performance indicators may be submitted such as photos, press clippings, copies of fliers, newsletters, documents produced etc.

**Failure to satisfactorily complete performance evaluation and acquittals may disqualify recipients from further grants from the Community Growth Fund.**





## APPLICATION FORM – COMMUNITY GROWTH FUND

### Contact Details

Name of Organisation: Yuna CWA Branch

Contact Person: Brenda Williamson

Contact number/s: 99311002

Address: YUNA

Postal Address: 17 McGauran Road Yuna WA 6532

Website: N/A

Email: mbwillo@bordernet.com.au

### Organisation Business Details

### Please select

Is your organisation an incorporated body? <i>If yes please attach proof</i>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If no, have you attached a letter from a sponsoring committee?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Are you registered for GST?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Do you have "Public Liability Insurance" <i>If yes, please attach a copy of "Certificate of Currency"</i>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Have you applied for funding from the Shire for this project previously? <i>If yes, in what year was the application made? Please attach information</i>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Is the project dependant on Shire funding to proceed?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Has the Shire previously assisted your organisation? <i>If yes, please attach information</i>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Have you applied or are you intending to apply for other funding sources for this project? <i>If yes, please provide details under "Project Summary"</i>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

## Banking Details

ABN: 7508 722 7582  
Name of Account: Yuna CWA Branch  
Name of Bank: Commonwealth Bank  
BSB: 066 512  
Account Number: 10017547  
Branch Name: Geraldton  
Account Holders Signature: Bronwyn Earl, Brenda Williamson

Please provide a brief description of your organisation:

The Yuna CWA Branch is a part of the Country Women's Association of WA. The branch encompasses ladies of various ages and interests who have an interest in maintaining and working together to make our community a better place to live. We currently have 24 members in our branch. CWA of WA is an Incorporated body that the Yuna Branch falls under.

## Project Summary

Project Title: The Windmill Project  
Proposed Start Date: February 2015  
Proposed Finish Date: April 2015  
*(must be prior to 30<sup>th</sup> June)*  
Location/Venue: Yuna CWA Hall

Please provide a brief description of the project that you require funding assistance for and its objectives (attach extra sheet if you need more space):

The project is an arts based project that involves the painting of old windmill blades. The Branch has been able to get hold of old blades and it is hoped that through the project members will be able to paint their own blade and then exhibit their work at the opening of the Yuna Community Centre as an exhibition and/or the Chapman Valley show, which will broaden the audience beyond local residents. A project similar was held in Mullewa through the Mullewa Arts group and was a huge success. The project is a great way to bring together ladies in a safe and fun environment and provide positive outcomes for all participants. The opportunity to socialise and learn new skills would greatly benefit ladies living in Yuna and the surrounding areas. Many of our members live and work in remote areas and we have to travel for all services and social events. This can lead to a feeling of isolation. The opportunity to learn new skills and have workshops brought to our town will benefit our members and community. We currently do not have an arts development group in our area and the project would promote the arts and wellbeing. It would also provide opportunities for friendship and fellowship- important attributes needed in rural

areas. Workshops would be held to complete the project with a visiting artist from Mullewa to assist with the project. The project will provide new skills for all participants as well as build the capacity of individuals to contribute to their community, through the exhibition of their work.

1. Community Growth Fund Grants must be eligible projects as identified in the Shire of Chapman Valley *Community Growth Fund Operational Procedures* (copy attached). Please identify eligibility criteria(s) relevant to your application below.

The Yuna CWA branch is a non-profit organisation and is one of the main groups for women in the Chapman Valley area. The project would assist in the development of social, artistic and cultural development for members of our branch. An offer would be made firstly to our members (25) to partake in the project and then to other ladies in the surrounding areas such as Nabawa. This project would develop networks between our members and other ladies in our Shire. Our branch would also develop links with the local newspaper, The Valley Vibes to provide information about the project to a wider community.

CWA connects women of all ages within our community and such a project will support and promote the objectives of 'togetherness' and positive health outcomes. It will bring together ladies of all ages, promoting interaction between senior members of the community.

The project will celebrate and promote the farming and cultural heritage of the Yuna and Chapman Valley area by recycling an iconic piece of Australian outback heritage.

2. Please describe how the outcomes of the project will be measured.

It would be difficult to measure the proposed benefits of art skill, networking and positive mental health of participants but it is hoped that the participants would gain intrinsic and positive outcomes while participating in the project. It is hoped that over 20 ladies would participate. An exhibition of the final products at the opening of the Yuna Community Centre and/or the art pieces displayed at the Chapman Valley Show would demonstrate the many hidden talents of ladies in our Shire.

3. Has your organisation secured or made attempts to secure financial assistance from other sources such as fundraising, other grants, commercial sponsorship etc. for this project? Please outline below and include details in the budget.

This project would be funded by the Community Growth Fund and the Yuna CWA Branch

itself. The Branch has held a number of fundraising events to help support initiatives by its members. The Branch would contribute both 'In Kind' and financially towards the project.

## Acknowledgement

Recipients of a Community Growth Fund Grant must recognise the Shire of Chapman Valley sponsorship in any advertising, promotion and media publicity related to its grant funding (e.g. newspaper article, flyers, invites, verbal recognition). How will your organisation acknowledge the Shire of Chapman Valley funding?

Acknowledgement of funding for the Chapman Valley Shire would be in any advertising material via email, school newsletters and the Valley Vibes Community Newspaper. A report and write up would also be sent to CWA of WA to be placed in to the "Country Woman" Magazine that is sent to all CWA members across the state.

It is planned to hold an exhibition of the 'Windmill' art at the opening of the Yuna Community Centre. At this official opening it is expected that there will be regional media such as the 'Midwest Times' and 'Geraldton Guardian'. The art work, project and the Community Growth Fund would feature in any media promotions from the opening.

## Financial Information

It is important to show how you plan to spend the grant and whether you expect any other income to support your project.

Use the table below to show where the money for your project is coming from and how it will be spent. **Include the Community Growth Fund Grant in these tables and specifically outline where the grant will be spent.**

Income		
Funding Source	\$ (incl. GST)	Confirmed Y/N
Amount Requested from the Shire of Chapman Valley	\$ 1000	N/A
Amount Contributed by your Organisation (Cash)	\$	\$300
Amount Contributed by other Grants or Sponsorships:	\$0	\$
•	\$	\$
•	\$	\$
•	\$	\$
In-Kind Contribution (e.g.: volunteer time @ \$15 hour)	\$	\$
• Collection and purchase of materials ( Volunteer Time 7 hours @ \$15 hour)	\$	\$105
• Event organisation/ catering	\$	\$1650
• Donation to Mullewa Arts Group for Artist assistance and workshops		
• Purchase of Windmill blades ( 25 @ \$50 each)		
<b>*TOTAL</b>	<b>\$1000</b>	<b>\$2055</b>
Expenditure (please specifically outline how Shire funds will be used)		
Project Costs	\$ (incl. GST)	Confirmed Y/N
In-Kind Contribution (Matched to income above)	\$	\$1755
Shire funding (please itemise below):	\$	\$
• Metal Paint Primer	\$160	\$
• Enamel Paint	\$600	\$200
• Sand Paper	\$ 30	\$
Glue	\$ 60	\$
• Picture Hanging Items	\$ 150	\$100

•	\$	\$
•	\$	\$
<b>*TOTAL</b>	\$ 1000	\$2055

**NB: Income and expenditure totals should be the same.**

### Authorisation by President/Secretary

I Brenda Williamson(President/Secretary) authorise this application for a Community Growth Fund Grant to be considered for approval.

If approved, I acknowledge that the project must be acquitted within 1 month of project completion.

I also authorise to being contacted by the Shire's and consent for the Shire using images of me and quotes provided by me for promotional purposes, including but not limited to news reports, articles, media releases and the Shire website.

Brenda Williamson  
Signature

26/10/2014

Date 30/10/2014



**Before you send your application – please ensure that you have completed the following.**

**Please tick off each item when it has been completed or attached.**

- Completed all questions in the application form, including a detailed Budget that indicates where Shire funds will be spent.
- Application has been signed by President/Secretary. Where an application is being submitted by a non-incorporated organisation that has a sponsoring organisation, please ensure the sponsoring organisation signs the Declaration.
- A copy of this application has been retained for your records.
- Proof of Incorporation (or letter from sponsoring organisation).
- Public Liability Insurance (Certificate of Currency).
- Quotes (optional).

- Support letters or testimonials (optional).

**For any assistance, please contact:**

Shire of Chapman Valley's Community Development Officer

Phone: (08) 99 205011

Email: [community@chapmanvalley.wa.gov.au](mailto:community@chapmanvalley.wa.gov.au)

### Application submission

*By post:* Chief Executive Officer  
Shire of Chapman Valley  
PO Box 1  
Nabawa WA 6532

*Email:* [community@chapmanvalley.wa.gov.au](mailto:community@chapmanvalley.wa.gov.au)

*Hand delivery:* Shire Offices - Reception  
Lot 7 Chapman Valley Road, Nabawa, WA 6532  
9.00am – 4.00pm

### Closing date

All applications must be received by \_\_\_\_\_ 20\_\_.

**SHIRE OFFICE USE ONLY**

Outcome of the Assessment Recommendation to Council by Shire of Chapman Valley Community Growth Fund Committee:

Fund Committee:

Approved for receipt of Community Growth Fund Grant

Declined for receipt of Community Growth Fund Grant

**Amount of Funds released \$**

**FILE No.:**

\_\_\_\_\_  
Name of Authorised Officer

\_\_\_\_\_  
Signature and Stamp

\_\_\_\_\_  
Date

# Creating A Better Yuna

PO Box 1045 Geraldton WA 6531

Ph 08 9924 1141



Brenda Williamson  
President  
CWA Yuna  
17 McGauran Road  
Yuna WA 6532

Dear Brenda

## Support for the Windmill Project

On behalf of Creating a Better Yuna, I would like to express our support for the Windmill Project being proposed by Yuna CWA, which will see old windmill blades given a new lease of life by being turned into artwork. Additionally the project will provide an exhibition to help celebrate the opening of the new Yuna Community Centre.

The Yuna community would greatly benefit from this project being undertaken and it is a great opportunity to promote our new community centre and the identity and values of our community.

If you require any further documentation please contact me on 9924 1141 or [deburton7@bigpond.com](mailto:deburton7@bigpond.com).

Yours sincerely

Liz Burton  
President

28<sup>th</sup> October 2014





ABN: 17 000 434 720

With Compliments of Aon Risk Services Australia Limited

<b>To:</b>	Anne Gething	<b>Contact:</b>	Kerry Barber
<b>Company:</b>	Country Women's Association WA Inc	<b>Phone:</b>	618 63174087
<b>Address:</b>	1176 Hay St WEST PERTH WA 6005	<b>Branch:</b>	Level 6/7, 28 The Esplanade PERTH WA 6000
<b>Date:</b>	03 September 2013		

**CERTIFICATE OF CURRENCY**

In our capacity as Insurance Brokers to Country Women's Association WA Inc we hereby certify that the under mentioned Insurance Contract is current as at the date of this Certificate. Whilst an expiry date has been indicated, it should be noted that the policy may be cancelled in the future. Accordingly, reliance should not be placed on the expiry date.

The certificate is issued as a matter of information only and confers no rights upon the certificate holder. This certificate does not amend, extend or alter the coverage afforded by the policy below or assume continuity of the policy beyond the expiry date below.

We confirm that the following Public & Products Liability Insurance Policy is current until the expiry date indicated.

<b>Underwritten by</b>	CGU Insurance Limited ABN No: 27 004 478 371		
<b>Policy No</b>	10M 5499468	<b>Expiry Date</b>	31/08/2014
<b>Insured</b>	Country Women's Association of WA Inc		
<b>Situation of Risk</b>	Anywhere in the world except United States of America and Canada other than in respect of: (a)(i) Products exported to the United States of America and/or Canada without the knowledge of the Insured or (b) Commercial visits by directors and non manual employees normally resident outside USA or Canada		
<b>Interest Insured</b>	The Insured's Legal Liability to pay compensation in respect of: (a) Injury to any person (b) Property Damage (c) Advertising Injury Occurring within the Geographical Limits during the Period of Insurance as a result of an Occurrence happening in connection with the Insured's Business.		
<b>Limits of Liability</b>	\$ 20,000,000 any one occurrence or in respect of Products and Pollution, in the aggregate.		
<b>Sub- Limits of Liability</b>	Property in Care, Custody or Control \$ 250,000		
<b>Premium Paid</b>	Unpaid		

This is to certify cover has been granted only in terms of the above policy's wording, a copy of which is available upon request.



## APPLICATION FORM – COMMUNITY GROWTH FUND

### Contact Details

Name of Organisation: Chapman Valley Community Newspaper (Valley Vibes)

Contact Person: Liz Burton

Contact number/s: 9924 1141 / 0408 866 772

Address: Nabawa Community Centre and Hall  
Nabawa WA 6532

Postal Address: PO Box 45  
Nabawa WA 6532

Website: [Click here to enter text.](#)

Email: [deburton7@bigpond.com](mailto:deburton7@bigpond.com)  
[valleyvibes@westnet.com.au](mailto:valleyvibes@westnet.com.au)

### Organisation Business Details

### Please select

Is your organisation an incorporated body? <i>If yes please attach proof</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
If no, have you attached a letter from a sponsoring committee?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Are you registered for GST?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Do you have "Public Liability Insurance" <i>If yes, please attach a copy of "Certificate of Currency"</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Have you applied for funding from the Shire for this project previously? <i>If yes, in what year was the application made? Please attach information</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Is the project dependant on Shire funding to proceed?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Has the Shire previously assisted your organisation? <i>If yes, please attach information</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Have you applied or are you intending to apply for other funding sources for this project? <i>If yes, please provide details under "Project Summary"</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/>

## Banking Details

ABN:	71911560450
Name of Account:	Chapman Valley Community Newspaper
Name of Bank:	Westpac
BSB:	036103
Account Number:	216220
Branch Name:	Geraldton
Account Holders Signature:	Elizabeth Burton, Alicia Pawelski

Please provide a brief description of your organisation:

The Chapman Valley Community Newspaper (CVCN) writes, prints and sells approximately 250 Valley Vibes newspapers about the Shire, 11 months of the year and has done this for over 10 years. All the work is undertaken by a small team of volunteers.

The constitution of the of the CVCN states that our aims/objectives are:

(a) To produce for sale to the public, a newspaper or periodical that specialises in events and people of the Chapman Valley district.

(b) To encourage members and contributors to strive for excellence in reporting and presentation.

CNVN is well supported in terms of paper and advertising sales, however it is increasingly difficult to find enough volunteers to keep up the workload associated with monthly print runs (except for January) and the committee has decided that in 2015 it will produce a quarterly periodical.

Members have considered moving entirely to an electronic format, however feels at this stage there is still significant benefits of staying with a printed-paper. It does feel that there would be significant benefits to people in the Shire of Chapman Valley if an online community hub is established and would like to test the idea formally by undertaking a needs analysis.

## Project Summary

Project Title:	Chapman Valley Community Hub – Needs Analysis
Proposed Start Date:	19th January 2015
Proposed Finish Date: <i>(must be prior to 30<sup>th</sup> June)</i>	22nd of April 2015
Location/Venue:	Whole of Chapman Valley (public meetings at Park Falls, Nabawa, Yuna and other venues as demand indicates the need)

Please provide a brief description of the project that you require funding assistance for and its objectives (attach extra sheet if you need more space):

Attached

1. Community Growth Fund Grants must be eligible projects as identified in the Shire of Chapman Valley *Community Growth Fund Operational Procedures* (copy attached). Please identify eligibility criteria(s) relevant to your application below.

Upgrading community facilities – Preparation of needs analysis for a Chapman Valley Community Online Hub (website)

2. Please describe how the outcomes of the project will be measured.

The project will be deemed successful if:

- The need for an online hub is demonstrated (yes community would like website or no they would not). This will be measured by recording the number of survey responses, number of people in attendance at community meetings, number of community groups / businesses that respond to email/phone calls of consultant.

If the community demonstrate they would like a website the project will also need the following to be deemed successful.

- A report that provides:
  - A comprehensive list of needs for the website that is prioritized is developed (survey results, minutes of community meetings that record any voting or value voting processes at community meetings).
  - A comprehensive list of resources required to develop and manage the website is developed.

- Recommendations on how to proceed with the website.
    - Estimate of cost for developing website from 2 web developers.
  - An application to Lotterywest's Information and Technology Grant is able to be prepared.
3. Has your organisation secured or made attempts to secure financial assistance from other sources such as fundraising, other grants, commercial sponsorship etc. for this project? Please outline below and include details in the budget.

No, funding is available to develop websites via Lotterywest, however a needs analysis must be completed to be able to apply for this funding. This project aims to undertake this process and hopefully will lead to a successful application.

## Acknowledgement

Recipients of a Community Growth Fund Grant must recognise the Shire of Chapman Valley sponsorship in any advertising, promotion and media publicity related to its grant funding (e.g. newspaper article, flyers, invites, verbal recognition). How will your organisation acknowledge the Shire of Chapman Valley funding?

The Valley Vibes will be able to publically acknowledge the Shire of Chapman Valley in print in the monthly paper it produces. The consultant contracted will be required to acknowledge the grant funding in all promotional materials (flyer for community meeting, survey documents and presentation documents and emails) and in the final report they produce. The Shire will also be acknowledged on any resulting webpage.

## Financial Information

Income		
Funding Source	\$ (incl. GST)	Confirmed Y/N
Amount Requested from the Shire of Chapman Valley	\$4290	N/A
Amount Contributed by your Organisation (Cash)	\$	\$
Amount Contributed by other Grants or Sponsorships:	\$	\$
•	\$	\$
•	\$	\$
•	\$	\$
In-Kind Contribution (e.g.: volunteer time @ \$15 hour)	\$	\$
• Inclusion of project information and advertising in Valley Vibes Newspaper. 3 pages colour and 6 pages black and white over three months	\$200	\$200
• Volunteer time of CVCN committee to attend meetings with consultant (minimum 10 hours times 3 people)	\$450	\$450
<b>*TOTAL</b>	<b>\$4940</b>	<b>\$650</b>
Expenditure (please specifically outline how Shire funds will be used)		
Project Costs	\$ (incl. GST)	Confirmed Y/N
In-Kind Contribution (Matched to income above)	\$650	\$650
Shire funding (please itemise below):	\$	\$
• Project Officers 2 people at \$88 inclusive GST per hour at 45 hours	\$3690	\$
• Meeting expenses (up to 5 meetings at \$120 to cover venue hire and refreshments/catering)	\$600	\$
Note: Consultants and project officers in Geraldton/Chapman Valley outside of the CVCN committee were asked if they would like to complete the work, however two said they were too busy at present to undertake the project and would not quote, and a third would have provided a quote but did not want to undertake the project. As such Liz Burton (Treasurer) and Alicia Pawelski (Editor) will undertake the work for the project if the grant is successful. It would take a single person 80 hours to complete the work, so by having two people reduces the total number of hours to 45 hours work.		
<b>*TOTAL</b>	<b>\$4940</b>	<b>\$650</b>

**NB: Income and expenditure totals should be the same.**

## Authorisation by President/Secretary

I Kelly Williamson(President/Secretary) authorise this application for a Community Growth Fund Grant to be considered for approval.

If approved, I acknowledge that the project must be acquitted within 1 month of project completion.

I also authorise to being contacted by the Shire's and consent for the Shire using images of me and quotes provided by me for promotional purposes, including but not limited to news reports, articles, media releases and the Shire website.

*KWilliamson*

Signature

29 November 2014

Date



**Before you send your application – please ensure that you have completed the following.**

**Please tick off each item when it has been completed or attached.**

- Completed all questions in the application form, including a detailed Budget that indicates where Shire funds will be spent.
- Application has been signed by President/Secretary. Where an application is being submitted by a non-incorporated organisation that has a sponsoring organisation, please ensure the sponsoring organisation signs the Declaration.
- A copy of this application has been retained for your records.
- Proof of Incorporation (or letter from sponsoring organisation).
- Public Liability Insurance (Certificate of Currency).
- Quotes (optional).
- Support letters or testimonials (optional).

**For any assistance, please contact:**

Shire of Chapman Valley's Community Development Officer

Phone: (08) 99 205011

Email: [community@chapmanvalley.wa.gov.au](mailto:community@chapmanvalley.wa.gov.au)

## Application submission

*By post:* Chief Executive Officer  
Shire of Chapman Valley  
PO Box 1  
Nabawa WA 6532

*Email:* [community@chapmanvalley.wa.gov.au](mailto:community@chapmanvalley.wa.gov.au)

*Hand delivery:* Shire Offices - Reception  
Lot 7 Chapman Valley Road, Nabawa, WA 6532  
9.00am – 4.00pm

## Closing date

All applications must be received by \_\_\_\_\_ 20\_\_.

### SHIRE OFFICE USE ONLY

Outcome of the Assessment Recommendation to Council by Shire of Chapman Valley Community Growth Fund Committee:

Fund Committee:

- |  |  |
|--|--|
| <input type="checkbox"/> Approved for receipt of Community Growth Fund Grant | <input type="checkbox"/> Declined for receipt of Community Growth Fund Grant |
|--|--|

**Amount of Funds released \$**

**FILE No.:**

\_\_\_\_\_  
Name of Authorised Officer

\_\_\_\_\_  
Signature and Stamp

\_\_\_\_\_  
Date



# VALLEY VIBES



To Shire of Chapman Valley,

The Chapman Valley Community Newspaper would like to congratulate the Shire of Chapman Valley for initiating the Community Growth Fund and providing the opportunity for local community organisation to access funding.

Please accept the attached application from the Chapman Valley Community Newspaper and our request for funds for the Chapman Valley Community Online Hub Needs Analysis. This project takes a holistic approach to the online needs and requirements for all Chapman Valley community organisations, individuals, local industry, events and meets the increasing demand for instant communication.

The Valley Vibes believes this project will enhance Chapman Valley's exposure, not just within our own boundaries, but extend our linkages with vital services and networks across the region and state.

Yours Sincerely,

*KWilliamson*

Kelly Williamson  
President  
Chapman Valley Community Newspaper  
24<sup>th</sup> October 2014

**Has the Shire ever assisted the organization before?**

Yes

The Shire was involved with the establishment of the Valley Vibes, providing office space, equipment and consumables.

In 2011 the Shire provided funding to purchase a desktop computer for the Valley Vibes Office. The shire funded the desktop computer 100%.

In 2013 the Shire provided 50% of the required funding to purchase the current photocopier that is used to print the paper.

**Project Outline**

Chapman Valley Community Online Hub – Needs Analysis

The Chapman Valley Community Newspaper (CVCN) has identified that there is no single online point for community groups/businesses/people in the Shire of Chapman Valley to connect with one another and those outside the Shire to promote themselves and their events/activities/news. The committee believes developing such a site would have significant benefits for the Shire and is seeking resources to test this by undertaking a needs analysis. Undertaking this work will also allow the Shire improved access to grant funding opportunities to establish such a website (it is a pre-requisite of LotteryWest's Information and Technology Grant).

Members of the CVCN feel that the outcomes of developing the online hub would include:

- Increase the ability of community groups to promote their activities
- Improve information dissemination in the Shire (e.g there is a fire ban on, ballet/tennis/golf is cancelled/changed times).
- Attract visitors to the Shire
- Increase the viability of business in the Shire (cost effective advertising, increased numbers of people at events, increased number of visitors as people can easily find out what is happening)
- Allow residents of the shire to connect with each other over the Internet as well as connect with people outside the Shire.
- Provide a cost effective Internet site for volunteer groups to recruit new volunteers, and businesses within the Shire to advertise employment.
- Improved ability to promote the great lifestyle that is living in the Shire of Chapman Valley

The proposed needs analysis project would consult with community groups, businesses and individuals to establish if there is interest in developing a website that delivers the above outcomes and determine if there are any additional needs that a website should address.

The needs analysis will be undertaken by a professional who will deliver a report that will establish the demand for a website (if any) as well as a comprehensive list of requirements (prioritized) needed for the website to be a success including but not limited to, design, construction, once-off and ongoing human resources and training. The consultant will be asked to also recommend possible governance/ownership structures for the website and terms of use.

This work will also allow for there to be a realistic costing of the development of such a website.

The consultant will be asked to complete the following activities:

- Research other similar website/hubs and how they are governed and operated and provide an outline of this work in report. (10 hrs)
- Attempt to make contact (email and phone) with the majority (using list from Shire Community Directory) of community groups and businesses within the Shire of Chapman Valley to ascertain interest in the project. Accept invites to meetings with groups and business and present concept (a PowerPoint has already been prepared for use during very initial stages of project that the consultant can adapt as needed) and collect and collate feedback. (8 hours for phone/email plus up to 5, 2 hour meetings (18 hours)).
- Write (with assistance from CVCN committee) and widely disseminate a survey to measure demand and needs for a website. Collate the results (10 hours).
- Prepare for and hold community meetings in Park Falls, Nabawa and Yuna (in first instance) and at other locations at the demand of communities to measure interest in and requirements of website (allow for 5 hours per meeting up to possible 5 meetings (25 hours)).
- Develop draft report and email to those groups/individuals who participated in survey and community meetings for review. Ask two website developers to review findings and determine if possible and estimate cost (10 hours).
- Complete final report and present to CVCN committee and Shire of Chapman Valley (5 hours for reporting and 2 hours for meeting)

Total 80 hours for individual or 45 hours for two people

Time line for Project

1. Announcement of grant success.
2. Advertise success in the Valley Vibes, December 2014 edition.
3. Finalise needs analysis brief and engage consultant.
4. Form CV Hub Working Group with 3 Valley Vibes members, Shire CDO, other Shire members as desired, up to 3 other community members who express desire to join from initial advert and consultant. The role of the CV Community Hub Working Group is to guide the needs analysis process to determine the role, functionality, requirements, partners etc of a possible Chapman Valley Community Online Hub.
5. In January consultant to undertake research of other sites, begin to contact community groups and businesses and write survey.
6. In February conduct survey and community meetings.
7. Early March release draft report for comment for 2 week period.
8. Late March finalise report. Submit report to two website developers for costing and allow time for them to complete this work.
9. Present report and costings to Valley Vibes and Council by April 30<sup>th</sup> 2015.
10. Acquittal provided to Shire by 31<sup>st</sup> May 2015.



ASIC

Australian Securities & Investments Commission

Association

THE CHAPMAN VALLEY COMMUNITY NEWSPAPER INCORPORATED

D

Extracted from ASIC's database at AEST 19:13:59 on 22/10/2014

Association Summary	
Name:	THE CHAPMAN VALLEY COMMUNITY NEWSPAPER INCORPORATED
ABN:	
Registration Number:	AI011122G
Registered State:	Western Australia
Registration Date:	23/03/2009
Status:	Registered
Type:	Associations
Regulator:	Department of Commerce, Western Australia



## APPLICATION FORM – COMMUNITY GROWTH FUND

### Contact Details

Name of Organisation: Chapman Valley Agricultural Society Inc.

Contact Person: Alicia Pawelski

Contact number/s: 99311012

Address: 380 Wandin Road, Yuna 6532

Postal Address: PO Box 394, Geraldton 6531

Website: [Click here to enter text.](#)

Email: pawelski@harboursat.com.au

### Organisation Business Details

### Please select

Is your organisation an incorporated body? <i>If yes please attach proof</i>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If no, have you attached a letter from a sponsoring committee?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Are you registered for GST?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Do you have "Public Liability Insurance" <i>If yes, please attach a copy of "Certificate of Currency"</i>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Have you applied for funding from the Shire for this project previously? <i>If yes, in what year was the application made? Please attach information</i>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Is the project dependant on Shire funding to proceed?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Has the Shire previously assisted your organisation? <i>If yes, please attach information</i>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Have you applied or are you intending to apply for other funding sources for this project? <i>If yes, please provide details under "Project Summary"</i>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

## Banking Details

ABN: 65602401982  
Name of Account: Chapman Valley Agricultural Society Inc.  
Name of Bank: Commonwealth Bank  
BSB: 066512  
Account Number: 00900296  
Branch Name: Geraldton  
Account Holders Signature: Patricia Garnett

Please provide a brief description of your organisation:

The Chapman Valley Agricultural Society (CVAS) is a non for profit group which aims to promote the agricultural, horticultural and industrial resources of the Chapman Valley Shire. The society stages the annual Chapman Valley Agricultural Show which allows the exhibition of farm produce, cooking, art and craft. The show also allows the display of agricultural produce and industry.

## Project Summary

Project Title: Community Promotion Package for Chapman Valley Agricultural Show  
Proposed Start Date: February 1st  
Proposed Finish Date: March 31st  
**(must be prior to 30<sup>th</sup> June)**  
Location/Venue: Not applicable

Please provide a brief description of the project that you require funding assistance for and its objectives (attach extra sheet if you need more space):

The Chapman Valley Agricultural Society (CVAS) wish to employ the professional services of a graphic designer and web developer to create a brand for the group and allow promotion of the show and its participants. To date, the CVAS is without a logo or any social identifiable feature, an objective of the project is to enable the community to readily recognize the CVAS thereby maximising awareness of the society's voluntary efforts. The promotional package also includes the design of a letterhead. This will allow our coordinators and executive committee to conduct their official roles in a professional manner. Updating the Chapman Valley Agricultural Show committee will only have the most positive impact in obtaining sponsorship which is necessary for the shows operation and in turn rewarding those who do support our event.

The development of a webpage will promote the Chapman Valley Agricultural Show to a wider audience with the prospect of attracting more people to the Chapman Valley Show.

The web page will have information such as a photo gallery, event details, location, sponsor promotion, schedule/section entries etc. (This is outlined in the Proposal Solution as quoted by Blaze Digital). With the creation of a web page the CVAS has the opportunity to attract funding bodies as well as using it as a tool in the mandatory acquittal process.

The web page will also allow training and development for society volunteers. Volunteers within the CVAS committee will be trained by the contractor (Blaze Digital) to enable the editing of the site. They will also be involved in the development stages of the web page. It will be the responsibility of the CVAS to update and upload all information after the web page is handed over. The CVAS will seek positive and will promote local information pertaining to the show on the site.

1. Community Growth Fund Grants must be eligible projects as identified in the Shire of Chapman Valley *Community Growth Fund Operational Procedures* (copy attached). Please identify eligibility criteria(s) relevant to your application below.

The Chapman Valley Agricultural Show has a history of strong community support and representation from the wider population and remains the annual premier event in the Chapman Valley Shire. The Show provides a venue for local no profit groups to stage their major fundraisers. The promotional package will enhance the Chapman Valley Agricultural Society and its members and will strengthen the bonds between the group and the governing body of the Chapman Valley Shire. In the establishment of a web page, the Chapman Valley Shire will be upholding the tradition of the agricultural show and allowing the Agricultural Society to showcase cultural activities and the 'Valley's major industry, agriculture.

2. Please describe how the outcomes of the project will be measured.

The efficiencies that the web site will introduce will benefit volunteers, stall holders and visitors alike. It will give focus to the region. The outcome of the project will be measured through the number of attendance at the gate on the Chapman Valley Agricultural Show day in 2015. It will also be seen through the visitors to the web site and their feedback given on the website and emails from this.

3. Has your organisation secured or made attempts to secure financial assistance from other sources such as fundraising, other grants, commercial sponsorship etc. for this project? Please outline below and include details in the budget.

The Chapman Valley Show secures financial assistance from sponsorship and in kind donations every year. The proposed promotion package will allow CVAS members to uplift the profile of their event. With the application of the project the CVAS will approach funding bodies for other activities that the public and local residents will benefit from, such as entertainment. The CVAS seek funding for the initial development of this project and the Community Growth Fund is essential for its realisation. The CVAS will be responsible for the monthly upkeep of web hosting and other costs related to the upkeep of the webpage as seen on the attached form (Blaze Digital – Website Annual Service Fees). The CVAS would like to request \$2790.00 as a part of the \$3425.00 as costed by Art Gecko Designs and Blaze Digital within the Community Growth Fund provision. This is inclusive of the Website Development, Logo design and the Letterhead design components on each of the attached quotes given.

## Acknowledgement

Recipients of a Community Growth Fund Grant must recognise the Shire of Chapman Valley sponsorship in any advertising, promotion and media publicity related to its grant funding (e.g. newspaper article, flyers, invites, verbal recognition). How will your organisation acknowledge the Shire of Chapman Valley funding?

If this proposal is successful the Chapman Valley Shire will be named as the major sponsor of the show and be promoted accordingly on the web page and in the annual show schedule. The Shire of Chapman Valley will be acknowledged on our Major Sponsor board at the exhibition show and in the Valley Vibes.



## Financial Information

It is important to show how you plan to spend the grant and whether you expect any other income to support your project.

Use the table below to show where the money for your project is coming from and how it will be spent. **Include the Community Growth Fund Grant in these tables and specifically outline where the grant will be spent.**

Income		
Funding Source	\$ (incl. GST)	Confirmed Y/N
Amount Requested from the Shire of Chapman Valley	\$2790	N/A
Amount Contributed by your Organisation (Cash)	\$635	\$
Amount Contributed by other Grants or Sponsorships:	\$	\$
•	\$	\$
•	\$	\$
•	\$	\$
In-Kind Contribution (e.g.: volunteer time @ \$15 hour)	\$	\$
• Volunteer time 6hrs @ \$15 hour	\$90	\$
•	\$	\$
<b>*TOTAL</b>	\$3515	\$
Expenditure (please specifically outline how Shire funds will be used)		
Project Costs	\$ (incl. GST)	Confirmed Y/N
In-Kind Contribution (Matched to income above)	\$90	\$
Shire funding (please itemise below):	\$	\$
• CVAS Logo Design	\$450	\$
• CVAS Letterhead Design	\$180	\$
• Website Development	\$2160	\$
Other (please list below):	\$	\$
• CVAS Web services	\$155	\$
• CVAS Design	\$480	\$
	\$	\$
<b>*TOTAL</b>	\$2790	\$

**NB: Income and expenditure totals should be the same.**

## Authorisation by President/Secretary

I Jayne Vlahov (President/Secretary) authorise this application for a Community Growth Fund Grant to be considered for approval.

If approved, I acknowledge that the project must be acquitted within 1 month of project completion.

I also authorise to being contacted by the Shire's and consent for the Shire using images of me and quotes provided by me for promotional purposes, including but not limited to news reports, articles, media releases and the Shire website.

Click here to enter text.  
Signature

31/10/2014  
Date



**Before you send your application – please ensure that you have completed the following.**

**Please tick off each item when it has been completed or attached.**

- Completed all questions in the application form, including a detailed Budget that indicates where Shire funds will be spent.
- Application has been signed by President/Secretary. Where an application is being submitted by a non-incorporated organisation that has a sponsoring organisation, please ensure the sponsoring organisation signs the Declaration.
- A copy of this application has been retained for your records.
- Proof of Incorporation (or letter from sponsoring organisation).
- Public Liability Insurance (Certificate of Currency).
- Quotes (optional).
- Support letters or testimonials (optional).

**For any assistance, please contact:**

Shire of Chapman Valley's Community Development Officer

Phone: (08) 99 205011

Email: [community@chapmanvalley.wa.gov.au](mailto:community@chapmanvalley.wa.gov.au)

### Application submission

*By post:* Chief Executive Officer  
Shire of Chapman Valley  
PO Box 1  
Nabawa WA 6532

*Email:* [community@chapmanvalley.wa.gov.au](mailto:community@chapmanvalley.wa.gov.au)

*Hand delivery:* Shire Offices - Reception  
Lot 7 Chapman Valley Road, Nabawa, WA 6532  
9.00am – 4.00pm

### Closing date

All applications must be received by \_\_\_\_\_ 20\_\_.

**SHIRE OFFICE USE ONLY**

Outcome of the Assessment Recommendation to Council by Shire of Chapman Valley Community Growth Fund Committee:

Fund Committee:

- Approved for receipt of Community Growth Fund Grant       Declined for receipt of Community Growth Fund Grant

**Amount of Funds released \$**

**FILE No.:**

\_\_\_\_\_  
Name of Authorised Officer

\_\_\_\_\_  
Signature and Stamp

\_\_\_\_\_  
Date

31 October 2014

# proposal

## client

### Chapman Valley Show Committee

Contact: Alicia Pawelski [pawelski@harboursat.com.au](mailto:pawelski@harboursat.com.au)

## project

Chapman Valley Show new website [www.chapmanvalleyshow.com.au](http://www.chapmanvalleyshow.com.au)

## brief

### Client Need

Chapman Valley Show would like a website (similar to Mullewa Show) to promote the event wider to attract more visitors.

The website will provide information on the key attractions, program, stallholder information and facilities and will be updated each year to contain a photo gallery.

Committee would like to be able to update the website themselves ongoing.

## solution

### Blaze Digital will:

- Present a strong design consistent with print event branding and with strong use of photography from past shows.
- Develop your site using the WordPress Content Management System which will enable you or other nominated parties to update content ongoing by logging in
- Publish up to 6 pages of supplied content, making revisions for Search Engine Optimisation & marketing impact.
- Include an online stallholder registration form to streamline the process.
- Include links to the Chapman Valley Show Facebook page and social sharing buttons throughout.
- Include a contact form, google map of location and show site map (as supplied).
- Build you a mobile compatible (responsive) website in WordPress Content Management System for ease of ongoing program updates
- Manage your web hosting and data back-ups; implement system upgrades and provide ongoing technical and search engine optimisation support under a website management plan.
- Provide training and a customised manual for you to maintain your website ongoing.

# quotation

## Website Development

Component	Cost
<b>WEBSITE DESIGN &amp; DEVELOPMENT (22HOURS)</b>  <b>Web Design – Look &amp; Layout</b> <ul style="list-style-type: none"> <li>Select and customise a Wordpress theme to match your brand</li> <li>1 round of design/layout revisions.</li> </ul> <b>Web Development – Content Management System Set-up</b> <ul style="list-style-type: none"> <li>Install approved design into WordPress system and configure page templates and styles.</li> <li>Install a Visual Drag and Drop Editor plugin to make publishing easy</li> <li>Configure Stallholder form</li> <li>Configure photo gallery</li> <li>Configure Home Page, Menu, Header, Footer</li> </ul> <b>Content Publishing</b> <ul style="list-style-type: none"> <li>Edit supplied content for clarity and search engine keyword optimisation</li> <li>Layout &amp; publish up to 6 pages of supplied content and photos including photo/image editing</li> <li>1 round of published website content revisions.</li> </ul> <b>Hosting Set-up &amp; Testing</b> <ul style="list-style-type: none"> <li>Register web address (domain name) and set up new web hosting account</li> <li>Set up Google Analytics account for visitor/traffic tracking for your site</li> <li>Test and refine your site in the main web browsers, operating systems &amp; devices</li> <li>Submit website and site map to Google and Bing Webmaster Tools</li> <li>Launch and review live site and test form and email notifications</li> </ul>	1760
<b>CONSULTING &amp; PROJECT MANAGEMENT (2 HOURS)</b> <ul style="list-style-type: none"> <li>Manage revisions and approvals</li> <li>Consultation &amp; research to inform design, functions and content of website</li> </ul>	160
<b>WEBSITE TRAINING (3 HOURS)</b> <ul style="list-style-type: none"> <li>2 hour training session on how to use WordPress Content Management System to add and edit pages and how to use Google Analytics to review website traffic.</li> <li>Prepare and supply customised training manual.</li> </ul>	240
<b>TOTAL WEBSITE BUDGET</b>	<b>\$2,160*</b>

### Website Annual Service Fees

Component	Cost
<b>WEBSITE MANAGEMENT (pay to Blaze Digital)</b> 1 year Blaze Digital Basic website management plan which includes: <ul style="list-style-type: none"> <li>Monthly data back-ups and implementation of WordPress software upgrades as required.</li> </ul>	120*
<b>DOMAIN NAME REGISTRATION (pay direct to Zuver )</b> <ul style="list-style-type: none"> <li>Register <a href="http://www.chapmanvalleysshow.com.au">www.chapmanvalleysshow.com.au</a> for 2 years**</li> </ul>	11**
<b>WEBSITE HOSTING (pay direct to Zuver)</b> <ul style="list-style-type: none"> <li>Zuver Economy Web Hosting Plan</li> <li>Refer <a href="http://zuver.net.au/web-hosting">http://zuver.net.au/web-hosting</a></li> </ul>	24
<b>TOTAL ANNUAL SERVICE FEES</b>	155

*\*Blaze Digital is not registered for GST*

### Terms

- Any changes made to website functionality, site map, or design after sign-off may impact budget and timeline.
- Time worked beyond the original quoted web development price is charged at an hourly rate of \$80, if the amendments required exceed the total allowed for in the job.
- The hourly rate automatically applies if you have instructed us to perform a task with no quote required or provided to you.
- All photos and images are to be supplied by the client unless otherwise quoted.
- Payment terms are to be negotiated upon acceptance.
- Quote valid for 30 days.
- Blaze Digital retains the right to place accreditation, as a hyperlink, in the footer of the website. Blaze Digital retains the right to reproduce, publish and display the final approved web design in our website portfolio and other media or exhibits for the purposes of recognition of creative excellence or professional advancement, and to be credited with authorship of the design in connection with such uses.



October 29, 2014

Quote

Hi Alicia,

Thank you for the opportunity to provide you with a quote for the **Chapman Valley Agricultural Society**

Description	Total \$
<b>Business Package</b>	
<b>Logo</b>	\$ 450.00
<b>Business Card</b> (Generic, 2 sided)	\$ 180.00
<b>Letterhead</b> (Includes setup for professional printing as well as in MS Word format for in-house desktop publishing).	\$ 180.00
<b>With Compliments</b>	\$ 90.00
<b>Header Image</b> (for use in social media and other in-house desktop publishing).	\$ 90.00
<b>Website</b> Transfer of artwork and other web-ready files to website designer.	\$ 120.00
<b>TOTAL</b>	<b>\$1110.00</b>

The above quote allows for two proofs of each component for edits and alterations. To ensure ease of production and cost management it is recommended that all layout and print specifications are supplied for each particular creative and that all information provided is checked and well considered prior to commencement of the project.

Please do not hesitate to contact me should you have any queries or need further information.

Kind Regards

Jess Hadley  
Art Gecko Graphic Design





**THE COUNTRY WOMEN'S ASSOCIATION OF WESTERN AUSTRALIA (INC)**

Date 12/10/2010

Branch/Division/Committee YUNA BRANCH

26/10/2014

Shire of Chapman Valley

PO Box 1

NABAWA WA 6532

To Whom it May Concern,

On behalf of the Yuna CWA Branch, I would like to express support for the Chapman Valley Agricultural Society's application for a Community Growth Fund. As the organising body of the Chapman Valley Show, the Agricultural Society plays a vital role in promoting the wonderful attributes of Chapman Valley. The application for a Business Promotions pack will assist the Society's aim to promote the Shire of Chapman Valley throughout the Midwest. The Show is part of the Shire's cultural identity every year and through the development of a website and logo it will assist with strengthening this identity and promote Chapman Valley.

The Yuna CWA are proud sponsors of the Chapman Valley Show and hope the Agricultural Society is successful in their application.

Regards

Brenda Williamson

Yuna CWA



Record No CRI48856

RECEIVED

27 OCT 2014

***Chapman Valley P&C Assoc. Inc.***

file 401.06

P.O Box 28  
Nabawa  
W.A. 6532

ABN: 90 515 679 536

25<sup>th</sup> October 2014

Dear Councillors,

Our annual Community Christmas Party is coming up again and we are seeking a contribution from council towards the hire of the Bouncy Castle we provide for the kids every year.

This is not a fundraising event for the P&C, and we invite all members of the community to come and enjoy the evening. This year it will be held on Saturday 20<sup>th</sup> December, with a BYO picnic, shared dessert and a sausage sizzle for the kids.

As Santa volunteers his services for the evening, a contribution of \$400 for this community based event would be greatly appreciated.

Please feel free to contact me on 99205556 or [starskys@westnet.com.au](mailto:starskys@westnet.com.au), if you would like any further information on how the council contribution would help us.

Kinds Regards,

Cam Starcevic  
CV P&C Secretary

<b>AGENDA ITEM:</b>	<b>9.3.3</b>
<b>SUBJECT:</b>	<b>SWIMMING POOL COMPLIANCE – BUILDING REGULATIONS</b>
<b>PROPONENT:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>SITE:</b>	<b>SHIRE OF CHAPMAN VALLEY</b>
<b>FILE REFERENCE:</b>	<b>501.00</b>
<b>PREVIOUS REFERENCE:</b>	<b>NA</b>
<b>DATE:</b>	<b>19<sup>th</sup> NOVEMBER 2014</b>
<b>AUTHOR:</b>	<b>MAURICE BATTILANA, CHIEF EXECUTIVE OFFICER</b>

## DISCLOSURE OF INTEREST

Nil

## BACKGROUND

A recent dispute with a building permit application, which involved an existing swimming pool at a private residence, has highlighted the need to perhaps review Council's current position on this issue to hopefully remove any future misunderstandings and possible disputes.

## COMMENT

As a result of a difference in interpretation of the Building Regulations by an independent building and design consultant being used by the landowner and the Shire's Building Surveyor a ruling was sort from the Building Commission to determine this particular issue. The response from the Building Commission supported the interpretation made by the Shire's Building Surveyor, yet it was accompanied by the verbal comment "...that this has been an ongoing concern with the legislation and Council perhaps should look at amending their current status under Schedule 5 of the Building Regulations to remove any future ambiguities...".

The issue with the Building Regulations in their current form is the Shire of Chapman Valley has not registered part(s) of its local government district applying to Part 8, Division 2 of the regulations. Therefore the interpretation can then be made that this particular part of the Regulations does not apply across the whole of the Shire. This is not actually the case (as was confirmed by the Building Commission) as the intention of this schedule was to stipulate where the local government will undertake its periodical inspection of private swimming pool as legislated. Not whether or not a landowner is to comply with the requirements of the legislations.

As mentioned in the *Statutory Environment* section of this report the current status of the Shire of Chapman Valley for the 4 year yearly inspection cycle of private swimming pools is for this to only be undertaken in gazetted townsites. The issue with this is both:

- Interpretation of Regulation; and
- Developed western regions areas of the Shire which are not gazette town sites, yet will have more swimming pools than most other areas of the shire.

The shire staff have been historically inspecting private swimming pools across the whole of the shire irrespective of the Shire's current status under the Building Regulations. Therefore, the Staff Recommendation is advocating amending the Shire of Chapman Valley's status under Schedule 5 of the Building Regulations to "*Whole of District*".

## STATUTORY ENVIRONMENT

Below is an extract from the Building Regulations referred to in this report:

### Reg. 49. Application of this Division

*This Division applies in respect of a private swimming pool that is located in a local government district specified in column 1 of the Table in Schedule 5 in the area specified for that district in column 2 of that Table.*

Table

Column 1	Column 2
Local government district	Areas of State where Part 8 Division 2 applies
Albany	Whole district
Armadale	Whole district
Augusta-Margaret River	Whole district
Bassendean	Whole district
Bayswater	Whole district
Belmont	Whole district
Beverley	Whole district
Boddington	All townsites and areas zoned residential, special residential, rural residential or special use by a local planning scheme
Bridgetown-Greenbushes	Whole district
Brookton	Whole district
Bunbury	Whole district
Busselton	Whole district
Cambridge	Whole district
Canning	Whole district
Capel	Whole district
Carnarvon	Whole district
Claremont	Whole district
Cockburn	Whole district
Collie	Whole district
Coorow	Whole district
Cottesloe	Whole district
Dardanup	Whole district
Derby-West Kimberley	Whole district
Donnybrook-Balingup	Whole district
Dumbleyung	Whole district
East Fremantle	Whole district
Esperance	All townsites and lots measuring 10 ha or less
Fremantle	Whole district
Gosnells	Whole district
Greater Geraldton	Whole district except areas in Mullewa Ward that are not townsites
Hall's Creek	All townsites and area subject to the Shire of Halls Creek local planning scheme
Harvey	All townsites and area zoned special residential or special rural in the Shire of Harvey local planning scheme
Jerramungup	Whole district except areas zoned rural by a local planning scheme
Joondalup	Whole district
Kalamunda	Whole district

<i>Column 1</i>	<i>Column 2</i>
<i>Local government district</i>	<i>Areas of State where Part 8 Division 2 applies</i>
<i>Kalgoorlie-Boulder</i>	<i>Whole district</i>
<i>Katanning</i>	<i>Whole district</i>
<i>Kellerberrin</i>	<i>Townsites of Kellerberrin, Doodlakine and Baandee</i>
<i>Kent</i>	<i>Townsites of Nyabing, Pingrup</i>
<i>Koorda</i>	<i>Whole district</i>
<i>Kwinana</i>	<i>Whole district</i>
<i>Mandurah</i>	<i>Whole district</i>
<i>Manjimup</i>	<i>Whole district</i>
<i>Melville</i>	<i>Whole district</i>
<i>Merredin</i>	<i>Townsites of Burracoppin, Hines Hill, Korbel, Merredin, Muntadgin, Nangeenan, Nokaning, Nukarni</i>
<i>Mingenew</i>	<i>Whole district</i>
<i>Mosman Park</i>	<i>Whole district</i>
<i>Mundaring</i>	<i>Whole district</i>
<i>Murchison</i>	<i>None</i>
<i>Murray</i>	<i>Whole district</i>
<i>Narrogin (Town)</i>	<i>Whole district</i>
<i>Nedlands</i>	<i>Whole district</i>
<i>Northam</i>	<i>Whole district</i>
<i>Northampton</i>	<i>Whole district</i>
<i>Peppermint Grove</i>	<i>Whole district</i>
<i>Perth</i>	<i>Whole district</i>
<i>Pingelly</i>	<i>Whole district</i>
<i>Plantagenet</i>	<i>Whole district</i>
<i>Quairading</i>	<i>Whole district</i>
<i>Ravensthorpe</i>	<i>Whole district except areas zoned general agricultural by a local planning scheme</i>
<i>Rockingham</i>	<i>Whole district</i>
<i>Sandstone</i>	<i>Sandstone Ward</i>
<i>Serpentine-Jarrahdale</i>	<i>Whole district</i>
<i>South Perth</i>	<i>Whole district</i>
<i>Stirling</i>	<i>Whole district</i>
<i>Subiaco</i>	<i>Whole district</i>
<i>Swan</i>	<i>Whole district</i>
<i>Tammin</i>	<i>Townsite of Tammin</i>
<i>Trayning</i>	<i>Townsites of Trayning, Kununoppin, Yelbeni</i>
<i>Victoria Park</i>	<i>Whole district</i>
<i>Vincent</i>	<i>Whole district</i>
<i>Wagin</i>	<i>Whole district</i>
<i>Wandering</i>	<i>Whole district</i>
<i>Wanneroo</i>	<i>Whole district</i>
<i>Waroon</i>	<i>Whole district</i>
<i>West Arthur</i>	<i>Whole district</i>

Column 1	Column 2
Local government district	Areas of State where Part 8 Division 2 applies
Williams	Whole district
Wiluna	Townsite of Wiluna
Wongan-Ballidu	Townsites of Wongan Hills, Ballidu, Cadoux, Kondut, Burakin
Woodanilling	Whole district
Wyalkatchem	Whole district
Wyndham-East Kimberley	Whole district
York	Whole district
<b>All other districts</b>	<b>All townsites (this includes CV)</b>

The interpretation made by the private consultant is understandable when these parts of the Regulations are read in isolation, whereas, other sections of the Regulations do not exempt land owners in local government districts not listed in Schedule 5 from complying with the requirements of the Regulations i.e.

### **31C. Applicable building standards for private swimming pools (s. 3, 19(3) and 37(1))**

- (1) *For the purposes of the definition of applicable building standard in section 3, the building standards set out in subregulation (2) are prescribed as applicable building standards for the purposes of sections 19(3) and 37(1) in respect of the construction of a private swimming pool.*
- (2) *For subregulation (1), the applicable building standards in respect of the construction of a private swimming pool are —*
  - (a) *each requirement, other than performance requirements GP1.2(a) and P2.5.3, set out in the Building Code applicable to private swimming pools; and*
  - (b) *each requirement for the enclosure of a private swimming pool set out in regulation 50.*

### **50. Enclosure of private swimming pool**

- (1) *Each owner and occupier of premises on which there is a private swimming pool containing water that is more than 300 mm deep must ensure that there is installed or provided around the pool an enclosure that restricts access by young children to the pool and its immediate surrounds.*  
*Penalty: a fine of \$5 000.*
- (2) *For the purposes of subregulation (1), the immediate surrounds of a private swimming pool that is at the rear of premises may include any part of the rear portion of the premises.*
- (3) *If a building other than a Class 10 building is included within the enclosure around a private swimming pool all external doors and windows in that building must satisfy the requirements of AS 1926.1.*
- (4) *An enclosure is suitable for the purposes of subregulation (1) if —*
  - (a) *it consists of a fence, wall, gate or other barrier, or a combination of them; and*
  - (b) *any fence, wall, gate or other barrier included in the enclosure is in accordance with —*
    - (i) *the requirements of AS 1926.1; or*

- (ii) approved alternative requirements;
- and
- (c) any wall comprising the enclosure has no means of access through a building other than —
  - (i) a window that is in accordance with the requirements of AS 1926.1; or
  - (ii) an approved door.
- (5) If a boundary fence of the premises is a part of the enclosure of a private swimming pool, the boundary fence satisfies the requirements of clauses 2.3, 2.6 and 2.7 of AS 1926.1 if all those requirements are satisfied in relation to either side of the

As previously mentioned, the Building Commission confirmed the Shire Building Surveyor's interpretation of the regulations as follows:

- All building permit applications involving new works or alterations to the pool isolation fence must comply with Reg.50 and be installed as per AS1926; and
- Building Reg.49, which refers to Schedule 5, relates to the requirements for ongoing 4 year inspections of pool fencing to confirm compliance.

## **POLICY IMPLICATIONS**

Below is Council's current Policy relating to Pool Fencing, which is outdated not necessary as this is covered by legislation:

### **2.30 POOL FENCING – FOR PRIVATE SWIMMING POOLS AND SPAS**

#### ***The Need for Pool Fencing***

***Drowning is the biggest cause of accidental death amongst children under 5 years of age and causes 3 out of 4 deaths in Australia in this age group. These occur mainly in private swimming pools.***

#### ***Current & Changing Requirements***

*In 1992 the State Government established compulsory standards for pool security (Depth exceeding 300mm) and required that Local Authorities inspect all new swimming pools / spas and at least every 4 years thereafter. These standards have been progressively updated and have different requirements for different pools, depending on the date of their approval and installation:*

- *Pools approved / installed on or after 5<sup>th</sup> of November 2001;*  
*Are required to be isolated from the dwelling by an isolation fence. This means that doors are not allowed to open from the house into the pool area.*
- *Pools approved / installed between July 1992 – 5<sup>th</sup> November 2001 that do not have isolation fencing are required to: (Are required to have Isolation Fencing but the latches mentioned are correct)*  
*Have self-closing self-latching doors leading from the house into the pool area. The latch release mechanism for the door must be located 1.5m above ground level. Have child proof windows that open onto the pool area. This can be achieved by the fitting of a security screen or other approved permanent device that limits the opening of the window to not more than 100mm.*
- *Pools approved / installed Prior to July 1992*  
*Are required to meet the post July 1992 requirements by December 2006. This can be achieved by either; upgrading doors and windows that open onto the pool area or providing a pool isolation fence.*

### Direction of Pool Gates

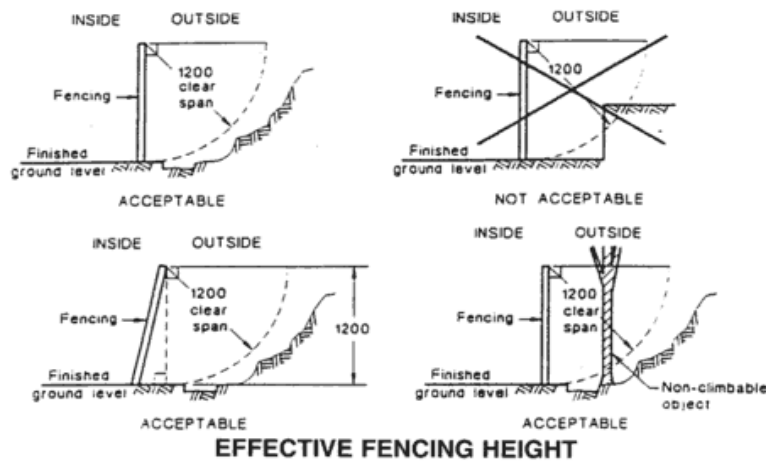
After December 2006 pool gates that were installed prior to 1989 and open inward towards the pool area will be required to comply with the post 1989 requirements. This means the gate must swing outward from the pool area.

### Pool Fencing Generally

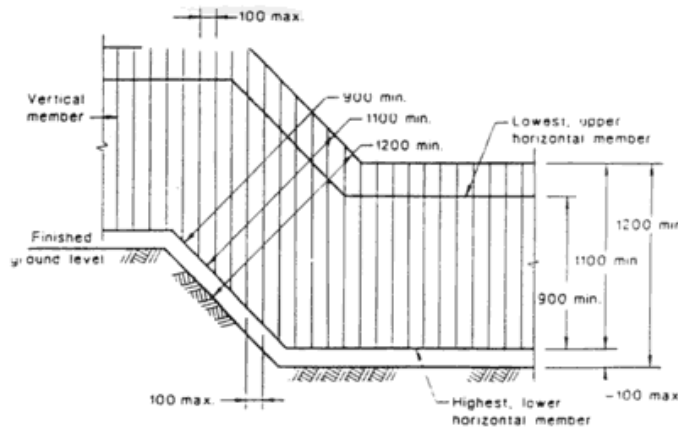
Must comply with the following:

- Minimum height of 1.2m.
- Minimum distance of 900mm between hand and foot holds.
- Minimum distance of 1.1m between the highest lower horizontal member and the top of the fence.
- Maximum space between vertical members of 100mm
- Maximum gap under gate or fence 100mm
- Gates must self close and self latch from ANY position
- The gate latch release must be 1.5m above ground level (other options available)
- The top of the pool fence must have a 1.2m clearance from any climbable object (rocks BBQ trees walls lattice etc.)

And Remember - Fences and barriers must be completed before the pool is filled with water. Once your pool is finished contact the Shire Building Department to arrange for a final inspection to be undertaken.



### EFFECTIVE FENCING HEIGHT



### PERPENDICULAR FENCING DIMENSIONS ON SLOPING GROUND

MINUTE REF: 05/07-18

### FINANCIAL IMPLICATIONS

There will not be any financial implications because Shire staff have historically inspected all privately owned swimming pools and charged accordingly for this service.

### • Long Term Financial Plan (LTFP):

No affect.

## STRATEGIC IMPLICATIONS

It is important to ensure ambiguities and misunderstandings of legislation, policies and procedures are removed or minimise.

- **Strategic Community Plan/Corporate Business Plan:**

Objective	Strategy	Outcome
Transparent decision-making is important to us	Active engagement with the community to inform decision-making	Contribution to how local issues are managed
	Maintain a strong customer focus	Effective communication on key decisions

## VOTING REQUIREMENTS

Simple Majority

*Cr Warr declared an impartiality interest as applicant of the disputed Building Permit.*

### COUNCIL RESOLUTION / STAFF RECOMMENDATION

**MOVED: CR MALUISH**

**SECONDED: CR ROYCE**

#### Recommendation 1

The Chief Executive Officer to arrange amendment to Schedule 5 of the Building Regulations, 2012, for the *Whole of District* to be listed as the area within the Shire of Chapman Valley where Part 8, Division applies.

**Voting 8/0**

**CARRIED**

**Minute Reference 11/14-12**

### COUNCIL RESOLUTION / STAFF RECOMMENDATION

**MOVED: CR FARRELL**

**SECONDED: CR MALUISH**

#### Recommendation 2

Council deletes *Policy 2.30 Pool Fencing – For Private Swimming Pools and Spas* because this is covered under legislation.

**Voting 8/0**

**CARRIED**

**Minute Reference 11/14-13**



**10.0 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

**11.0 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

11.1 Elected Member Reports

Cr Humphrey gave a report from meeting with Mr Gavin Treasure Mid-West Development Commission.

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

Nil

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

**COUNCIL RESOLUTION**

**MOVED: CR WARR**

**SECONDED: CR FORRESTER**

Council closes the meeting to the public for the following Agenda Item in accordance with the Local Government Act, 1995 per Section 5.23(2)(c) as 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.

**Voting 8/0  
CARRIED  
Minute Reference 11/14-14**

**13.1 Disposal of Lot 27 (7068) Chapman Valley Road, Yuna**

<b>AGENDA ITEM:</b>	<b>13.1</b>
<b>SUBJECT:</b>	<b>DISPOSAL OF LOT 27 (7068) CHAPMAN VALLEY ROAD, YUNA</b>
<b>PROPONENT:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>SITE:</b>	<b>LOT 27 (7068) CHAPMAN VALLEY ROAD, YUNA</b>
<b>FILE REFERENCE:</b>	<b>A1348</b>
<b>PREVIOUS REFERENCE:</b>	<b>MINUTE REF: 07/14-3 (Budget Adoption) &amp; 09/14-12</b>
<b>DATE:</b>	<b>19 NOVEMBER 2014</b>
<b>AUTHOR:</b>	<b>MAURICE BATTILANA</b>

**COUNCIL RESOLUTION / STAFF RECOMMENDATION**

**MOVED: CR WOOD**

**SECONDED: CR FORRESTER**

Council accepts the offer received for the sale of Lot 27 Chapman Valley Rd, Yuna by Private Treaty under the following conditions:

- (a) Local public notice of the proposed disposition is undertaken in accordance with Section 3.58 of the Local Government Act:
  - (i) describing the property concerned;
  - (ii) giving details of the proposed disposition; and
  - (iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;

- (b) In the event there are no adverse public submission(s) received the Chief Executive Officer is authorised to proceed with the disposal of the property;
- (c) In the event there are adverse public submissions(s) received the item is to be brought back to Council to consider the submissions and determine further action.

**Voting 8/0**  
**CARRIED**  
**Minute Reference 11/14-15**

#### **COUNCIL RESOLUTION**

**MOVED: CR HUMPHREY**

**SECONDED: CR MALUISH**

That Council re-open the meeting to the public.

**Voting**  
**CARRIED**  
**Minute Reference 11/14-16**

#### **14.0 CLOSURE**

The Chairman thanked the Elected Members and Staff for their attendance and the meeting was declared closed at 11.17am.