



Shire of
Chapman Valley
Love the Rural Life

UNCONFIRMED MINUTES

OCTOBER 2013

ORDINARY COUNCIL MEETING

Notice is hereby given that an Ordinary Meeting
of Council will be held on Wednesday 16 October 2013
at the Council Chambers, Nabawa, commencing at 10:00am.

DISCLAIMER



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

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

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

WRITTEN CONFIRMATION

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

A handwritten signature in black ink, appearing to read 'M. Battilana', is written over a large, faint, circular watermark or ghost signature.

Maurice Battilana
CHIEF EXECUTIVE OFFICER

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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 10.00am.

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 Peter Batten – Deputy President	North East Ward
Cr Trevor Royce	North East Ward
Cr Pauline Forrester	North East Ward
Cr Anthony Farrell	North East Ward
Cr David Bell	South West Ward
Cr Beverly Davidson	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)

c. Visitors

Name	
Mr I Maluish	Resident

3.2 Apologies

Councillor	Ward
Cr Peter Humphrey – Leave of Absence	South West Ward

4.0 PUBLIC QUESTION TIME

4.1 Questions On Notice

Mr Maluish questioned when and how members of the Parkfalls Streetscape Committee were notified the Parkfalls Streetscape Plan Committee was now defunct.

The Chief Executive Officer, Mr Battilana, responded by stating sole purpose of the Shire's Parkfalls Streetscape Plan Committee was to develop a Streetscape Plan for this area. This Plan has been completed and adopted by Council therefore rendering the Committee as no longer being required. Though there is no formal need to advise members of the Committee of its cessation this can be arranged as a matter of courtesy and will be done as soon as possible.

4.2 Questions Without Notice

Nil

5.0 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6.0 DISCLOSURE OF INTEREST

Nil

7.0 PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil

8.0 CONFIRMATION OF MINUTES FROM PREVIOUS MEETINGS

8.1 Ordinary Meeting of Council held on Wednesday 18 September 2013

That the minutes of the Ordinary Meeting of Council held Wednesday 18 September 2013 be confirmed as a true and accurate record.

COUNCIL RESOLUTION

MOVED: CR FORRESTER

SECONDED: CR ROYCE

That the minutes of the Ordinary Meeting of Council held Wednesday 18 September 2013 be confirmed as a true and accurate record.

Voting 7/0

CARRIED

Minute Reference - 10/13-1

9.0 OFFICERS REPORTS

Manager of Planning

October 2013

Contents

9.1 AGENDA ITEMS

- 9.1.1 Proposed Building Envelope Relocation – White Peak
- 9.1.2 Naming of Parkfalls Park
- 9.1.3 Request for Extension of Approval Period
- 9.1.4 Geraldton Local Biodiversity Strategy

AGENDA ITEM:	9.1.1
SUBJECT:	PROPOSED BUILDING ENVELOPE RELOCATION – WHITE PEAK
PROPONENT:	PLUNKETT HOMES ON BEHALF OF P MARSHALL & W HILZINGER
SITE:	LOT 326 (No.85) WESTLAKE PLACE, WHITE PEAK
FILE REFERENCE:	A1832
PREVIOUS REFERENCE:	N/A
DATE:	27 SEPTEMBER 2013
AUTHOR:	KATHRYN JACKSON

DISCLOSURE OF INTEREST

Nil

BACKGROUND

Council is in receipt of an application for the construction of a dwelling upon Lot 326 (No.85) Westlake Place, White Peak. The application has been brought before Council as the applicant proposes the relocation of the designated building envelope for the property. This report recommends conditional approval of the application.

COMMENT

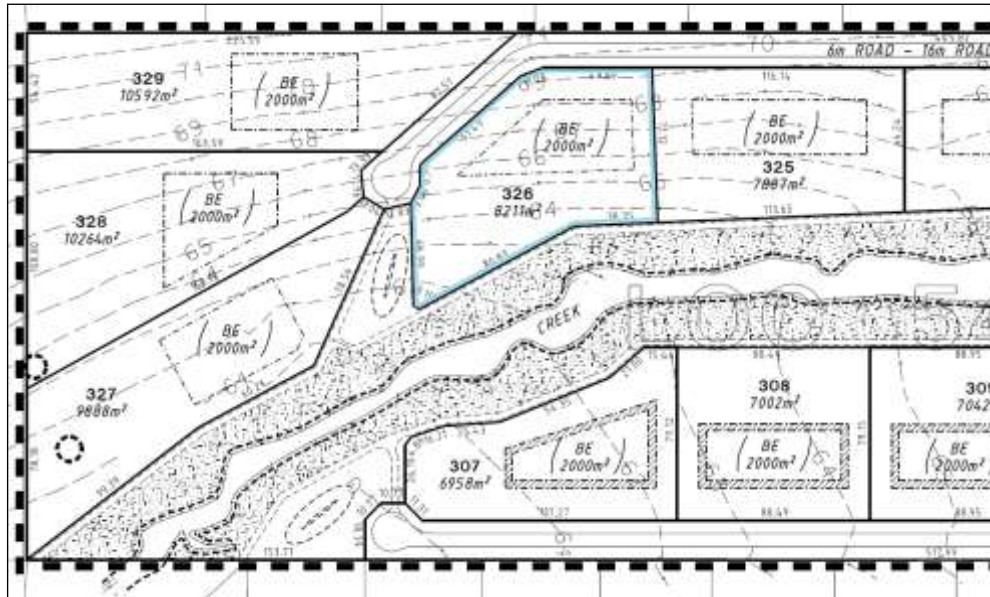
Lot 326 (No.85) Westlake Place, White Peak is located within the Dolby Creek Estate in the locality of White Peak. The property is zoned ‘Rural Residential – Area 2’ under Town Planning Scheme No.1 (‘the Scheme’).

Figure 1 – Location Plan for Lot 326 (No.85) Westlake Place, White Peak



Lot 326 fronts the cul-de-sac of Westlake Place on the southern side of the road and features a building envelope that was implemented as part of the Subdivision Guide Plan for the Dolby Creek Estate. Figure 2 is an extract of the adopted Dolby Creek Subdivision Guide Plan which demonstrates the current position of the property’s building envelope.

Figure 2 – Dolby Creek Subdivision Guide Plan extract for Lot 326



The purpose of the building envelope for each lot within the Estate is to ensure that built development is constructed at an appropriate distance from Dolby Creek and its potential secondary flood plain. The building envelopes also serve to cluster development within a defined area so as to protect the visual amenity of a locality and also ameliorate noisy, pollutant or untidy practices due to all development having close proximity to the residence.

The Shire is now in receipt of an application for the relocation of the building envelope upon the property to allow for the construction of a dwelling upon Lot 326 at a distance of 8.5m to the front property boundary. The building envelope for the property requires a minimum front boundary setback of 15m and therefore the proposed dwelling would intrude 6.5m into the front setback area.

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

The original building envelope as shown in Figure 2 above is located 15m from the front property boundary and is 2000m² (**m width x **m depth) in area. The applicant now proposes that the building envelope be moved 6.5m to the north keeping the same dimensions as the original building envelope.

Council staff, after having taken into consideration the merits of this application, recommend approval of the application for the following reasons:

- The application is considered to meet the relaxation standards prescribed in Section 3.1.3 of the Scheme;
- The visual impact of the building envelope location is considered to not detrimentally affect the outlook from adjoining properties given the changes in contour across the surrounding land;
- The building envelope would remain the same dimensions as the original building envelope;
- The finished floor level of the proposed dwelling will be 2m lower than the constructed road height of Westlake Place reducing the height of the residence as viewed from the road and adjoining properties;
- The reduction in the front boundary setback would cause 40m² of the dwelling to be forward of the current 15m front boundary setback and it is considered that this is a minor projection particularly when considered relative to the total 144.68m frontage of the lot and would not impact on the streetscape;
- The relocation of the envelope increases the protection of the dwelling from any future Dolby Creek flood events;
- Built development will still appear clustered when viewed from adjoining properties and the street;
- It is not considered that approval of the amended building envelope will set an undesirable precedent for the area.

Figure 3 – View looking west across Lot 326 from Westlake Place



Figure 4 – View looking south across Lot 326 from Westlake Place



Figure 5 – View looking east across Lot 326 from Westlake Place



STATUTORY ENVIRONMENT

The property is zoned 'Rural Residential – Area 2' under the Scheme with this zoning typically requiring a minimum front boundary setback of 15m. The application has been brought before

Council as the received dwelling application proposes to relocate the building envelope 8.5m from the front property boundary.

Appendix 10 – Area 2 of the Scheme states:

“Buildings and effluent disposal systems shall be confined to the building envelopes as identified on the Subdivision Guide Plan (and the building envelopes must be of an area and location that is supported by the Local Government and the Department of Water).”

In regards to Council’s authority to alter a previously approved building envelope, Section 3.1.3 of the Scheme states:

“3.1.3 Power to Relax Development Standards and Requirements

Notwithstanding the provisions of Clause 3.1.1, if a development, other than a residential development, the subject of an application for planning consent, does not comply with a standard or requirement prescribed by the Scheme with respect to that development the Council may, notwithstanding that non-compliance, conditions as the Council thinks fit. The power conferred by this Clause may only be exercised if the Council is satisfied that:

- (a) approval of the proposed development would be consistent with the orderly and proper planning of the locality and the preservation of the amenities of the locality;*
- (b) the non-compliance will not have any adverse effect upon the occupiers or users of the development or the inhabitants of the locality or upon the likely future development of the locality; and*
- (c) the spirit and purpose of the requirements or standard will not be unreasonably departed from thereby.”*

In order to satisfy the requirements of the Scheme the Council is required to consider the application for the relocation of the building envelope in accordance with above clauses (a), (b) and (c). Should Council consider that the application meets these requirements the Scheme gives authority to the Council to relax the development standards and grant approval for the alteration of the building envelope for the subject property.

POLICY IMPLICATIONS

On 16 November 2004 the Council adopted Local Planning Policy ‘Location of Buildings on Special Rural and Rural Residential Zoned Land Policy’ in order to give guidance to landowner’s and staff when dealing with applications that requested the relocation and amendment of designated building envelopes.

Clause 2 of the ‘Location of Buildings on Special Rural and Rural Residential Zoned Land Policy’ Local Planning Policy states:

“In considering an application to relax the development standards pursuant to Clause 3.1.3 of the Town Planning Scheme, the Council will give particular consideration to:

- a) justification for the proposed amendment;*
- b) the secondary nature of the development should the application be to site a building/s outside of the envelope (ie horse stables);*
- c) unacceptable visual clutter, especially in elevated areas of high landscape quality or visually exposed locations, such as the edge of hill or mesa tops within prominent parts of the Moresby Ranges;*
- d) unnecessary clearing of remnant native vegetation;*
- e) visual obtrusiveness and/or impact on an adjoining property by way over looking, noise, odour or light spill;*
- f) suitability for landscape screening using effective screening vegetation and the availability of a proven water supply for this purpose;*

- g) *use of materials and colours to assist in softening any perceived visual impact;*
- h) *compliance with the land-use, setback, building height, development exclusion, vegetation protection, bushfire requirements and other pertinent provisions of the Town Planning Scheme and associated Planning Policies.”*

With regard to the Policy the application does not propose the clearing of vegetation and the siting of built development within the proposed new building envelope location would not detrimentally impact on the streetscape as the finished floor level of the proposed dwelling is 2m lower than the Westlake Place road surface and there would only be 40m² of the dwelling projecting into the standard 15m front setback area.

It is also considered that although the front boundary setback would be reduced to 8.5m, the setback of the dwelling as viewed from adjoining properties to the east and from vehicular and pedestrian traffic travelling west along Westlake Place would appear to be at the same distance from the road. This is due to Lot 326 having a 144.68m long front boundary which runs east-west for the eastern 50m section in-line with the lots on the southern side of Westlake Place with the remainder of the front boundary curving to the south (which is where the front boundary setback of 8.5m has been measured from) and the last portion of the front boundary providing truncations for the cul-de-sac head. It is therefore considered that the building envelope relocation will not set an undesirable precedent for the approval of further reduced setbacks on other lots in the area as approval of this proposal is based on the property's individual merits.

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.

Community Consultation

The 'Location of Buildings on Special Rural and Rural Residential Zoned Land Policy' Local Planning Policy' states for special procedural considerations that:

“In most cases an application to site a building outside of a designated building envelope or to relocate a building envelope will require the proposal to be advertised with the neighbours, and in some instances FESA, for a period of 21 days pursuant to clause 5.2 of the Town Planning Scheme to obtain comments prior to the Council determining the application.”

It was not considered by Shire staff that advertising of the application was warranted in this instance following an on-site inspection of the property and given the minor nature of the proposed variation to the building envelope location. However, should Council consider that the advertising of the application has merit and would lend support to the planning determination process, an advertising period of 21 days could be undertaken with adjoining landowners with the application and any received submissions returned to a future meeting of Council.

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple majority of Council

COUNCIL RESOLUTION/STAFF RECOMMENDATION

MOVED: CR BELL

SECONDED: CR FORRESTER

That Council grant formal planning approval to the alteration of the building envelope and the construction of a residence upon Lot 326 (No.85) Westlake Place, White Peak subject to compliance with the following:

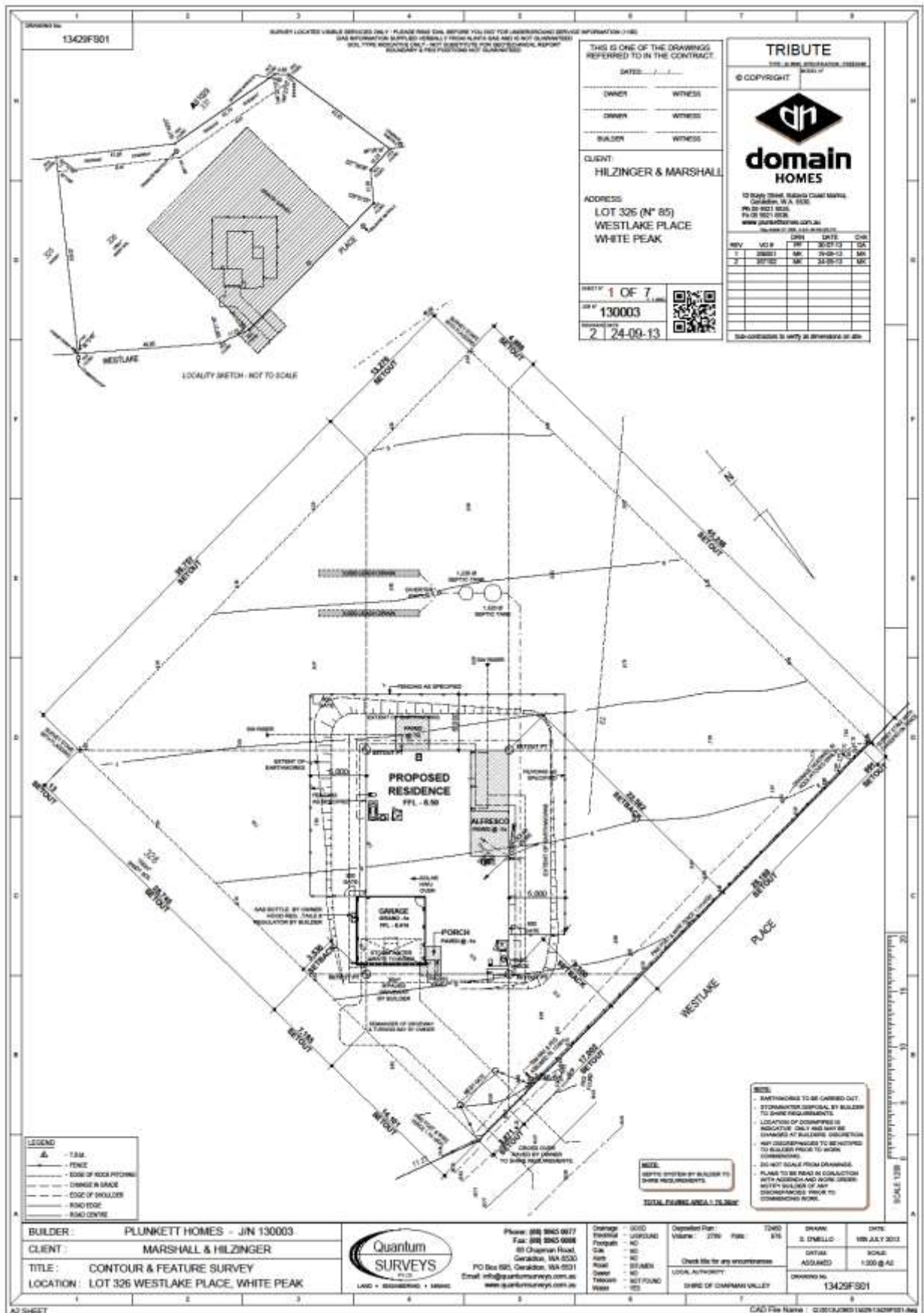
Conditions:

1. Development shall be in accordance with the attached approved plan(s) dated 16 October 2013 and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the Local Government.
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. All stormwater is to be disposed of on-site to the specifications and approval of the Local Government. On application for a building licence a detailed design of stormwater collection and disposal system of developed areas is to be supplied.
4. The laying of all water pipes under ground to a minimum depth of 300mm to withstand the effects of a bush fire.
5. Any soils disturbed or deposited on site shall be stabilised to the approval of the local government.
6. Installation of crossing place/s to the standards and specifications of the Local Government.
7. The roof is to be clad in coated metal sheeting (i.e. colorbond) as the use of uncoated metal sheeting (i.e. zinalume) is not permitted.
8. If the development/land use, the subject of this approval, is not substantially commenced within a period of two years after the date of determination, the approval shall lapse and be of no further effect.

Notes:

- i. Where an approval has so lapsed, no development/land use shall be carried out without the further approval of the local government having first been sought and obtained.
- ii. If an applicant is aggrieved by this determination there is a right (pursuant to the *Planning and Development Act 2005*) to have the decision reviewed by the State Administrative Tribunal. Such application must be lodged within 28 days from the date of determination.

**Voting 7/0
CARRIED
Minute Reference – 10/13-2**

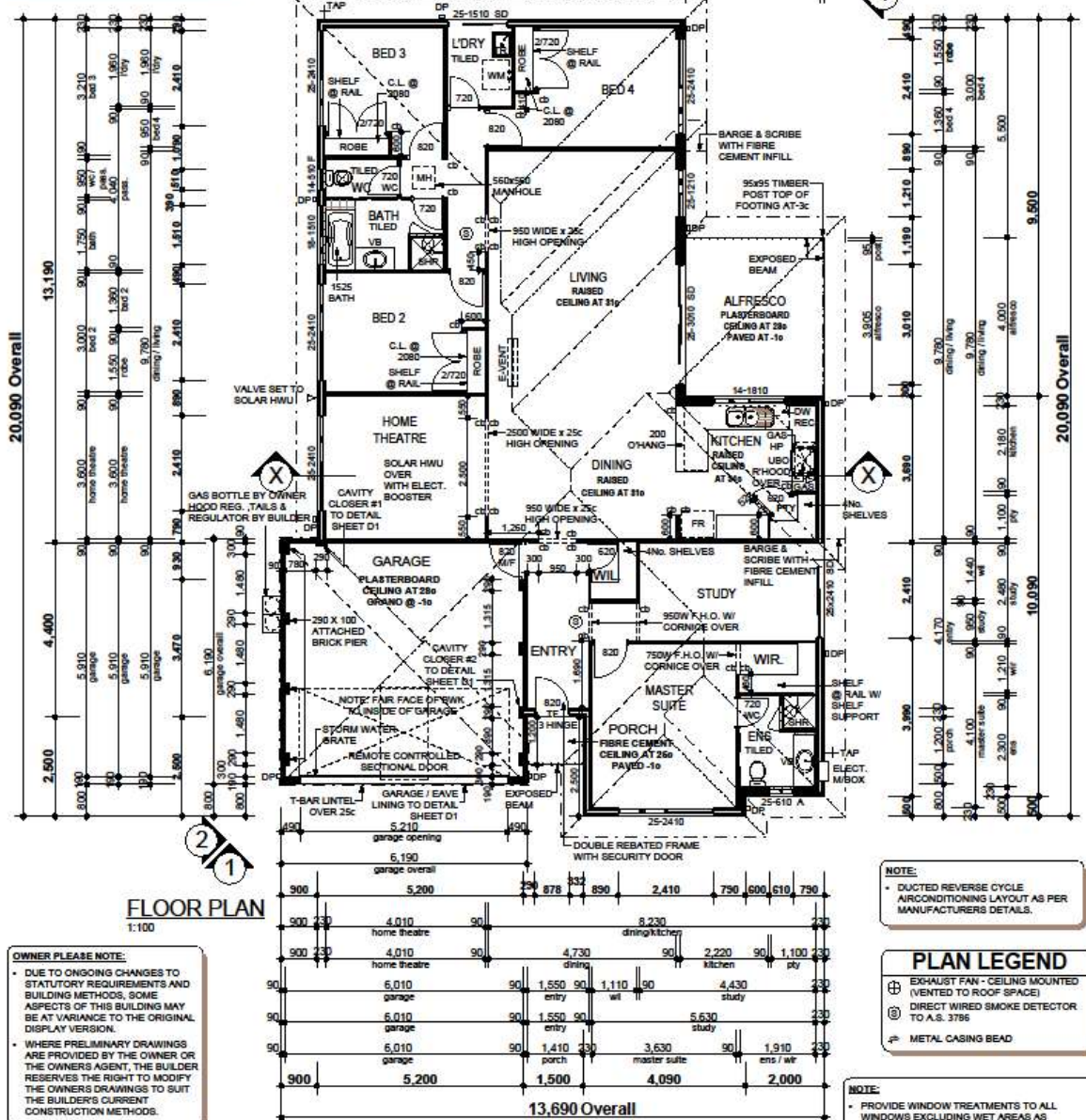


- NOTE:**
- DO NOT SCALE FROM DRAWINGS.
 - VERTICAL BRICK COURSING HEIGHTS ARE RELATED TO STD BRICK SIZES.
 - ALL INTERNAL DIMENSIONS ARE TO BRICK SIZES, NOT FINISHED SIZES.
 - CEILING LEVEL AT 25c UNLESS NOTED OTHERWISE.
 - THE CONSTRUCTION DETAILS REFERRED TO IN THESE DOCUMENTS DO NOT FORM PART OF THE CONTRACT DOCUMENTS & MAY BE CHANGED AT ANY TIME WITHOUT NOTICE, AT THE BUILDER'S DISCRETION.
 - POSITIONS OF DOWNPIPES, ROTARY ROOF VENTS & THE SOLAR HWS ARE INDICATIVE ONLY & MAY BE CHANGED AT THE BUILDER'S DISCRETION.
 - PROVIDE INSULATION TO HOUSE CEILINGS AS PER ADDENDA.
 - PROVIDE CORNER BEADS, NOTED AS 'CB', TO ALL INTERNAL PLASTERED CORNERS EXCLUDING WINDOW & DOOR REVEALS, SILLS & HEADS.

Floor Areas			
Floor	Location	Area	Perimeter
Ground floor	HOUSE	183.07	65.76
	GARAGE	37.44	34.75
	ALFRESCO	14.00	15.00
	PORCH	1.59	5.22
		238.20 m ²	

NOTE:
• TIMBER ROOF TO A.S. 1684

NOTE:
• PROVIDE FLOOR COVERING TO HOUSE AS SPECIFIED.



REV	VO #	DRN	DATE	CHK
1	390201	ML	20-07-13	GA
2	397102	ML	15-08-13	ML
		ML	24-08-13	ML

Sub-contractors to verify all dimensions on site

THIS IS ONE OF THE DRAWINGS REFERRED TO IN THE CONTRACT.

DATED:

OWNER: _____ WITNESS: _____

OWNER: _____ WITNESS: _____

BUILDER: _____ WITNESS: _____

CLIENT: HILZINGER & MARSHALL

ADDRESS: LOT 326 (N° 85) WESTLAKE PLACE WHITE PEAK

TRIBUTE

MODEL N°

© COPYRIGHT

2 OF 7

130003

REVISION: 2

DATE: 24-09-13

TRIBUTE
 TYPE 35 BARK SPECIFICATION FREEDOM
 MODEL N°



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REV	VO #	DRN	DATE	CHK
1	356051	PP	30-07-13	GA
2	357102	NK	19-08-13	MK
		NK	24-09-13	MK

Sub-contractors to verify all dimensions on site.
 THIS IS ONE OF THE DRAWINGS
 REFERRED TO IN THE CONTRACT.

DATED:
 OWNER WITNESS
 OWNER WITNESS
 BUILDER WITNESS

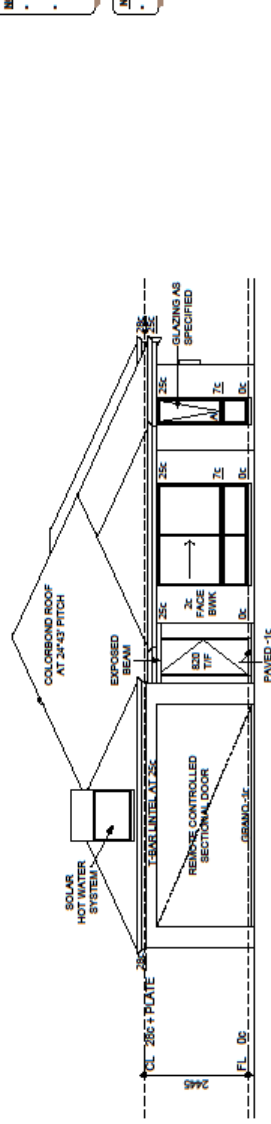
CLIENT:
HILZINGER & MARSHALL

ADDRESS:
 LOT 326 (N° 85)
 WESTLAKE PLACE
 WHITE PEAK

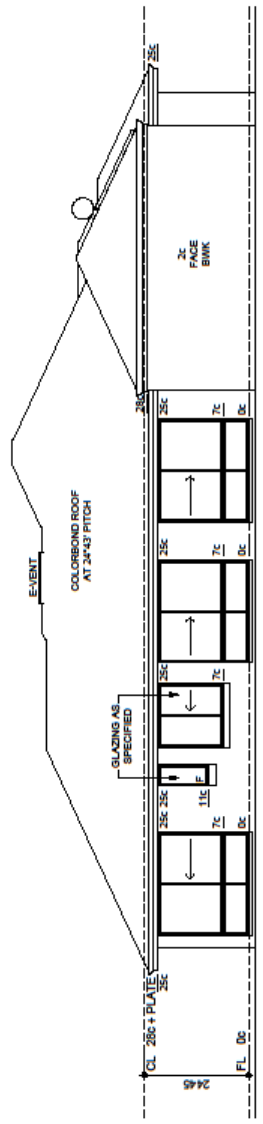
SHEET N° **3** OF 7
 JOB N° **130003**
 REVISION DATE **2** 24-09-13

NOTE:
 • SPACINGS AT NO MORE THAN 1200
 SPACINGS AS PER AS3700
 • WALL TIES AT NO MORE THAN 600
 CENTRES, 300 AROUND OPENINGS &
 WALLS ABUTMENTS AS PER AS3700

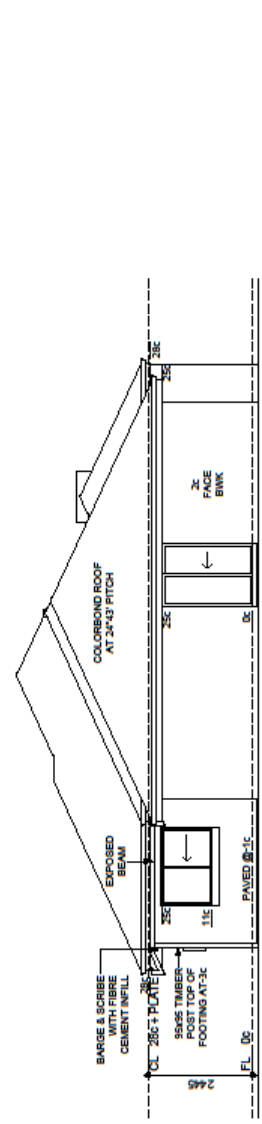
NOTE:
 • TIMBER ROOF TO A.S. 1984



ELEVATION 1
1:100



ELEVATION 2
1:100



ELEVATION 3
1:100

AGENDA ITEM:	9.1.2
SUBJECT:	NAMING OF PARKFALLS PARK
PROPONENT:	SHIRE OF CHAPMAN VALLEY
SITE:	LOT 9503 ELIZA SHAW DRIVE, WHITE PEAK
FILE REFERENCE:	A1637
PREVIOUS REFERENCE:	09/09-11, 08/10-3, 04/11-4, 05/111-29, 12/11-3 & 13/4-5
DATE:	27 SEPTEMBER 2013
AUTHOR:	KATHRYN JACKSON

DISCLOSURE OF INTEREST

Nil.

BACKGROUND

Council has previously supported the subdivision of Lot 9503 Eliza Shaw Drive, White Peak subject to a 9.113ha balance area being vested to the Shire as a Reserve for Recreation. This subdivision is nearing completion and it is timely for a name to be considered for this new park. This report recommends the application of the name 'Bill Hemsley Park'.

Figure 1 - Location Plan for Lot 9503 Eliza Shaw Drive, White Peak



COMMENT

The developer of the Parkfalls Estate wrote to the Shire on 16 July 2010 proposing that the 13.2503ha Lot 9503 Eliza Shaw Drive, White Peak be rezoned and subsequently subdivided into 9 residential lots fronting Redcliffe Concourse ranging in size from 4,025m² to 4,272m², and the eastern 9.1193ha balance area be vested in the Shire as a reserve. The developer also proposed that an amount of \$300,000 be paid in trust for the improvement of the reserve when the titles for the 9 lots and the reserve are issued.

Council resolved at its 25 August 2010 meeting to initiate the rezoning of the land, and made this subject to legal documentation being prepared that confirmed the offer made by the developer. A legal agreement was drafted by the developer's solicitor and reviewed by the Shire's solicitor and considered by Council at its 20 April 2011 meeting, with it being resolved to sign the agreement subject to final modifications being undertaken, and that advertising of Scheme Amendment No.49 be commenced upon finalisation of the legal agreement. The legal agreement was duly finalised, and signed and sealed by all parties on 25 August 2011.

Scheme Amendment No.49 was advertised in accordance with the *Planning & Development Act 2005* from 19 September until 31 October 2011 and proposed to rezone Lot 9503 from the 'Special' zone to the 'Low Density Residential R2.5' and 'Recreation' zones. Council determined at its 14 December 2011 meeting to adopt Scheme Amendment No.49 for final approval and the Minister for Planning granted final approval to the rezoning on 17 April 2012.

The Western Australian Planning Commission granted approval for the developer to subdivide Lot 9503 on 9 August 2012 and this enables the developer to proceed with the on-ground subdivision works and marketing of the 9 lots.

Item 3 of the Legal Agreement between the Shire and the developer was worded to require that a 9.1193ha area would be created from Lot 9503 at time of subdivision by the developer, and this would be set apart as a reserve and a Management Order (formerly known as a Vesting Order) would then be issued to the Shire of Chapman Valley by the Department of Lands.

Figure 2 – Indicative subdivisional layout for Lot 9503 Eliza Shaw Drive, White Peak



At the 15 August 2013 Parkfalls Park Management Committee meeting comprising representatives of Council, the Parkfalls Residents Association and Parkfalls Estate developer, the naming of the park was tabled for discussion. The Management Committee was supportive of the name 'Bill Hemsley Park' being forwarded to Council as a potential name for the park to recognise the former landowner and his contribution to the area.

Prior to this matter being presented to Council for formal consideration the Shire wrote to Bill Hemsley's widow (Ann) on 26 August 2013 seeking her feedback. A copy of the correspondence sent to Mrs Hemsley is included as **Attachment 1** for Council's information.

The Shire received a response from Mrs Hemsley on 3 September 2013 indicating her support for the name 'Bill Hemsley Park'. A copy of Mrs Hemsley's correspondence is included as **Attachment 2** for Council's further information.

Should Council endorse the name Shire staff would then be required to write to the Department of Land's Geographic Names Committee seeking formal application of the name.

STATUTORY ENVIRONMENT

The portion of Lot 9503 Eliza Shaw Drive, White Peak that is proposed to be created as a 'multi-purpose parkland for the purpose of community use' through Western Australian Planning Commission subdivision application No.146092 is zoned 'Recreation' zone through Amendment No.49 to Shire of Chapman Valley Town Planning Scheme No.1.

Section 6.2 of the Geographic Names Committee 'Policies and Standards for Geographical Naming in Western Australia' states:

"Names commemorating or construed to be commemorating living persons shall not be considered for parks or reserves with an area over 1ha.

If a park or reserve is to be named in honour of a person, they should have either had a direct long-term association with the area, or have made a significant contribution to the area of the proposed park or reserve, or the State. Association or contribution can include:-

- *two or more terms of office on a local government council;*
- *twenty or more years association with a local community group or service club;*
- *twenty or more years of association or service with a local or State government agency or organisation;*
- *action by an individual to protect, restore, enhance or maintain an area that produces substantial long term improvements for the community or area;*
- *service to the community or organisation must have been voluntary; and*
- *given and surname combinations may be acceptable.*

Former ownership of land is not an acceptable reason for proposing a name, unless previous criteria apply."

Should Council support application of the name 'Bill Hemsley Park' Shire staff will address the above criteria in its correspondence to the Geographic Names Committee.

POLICY IMPLICATIONS

The Shire has Policy 15.210 in relation to road names but has previously considered park names on an individual basis only.

FINANCIAL IMPLICATIONS

The transfer of the proposed park site from private to public ownership will enable the Shire to work with the community to create an area that meets its recreational and community requirements. It is suggested that initially the Management Committee will give consideration to appropriate facilities for the park and this would include consultation with the wider Parkfalls community. In its consideration of responsible and staged development of the park, the Management Committee and subsequently Council would have regard for the following:

- the type of facilities that are demanded by the Parkfalls community (this would be established through a consultation process);
- the type of facilities that are likely to be used by the Parkfalls 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).

The developer has agreed to make payment of \$300,000 for expenditure on construction and development within the park and the Shire will be able to supplement this through future budgetary allocation and pursuit of external funding sources.

STRATEGIC IMPLICATIONS

The development of a park and facilities upon Lot 9503 to serve as a recreation and community node would capitalise on the Parkfalls Estate's radial network of bridle paths and roads that should lead to maximum utilisation of the site as it would be relatively easy to access for the community it will serve.

VOTING REQUIREMENTS

Simple Majority required.

COUNCIL RESOLUTION/STAFF RECOMMENDATION

MOVED: CR FARRELL

SECONDED: CR FORRESTER

That Council advise the Department of Land's Geographic Names Committee that it supports the assignment of 'Bill Hemsley Park' to the 9.5225ha portion of Lot 9503 Eliza Shaw Drive, White Peak shown as Lot 302 upon Deposited Plan of Survey 75818 that will be ceded as Reserve for Recreation.

Voting 7/0

CARRIED

Minute Reference – 10/13-3



Shire of
Chapman Valley
Love the Rural Life

Our Ref: A1637
Enquiries: Simon Lancaster

26 August 2013

Anne Hemsley
10 Thirlmere Way
HIGH WYCOMBE WA 6057

Dear Madam

PROPOSED NAMING OF PARK – ELIZA SHAW DRIVE, WHITE PEAK

The Shire of Chapman Valley writes to advise you that it has been in discussion with the developer of the Parkfalls Estate concerning the creation of a 9 hectare park on Eliza Shaw Drive, White Peak at the centre of the estate.

During discussions between representatives of the Shire, the estate developers and the Parkfalls Residents Association it was suggested by the developer that the park should be named 'Bill Hemsley Park'.

It was agreed by all parties that the Shire should first write to you seeking your comment on whether you would be supportive of this name being used for the proposed park.

Should you be supportive of the use of the name 'Bill Hemsley Park' then this matter will be presented to a meeting of the Council of the Shire of Chapman Valley seeking their endorsement of the name. The Council would then be required to seek the formal application of the name from the State Department of Lands.

Please find enclosed with this correspondence a copy of the Parkfalls Estate Structure Plan that illustrates the location of the proposed park at the centre of the estate, and a selection of site photographs to elaborate upon this request.

Trusting that this correspondence provides sufficient information to enable you to provide comment to the Shire, however, should you have any queries or wish to discuss this matter further please do not hesitate to contact Simon Lancaster on (08) 9920 5011.

Yours faithfully,

Simon Lancaster
MANAGER OF PLANNING

Enc.





PO Box 1 Nabawa WA 6532 | Lot 7 Chapman Valley Road Nabawa WA | Ph: (08) 9920 5011 | Fax: (08) 9920 5155 | www.chapmanvalley.wa.gov.au

A1637

Record No

29 08. 2013.

Dear Mr Lancaster

Many thanks for your letter of the 26th re the proposed naming of the Park on Eliza Shaw Drive White Peak.

I would be honoured that the Park would be named after my late husband. He loved the land very much and was frustrated when age and heart problems

forced him to sell.

2/---

Page 2

I am very supportive of the use of "Bill Hemsley Park" being used. Now fortuitous, today he would have turned 78 yo had he been alive.

Again many thanks for suggesting my husbands name
Yours sincerely

Ann Hemsley.



AGENDA ITEM:	9.1.3
SUBJECT:	REQUEST FOR EXTENSION OF APPROVAL PERIOD
PROPONENT:	N & T STEIN
SITE:	LOT 8 NORTH WEST COASTAL HIGHWAY, BULLER
FILE REFERENCE:	A110
PREVIOUS REFERENCE:	10/11-8, 11/11-13, 05/12-6 & 13/4-3
DATE:	27 SEPTEMBER 2013
AUTHOR:	SIMON LANCASTER

DISCLOSURE OF INTEREST

Nil.

BACKGROUND

Council is in receipt of correspondence seeking an extension of the approval period for the following current planning approvals upon Lot 8 North West Coastal Highway:

- Residence (approval expires 19 October 2013); &
- 4 Chalets (approval expires 16 May 2014).

This report recommends extension of the timeframe for commencement of these developments.

Figure 1 – Location Plan for Lot 8 North West Coastal Highway, Buller



COMMENT

A copy of the received correspondence from the landowners of Lot 8 North West Coastal Highway, Buller has been included as **Attachment 1**.

Lot 8 is a 8.0345ha rectangular property with frontage at its eastern end to the North West Coastal Highway and the coastal reserve at its western end, the lot is 118.17m wide and 678.55m in length. The eastern 2ha area of Lot 8 fronting the highway is set at approximately the 45-40m contour height and contains the existing residence and associated outbuildings, after which the property slopes down over the next 200m to a level 4ha area set at the 5m contour height situated behind the coastal dunes. This area is used for horse agistment and contains outbuildings related to this purpose. A dog boarding kennel previously operated upon the property in an excavated area set into the base of the limestone ridge, and the SAT approval period for this ceased on 3 August 2013.

Figure 2 – Aerial Photograph of Lot 8 North West Coastal Highway, Buller



Council approved an application for a two storey 'barn style' residence to be clad in sandstone colorbond cladding and a zincalume roof with a ground floor area of 483.84m² upon a previously cleared section of Lot 8 at its 19 October 2011 meeting. A copy of the submitted site, floor and elevation plans for the residence have been included as **Attachment 2** to this report.

Figure 3 – View of proposed residence location looking west



Council advertised and subsequently approved an application for 4 chalets at the western end of Lot 8 at its 16 May 2012 meeting that would operate as the 'Chapman Valley Beach Villas' in conjunction with 8 further chalets to be sited upon Lots 7 & 9 to the south of Lot 8. The design of the 4 chalets would be identical to the 8 chalets approved upon Lots 7 & 9 by Council at its 16 November 2011 meeting, being 220m² in floor area and single storey as viewed from the west and two storey (undercroft parking area) as viewed from the east. The chalets would be clad in non-reflective insulated IBS panel walls of a soft-grey to off-white colour and metal clad panel roofs of an off-white colour with curved flat pitch.

Each chalet would require the clearing of approximately 450m² vegetation and a further 250m² for paths and access tracks to each villa, with an estimated total area required to be cleared for development upon Lot 8 of less than 2,900m². The vegetation in the intended location is fragmented, degraded and infested with Boxthorn and other weeds. The applicant proposed to undertake

rehabilitation and conservation works for an offset area in excess of 7,500m² and the approval of the application was made conditional to such works.

The application upon Lot 8 would utilise the highway access and internal vehicle access network approved for the common use of the total chalet development upon the neighbouring Lots 7 & 9 to the south. A 4m wide access track would be constructed at the western end of Lot 8 for guest vehicles to access the 4 chalets. The existing vehicle network upon Lot 8 would also allow for secondary fire access across the steep limestone ridge and back to the highway.

It is proposed that the chalets on Lot 8 and those already approved upon neighbouring Lots 7 & 9 would be operated under a joint management and marketing agreement with a full-time caretaker/cleaner/maintenance/groundskeeper, and reception and administration activities to operate from the Pearl Gallery building approved upon Lot 9, past which the common access network runs prior to reaching the chalets. Outside of the Gallery's operating hours (9am-5pm) it is proposed that the caretaker housed in villa 1 would undertake this role.

A complete copy of the detailed and extensive chalet application has been previously provided to Councillors, and a copy of the submitted site, floor and elevation plans for the chalets have been included as **Attachment 3** to this report.

The applicants for the original 8 chalets upon Lots 7 & 9 applied to Council for an extension of their approval and this was approved by Council at its 17 April 2013 meeting and it is suggested that the approval for the 4 chalets upon Lot 8 be granted an extended expiry date of 17 April 2018, thereby establishing a common approval period for the total 'Chapman Valley Beach Villas' development.

Figure 4 – View looking east from proposed chalet sites towards existing structures



It is considered reasonable that an extension be issued for the previously approved developments upon Lot 8 to match the remainder of the chalets, and the application otherwise remains unchanged from the one Council has previously been satisfied with and issued conditional approval for. The applicants are of the opinion that the delays in the rezoning of the area and the subsequent preparation of the structure plan and ability to then subdivide or strata the site have proved to be commercially problematic for their venture.

Shire of Chapman Valley Local Planning Scheme No.2 proposes to rezone the 13 lots that are west of the North West Coastal Highway, north of Drummond Cove Road and south of the Buller River to 'Development' zone with an overlying 'Development Contribution Area 1'. This action is in accordance with the strategic direction set for the area by the Western Australian Planning Commission ('WAPC') which identifies the area as 'Future Urban' in the Geraldton Region Plan.

The Environmental Protection Authority ('EPA') issued instruction on 17 May 2007 that this matter warranted Environmental Review, and the EPA advised on 9 July 2010 that the Environmental Review document (inclusive of Level 2 Fauna Survey) had been prepared in accordance with its instruction.

The concurrent advertising period for the Buller Environmental Review and Scheme No.2 ran from 23 November 2010 until 23 February 2011 and all submissions received that related to the proposed Buller 'Development' zone were forwarded to the EPA for its consideration and a decision on this aspect of the Scheme.

The EPA advertised on 7 June 2011 that it had made recommendation in relation to the Buller 'Development' Zone Environmental Review. The Shire and 7 landowners lodged appeals with the Office of Appeals Convenor by the closing date of 21 June 2011 objecting to the overly restrictive EPA Recommendation, and on 4 June 2013 the Minister for Environment made determination upon the appeals upholding them in part.

Given that this matter has now been running since 17 May 2007 when the EPA issued instruction for an Environmental Review, and the Shire has only now reached a stage where it can commence drafting of the structure plan to enable later subdivision of the subject area it is considered fair and reasonable that an extension for the planning approvals previously issued for Lots 7, 8 & 9 by Council be granted whilst the final approval of the Scheme by the Minister for Planning, the gazettal of the Scheme, and the undertaking of the structure planning process are resolved. The 5 year extension of the current approval period for Lot 8 is recommended to match the remainder of the overall chalet development and to ensure the Structure Plan that must be prepared to guide subdivision and further development of the Buller area is completed. Whilst Council has been proactive in initiating the Buller 'Development' Zone Structure Plan and engaging a consultant at its 21 September 2011 meeting the Structure Plan process will be a challenging one in having to address the requirements of the EPA, Main Roads WA (amongst other government agencies) and the desires of 11 separate landowners, and the Structure Plan approval ultimately rests with the WAPC. It is considered that a timeframe for a resolution to these issues is uncertain, particularly given that the decision on these matters rests outside of the Council's control, and it is suggested therefore that an extension period of 5 years would therefore be appropriate in this instance.

The original Council approvals relevant to each of the development applications upon Lot 8 subject to the request for extension have been included as **Attachment 4**.

STATUTORY ENVIRONMENT

Section 5.3.4 of the Shire of Chapman Valley Town Planning Scheme No.1 states:

"Where the Council approves an application for planning consent under this Scheme the time for which that consent remains valid, is two (2) years, unless otherwise stated on Council's decision on application for planning consent."

Section 10.5 within Appendix B of the *Town Planning Regulations 1967* states:

"10.5 Term of planning approval

10.5.1 *Where the local government grants planning approval for the development of land —*

- (a) the development approved is to be substantially commenced within 2 years, or such other period as specified in the approval, after the date of the determination; and*
- (b) the approval lapses if the development has not substantially commenced before the expiration of that period.*

10.5.2. *A written request may be made to the local government for an extension of the term of planning approval at any time prior to the expiry of the approval period in clause 10.5.1."*

This section of the *Town Planning Regulations 1967* is replicated within Shire of Chapman Valley Town Planning Scheme No.2, which having now been advertised, and adopted by Council at its 17 July 2013 meeting should be considered as a 'seriously entertained' document.

The Confirmed Minutes of the 19 October 2011 (Minute References 10/11-8) and 16 May 2012 (Minute Reference 05/12-6) Council meetings provide the previously stated statutory information in relation to the subject development applications.

POLICY IMPLICATIONS

No further policy information to that contained within the 19 October 2011 (Minute References 10/11-8) and 16 May 2012 (Minute Reference 05/12-6) Confirmed Council Minutes.

FINANCIAL IMPLICATIONS

A request for an extension of planning approval incurs a fee of \$105 (+GST) under the 2013/2014 Shire of Chapman Valley Planning Fee Schedule, and the applicant has been invoiced for this amount.

STRATEGIC IMPLICATIONS

No further policy information to that contained within the 19 October 2011 (Minute References 10/11-8) and 16 May 2012 (Minute Reference 05/12-6) Confirmed Council Minutes.

VOTING REQUIREMENTS

Simple majority of Council

COUNCIL RESOLUTION/STAFF RECOMMENDATION

MOVED: CR BATTEN

SECONDED: CR FORRESTER

That Council, pursuant to Section 10.5 within Appendix B of the *Town Planning Regulations 1967* and Shire of Chapman Valley Town Planning Scheme No.2 resolve the following:

- 1 Grant an extension (new expiry date 17 April 2018) to the following:
 - (a) Planning Permit 2011/055 for the development of a residence upon Lot 8 North West Coastal Highway, Buller subject to the original conditions of Planning Permit 2011/055;
 - (b) Planning Permit 2012/033 for the development of 4 chalets upon Lot 8 North West Coastal Highway, Buller subject to the original conditions of Planning Permit 2011/033.
- 2 Advise the applicant that should the developments not be substantially commenced by 17 April 2018 that fresh applications will be required to be submitted to Council for consideration.

**Voting 7/0
CARRIED**

Minute Reference – 10/13-4

A110.

Record No PA131963

Timothy and Nicola Stein

PO Box 3356,

Bluff Point,

WA 6530

Town Planner: Simon Lancaster

Shire of Chapman Valley

PO Box 1, Nabawa

WA 6532

Request for extension of time for Planning Approvals for Lot 8 North West Coastal Highway, Buller

Dear Simon,

We wish to request an extension to the planning approvals for our House and Chalets on Lot 8 North West Coastal Highway, Buller. These approvals are summarized as:

1. House/ Grouped Dwelling (Planning Consent 2011/055 approval expires 19th Oct 2013)
2. Caretakers Chalet and three associated chalets (Planning Consent 2012/033 approval expires 16th May 2014)

To be extended for a further 5 years, due to the delay in the Buller Structure Plan approval.

The chalet development mirrors that of our neighbours Colleen Bonner (Lot 7) and Muriel Thomas (Lot 9). Together the chalets are known as Chapman Valley Beach Villas (CVBV).

We have had the pleasure of working with Muriel Thomas' family including Rick Cameron and Colleen Bonner's family including Kevin Woodthorpe and have been active with our neighbours in the consideration of various designs and construction matters and look forward to progressing the CVBV project.

We hope that an extension of planning consent will be granted to be consistent with our neighbours.

Yours sincerely,

Timothy and Nicola Stein

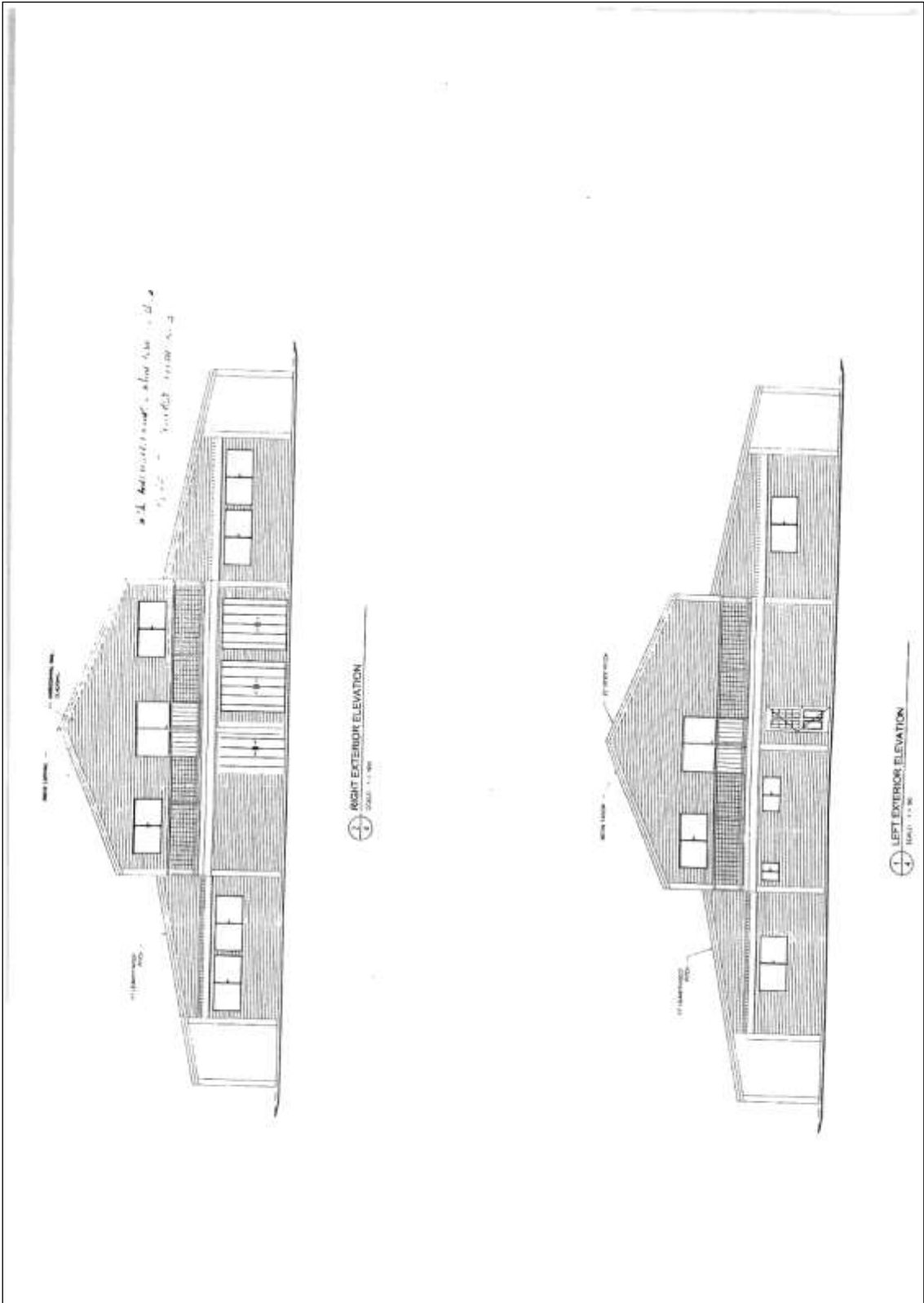
11.09.13

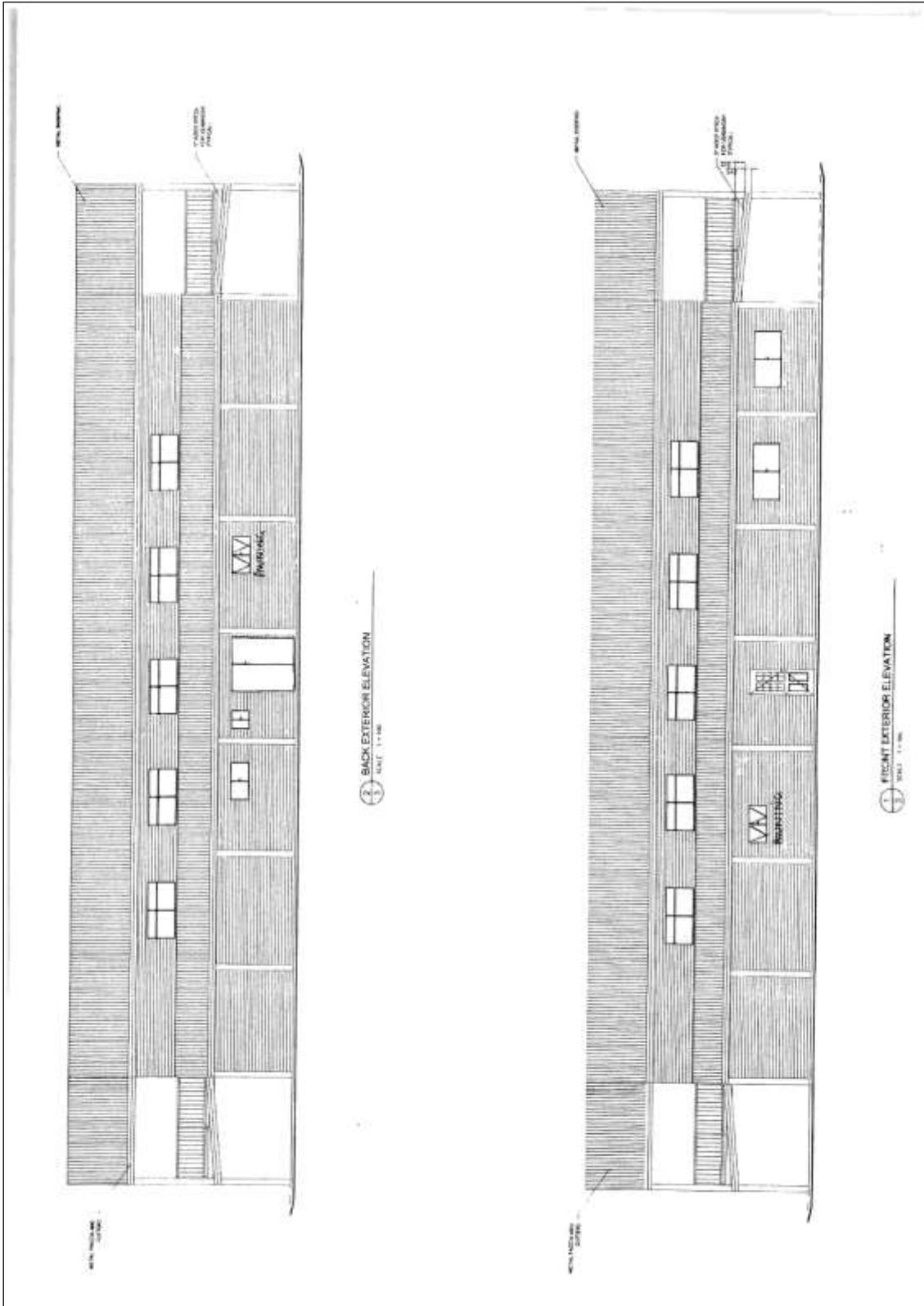
Landgate Aerial (2010), Scale 1: 1783. Overlaid with Proposed Development
Location & Access Routes - Grouped (2nd Dwelling)

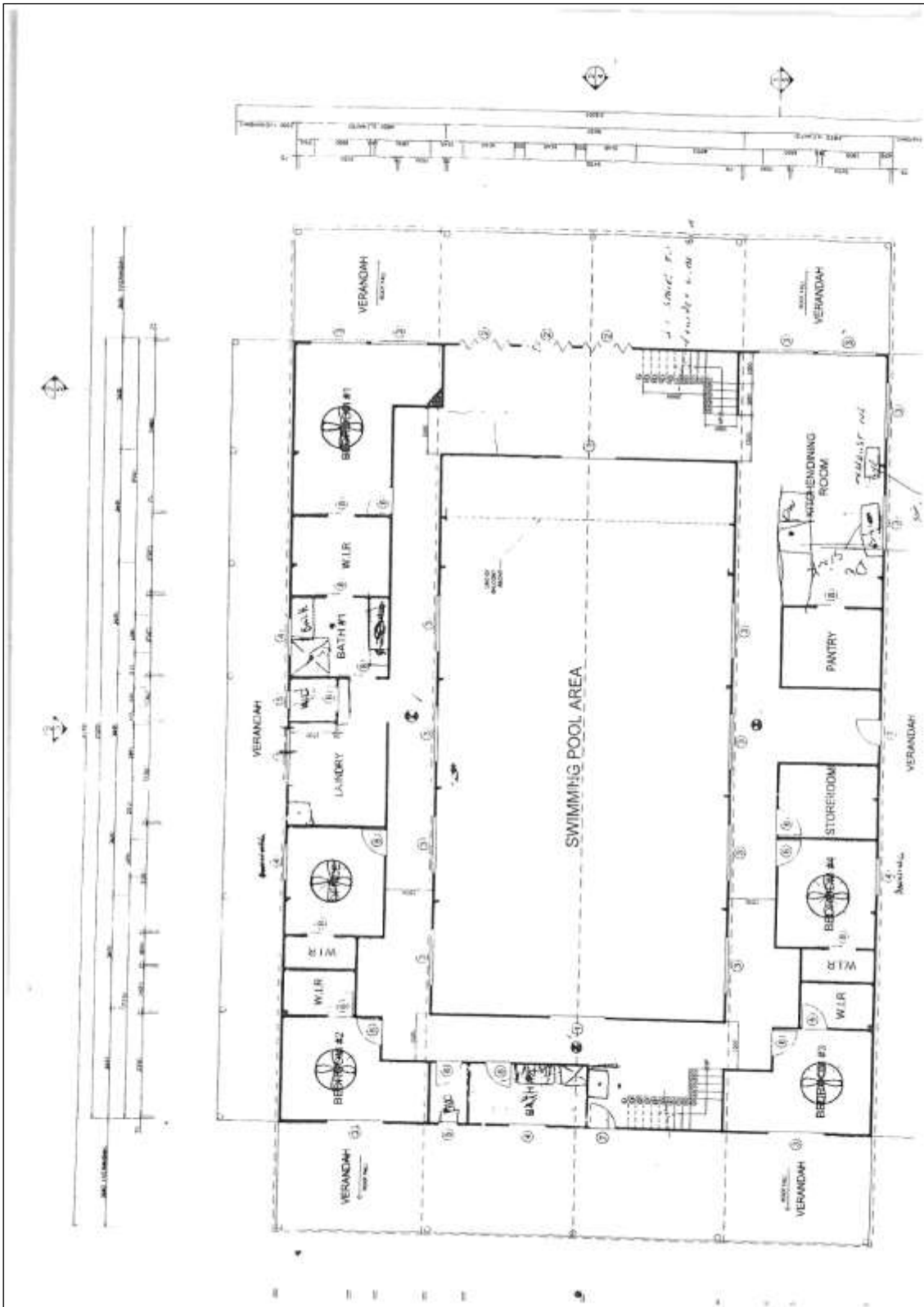


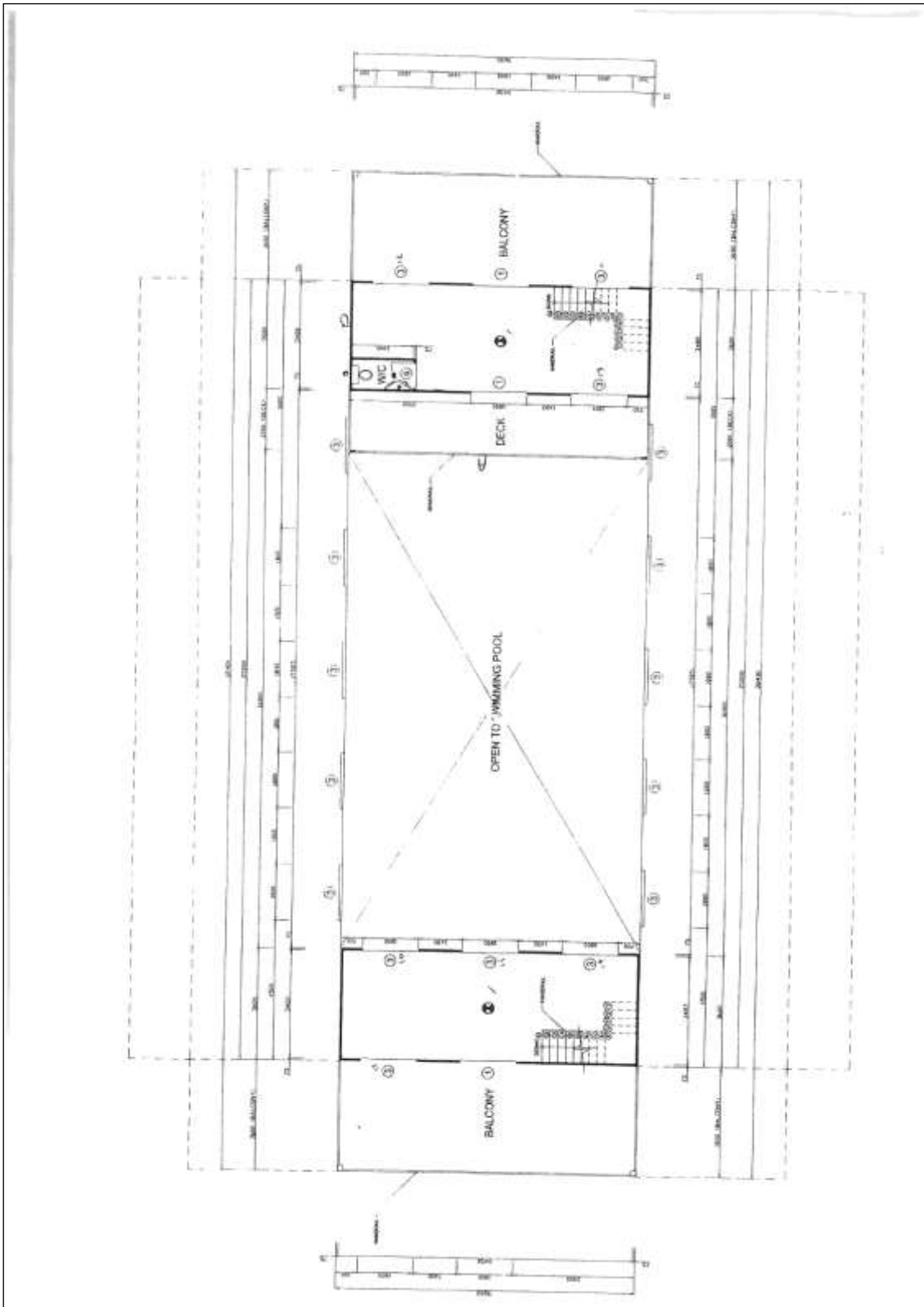
Scale

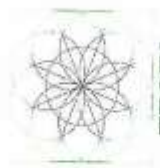












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South Fremantle, WA 6152
Australia
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Fax: +61 8 9452 2889
www.tecta.com.au
tecta.systems@gmail.com

CLIENT
Micka & Timothy Bish
1595 North West Coastal Hwy
Buller
Shire of Chapman Valley
Tel:

PROJECT
Chapman Valley Beach Villas
Solar Beach
Chapman Valley

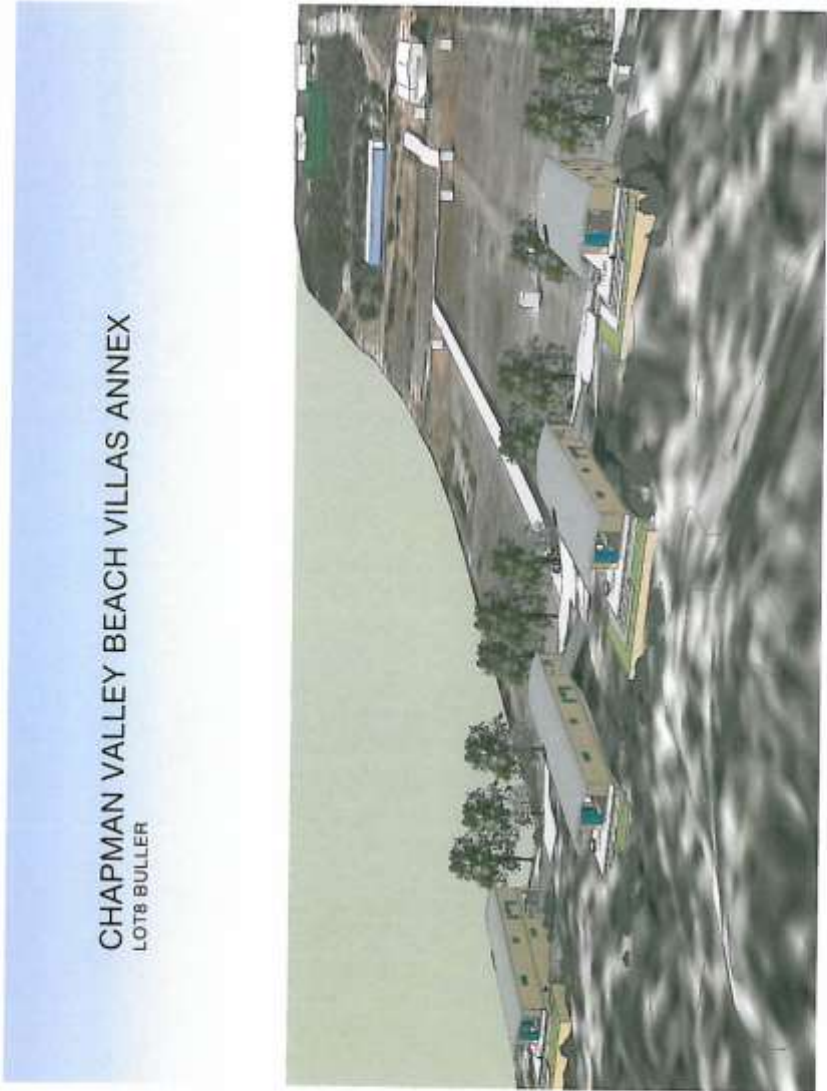
DRAWN BY
R.C. J.L.

ISSUED
10.02.2012

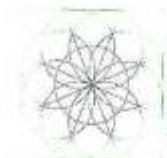
REF-0008

DESCRIPTION
4 Detached Villas Located on
Lot B
North West Coastal Highway
Buller, Shire of Chapman Valley

A
1-12



CHAPMAN VALLEY BEACH VILLAS ANNEX
LOTS B BULLER



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3/44 South Terrace
Stirling, Western Australia, WA 6162
Tel: +61 894677233
Fax: +61 852022868
www.TECTA.com.au
TECTA.systems@gmail.com

CLIENT
Nicola & Timothy Swan
1998 North West Coastal Hwy
Buller
Shire of Chapman Valley
T.H.

PROJECT Valley Beach Villas
Chapman Valley
Chapman Valley

DRAWN BY
RLC | A

ISSUED
NOV 2012

REVISION

DESCRIPTION
4 Detached Villas Located on
Lot 11 West Coast Highway
Buller, Shire of Chapman Valley

Site Plan

A.1





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244A South Tce
South Fremantle, WA 6162
Tel: +61 8 9437 0919
Fax: +61 8 9437 0914
www.tecta.com.au
tecta.systems@gmail.com

CLIENT
Nicola & Timothy Shaw
1599 North West Coastal Hwy
Buller
Shire of Chapman Valley
Tas.

PROJECT
Chapman Valley Beach Villas
Lot 18 (B20)
Chapman Valley

DRAWN BY
HLC | A

ISSUED
10.02.2012

RE-ISSUE

DESCRIPTION
4 Detached Villas Located on
Lot 18
North West Coastal Highway
Buller, Shire of Chapman Valley

Vegetation

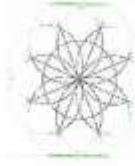
A.2



1599 North West Coastal Hwy, BULLER
SIGNIFICANT TREES 3m⁺

- Various Forest Eucalyptus (River Gums)
- Eucalyptus gomphocephala (Tuart)
- Acacia Eucalyptus (Wattle)
- Other various types
- Banksia
- Casuarina Obesa





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Building Systems
2/14 South Tor
South Peninsula, WA 6180
Tel: +61 8 94343380
Fax: +61 8 94343380
www.tecta.com.au
tecta.systems@tecta.com

CLIENT
Nicola & Timothy Shaw
1500 North West Coastal Hwy
Bullee
Shire of Chapman Valley
Tel:

PROJECT
Chapman Valley Beach Villas
Bullee Beach
Chapman Valley

DRAWN BY
RCC | J.L.

ISSUED
16.02.2013

REVISION

DESCRIPTION
4 Detached Villas Located on
Lot 5
North West Coastal Highway
Bullee, Shire of Chapman Valley

Site Elevations

A.3



SOUTH ELEVATION - LOT 5
1:100



WEST ELEVATION - LOT 5
1:100



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24/24 South Tce
South Fremantle, WA 6162
Tel: +61 8 9437 0219
Fax: +61 8 9437 0219
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TECTA.systems@gmail.com

CLIENT
Nora & Trevor Stein
1098 North West Coastal Hwy
Bybee
Shire of Chapman Valley
Tel:

PROJECT
Chapman Valley Beach Villas
Lot 9 (Block)
Chapman Valley

DRAWN BY
RLC JAL

SCALE
1:500 2012

RE-ISSUE

DESCRIPTION
4 Detached Villas Located on
Lot 9
North West Coastal Highway
Bybee, Shire of Chapman Valley
Elevations Lot 9

A.4



SECTION THROUGH TERRAIN



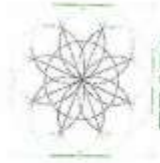
ELEVATION LOT 9
G.S.M. 1.10M



NOTE: No windows or Sky Elevations, using walls to reduce light wash, trees to screen and soften profiles
THIS SCOPING PARTLY REMOVED FROM THIS ELEVATION



ELEVATION LOT 8
G.S.M. 1.10M



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244A South Ter
South Fremantle, WA 6150
Tel: +61 8 94377000
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TECTA.systems@gmail.com

CLIENT
Noble A Property Sale
1989 North West Coastal Hwy
Dulle
Style of Chapman Valley
Tel:

PROJECT
Chapman Valley Beach Villas
Railer 88821
Chapman Valley

DRAWN BY
FLC J.L.

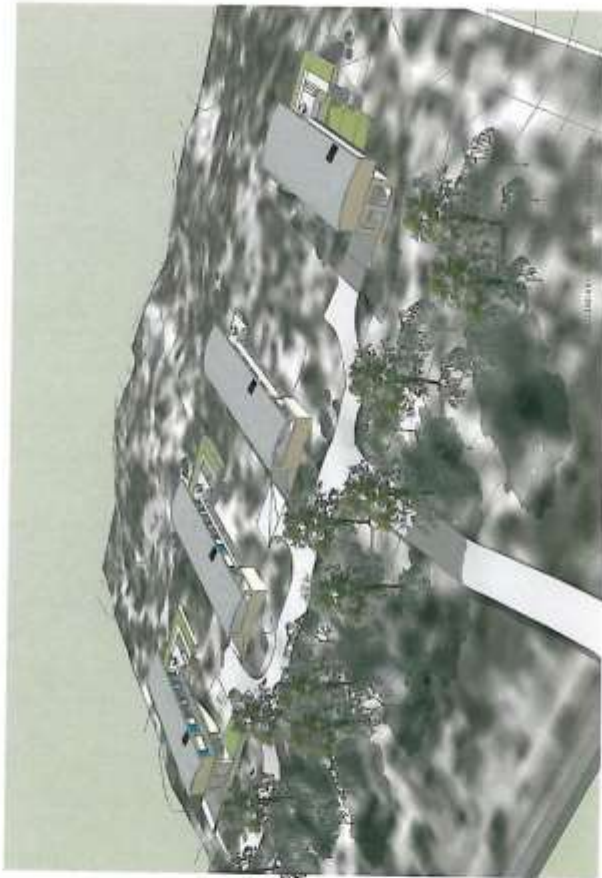
ISSUED
10.00.2013

REVISION

DESCRIPTION
4 Detached Villas Located on
Lot B
North West Coastal Highway
Bull, Style of Chapman Valley

Screening

A.5





WILLA SITING



APPROX HEIGHT OF RIDGE AT EASTERN EXTREMITY OF LOT 8

SECTION THROUGH TERRAIN

NET ELEVATIONS - SITE
10m - 100m



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South Fremantle, WA 6162
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tecta.systems@gmail.com

CLIENT
Muller & Timothy Clark
1938 North West Coastal Hwy
Bulwer
Shire of Chapman Valley
Tel:

PROJECT
Chapman Valley Beach Villas
Bulwer Beach
Chapman Valley

DRAWN BY
RLC | JL

ISSUED
15.02.2012

REVISION

DESCRIPTION
4 Detached Villas Located on
Lot 8
North West Coastal Highway
Bulwer, Shire of Chapman Valley

Siting & Elevations

A.6



TECTA
Building Systems

TECTA PTY LTD
Building Systems
2/40 South St
South Fremantle WA 6150
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TECTA.systems@gmail.com

CLIENT
Nicola & Timothy Stone
1095 North West Coastal Hwy
Buller
Shire of Chapman Valley
Tas.

PROJECT
Chapman Valley Beach Villas
Lot 8 of Block 1
Chapman Valley

DRAWN BY
RLO/JAL

SCALED
10.00 2012

REVISION

DESCRIPTION
4 Detached Villas Located on
Lot 8
North West Coastal Highway
Buller, Shire of Chapman Valley

Elevations Lot 7

A.7



SECTION THROUGH TERRAIN



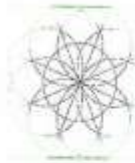
FLOOR LEVELS
15.072 CHALLENGER UNIT
14.814 WILLY 1
14.814 WILLY 2
16.176 WILLY 3



SECTION THROUGH TERRAIN



WEST ELEVATION LOT 8
10M SCALE



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TECTA PTY LTD
Building Systems
2/44 South Trn
South Fremantle, WA 6102
Tel: 08 9437 8888
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tecta.systems@gmail.com

CLIENT
Koon & Tracey, Sturt
1539 North West Coastal Hwy
Buller
Shire of Chapman Valley
Tas.

PROJECT
Chapman Valley Beach Villas
Buller Beach
Chapman Valley

DRAWN BY
RCC/JL

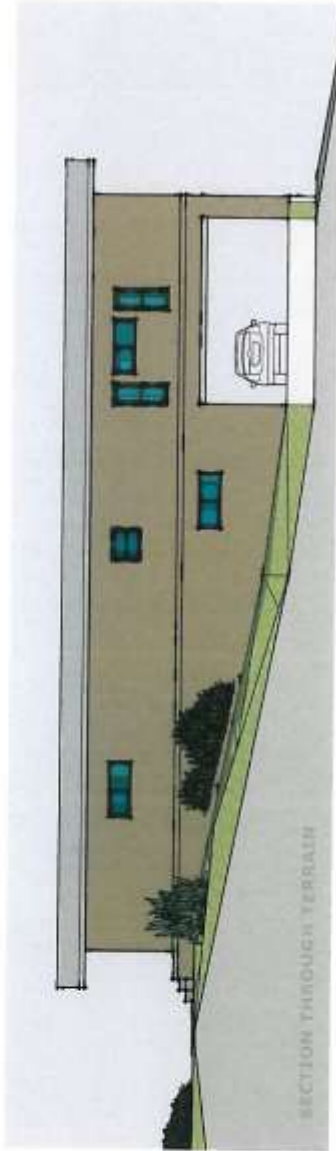
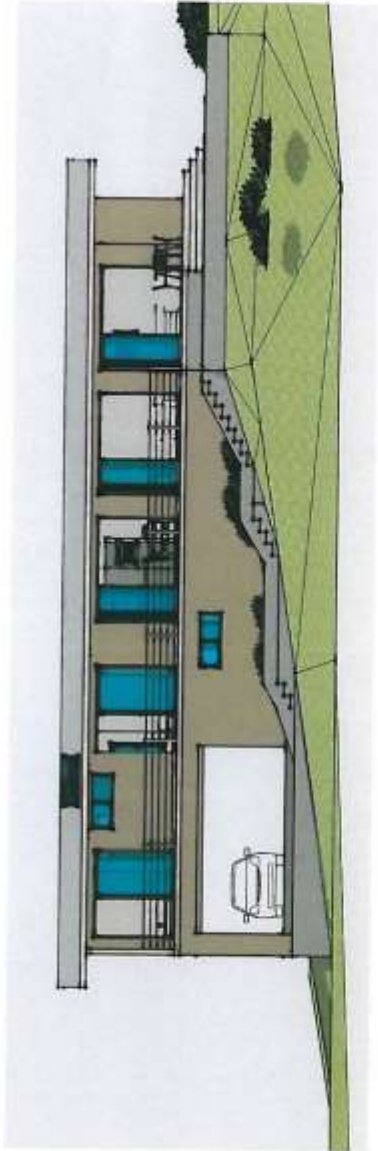
DATE
10.02.2012

REF
4884E

DESCRIPTION
4 Detached Villas Located on
Lot 8
North West Coastal Highway
Buller, Shire of Chapman Valley

Elevations (2 BR)

A.8





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Fax: +61 8 9477 0701
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tecta.systems@gmail.com

CLIENT
Morris & Timothy Stubb
1928 North West Coastal Hwy
Buller
Shire of Chapman Valley
Tel:

PROJECT
Chapman Valley Beach Villas
Buller Beach
Chapman Valley

DRAWN BY
RLECI JL

ISSUED
10.02.2012

RE-ISSUE

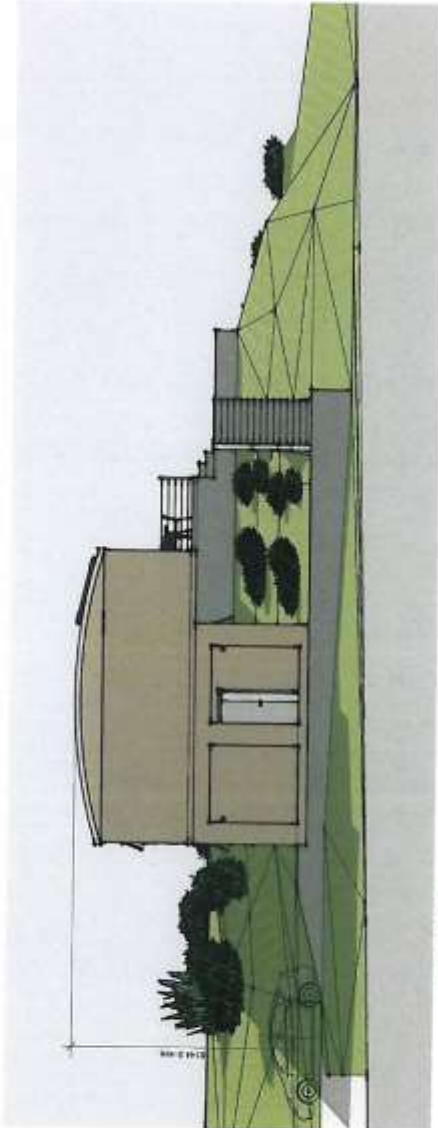
DESCRIPTION
4 Detached Villas Located on
Lot 8
North West Coastal Highway
Buller, Shire of Chapman Valley

Elevations (2 BR)

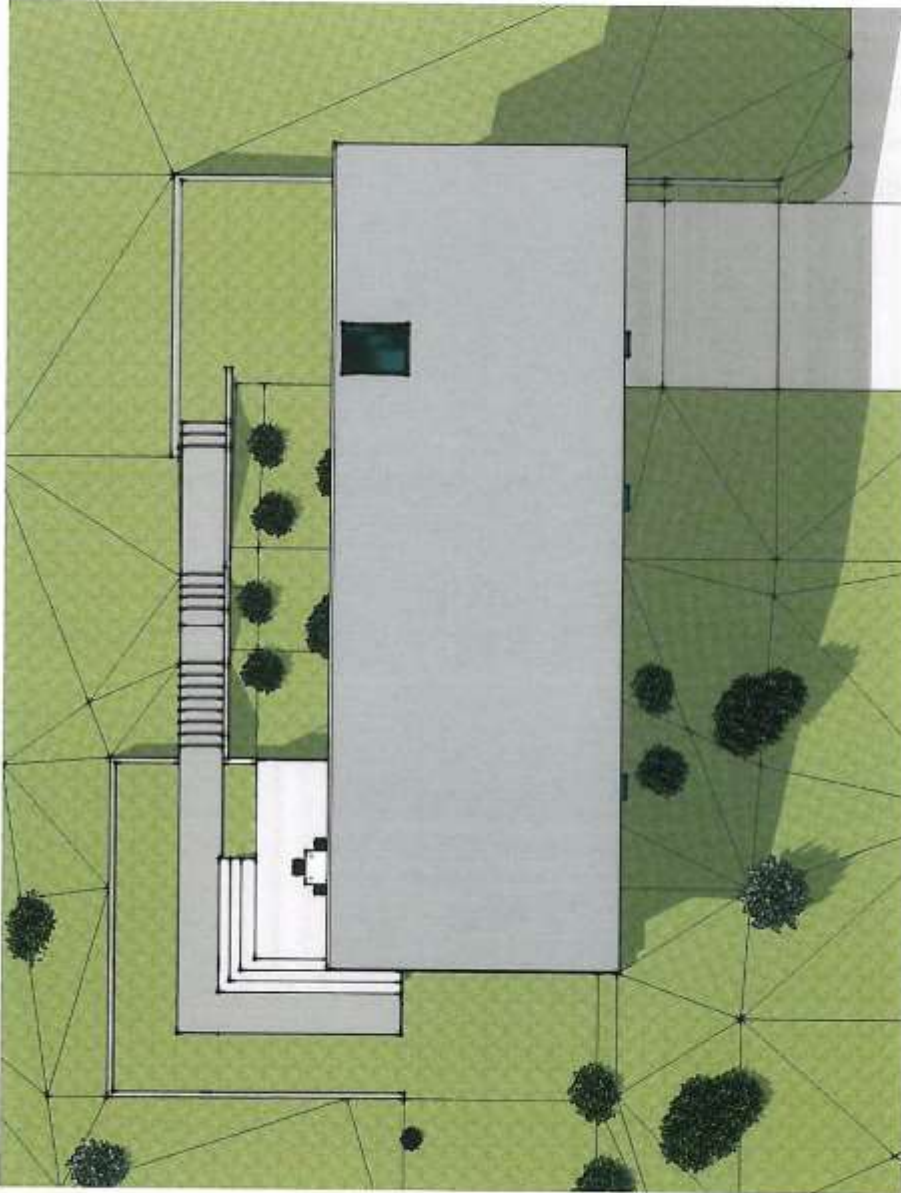
A.9



WEST ELEVATION
SCALE: 1:100



EAST ELEVATION
SCALE: 1:100



ROOF PLAN
SCALE: 1:100



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CLIENT
Nicola & Timothy Sheil
1599 North West Coastal Hwy
Bulbin
Shire of Chapman Valley
TfL

PROJECT
4 Bedded Villa Breath Villas
Ridge Road
Chapman Valley

DRAWN BY
RLC J.L.

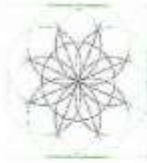
DATE
10.02.2012

REV
05/01/12

DESCRIPTION
4 Bedded Villa Located on
Lot B
North West Coastal Highway
Bulbin, Shire of Chapman Valley

Roof Plan (2 BR)

A.10



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Fax: +61 8 94852363
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tecta.systems@gmail.com

CLIENT
Nicola & Timothy Slett
1509 North West Coastal Hwy
Bulwer
Shire of Chapman Valley
Tel.

PROJECT
Chapman Valley Beach Villas
Shire of Chapman Valley
Chapman Valley

DRAWN BY
RLC | AL

DATE
10.02.2012

RE ISSUE

DESCRIPTION
4 Detached Villas Located on
Lot 8
North West Coastal Highway
Bulwer, Shire of Chapman Valley

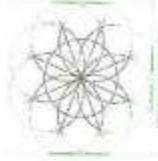
Floor Plan (2 BR)

A.11

Architect's drawings are to be used for the construction of the building only. They are not to be used for any other purpose. The client is responsible for obtaining all necessary permits and approvals. The client is also responsible for ensuring that the building is constructed in accordance with the approved plans. The architect is not responsible for any errors or omissions in the drawings. The client is responsible for ensuring that the building is constructed in accordance with the approved plans. The architect is not responsible for any errors or omissions in the drawings.



2. BEDROOMS VILLA PLAN
NORTH EAST



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CLIENT
Mrs & Timothy Scott
1000 North West Coastal Hwy
Bulwer
Shire of Chapman Valley
Tel:

PROJECT
Chapman Valley Beach Villas
Bulwer Beach
Chapman Valley

DRAWN BY
FLC | JL

ISSUED
10.02.2013

RE-ISSUE

DESCRIPTION
4-Storey Villa Located on
Lot 2
North West Coastal Highway
Bulwer, Shire of Chapman Valley

3D VIEWS

A.12



3 STOREY VILLA (CONCEPT) (A.12-3)



SINGLE LEVEL VILLA (IND.) (A.12-4)

It is noted that two residences have previously been approved by the Shire, and constructed upon Lot 9 North West Coastal Highway, Buller, in a location approximately 200m south of the application site for Lot 8 and Council may view this as a precedent.

Should Council not consider that the application corresponds with its strategic direction for the Buller area then it may consider the following wording appropriate:

"That Council refuse the application for a residence (Grouped Dwelling) upon Lot 8 North West Coastal Highway, Buller as the proposed location is situated within the 'Special Control Area – Vegetation Protection Areas within Buller 'Development' Zone' as identified by the Environmental Protection Authority resulting from the Buller Development Zone Environmental Review"

VOTING REQUIREMENTS

Simple majority of Council.

STAFF RECOMMENDATION / COUNCIL DECISION

Moved Cr Forrester seconded Cr Farrell

That Council grant formal planning consent for a residence (Grouped Dwelling) upon Lot 8 North West Coastal Highway, Buller subject to compliance with the following:

Conditions

- 1 Development shall be in accordance with the attached approved plan(s) dated 19 October 2011 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 residence must access the North West Coastal Highway by means of the existing vehicle crossover/access-point upon Lot 8 and not require the creation of an additional access point.
- 4 The design, construction (to a minimum compacted gravel standard), drainage and maintenance of the internal roads, vehicle manoeuvring and car parking areas associated with the development shall be to the approval of the Local Government, with all costs met by the applicant.
- 5 The applicant is responsible to ensure that no parking of vehicles associated with the development occurs within a public carriageway, including the road verge.
- 6 Any soils disturbed or deposited on site shall be stabilised, with all costs met by the applicant, to the approval of the Local Government.
- 7 The height of the residence must not exceed 10m in height above natural ground level.
- 8 All storm-water runoff from impervious surfaces (roof and paved areas) shall be contained within the property boundaries, and re-used or disposed of through an acceptable drainage system such as underground soak wells, with all costs met by the applicant, to the approval of the Local Government.

- 9 The roof and walls of the residence shall be clad with non-reflective materials of complementary colour(s) to the approval of the Local Government. The use of uncoated zincalume is not permitted.

Notes:

- i. If the development/land use, the subject of this approval, is not substantially commenced within a period of two years after the date of determination, the approval shall lapse and be of no further effect.
- ii. Where an approval has so lapsed, no development/land use shall be carried out without the further approval of the Local Government having first been sought and obtained.
- iii. The applicant is advised that this planning approval does not negate the requirement for any additional approvals which may be required under separate legislation. It is your responsibility to obtain any additional approvals required before the development/use lawfully commences.
- iv. 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.

CARRIED
Voting 7/0
Minute Reference 10/11-8

SHIRE OF CHAPMAN VALLEY

CONFIRMED MINUTES FOR ORDINARY MEETING OF COUNCIL HELD IN THE
COUNCIL CHAMBERS NABAWA ON WEDNESDAY 16th MAY 2012

OFFICER RECOMMENDATION/ COUNCIL RESOLUTION

MOVED: CR PAULINE FORRESTER SECONDED: CR PETER HUMPHREY

That Council grant formal planning consent for 4 chalets upon Lot 8 North West Coastal Highway, Buller subject to compliance with the following:

Conditions

- 1 Development shall be in accordance with the attached approved plan(s) dated 16 May 2012 and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the Local Government.
- 2 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 design, construction, drainage and maintenance of the internal roads, vehicle manoeuvring and car parking areas associated with the development shall be to the approval of the Local Government, with all costs met by the applicant.
- 4 The applicant is to ensure that a maximum speed limit of 20km/hour within the development is adhered to and appropriate measures taken to ensure dust suppression.
- 5 All lighting devices must be positioned in such a way as to not cause glare to neighbouring residences to the approval of the Local Government.
- 6 The development must access the North West Coastal Highway at a single vehicle crossover/access-point that is required to be located, constructed and maintained to the specifications of Main Roads WA and to the approval of the Local Government, with all costs met by the applicant.
- 7 The applicant is responsible to ensure that no parking of vehicles associated with the development occurs within a public carriageway, including the road verge.
- 8 All storm-water runoff from impervious surfaces (roof and paved areas) shall be contained within the property boundaries, and re-used or disposed of through an acceptable drainage system, with all costs met by the applicant, to the approval of the Local Government.
- 9 Any soils disturbed or deposited on site arising from the development shall be stabilised, with all costs met by the applicant, to the approval of the Local Government.
- 10 The roof and walls of the chalets and associated structures (including storage tanks) shall be clad with non-reflective materials of colour(s) to the approval of the Local Government.

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Ordinary Meeting of Council 16th of May 2012 – Confirmed Minutes – President's Signature

SHIRE OF CHAPMAN VALLEY

CONFIRMED MINUTES FOR ORDINARY MEETING OF COUNCIL HELD IN THE
COUNCIL CHAMBERS NABAWA ON WEDNESDAY 16th MAY 2012

- 11 The design and materials (including wall and roof cladding materials, fittings and fixtures) are to be of a uniform and complementary finish and standard to the approval of the Local Government.
- 12 The applicant is to prepare, submit and adhere to a Management Statement to the approval of the Local Government, with all costs met by the applicant.
- 13 The applicant is to prepare, submit and adhere to a Fire Management Plan to the requirements of the Fire and Emergency Services Authority, and the approval of the Local Government, with all costs met by the applicant.
- 14 The applicant is to prepare, submit and adhere to an Environmental Management Plan to the approval of the Local Government, with all costs met by the applicant.
- 15 The chalets must be connected to reticulated water.
- 16 The chalets must be connected to an on-site effluent disposal system(s) located, designed, installed and operated to the requirements of the Department of Health and the approval of the Local Government.

Notes:

- i If the development/land use, the subject of this approval, is not substantially commenced within a period of two years after the date of determination, the approval shall lapse and be of no further effect.
- ii Where an approval has so lapsed, no development/land use shall be carried out without the further approval of the local government having first been sought and obtained.
- iii In relation to condition 12, the Management Statement shall set out in detail the management of the chalets and it should cover but not be limited to letting agent (manager) arrangements, reception, access, security, maintenance, caretaking, refurbishment, marketing and other services reasonably required for the development to operate as a tourism facility.
- iv The Management Statement shall also ensure that the designated holiday accommodation units are only used for short stay accommodation purposes, with a maximum stay of 3 months occupancy per annum, by any single tenant. The Management Statement shall charge the land and ensure that successors in title are required to adhere to the management terms or make application to the Local Government should they seek to amend the management terms.
- v In relation to condition 14, the Environmental Management Plan shall set out in detail the environmental management responsibilities of the landowners/operators and is required to address, but not be limited to, vegetation rehabilitation and replanting, stabilisation, weed management, feral animal management, protection of the *Frankenia pauciflora* community, access, fencing and other management measures reasonably required as determined by the Local Government, with reference to the relevant directions of Shire of Chapman Valley Coastal Management Strategy (2007) required.

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Ordinary Meeting of Council 16th of May 2012 – Confirmed Minutes – Presidents Signature

SHIRE OF CHAPMAN VALLEY

CONFIRMED MINUTES FOR ORDINARY MEETING OF COUNCIL HELD IN THE
COUNCIL CHAMBERS NABAWA ON WEDNESDAY 16th MAY 2012

- vi This planning approval does not extend to signage for the development, for which a separate application will be required, and consultation with Main Roads WA is recommended prior to any sign application being lodged given that the North West Coastal Highway is under the control of Main Roads WA and signage must be to their requirements.
- vii 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 following where required, *Building Code of Australia, Building Regulations 2012, Health Act 1911, Environmental Protection (Clearing of Native Vegetation) Regulations 2004*. It is the applicant's/landowner's responsibility to obtain any additional approvals required before the development/use lawfully commences.
- viii 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 05/12 - 6

Cr David Bell returned to the meeting at 11.14am.

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Ordinary Meeting of Council 16th of May 2012 – Confirmed Minutes – Presidents Signature

AGENDA ITEM:	9.1.4
SUBJECT:	GERALDTON LOCAL BIODIVERSITY STRATEGY
PROPONENT:	PERTH BIODIVERSITY PROJECT, CITY OF GREATER GERALDTON, & SHIRE OF CHAPMAN VALLEY
SITE:	COASTAL PORTION OF SHIRE
FILE REFERENCE:	207.06.12
PREVIOUS REFERENCE:	09/12-9
DATE:	27 SEPTEMBER 2013
AUTHOR:	SIMON LANCASTER

DISCLOSURE OF INTEREST

Nil.

BACKGROUND

The Geraldton Local Biodiversity Strategy has been prepared by the Perth Biodiversity Project (a Local Government initiative funded through the Western Australian Local Government Association and the Western Australian Government's NRM program) in partnership with the City of Greater Geraldton and the Shire of Chapman Valley. This report recommends that the Geraldton Local Biodiversity Strategy be received by Council subject to modifications.

COMMENT

Council resolved at its 19 September 2012 meeting:

"That Council resolve to jointly advertise the Geraldton Local Biodiversity Strategy in partnership with the City of Greater Geraldton for a period of 42 days and return the matter to a future meeting of Council to consider any submissions received."

A copy of the advertised version of the Geraldton Local Biodiversity Strategy has been provided to Councillors as a separate document to the October 2013 Council Agenda

On 2 November 2009 the Department of Planning advised that it had been successful in securing State NRM funding for the continuation of the Perth Biodiversity Project that would enable the preparation of a Geraldton Local Biodiversity Strategy. Given that the study area would be based on that used for the Geraldton Regional Flora and Vegetation Survey (2010) undertaken by the Department of Planning and the Department of Environment and Conservation the Shire of Chapman Valley were invited to assist in the initial scoping of the Local Biodiversity Strategy and to provide representation upon a Steering Committee comprising:

- Perth Biodiversity Group/Western Australian Local Government Association;
- Department of Planning;
- Department of Environment and Conservation;
- City of Greater Geraldton; &
- Shire of Chapman Valley.

The Local Biodiversity Strategy has been prepared by the Perth Biodiversity project with the assistance of consultants Ecological Australia Pty Ltd and We Are Arising.

The Local Biodiversity Strategy covers a 32,410ha study area generally bounded by Coronation Beach Road to the north, Devlin Pool Road to the south and the Moresby Range to the east, this study area being selected on the basis that it represented:

- areas experiencing the highest growth, development pressures and management effort;
- areas identified by the Environmental Protection Authority as requiring further consideration for retention and conservation of remnant vegetation; &
- availability of information from the Geraldton Regional Flora and Vegetation Survey.

The Geraldton Regional Flora and Vegetation Survey recognised that only 6,041ha of vegetation remains in the Local Biodiversity Strategy study area, representing only 18% of pre-European extent of native vegetation, and significantly under the 30% threshold recognised as the point where species loss appears to accelerate exponentially at an ecosystem level. More than 30% of that

remaining area is land identified for future development and an additional 20% is land where potential future development could result in further vegetation clearing. Less than 1.8% of the original extent of vegetation in the study area has some level of protection.

The Local Biodiversity Strategy utilises the available data to identify Areas of Conservation Value, these being areas where the retention of existing native vegetation should be considered a high priority in decision making. The Strategy prioritises Areas of Conservation Value into three categories:

- areas with good opportunities for protection of biodiversity;
- areas with good opportunities for retention of biodiversity; &
- areas that have constraints for protection or retention of natural areas but they contain natural areas of high conservation value that need to be considered on decision making.

The goals and means to achieve them, as identified by the Local Biodiversity Strategy recommend action from government in policy, planning and compliance, and business in natural area assessment, urban design, and use of offsets. The Strategy also identifies support being provided for local community groups working on the coast, the Moresby Range and the Chapman River, private landholders wanting to conserve their bushland, and developments proposing to implement innovative policies in areas such as Waggrakine.

The Shire's development of structure plans to guide the future subdivision and development of its residential, rural-residential and industrial areas have consistently achieved results in accordance with the goals laid out in the Local Biodiversity Strategy, and it is considered that the document as it relates to the Shire of Chapman Valley Local Government area does not propose significant departure from the previously undertaken strategies, management plans and structure plans prepared by the Shire.

The advertising of the Local Biodiversity Strategy commenced on 20 November 2012 and concluded on 31 January 2013, although late submissions were received and accepted up until 19 February 2013, and included the following actions:

- placement of a notice in the MidWest Times;
- placement of a copy of the Strategy on the Shire and City websites;
- display of the Local Biodiversity Strategy document at the Shire office/Nabawa library and City Civic Centre;
- the Shire writing directly to the 35 landowners of lots within the Shire that contain an Area of Conservation Value as identified by the Local Biodiversity Strategy, and providing each of these landowners with a complete copy of the Strategy document and an accompanying information brochure;
- writing directly to the Department of Aboriginal Affairs, Department of Agriculture & Food, Department of Environment & Conservation, Department of Fire & Emergency Services, Department of Lands, Department of Planning, Department of Water, Geraldton Port Authority, LandCorp, Northern Agricultural Catchment Council, Oakajee Port and Rail, Shire of Irwin, Shire of Northampton, Western Power and Yamatji Land and Sea Council inviting comment.

At the conclusion of the advertising period the Shire had received 7 submissions, with 2 of these in objection to aspects of the Strategy, 1 in support and 4 offering technical comment. The City received 10 submissions, with 4 of these in objection to aspects of the Strategy, 3 in support and 3 offering technical comment.

Shire staff have reviewed the received submissions and made recommendation arising from them where raised issues directly affect land within its own Local Government area, and City staff have done likewise. Where received comments are of a more general nature (e.g. referencing, editing etc.) joint changes have been agreed to the document.

A copy of the Schedule of Submissions that identifies the respondents and the nature of their submissions, and provides individual Local Government comment upon the raised issues has been provided to Councillors as a separate document to this report. Copies of the submissions received by the Shire can also be provided to Councillors upon request.

STATUTORY ENVIRONMENT

It is not recommended that the Local Biodiversity Strategy be adopted as a Local Planning Policy under Section 3.2 of the Shire of Chapman Valley Town Planning Scheme No.1, rather be received as a document of reference to assist statutory and strategic planning.

The Local Biodiversity Strategy would be used as a tool of reference drawn upon in the review of the Shire of Chapman Valley Local Planning Strategy and Coastal Management Strategy.

It is not recommended that the Local Biodiversity Strategy be formally adopted by Council given that the majority of the study area is outside the Shire Local Government area, and recent experience with the Environmental Protection Authority is that too great an emphasis can be placed on broad scale strategies at the expense of detailed site specific analysis and field research.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The Shire has provided direct in-kind support to the Local Biodiversity Strategy project and indirect financial support to the project through its membership of the Western Australian Local Government Association.

The Local Biodiversity Strategy identifies areas of biodiverse significance and makes recommendation on means to conserve them. However, as with any Strategy its recommendations can only be realised through commitment to their implementation, and the Shire has displayed regional leadership in its financial and in-kind commitment to natural resource management for many years now. Through its partnerships with State and Federal agencies, Aboriginal claimant groups, and more than 150 private landholders the Shire has helped achieve in the last 5 years the following on-ground works:

- 38km of rabbit proof fencing to protect threatened flora;
- rabbit, pig and fox baiting across 32,000ha of conservation reserves and private land;
- 85ha of weed control;
- planting over 130,000 plants;
- 10ha of direct seeding;
- 90km of stock fencing to protect more than 1,800ha of high conservation value bushland;
- 15km of surface water management;
- seed collection to establish a seed bank for use in direct seeding projects; and
- invasive species management including removal of 4,500 African boxthorns out of the dune system.

STRATEGIC IMPLICATIONS

Section 7.2 of the Shire of Chapman Valley Local Planning Strategy (2008) lists the following aims:

- Ensure that water resources are conserved and their quality protected.
- Ensure that land, soil and biodiversity is safeguarded and that degradation does not occur.
- Minimise the clearing of vegetation and maximise retention and replanting of native vegetation to link areas of remnant bushland with roadside vegetation and nature reserves.
- Ensure significant environmental features are protected, conserved and/or enhanced.
- Recognise, maintain and promote the natural beauty, landscape values and recreational opportunities of the Shire.
- Continue to encourage activities in relevant precincts that protect the 'clean and green' status of agricultural produce derived from this Shire.
- Ensure appropriate fire protection and management is implemented in accordance with the Western Australian Planning Commission Policy DC 3.7 and associated Planning for Bushfire Protection document.

Section 4.3 of the draft Local Biodiversity Strategy lists the following Goals for Local Biodiversity Conservation:

“Goal 1: Retention - *Retain natural areas*

Given current constraints to natural area retention, this goal translates into over 10% of the original extent of native vegetation in the study area, as a minimum:

- Retention of at least 3,334⁽¹⁾ha of the remaining 6,041ha of natural areas remaining;
- Retention of a representative and well-connected network of natural areas;
- Requirement to offset and re-vegetate as compensation where losses are unavoidable.

Goal 2: Protection - *Protect natural areas and specific biodiversity features*

This goal translates into:

- Protection of at least 5% of the original extent of natural areas;
- Protection of an additional 1,058⁽²⁾ha of areas of conservation value;
- Protection of Threatened Ecological Communities, Declared Rare Flora, Priority flora and fauna, and riparian and coastal vegetation.

Goal 3: Management - *Manage protected natural areas for conservation*

This goal translates into:

- Active management of 100% of Local Government natural areas of conservation value;
- Active management of 50% of all other retained natural areas (1,659ha), through provision of incentives for private land conservation and restoration;
- Valuation of biodiversity assets and implementation of asset management plans.

Goal 4: Engagement – *Increased community contributions to biodiversity conservation*

This goal translates into:

- Observable change in public and institutional language, values and priorities;
- Measured decrease in behaviours identified as threats;
- Measured increase in the time, money or resources contributed to biodiversity conservation;
- Observable increase in the biodiversity ‘proofing’ of policies;
- Increase in evidence that the community are ‘acting as stewards for the environment’.

Goal 5: Regeneration - *Ensure the rate of regeneration exceeds the rate of degradation*

This goal translates into:

- Restoration of more than 1,500ha of natural areas in CGG;
- Measurable improvement in connectivity between natural areas and along ecological linkages;
- Use of local offsets to over-compensate any future clearing of native vegetation.”

VOTING REQUIREMENTS

Simple majority

COUNCIL RESOLUTION/STAFF RECOMMENDATION

MOVED: CR ROYCE

SECONDED: CR DAVIDSON

That Council receive the Geraldton Local Biodiversity Strategy subject to the recommended modifications listed in the Schedule of Submissions.

**Voting 7/0
CARRIED
Minute Reference – 10/13-5**

9.2

Finance

October 2013

Contents

9.2 AGENDA ITEMS

9.2.1 Financial Reports for September 2013

Mrs Raymond entered Chambers at 10.20am

AGENDA ITEM:	9.2.1
SUBJECT:	FINANCIAL REPORTS FOR SEPTEMBER 2013
PROPONENT:	MID WEST REGIONAL COUNCIL
SITE:	SHIRE OF CHAPMAN VALLEY
FILE REFERENCE:	307.04
PREVIOUS REFERENCE:	N/A
DATE:	8 OCTOBER 2013
AUTHOR:	DIANNE RAYMOND

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 September 2013 for Council's review.

STATUTORY ENVIRONMENT

Local Government Act 1995 Section 6.4

Local Government (Financial Management) Regulations 1996 Section 34

POLICY IMPLICATIONS

Policy 5.70 Significant Accounting Policies

Extract:

"2. Monthly Reporting

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

- 1. Statement of Financial Activity*
 - 2. Balance Sheet and statement of changes in equity*
 - 3. Schedule of Investments*
 - 4. Operating Schedules 3 – 16*
 - 5. Acquisition of Assets*
 - 6. Trust Account*
 - 7. Reserve Account*
 - 8. Loan Repayments Schedule*
 - 9. Restricted Assets*
 - 10. Disposal of Assets*
- A value of 5 percent is set for reporting of all material variances."*

FINANCIAL IMPLICATIONS

As presented in September financial statement.

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

COUNCIL RESOLUTION/STAFF RECOMMENDATION

MOVED: CR BATTEN

SECONDED: CR FORRESTER

That Council receive the financial report for the months of September 2013 comprising the following:

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

**Voting 7/0
CARRIED
Minute Reference – 10/13-6**

Mrs Raymond left Chambers at 10.34am

9.3

Chief Executive Officer

October 2013

Contents

9.3 AGENDA ITEMS

- 9.3.1 Notice of Council Meetings 2014
- 9.3.2 2014/2015 Regional Road Group Additional Submissions
- 9.3.3 Request for Tender - Western Region Mowing, Slashing & General Maintenance Services

AGENDA ITEM:	9.3.1
SUBJECT:	NOTICE OF COUNCIL MEETINGS 2014
PROPONENT:	CHIEF EXECUTIVE OFFICER
SITE:	SHIRE OF CHAPMAN VALLEY
FILE REFERENCE:	401.09
PREVIOUS REFERENCE:	09/12-13
DATE:	10 SEPTEMBER 2013
AUTHOR:	MAURICE BATTILANA

DISCLOSURE OF INTEREST

Nil

BACKGROUND

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

COMMENT

Council meetings are usually held on the third Wednesday of the month, commencing at 10:00am, with the exception of January when no Ordinary Council meeting is held.

Council Meeting dates for 2014 to be:

19th February; 19th March; 16th April; 21st May; 18th June; 16th July; 20th August; 17th September; 15th October; 19th November; and 10th December.

The meeting date for December is historically the second Wednesday of the month; this date has been changed to avoid clashes with Christmas festivities.

STATUTORY ENVIRONMENT

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

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

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

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple majority of Council required.

COUNCIL RESOLUTION/STAFF RECOMMENDATION

MOVED: CR BELL

SECONDED: CR FORRESTER

That the dates for the next twelve months as listed below be adopted and advertised in accordance with the Local Government (Administration) Regulations.

Council meeting dates for 2014 to be:

- 19 February
- 19 March
- 16 April
- 21 May
- 18 June
- 16 July
- 20 August
- 17 September
- 15 October
- 19 November
- 10 December

Each meeting is to be held at the Shire of Chapman Valley, Administration Building in Nabawa commencing at 10:00am.

**Voting 7/0
CARRIED
Minute Reference – 10/13-7**

AGENDA ITEM:	9.3.2
SUBJECT:	2014/2015 REGIONAL ROAD GROUP ADDITIONAL SUBMISSIONS
PROPONENT:	CHIEF EXECUTIVE OFFICER/CONSULTANT ENGINEERS
SITE:	SHIRE OF CHAPMAN VALLEY
FILE REFERENCE:	1003.00
PREVIOUS REFERENCE:	NIL
DATE:	16 OCTOBER 2013
AUTHOR:	MAURICE BATTILANA

DISCLOSURE OF INTEREST

Nil

BACKGROUND

The following correspondence was received from Main Roads WA on the 12th September 2013 regarding the 2014/2015 Regional Road Group (RRG) and Black Spot (BS) submission.

"We have been assessing 2014/15 Road Project and Black Spot Submissions.

At this time, there is going to be surplus funding still available if all projects are funded in 2014/15 – approx.. \$90 000 BS and approx. \$1.3M RRG

In particular for the RRG funding, if the allocation is not going to be fully utilised, then we will have to look at returning the funds for allocation to another Region. We have a considerable carryover of funds from last financial year, due to projects coming in under their estimated value and/or projects being cancelled.

Therefore, if anyone has any further projects that they would like to submit for allocation in 2014/15 can you let me know as soon as possible, and we can look at including these projects in the listing (of course they would be listed in priority after the projects already submitted, regardless of their score).

If I am aware of additional projects coming in we would look at assessing these a bit later in the year and seeking Out Of Session Approvals.

*I would appreciate if you could let me know by COB **Thursday 19 September** at the latest (the TWG meeting is on the Friday); if you think your LGA would have any other projects for submission for funding in 2014/15.*

Please bear in mind the 1/3rd contribution that will be required from the LGA for any submissions.

I should also point out that the intention is that the funds would be fully utilised during 2014/15."

The Shire of Chapman Valley has already submitted the following road works under the RRG Program for 2014/2015:

ROAD	SLK	WORKS	RRG	SoCV	TOTAL
Dartmoor	0.00 to 4.10	Widen existing seal from 4m to 7m and reseal existing 4m seal	\$305,000	\$152,500	\$457,500
Yuna Tenindewa	11.30 to 14.30	Widen existing seal from 4m to 7m and reseal existing 4m seal	\$223,333	\$111,667	\$335,000

(Note SLK = Straight Line Kilometre)

COMMENT

As the closure date for additional RRG and BS project was the 19th September 2013 I requested Council's consultant engineer to lodge a submission for an extension of gravel sheeting works on the Dartmoor Rd for 2014/2015 i.e.

ROAD	SLK	WORKS	RRG	SoCV	TOTAL
Dartmoor	4.10 to 12.10	Reform, improve drainage & gravel sheet	\$230,333	\$115,167	\$345,500

At the time of writing this report it was likely all the above projects will be successful. The Coastal Sub-Regional Road Group approval was made on the 4th October 2013. However, at the time of writing this report, the process of obtaining approval of the Mid-West Regional Road Group was yet to be completed. In the event all projects were successful the Shire of Chapman Valley's 2014/2015 MWRRG program of works would result in the following grants and Shire matching contributions:

ROAD	SLK	WORKS	RRG	SoCV	TOTAL
Dartmoor (Current)	0.00 to 4.10	Widen existing seal from 4m to 7m and reseal existing 4m seal	\$305,000	\$152,500	\$457,500
Dartmoor (Additional)	4.10 to 12.10	Reform, improve drainage & gravel sheet	\$230,333	\$115,167	\$345,500
Yuna Tenindewa (Current)	11.30 to 14.30	Widen existing seal from 4m to 7m and reseal existing 4m seal	\$223,333	\$111,667	\$335,000
East Nabawa (CRF) (Current)	2.80 to (TBC)	Upgrade to sealed road surface (4m) and widen culvert	\$50,000	\$25,000	\$75,000
TOTAL 2014/2015			\$808,666	\$404,334	\$1,213,000

This compares with the following the Shire of Chapman Valley MWRRG program of works in 2013/2104:

ROAD	SLK	WORKS	RRG	SoCV	TOTAL
Dartmoor	53.50 to 60.00	Reform, improve drainage & gravel sheet	\$196,643	\$98,322	\$294,964
Yuna Tenindewa	8.30 to 11.30	Widen existing seal from 4m to 7m and reseal existing 4m seal	\$218,023	\$109,011	\$327,034
East Nabawa (CRF)	0.00 to 2.80	Upgrade to sealed road surface (4m)	\$140,000	\$70,000	\$210,000
Nabawa Yetna (BS)	2.20 to 2.80	Realign and seal (7m)	\$23,533	\$61,282	\$84,815
CV/Narratarra Rd (BS)	8.80 to 8.80	Improve safety of junction	\$25,333	\$12,667	\$38,000
TOTAL 2013/2014			\$603,532	\$351,282	\$954,813

(Note: CRF = Commodity Route Funding)

Based upon the above figures there will be an additional matching contribution required of Council of approximately \$53,052 when comparing the 2013/2014 and the 2014/2015 MWRRG grant funded program of road works.

STATUTORY ENVIRONMENT

N/A

POLICY IMPLICATIONS

The Staff Recommendation below is consistent with Council's five year regional road works program submitted to the MWRRG.

FINANCIAL IMPLICATIONS

The above figures indicate the financial effect upon Council for the current and additional MWRRG submissions listed.

STRATEGIC IMPLICATIONS

The ongoing road works construction program with the Shire is reliant totally upon the ability of the Shire to receive MWRRG and Roads to Recovery grant funding. It is also imperative Council continues to have construction road works programs eligible (i.e. roads that are recognised as Roads of Regional Significance under the Roads 2030 Strategy). It appears these type of road works projects are diminishing in the Shire of Chapman Valley.

VOTING REQUIREMENTS

Majority

REFER TO NCZ/WALGA

NA

COUNCIL RESOLUTION/STAFF RECOMMENDATION

MOVED: CR FARRELL

SECONDED: CR BELL

Council endorses the following current and additional submissions for funding assistance under the Midwest Regional Road Group (MWRRG) Program for 2014/2015 and Budget accordingly: -

ROAD	SLK	WORKS	RRG	SoCV	TOTAL
Dartmoor (Current)	0.00 to 4.10	Widen existing seal from 4m to 7m and reseal existing 4m seal	\$305,000	\$152,500	\$457,500
Dartmoor (Additional)	4.10 to 12.10	Reform, improve drainage & gravel sheet	\$230,333	\$115,167	\$345,500
Yuna Tenindewa (Current)	11.30 to 14.30	Widen existing seal from 4m to 7m and reseal existing 4m seal	\$223,333	\$111,667	\$335,000
East Nabawa (CRF) (Current)	2.80 to (TBC)	Upgrade to sealed road surface (4m) and widen culvert	\$50,000	\$25,000	\$75,000
TOTAL 2014/2015			\$808,666	\$404,334	\$1,213,000

**Voting 7/0
CARRIED
Minute Reference – 10/13-8**

AGENDA ITEM:	9.3.3
SUBJECT:	REQUEST FOR TENDER - WESTERN REGION MOWING, SLASHING & GENERAL MAINTENANCE SERVICES
PROPONENT:	CHIEF EXECUTIVE OFFICER
SITE:	WESTERN REGIONS OF THE SHIRE OF CHAPMAN VALLEY
FILE REFERENCE:	408.01.63
PREVIOUS REFERENCE:	MINUTE REFERENCE 8/13-26
DATE:	8 OCTOBER 2013
AUTHOR:	MAURICE BATTILANA

DISCLOSURE OF INTEREST

Nil

BACKGROUND

At the August 2013 Ordinary Council Meeting (OCM) the following was resolved:

Moved: Cr Humphrey

Seconded: Cr Royce

That a report be presented to the September Council meeting to investigate the western region estates maintenance program.

Voting 7/0

CARRIED

Minute Reference 8/13-26

Due to staff change-overs and time constraints it was not possible to undertake an analysis of the current procedures, investigate options and provide a report to Council for consideration at the September 2013 OCM. As discussed at the September OCM, more time was required and this report delayed.

COMMENT

There was some concern expressed by member(s) of the Parkfalls Residents Association (PRA) via an email sent to Cr Humphrey, regarding some comments made in a staff information report regarding the satisfaction of the current works being undertaken in the Parkfalls area of the Western Regions. I have discussed this matter with the staff member and his side of the story differs from those portrayed at the September 2013 OCM. However, I do not believe it appropriate to focus on who said what, rather consider it more important to look at a strategic path forward for Council to determine what resources they are prepared to allocate to specific areas of the Western Regions for mowing, slashing and general maintenance.

Council has already adopted the Parkfalls Streetscape Plan at the November 2010 OCM i.e.

Moved Cr Cole seconded Cr A Bell

That Council:

1 Adopt the Parkfalls Streetscape Plan (Drawing No.19909MS1-2-1);

2 Convene the Parkfalls Streetscape Plan Committee, with the task of presenting a list of proposed works and an attached order of priority and responsibility for Council's consideration in upcoming budgets.

CARRIED

Voting 5/1

Minute Reference 11/10-10

This Plan was developed through the *Parkfalls Streetscape Plan Committee*, which is now no longer a required Committee as the Committee's purpose has expired. Though this specific Committee no longer has a purpose, or exists as a Council Committee, this does not mean the PRA cannot continue to lobby Council for the progressive implementation of the Parkfalls Streetscape Plan. However, it will always be Council decision on how and where it will allocate its resources across the whole of the Shire. This is not a decision, responsibility, or under the control of the PRA (or the defunct *Parkfalls Streetscape Plan Committee*) which appeared to be thrust of the correspondence read out at the September OCM. Once this situation has been clarified with the PRA and the members of the now discontinued *Parkfalls Streetscape Plan Committee*, Council needs to focus on the broader issue of developing an *Annual Western Regions Maintenance Program*, which I believe was the purpose of the Council Resolution at the August 2013 OCM and therefore the purpose of this Agenda Item.

The methodology/criteria taken in presenting this report and recommendations to Council included:

- (a) An analysis of the current Shire procedures and resource allocations to the Western Regions;
- (b) A comparison of the Shire of Chapman Valley's Western Region with the neighbouring local government resource allocations to similar areas (e.g. Deepdale, Eastlyn);
- (c) A comparison of the Shire of Chapman Valley's Western Region with the neighbouring local government rating levels to similar areas (e.g. Deepdale, Eastlyn);
- (d) A review of the existing Contract Council has for the maintenance works currently being undertaken on the Parkfalls Estate only;
- (e) Development of a *Draft Request for Tender and Specifications* for mowing, slashing and general maintenance services to specific areas of the Shire's the Western Region (copy of Draft attached).

It was not considered appropriate or necessary to approach the PRA seeking their input on the *Draft Request for Tender and Specifications*. However, I will be guided by Council on this position.

It must be understood that Council is not obliged to send the draft out for consideration as it Council's responsibility to allocate resources. For example, Council does not seek the comments, or approval of the community on where it allocates its resources to road works programs. This is based upon grant availability, road hierarchy list, school bus routes, commodity transport routes, etc. The public has every right to lobby Council for more resources being allocated to their specific roads, yet Council does seek their approval to allocate their resources before making the decisions to do so.

I am advocating to Council that endorsed *Request for Tender and Specifications* would evolve into an *Annual Western Regions Maintenance Program*, which could be reviewed periodically (or prior to contract expirations).

Based upon the above listed methodology/criteria the following was revealed:

- (a) *An analysis of the current Shire procedures and resource allocations to the Western Regions*

The existing procedures for resource allocation to the Shire's *Western Regions* appear to be very adhoc and based upon the existing contractual agreement and historical practices. This is not uncommon; however, it is timely for this to be reviewed to ensure the ever increasing demands of this growth area of the Shire are dealt with in a more structured manner.

In the past the resources allocated to the Shire's *Western Regions* appear to have predominantly been to the Parkfalls Estate, with limited resources being allocated to other areas (e.g. Coffee Pot, Wokarena, Dolby, etc.). This is supported by the following costs over the past three financial years:

Area	2010/2011	2011/2012	2012/2013	Three Year Total \$	Three Years %
Parkfalls	\$9,570	\$21,322	\$19,400	\$50,292	75%
All Other Areas	\$2,115	\$12,500	\$2,495	\$17,110	25%
Annual Total	\$11,685	\$33,822	\$21,895	\$67,402	

In the 2013/2014 Adopted Budget an indicative amount of \$20,000 has been placed into the Roads Maintenance expense area for mowing the Parkfalls area. This is a generic, not a specific, maintenance budget allocation for the whole shire and can be used elsewhere if greater demand is required. The amount also appears to reflect the average amount allocated for the western regions as listed in the table above.

- (b) *A comparison of the Shire of Chapman Valley's Western Region with the neighbouring local government resource allocations to similar areas (e.g. Deepdale, Eastlyn).*

Investigating of the comparison with neighbouring local government's maintenance resource allocations to similar areas was not easy; however, has revealed the following:

Areas	Verge Slashing/Mowing (Per Annum)	General Maintenance (e.g. watering, rubbish collection, tidying, signs, guidepost, etc.)
City of Greater Geraldton (Eastlyn/Deepdale)	4 (Specified in Contract)	As needed. Not stipulated in Contract, which is for Slashing & Mowing only
Shire of Chapman Valley (Western Regions)	2 to 3 (Varies as not specified in Contract)	As needed. Not stipulated in Contract. History has shown this to be regular with monthly invoices being received from Contractor.

It was revealed that the City of Greater Geraldton has a far more detailed set of specification for mowing/slashing of the Deepdale & Eastlyn areas in comparison to the existing basic contract Council has for the Parkfalls Estate Maintenance. This anomaly has been addressed in the *Draft Request for Tender and Specifications* presented with this Report.

It is difficult to determine if Council is receiving value for resources/funds allocated to the existing services being allocated to the maintenance of *Western Regions*, which is why it is important to develop a Contract which is more specific, yet provides Council with the flexibility to alter on an as required.

- (c) *A comparison of the Shire of Chapman Valley's Western Region with the neighbouring local government rating levels to similar areas (e.g. Deepdale, Eastlyn)*

Investigations of the comparison with neighbouring local government's rates paid by landowners in similar areas have revealed the following:

	City of Greater Geraldton (Eastlyn/Deepdale)			Shire of Chapman Valley (Western Regions)		
	GRV	\$	Rate in \$	GRV	\$	Rate in \$
Minimum Rate - Residential		979	Min		650	Min
- Vacant Residential		769	Min		650	Min
General Rate - Example 1	15340	1600	10.4835	9776	1024	10.4802
- Example 2	18720	1963	10.4835	10296	1079	10.4802

It will be noted from the figures above:

- i. The Minimum Rate for Residential Land is higher in the City of Greater Geraldton; and
- ii. The GRV General Rate in the dollar between the two local governments is almost the same (with the CGG being marginally higher).

(d) *A review of the existing Contract Council has for the maintenance works currently being undertaken on the Parkfalls Estate only*

The existing *Parkfalls Estate Maintenance Contract Council* has with Parkfalls Mowing Services is specific to the Parkfalls Estate only and includes:

- Planting, watering & care of various trees & plants;
- Weed spraying;
- Various slashing works (tractor);
- Clearing of Fire Breaks;
- Removal of rubbish;
- Installation of guide posts;
- Other works as requested by the **Western Area Supervisor** (I believe this is currently the Shire Ranger).

The contract is not specific or prescriptive and clearly states:

“...It is not possible for Council to accurately predict the amount of work required during the three year period as this is subject to Council’s annual expenditure on the Estate which is considered and adopted by Council each year...”

Though this clarification is wise, as Council will always need to review all of its operational resource allocations at each budget cycle, I believe the Contract should be more specific of the standards and basic benchmark requirements for the delivery of the aforementioned activities associated with the contract. This will ensure the Contractor and Shire are quite clear on the expectation of work standard’s, rather than have this open to interpretation or at the discretion of the *Western Area Supervisor* (or CEO). Further clarity should also reduce the accusation of the Contractor or Shire not delivering a service at the desired level. Currently this is not the case and therefore is open to challenge. The *Draft Request for Tender and Specifications* attempts to address this situation.

It may also be appropriate for Council to consider some time in the future restructuring its parks and gardens internal resources to undertake the mowing/slashing and maintenance requirements of the *Western Regions* in-house, rather than contracting this out. This would require Council acquiring additional plant and perhaps additional parks and garden staff, which may render this financially impractical in the immediate future (i.e. to be in place by 1st July 2014).

The Staff Recommendation has not suggested Council take over this activity at this stage. However, is recommending an investigation be undertaken for during the period of new tender with determination on the possibility of bringing this activity in-house and away from Contractors not being considered until the 2017/2018 financial year at the earliest.

STATUTORY ENVIRONMENT

There is no statutory obligation for Council to allocate revenue (specifically Rate Revenue) to the area where it is raised unless this revenue is linked to:

- Specifications/Conditions identified in a grant or by another external funding source(s);
- Specified Area Rate raise under legislation for a specific location and purpose(s).

If residents and ratepayers in the *Western Regions* (part or the entire region) request additional resources, beyond that which Council is able to allocate to this region, then the option of levying a Specified Area Rate could be considered. This will result in the revenue raised as part of the Specified Area Rate only being able to be spent in this area and for the identified purpose(s). It must be understood the Specified Area Rate is a rate paid in addition to the normal annual rate levied against the properties in the specified area.

POLICY IMPLICATIONS

No existing policy affected.

FINANCIAL IMPLICATIONS

As previously reported, mowing, slashing, maintenance, etc., cost incurred by Council within the *Western Regions* over the past three years has been as follows:

Area	2010/2011	2011/2012	2012/2013	Three Year Total \$	Three Years %
Parkfalls	\$9,570	\$21,322	\$19,400	\$50,292	75%
All Other Areas	\$2,115	\$12,500	\$2,495	\$17,110	25%
Annual Total	\$11,685	\$33,822	\$21,895	\$67,402	

If Council was to allocate additional funds to the mowing, slashing, maintenance, etc., services to the *Western Regions*, without the introduction of a Specified Area Rate, then this can only be achieved by moving funds and resources away from an existing expenditure area (e.g. road maintenance).

The Staff Recommendation below has assumed the tenders being called or (based upon the draft specifications) does not require the introduction of a Specified Area Rate for the mowing, slashing, maintenance, etc., services to the *Western Regions* as it is considered these works should be able to be covered from existing rate revenue.

STRATEGIC IMPLICATIONS

The South-West region of the Shire is experiencing steady growth in development & population, therefore it is strategically appropriate for Council to continually review the levels of services provided to this sector of the Shire.

It is important for Council to determine what an appropriate level of service is by comparing the services being provided by local governments with similar precinct/areas and not simply accept the demands of some constituents as being the benchmark for service delivery.

It is also important for all residents in the area being reviewed to be included into any proposal to increase service delivery, which may result in an increase in rate revenue being required through the introduction of a Specified Area Rate (if this is determined as being necessary that is).

VOTING REQUIREMENTS

Simply Majority

COUNCIL RESOLUTION/STAFF RECOMMENDATION

MOVED: CR BATTEN

SECONDED: CR ROYCE

Council:

1. Endorse the Request for Tender documentation and specifications for the delivery of mowing, slashing and general maintenance services for the Shire of Chapman Valley's *Western Regions* as presented;
2. Call Request for Tenders for the provision of the mowing, slashing and general maintenance services to the Shire of Chapman Valley's *Western Regions* for a three year period, effective from 1st July 2014, and bring these tenders back to Council for consideration;
3. Subject to Council's acceptance of a preferred tender(s), allocate an amount in future budgets to accommodate the tender costs for the provisions of mowing, slashing and general maintenance to the Shire of Chapman Valley's *Western Regions*;
4. Commence an investigation into the possibility of bringing the delivery of mowing, slashing and general maintenance services to the Shire of Chapman Valley's *Western Regions* in-house and away from contractors prior to the expiration of the new tender period (i.e. 30th June 2017), allowing adequate time for Council to consider this option and to restructure its internal resources if necessary.

**Voting 6/1
CARRIED**

Minute Reference – 10/13 - 9



Shire of
Chapman Valley
Love the Rural Life

TENDER DOCUMENTATION

Request for Tender No: #####

Western Regions Mowing, Slashing and General Maintenance Services

CLOSES 2.00PM – #####

- SECTION A – INFORMATION FOR TENDERERS
- SECTION B – CONDITIONS OF TENDERING
- SECTION C – TENDER SPECIFICATIONS
- SECTION D – TENDER RETURN SCHEDULE

Enquiries on the contents of this document should be directed to:
Esky Kelly, Works Supervisor
Telephone: (08) 99205011 or Mobile 0429 109 816
Email: works@chapmanvalley.wa.gov.au

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Section A

Information for Tenderers

1. STRUCTURE OF THE TENDER DOCUMENTS

Tender documents have been structured to allow easy reference. Any questions should be directed to the relevant person noted on the front of this document.

The documentation is made up of the following **FOUR (4)** parts:

1.4 Section A - Information for Tenderers

This Section gives the background to and an overview of the requirements of the Contract and the type of response sought from tenderers.

1.5 Section B - Conditions of Tendering

This Section specifies the tendering process and conditions of tendering and describes the selection criteria that will be applied in the evaluation of tenders received.

1.6 Section C – Specifications

This Section is the specification for the services to be delivered.

1.7 Section D - Tender Return Schedules

This Section comprises the Tender Return Schedules on which tender responses must be submitted.

2. GENERAL

This Section A provides Tenderers with a brief description of the services required and a background to the Tender process. If there is any conflict between it and the detailed Specifications in the later Sections of these documents, the requirements in the later Sections shall have precedence.

2.4 Background

Chapman Valley is located 460 north of Perth with an estimated population of approximately 1,000 and an area of 4007 square kilometres. Chapman Valley is a predominately agricultural area in the Mid-West region in Western Australia. Nabawa is the main town centre located centrally to the small inland communities of Yuna, and Nanson and the growing coastal and rural residential communities in the Buller and White Peak localities. The Shire is serviced by about 134 km of sealed roads and about 750km unsealed roads, and about 32 public buildings.

2.5 Area to be Serviced

The area to be serviced is within the local government *Western Regions* area of Shire of Chapman Valley.

3. SCOPE OF THE CONTRACT

3.4 Services to be Provided

This is a contract for Mowing, Slashing and General Maintenance Services to sections of the *Western Regions* area of Shire of Chapman Valley.

3.5 Service Standards

Service standards are as set out in Section C – the Specification

3.3 Term of the Contract

The term of the proposed Services contract shall be three (3) years from the date of its commencement with no extension. Anticipated commencement date is 1st July 2014.

3.6 Transition to the New Contract

Unless otherwise determined the following dates are expected for transitions to occur from existing arrangements:

- (a) Contract begins 1st July 2014;
- (b) Service commences 1st July 2013 – as per Schedule.

4. CONTRACT AIMS AND OBJECTIVES

The Aims and Objectives of the Contract are:

- (a) to achieve and maintain a high standard of performance in provision of the Services by the Contractor;
- (b) to promote the health, safety and welfare of all persons engaged in or affected by the Services;
- (c) to ensure the provision of ongoing effective communication and cooperation between the Council and the Contractor;
- (d) to provide high standard of services, based on "best practice" principles;
- (e) to provide cost-effective Services that users perceive as offering value for money.

5. INVITATION TO TENDER

Suitably qualified persons or corporations are invited to tender to provide the Services to the Council as set out in the tender specifications.

This Tender is conducted in accordance with the requirements of the tendering requirements under the *Local Government Act 1995*.

Section B

Conditions of Tendering

GENERAL

Tender Documents

The Tender Documents comprise the following:

Section A – Information for Tenderers;
Section B - Conditions of Tendering;
Section C – Specifications;
Section D - Tender Return Schedules; and
Any addenda issued for this tender.

Addenda

- (a) Addenda may be issued at any time prior to the closing date. Each addendum will be issued to all Tenderers and, upon issue, will form part of the Tender Documents.
- (b) Receipt of each addenda must be acknowledged by the Tenderer by signing and returning a copy of the covering letter of issue as part of the tender submission.
- (c) Any of the Tender Documents may be amended to reflect the requirements of any addenda.

Precedence of Documents

To the extent that there is any inconsistency between:

- (a) Any addenda and the other Tender Documents, the addenda shall prevail; and
- (b) If two or more addenda are issued in relation to a matter, the last issued addenda shall prevail.

Type of Contract

This is a schedule of rates per service contract.

Work to be Performed

The Services to be provided are described in Section C - the Specification.

Tenderers should read the Specification fully to ascertain the exact nature of the work to be performed, and the terms on which it is to be performed, as the agreement will be evidenced solely by the Contract.

Tenderers **MUST** complete and return the Tender Return Schedules and may attach supporting documentation.

Tenderer to be Informed

Tenderers shall, prior to submitting their Tender, become acquainted with the nature and extent of the Contract and the services to be undertaken, and make all necessary examinations, investigations, inspections and deductions.

No claims arising from a failure to take any such actions will be considered and the Council does not accept any responsibility if a Tenderer fails to make its own enquiries, interpretations, deductions and conclusions when preparing its tender.

The Tenderer should satisfy itself that it has sufficient and complete information to prepare its tender and no claims will be accepted that information is missing or incomplete once tenders have been submitted.

Tenderers are required to familiarise themselves with all regulatory requirements relating to the Services and the elements necessary to perform the Services.

This includes the extent, if any, of any GST payable for the supply of any goods and services pursuant to the Contract.

Tenderers must form their own assessment of the amount of Services, materials, plant and all other items necessary to perform the true intent of the proposed Contract and of the conditions, difficulties and hazards that may attend the performance of the Services.

The Council will accept no responsibility for a Tenderer's failure to make its own enquiries, interpretations and conclusions from information contained within the Tender Documents or otherwise.

Enquiries

Any enquiries regarding the services specified in the Tender Documents should be directed to the relevant officer at the Shire of Chapman Valley as listed at the front of these Conditions of Tendering.

No statement made by the nominated contact person(s), or any other member of the Council should be construed as modifying these Conditions of Tendering or any other Tender Documents, unless confirmed in writing by the nominated contact person(s).

Discrepancies and Omissions

Should a Tenderer find discrepancies, errors and/or omissions in the Request for Tender, or should there be any doubt as to their meaning, the Tenderer should at once notify in writing the contact person nominated in the Request for Tenders.

Eligible Tenderers

This is an open tender, open to any organisation able to demonstrate to the selection panel that it is able to supply the Services described in these documents.

Tender

The Tender will comprise the attached Tender Return Schedules duly completed by the Tenderer.

The Tenderer shall sign the Tender, or if the Tenderer is a corporation, affix its seal or otherwise attest to the Tender and these signatures shall be witnessed.

The Tenderer may attach to the Tender Return Schedules any additional documentation that it wishes to submit in support of its Tender.

Tender Validity Period

Any Tender shall be an irrevocable offer by the Tenderer to perform the Services on the terms of the draft Contract and shall clearly state that the offer is such an offer and is subject to the terms and conditions set out in these Conditions of Tendering. The Tender will remain open for acceptance by the Council for a period of **thirty (30)** calendar days from the Closing Date.

Tenderer Not to Solicit the Client and its Advisors

The Tenderer and its representatives must not interfere or attempt to interview or to discuss this tender with Councillors or employees of the Council, other than the nominated contact person(s). Council reserves the right to reject any tender submitted by a Tenderer which contravenes this Clause.

Release of Tender Details

Tenderers should note that the name of each Tenderer will be presented in Council reports and may be made public. This will include the apparent order of tenders on the basis of tendered price with the specific amounts tendered. The names of tenderers will also be recorded in the tenders register in accordance with tendering requirements of *Local Government (Functions and General) Regulations 1996*.

Tenderers are advised not to enter into any commitments unless advised in writing by the Council that their tender has been accepted.

Public Access to Tender Information

Tenderers should note that any information submitted within tenders may be made public unless it is clearly marked commercial in confidence.

In-House Tender

There will not be an in-house tender submitted for this Contract from the Council.

General

This Tender is conducted in accordance with the requirements of the tendering requirements under the *Local Government Act 1995* and *Local Government (Functions and General) Regulations 1996*.

Local Preference Policy

Council will offer a price preference for local suppliers in accordance with the current Policy:

5.100 REGIONAL PRICE PREFERENCE POLICY

In order to promote sub-regional development the Shire of Chapman Valley may provide a price preference to regional suppliers (located within the stipulated areas) when evaluating and awarding contracts with Council via the Tendering Process. Any price preference provided will comply with part 4A of the Local Government (Function and General) Regulations 1995 as amended.

Policy Details

- 1.0 *Price preference may be given to all suppliers submitting conforming tenders for the supply of goods and services (including construction (building) services) to the Shire of Chapman Valley, unless Council resolves that this policy not apply to a particular tender.*

2.0 The following price preference may be given to suppliers submitting tenders assessed in relation to this policy:

2.1 Goods and Services – up to a maximum price reduction of \$50,000 unless a lesser amount is stipulated in the tender document.

Stipulated Area

10% to all suppliers located within the Shire of Chapman Valley.

5% to all suppliers located within the Mid-West Region.

2.2 Construction (building) Services – up to a maximum price reduction of \$50,000 unless a lesser amount is stipulated in the tender document.

Stipulated Area

5% to all suppliers located within the Shire of Chapman Valley.

2.5% to all suppliers located within the Mid-West Region.

2.3 Goods and Services, including Construction (Building) Services tendered for the first time where Council previously supplied the Goods or Services – up to a maximum price reduction of \$500,000 unless a lesser amount is stipulated in the tender document.

Stipulated Area

10% to all suppliers located within the Shire of Chapman Valley.

5% to all suppliers located within the Mid-West Region.

3.0 Regional Price Preference will only be given to suppliers located within the stipulated areas for more than 6 months prior to advertising date of the tender.

Located within the area stipulated is defined as a supplier having a physical presence in the way of a shop, depot, outlet, headquarters or other premises where the goods or services specifically being provided are supplied from. This does not exclude suppliers whose registered business is located outside the stipulated area. An example is franchisee of a multinational company.

4.0 Only those goods and services identified in the tender, as being from a source located within the stipulated area may have the price preference applied when assessing the tender.

5.0 Price is only one factor that Council considers when evaluating a tender. There is nothing contained within this policy that compels Council to accept the lowest tender or any tender based on price offered.

6.0 The Chief Executive Officer may impose this policy upon other purchases undertaken under delegated authority if considered appropriate (i.e. not necessarily subject to the Tender Process).

TENDER PREPARATION AND LODGEMENT

Conforming Tenders

To submit a conforming Tender, the Tenderer must:

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-
- (a) Comply with all of the requirements contained in the Tender Documents;
 - (b) Complete and execute all the Tender Return Schedules relevant to its offer in the manner indicated.

Non-Conforming Tenders

A non-conforming Tender is one that does not comply with all the requirements of these specifications. Where a non-conforming Tender is submitted, the following applies:

- (a) The Council may at its sole discretion consider a non-conforming Tender other than where this is in conflict with the tendering requirements under the *Local Government (Functions and General) Regulations 1996*.
- (b) The Council will only consider a non-conforming Tender where it is submitted with a conforming Tender, unless the non-conformity is merely technical in nature.
- (c) Tenderers submitting a non-conforming Tender shall fully detail any variance from the requirements of the Tender Documents.
- (d) Non-conforming tenders will be assessed in accordance with the evaluation criteria specified in the Conditions of Tendering.

Communication by the Council on a tender does not imply that the tender is a complying tender.

Tender Lodgement

Tenders must be addressed:

"CONFIDENTIAL - Tender ##### – Western Regions Mowing, Slashing and General Maintenance Services"

The Tender is to be deposited in the Tender Box located at:

Shire of Chapman Valley Administration Office
3270 Chapman Valley Road
NABAWA, WA 6532

prior to 2.00pm "Closing Time" on ##### "Closing Date" for submission of Tenders.

Facsimile and Electronic Tenders

Tenders submitted by facsimile **will not** be accepted.

Tenders submitted by electronic means **will not** be accepted.

Late Tenders

Tenders received after the Closing Time on the Closing Date **will not** be accepted.

Number of Copies of Tender

The Tenderer is required to lodge an original Tender plus **one (1)** copy, each of which shall be certified by the Tenderer to be true copies (including copies of all supporting documentation).

Ownership of Tenders and Tender Information

Tenders lodged by the Tenderer shall become the property of the Council and on no account will they be returned to the Tenderer.

ACKNOWLEDGMENT BY TENDERER

The Tenderer acknowledges that:

- (a) The Council makes no representations and offer no undertakings in issuing this tender.

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- (b) The Council is not bound to accept the lowest Tender or required to accept any Tender.
 - (c) The Council may consider and may accept non-conforming Tenders if accompanied by a conforming Tender or the non-conformity is merely technical.
 - (d) The Council may accept a single Tender to provide all Services under this Contract.
 - (e) The Council may require the Tenderer to supply further information and/or attend a conference or interview.
 - (f) The Tender Submission cannot be withdrawn without the consent of the Council unless it is withdrawn in writing before the close of the Tender Period by placing the withdrawal in the Tender Box.
 - (g) The Tender Evaluation Panel and the Council may undertake 'due diligence' checks, including, but not limited to, verifying references and/or referees, and undertaking company searches and credit checks.
 - (h) The Council will not be responsible for any costs or expenses incurred by a Tenderer arising in any way from the preparation and submission of Tenders.
 - (i) The Council accepts no responsibility for a tenderer misunderstanding or failing to respond correctly to this tender.
 - (j) Where information is supplied in tender documents regarding historical quantities and types of materials and contamination levels this is offered on the basis that such information is believed by the Council to be complete and correct at the time of its compilation. Tenderers should note that this information may not be representative of the present or future material stream. Accordingly the Council accept no responsibility for the accuracy of this information or the assumptions that the Tenderers may make based on this information.

ACCEPTANCE OF TENDER

The successful Tenderer will be notified in writing of the acceptance of its Tender. Unsuccessful Tenderers will also be informed of the outcome of the tender process.

CONTRACT

The notification of the acceptance of Tender will create a contract between the Council and the successful Tenderer on the basis of the selected Tender and the terms and conditions, if any, of Council's letters of acceptance.

The successful Tenderer will be required to execute two (2) copies of a Formal Instrument of Contract incorporating the terms of the Contract, the successful Tenderer's Tender and the Council letter of acceptance within fourteen (14) days of these documents being presented to the Tenderer for execution.

If the Contract is not executed by the successful Tenderer and returned to the Council, together with any payment or security, within the fourteen (14) day period, the Council may:

- (a) treat that failure as a breach constituting a repudiation of the binding agreement created by the Council's acceptance of the successful Tenderer's Tender and accept that repudiation; and,
- (b) terminate the agreement; and,
- (c) recover any damages arising from the repudiation by the Tenderer.

The form of the Contract will incorporate the Specification (Section C) and relevant parts of the Tender Return Schedules (Section D).

USE OF SUBCONTRACTORS

Where a Tenderer proposes to provide any part of the Services using resources from organisations other than the Tenderer itself, substantial information relating to the contractual arrangements for such resources must be detailed in the tender, together with information on the relevant experience of such other organisation.

Failure to provide such information may result in the Tender being excluded from further consideration.

Subcontractors will be required to satisfy the terms and conditions of these Tender Documents and will be required as a condition of their acceptance by the Council to comply with all relevant conditions of the Contract.

Tenderers will be required to ensure that subcontractors satisfy the terms and conditions of the Tender Documents and to include all relevant conditions of the contract in subcontracts.

PROBITY OF TENDER PROCESS

A Statutory Declaration, is included in the Tender Return Schedules which addresses "Collusive Tendering". Such declaration must be made and returned as part of the Tender.

PROVISION OF INFORMATION BY TENDERERS

Tender Return Schedules

Tenderers are required to complete the Tender Return Schedules and submit these as part of their tender. They should also supply any information or documents specified at the conclusion of the Schedules. While such information may be used in evaluation of tenders, it will not necessarily form part of the Contract.

Conflict of Interest

Tenderers must inform the Council of any circumstances or relationships which will constitute a conflict or potential conflict of interest if the Tenderer is awarded the contract.

If any conflict or potential conflict exists the Tender should advise how it proposes to address this.

Information for Evaluation

Tenderers are required to submit all the documents or information specified with their tenders.

Tenderers may submit additional information in support of their tender as may be considered necessary for evaluation of any methods, systems, processes, personnel, plant or equipment they propose to use in the performance of the Contract. Without limiting the *Local Government (Functions and General) Regulations 1996* tendering requirements, the Council reserves the right to clarify with any Tenderer the contents of any information.

Tenderers must complete all relevant Tender Return Schedules in Section D, to provide the Council with the information required to fully and fairly evaluate the tender.

TIMING OF TENDER

The proposed timing for the tendering process is as follows:

Call for Tenders:	*****
Close of Tenders:	*****
Award of Contract (indicative):	1 st July 2013
Service Commencement Date:	1 st July 2013

CONFIDENTIALITY

Control of Confidential Information

The Council and Tenderers must maintain effective systems to protect Confidential Information.

Neither may:

- (a) Use Confidential Information for any purpose other than the performance of that person's obligations under the Contract or in the assessment of a tender;
- (b) Disclose (and must ensure that its employees do not disclose) Confidential Information to any third party, except in accordance with the procedure set out in this Clause;
- (c) Allow its employees access to Confidential Information without ensuring that those employees are aware of and comply with these systems for the protection of Confidential Information;

The Council or a Tenderer may disclose Confidential Information to a third party only where that entity has obtained the prior written approval of the other party to such disclosure. This approval must not be unreasonably withheld if the other party has procured a confidentiality undertaking in the same terms as this Clause in respect of the information from such third party.

Information Provided by Council

Information provided in this Request for Tender or imparted to any Tenderer as part of the tendering process is confidential and shall not be used by the Tenderer for any other purpose, or distributed to, or shared with any other person or organisation.

If the Tenderer does not accept this condition then it must return these Tender Documents within two (2) days to the nominated contact person.

Information Provided by Tenderers

The Council reserves the right to disclose any or all information provided by Tenderers where disclosure is:

- (a) Required or compelled by any order of a Court;
- (b) Required or compelled by any law;
- (c) Required or compelled by notice validly issued by any Authority;
- (d) Necessary for the conduct of any legal proceedings;
- (e) Necessary for the provision of advice by the Council's legal advisers, accountants or other consultants;
- (f) Necessary for the evaluation of this tender.

EVALUATION CRITERIA - CHECKLIST FOR TENDERERS

Tenderers should ensure that their proposals address the following criteria.

These criteria will be used to assess the Tenderers proposals but are not necessarily in weighted order:

- Tendered price;
- Relevant Experience;
- Resources (supervisory, plant & equipment);
- Methodology; and
- Occupational Health & Safety.

DEFINITIONS

In these Tender Documents, the following terms shall, unless inconsistent with the context, have the meanings indicated:

"Addenda" means addenda to this Request for Tender issued by the Council from time to time. Addenda may be issued to amend, alter, clarify, add to or remove from the form and contents of the Request for Tender or to effect modifications to the Request for Tender.

"Closing Date" means the last date for lodgement of Tenders as specified in the Conditions of Tendering or such later date as may be notified in writing to the Tenderer by the Council.

"Closing Time" means the last time for lodgement of Tenders as specified in the Conditions of Tendering or such later time as may be notified in writing to the Tenderer by the Council.

"Conditions of Tendering" means the conditions of tender set out in this document.

"Confidential Information" includes all information not in the public domain (otherwise than through breach of the confidentiality requirements of the Conditions of Tendering) provided by the Council or a Tenderer to the other which is in the nature of commercial information.

"Request for Tender" means all the documents issued by the Council which are referred to in Clause 0 of this document.

"Section" means an identified Section of the **Tender Documents**.

"Tender" includes any response to the Request for Tender signed by the Tenderer comprising the Tender Return Schedules and all required documentation and information.

"Tender Box" means the tender box located at the place specified in the Conditions of Tendering.

"Tenderer" means a person or corporation who lodges a Tender in accordance with this Request for Tender.

"Tender Evaluation Panel" means a panel appointed to evaluate Tenders.

Section C

Tender Specifications

SPECIFICATIONS

1. Outline of Contract

The Shire of Chapman Valley is seeking detailed submissions from individuals or companies who can consistently provide a high quality service delivery of works as detailed in this document.

The Tenderer is required to submit a dollar and hectare rate where stated in this document. This rate may then be multiplied by the required cuts per annum to attain an annual cost. The required cuts per annum may vary and are subject to change by the Shire. These required cuts are based on previous statistics and are very much subject to weather and other climatic conditions.

The Chief Executive Officer, or his nominated representative, may request the Contractor to complete extra works to a specified area and conversely may also direct the Contractor that a specified site does not warrant the scheduled works at a particular time.

Any extra works required at listed/nominated areas by the Shire shall be communicated to the Contractor and shall be paid at the agreed rate stated upon the acceptance of this contract.

Equally in the event of the Contractor being notified not to carry out scheduled works there shall be no claim for payment entered by the Contractor.

Payments shall be made by the Shire via an electronic funds transfer. These payment will be made upon receipt of an invoice/statement detailing the works undertaken, the date(s), rate and the GST component.

Verges are to be slashed 4 cycles per annum. The width to be slashed will generally be from the edge of the road to the property boundary.

2. Scope and Condition of Works

The Contractor shall endeavour at all times to be neat and tidy in appearance and carry identification of their business name.

All operations carried out by the Contractor shall be in a workman like manner and of high quality. The quality of work will be to the satisfactory of the Chief Executive Officer, or his/her nominated representative.

Where the Contractor is advised of any work not to the acceptable standard in the opinion of the Chief Executive Officer, or his/her nominated representative, the work shall be re-performed within two days at the Contractor's own expense. Failure of the Contractor to complete this work that results in the Shire engaging other sources to complete the work, will result in a deduction from the Contractor's payment

The Contractor shall operate within the following schedule:

- ~ Monday's to Saturday's: Not commence the operations of plant or machinery prior to 7.00am or continue operations after 6.00pm;
- ~ Sundays & Public Holidays : Not commence the operations of plant or machinery prior to 8.00am or continue operations after 5.00pm

If the Contractor deems it is necessary to work outside these conditions they must seek approval 24 hours before by consultation with the Chief Executive Officer, or his/her nominated representative for the authority to do so.

The Scope of Works is to provide the following services to nominated areas throughout the Western Regions of the Shire of Chapman Valley:-

Mowing, Slashing & General Maintenance

The locations to be serviced by this contract, but are not limited to, include:

- Parkfalls;
- Wokarena;
- Dolby Creek;
- Waggrakine/Coffee Pot;
- Other Areas as stipulated within these specifications

The Contractor will be required to provide intended works programs and advise one week in advance and is to keep a record of locations and times each location is serviced.

It is the Tenderer's sole responsibility to have a good geographical knowledge of the locations within the designated area where works are to be undertaken.

The avoid creating additional mess the Contractor is to advise the Shire of any litter that requires collection prior to mowing/slashing or remove from site themselves.

The Shire will undertake spraying of verges on occasions to control weeds. This will mostly apply to road shoulders, swales and drains.

3. Contract Period

The contract period will be for a period of 3 years (48months). Commencing 1st July 2013 and concluding 30th June 2016.

Prices for all items will remain fixed for the duration of the first twelve (12) months, and shall increase by CPI (Perth All Groups Index for the previous March quarter) thereafter.

4. Extension to Contract Period

Unless otherwise determined by Council there will be no extension period to this Contract.

5. Annual Programme of Works

The contractor will be required to formulate a detailed annual maintenance schedule in liaison with the Shire of Chapman Valley's Works Supervisor as required for approval prior to the commencement of each year. A works programme with a schedule of events and timing designed to integrate with usage of the Shire of Chapman Valley's active and passive reserves will be prepared by the Shire of Chapman Valley's representative and the successful contractor on an annual basis prior to the commencement of each financial year.

The progress of the approved annual schedule of works will be inspected to determine payment of works. Any additional works outside of the annual schedule may be requested by the Shire of Chapman Valley and authorised upon issuing of a purchase order.

7. Public Liability Insurance

Due to the significant nature of this contract, public sensitivity and use of the Shire of Chapman Valley's open space during working hours, contractors need to possess a current Public Liability Insurance policy to the value of \$10,000,000.00 for the purpose of tendering for these works. Proof of such policy needs to be included with the submission.

8. TECHNICAL SPECIFICATIONS - FOR SCOPE OF WORKS

8.1 Mowing, Slashing and General Maintenance Services

The following technical specification describes the processes required. Contractors are required to address all items within the technical specification to satisfy the Shire of their understanding of the works.

This specification is a specification of 'Process'.

8.1.1 Mowing & Slashing

Mowing & Slashing is defined as the practice of ensuring vegetation is maintained to a pre-determined height at all times by the use of a mechanical mower/slasher either pedestrian, tractor mounted or tractor trailed.

This specification below details the minimum standards for the contract mowing & slashing of areas within the Shire of Chapman Valley's Western Regions as required from time to time:

- i. The mowing & slashing frequencies noted are only recommended times and may vary as the Chief Executive Officer, or his/her nominated representative, deems warranted. These are a guide only, based on previous statistics and are very much subjected to weather conditions and user demands.
- ii. Contractor is to have the ability to undertake mowing & slashing at short notice.

-
- iii. The plant and machinery needed to fulfil the terms of this contract are tractor, slasher, mower with catcher and brush cutter. The tractor may be 3 pin linkage type or tractor/slasher combination direct drive. Tractor to be fully registered and must have flashing strobe light.
 - iv. Slasher shall be not less than 1.5 metres wide. Slasher to have protective sides and must have rear guards.
 - v. All plant to be in good working conditions, without fuel/oil leaks and to have all manufacturer's safety guides and guards in place. Plant to be clean and presentable appearance.
 - vi. All plant will be inspected by the Shire prior to the acceptance of the Tender. Plant will also be made available for inspection periodically if required by a Shire representative.
 - vii. The Contractor shall not carry out works during periods of total fire bans. It is the Contractor's responsibility to be aware of these bans.
 - viii. Where the Contractor is advised of any work not to the acceptable standard in the opinion of the Chief Executive Officer or his/her representative, the work shall be re-performed within two days at the Contractor's own expense. Failure of the Contractor to complete this work that results in the Shire engaging other sources to complete the work, will result in a deduction from the Contractor's monthly progress payment.
 - ix. The slashing heights required by the Principal shall be a minimum of 40mm and a maximum of 70mm. Any variation to this will be advised in writing.
 - x. The height of cut shall be consistent with all plant used and will be altered only with the knowledge and approval of the Shire of Chapman Valley's representative. The slashing heights required by the Principal shall be a minimum of 40mm and a maximum of 70mm. Any variation to this will be advised in writing.
 - xi. The Contractor shall be fully conversant with the standards and regulations associated with the Department of Primary Industries Road Traffic's traffic management and signage procedures.
 - xii. The Contractor shall carry two sets of the appropriate approved signs for the operations of this Contract i.e. "Mowing/Slashing in Progress".
 - xiii. The Contractor shall, at the Contractor's expense, repair/replace any damage resulting from their operations in carrying out this Contract within 48 hours of the time of damage occurring, or as otherwise determined by the Chief Executive Officer or his/her representative.
 - xiv. It is the Contractor's responsibility to repair, replace and maintain all plant used in the operations of carrying out this Contract.
 - xv. No facilities are available to garage any plant or equipment at any reserve or public open space within the Shire. Should the Contractor garage plant overnight any damage inflicted upon the plant will be solely the responsibility of the Contractor.

-
- xvi. No plant will be left on Council property for a period longer than 24 hours unless approval to do so has been given by the Chief Executive Officer or his/her representative.

Designated Areas

- i. Parkfalls Estate – All verges on both sides of all roads from the edge of the road to property boundary within the Estate area (Plan Attached);
- ii. Parkfalls Estate – Recreation Reserve (Eliza Shaw Rd – Plan Attached);
- iii. Parkfalls Estate – Pony/Bridle Trails;
- iv. Parkfalls Estate – Bus Shelter Area;
- v. Parkfalls Estate – Entry Statement (NWCH End);
- vi. Wokarena Development Area - All verges on both sides of all roads from the edge of the road to property boundary within the Estate area (Plan Attached);
- vii. Dolby Creek Development Area - All verges on both sides of all roads from the edge of the road to property boundary within the Estate area (Plan Attached);
- viii. Waggrakine/Coffee Pot Development Area - All verges on both sides of all roads from the edge of the road to property boundary within the Estate area (Plan Attached);
- ix. Other areas not listed above –
 - Richards Road;
 - Wokarena Road
 - Stirling Place;
 - Calder Place;
 - Dolby Drive;
 - David Road;

8.2 General Maintenance

The Contractor will be required to undertake general maintenance, which will include, yet not necessarily limited to:

8.2.1 Watering & Weeding

This specification details the minimum standards for watering & weeding of areas within the Shire of Chapman Valley's Western Regions as required from time to time.

The Contractor will ensure the designated area(s) are watered more frequently during the drying periods of the year and in accordance with the schedule determined by the Shire representative.

The Contractor will ensure the designated area(s) are weeded more frequently during the peak growing periods of the year and in accordance with the schedule determined by the Shire representative.

Contractor is also to have the ability to undertake watering & weeding at short notice.

The Contractor shall demonstrate that plant and equipment used in association with the watering & weeding activities is capable of effectively performing the task required.

Designated Areas

- i. Parkfalls Estate (Eliza Shaw Drive) – All medium strip island areas.

8.2.2 Rubbish Collection

This specification details the minimum standards for rubbish collection of areas within the Shire of Chapman Valley's Western Regions as required from time to time.

Contractor is to have the ability to undertake rubbish collection at short notice.

The Contractor shall demonstrate that plant and equipment used in association with the rubbish collection activity is capable of effectively performing the task required.

Designated Areas

- i. Parkfalls Estate – All verges on both sides of all roads from the edge of the road to property boundary within the Estate area (Plan Attached);
- ii. Parkfalls Estate – Recreation Reserve (Eliza Shaw Rd – Plan Attached);
- iii. Parkfalls Estate – Pony/Bridle Trails;
- iv. Parkfalls Estate – Bus Shelter Area;
- v. Parkfalls Estate – Entry Statement (NWCH End);
- vi. Wokarena Development Area - All verges on both sides of all roads from the edge of the road to property boundary within the Estate area (Plan Attached);
- vii. Dolby Creek Development Area - All verges on both sides of all roads from the edge of the road to property boundary within the Estate area (Plan Attached);
- viii. Waggakine/Coffee Pot Development Area - All verges on both sides of all roads from the edge of the road to property boundary within the Estate area (Plan Attached);
- ix. Other areas not listed above –
 - Richards Road;
 - Wokarena Road
 - Stirling Place;
 - Calder Place;
 - Dolby Drive;
 - David Road;

8.2.3 Road Side Furnishings

This specification details the minimum standards for repair &/or replacement of roadside furnishings (e.g. guidepost, signs, etc.) of areas within the Shire of Chapman Valley's Western Regions as required from time to time.

All materials for the repair &/or replacement of roadside furnishings will be provided by the Shire of Chapman Valley at the Shire's expense. The Contractor will only be required to repair &/or replace road side furnishings as requested by the Shire representative.

Contractor is to have the ability to undertake repair &/or replacement of roadside furnishings at short notice.

The Contractor shall demonstrate that plant and equipment used in association with the repair &/or replacement of roadside furnishings activity is capable of effectively performing the task required.

Designated Areas

- i. Parkfalls Estate – All verges on both sides of all roads from the edge of the road to property boundary within the Estate area (Plan Attached);
- ii. Parkfalls Estate – Recreation Reserve (Eliza Shaw Rd – Plan Attached);
- iii. Parkfalls Estate – Pony/Bridle Trails;

- iv. Parkfalls Estate – Bus Shelter Area;
- v. Parkfalls Estate – Entry Statement (NWCH End);
- vi. Wokarena Development Area - All verges on both sides of all roads from the edge of the road to property boundary within the Estate area (Plan Attached);
- vii. Dolby Creek Development Area - All verges on both sides of all roads from the edge of the road to property boundary within the Estate area (Plan Attached);
- viii. Waggrakine/Coffee Pot Development Area - All verges on both sides of all roads from the edge of the road to property boundary within the Estate area (Plan Attached);
- ix. Other areas not listed above –
 - Richards Road;
 - Wokarena Road
 - Stirling Place;
 - Calder Place;
 - Dolby Drive;
 - David Road;

9. Assessment Procedure

Conforming Tenders shall be assessed using a point scoring system with scores being awarded for the assessment criteria.

The lowest price Tender (T_{lp}) shall be awarded a score of 30 for the Price criterion. The second-lowest price Tender (T_{slp}) shall be awarded a score determined in the following manner:

$$T_{slp} \text{ Score} = 30 - \left\{ \frac{(T_{slp} - T_{lp})}{T_{lp}} \times 30 \right\}, \text{ and so forth for the remaining Tenders.}$$

*Example - With lowest price being 10;
Second lowest price being 12; and
Third lowest price being 13*

- *Lowest Price* = **30 is Score for Lowest Price Score**
- *Second Lowest Price*
 - = $30 - \{(12-10/10) \times 30\}$
 - = $30 - \{(2/10) \times 30\}$
 - = $30 - [0.2 \times 30]$
 - = $30 - 6$
 - = **24 is Score for Second Lowest Price Score**
- *Third Lowest Price*
 - = $30 - \{(13-10/10) \times 30\}$
 - = $30 - \{(3/10) \times 30\}$
 - = $30 - [0.3 \times 30]$
 - = $30 - 9$
 - = **21 is Score for Third Lowest Price Score**

Each non-price criterion is awarded a score from 0 to 5. However, to reflect a particular criterion's relative importance, a "loading factor" is applied to each criterion's score to generate a "loaded score" for that criterion. Loaded scores are then summed to give a total score to a maximum of 100.

Each non-price criterion shall be scored out of 5 in increments of 0.5.

- o A score of 4-5 shall be awarded where the Tenderer's credentials are judged to exceed the minimum requirements for that criterion.
- o A score of 3.5 shall be awarded where the Tenderer's credentials are judged to satisfy the minimum requirements for that criterion.
- o A score of 0-3 shall be awarded where the Tenderer's credentials are judged inadequate to meet the minimum requirements for that criterion.

The non-price assessment component of the assessment process is designed to take into account those aspects of the Tender that do not readily translate into absolute dollar values, but do have a direct bearing on the project outcome and which generate socio-economic benefits.

The following table summarises the assessment criteria that will be considered in determining a Tenderer's loaded score, and shows the loading assigned to each particular criterion.

ITEM	ASSESSMENT CRITERIA	LOADING FACTOR	MAX SCORE	MAX LOADED SCORE	AWARDED SCORE	LOADED SCORE
1	Price	Formula Based	30	30		
2	Relevant Experience	5	5	25		
3	Resources (supervisory, plant & equipment)	5	5	25		
4	Methodology	2	5	10		
5	Occupational Health & Safety	2	5	10		
	MAX LOADED SCORE			100		

Assessment shall be substantially based on information supplied by each Tenderer.

Section D

Tender Return Schedule

SCHEDULE 1 - TENDER FORM - FORMAL OFFER

(Page 1 of 2)

TENDER No.:		PROJECT:	
Tenderer: <small>(full trading name)</small>			
Registered Office Address:	Business Address:		
Telephone:		Facsimile:	
Email:			

1.1 LEGAL STATUS

All Tenderers are required to complete the following table:

Legal Structure	Name	Australian (ACN)	Company Number	Australian (ABN)	Business Number
Company					
Trust *					
Individual					
Partnership					

* Include details of both the trust and its trustee

The Tenderer named above, hereby offers to provide Goods, Works and/or Services in accordance with:

- a) Conditions of Tendering;
- b) Conditions of Contract;
- c) The Specification;
- d) Any addenda to the above;
- e) This Tender including all its schedules relating to the above Contract.

The Tenderer also acknowledges that if it is the successful tenderer, the documents listed above shall form part of the contract and agrees to be bound by the contract conditions.

The Tenderer warrants and represents that:

- a) It has fully acquainted itself with all of the documents referred to in the Tender and all matters relating there to;
- b) Agrees to be bound by the *Conditions of Tendering*;
- c) All of the information provided in its tender is true and correct;
- d) It has made its own enquires and investigations and has obtained professional advice and all other relevant information so as to inform itself of all risks and contingencies which may affect its tendered price;
- e) It has allowed for all such risks and contingencies in its tender price.

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1.2 AMENDMENTS TO TENDER DOCUMENTS

Tenderer to sign and return any amendments issued during the tender period in confirmation of their receipt.

Tenderer confirms amendments have been signed and returned: Signature: _____

1.3 CONFLICTS OF INTEREST

The Tenderer shall confirm whether there exists any interests, relationships (including those of family members and employees) or clients that may or do give rise to a conflict of interest.	<input type="checkbox"/>	<input type="checkbox"/>
	Yes ✓	No ✓

If "Yes", as an attachment to this declaration, the Tenderer shall detail the area in which that conflict or potential conflict does or may arise and provide details of strategies for preventing conflicts of interest.

Executed by Authorised Officer of Tenderer who has delegated authority to enter into a contract:

Signature: _____

Name and Title: _____ Date: _____

Signature of Witness: _____

Name of Witness: _____ Date: _____

1.3.1 CONTACT PERSON FOR ENQUIRIES ABOUT THIS TENDER

Name:	_____
Position:	_____
Address:	_____ _____ _____
Telephone:	_____
Mobile:	_____
Facsimile:	_____
Email:	_____

(Attach details, as required)

SCHEDULE 2 – TENDER PRICES

MOWING & SLASHING	
Service	Cost per Ha (Excl. GST)
Total mowing & slashing services for designated areas. (Hectare Rate is inclusive of labour, plant and all associated on-costs)	\$...../ha

Tenderers Comments (if any):

SCHEDULE 2 – TENDER PRICES (Continued)

GENERAL MAINTENANCE – Watering/Weeding, Rubbish Collection & Road Side Furnishings	
Service	Cost per Ha (Excl. GST)
Total General Maintenance Services for designated areas. (Hourly Rate is inclusive of labour, plant and all associated on-costs)	\$...../hour

Tenderers Comments (if any):

DRAFT

SCHEDULE 3 - STATEMENT OF CONFORMITY

The Tenderer is to signify whether or not its Tender conforms in all respects to the requirements of the Tender Documents by indicating below:

Does the Tender conform?	<input type="checkbox"/> Yes ✓	<input type="checkbox"/> No ✓
--------------------------	-----------------------------------	----------------------------------

If the Tender does not conform with all the requirements of the Tender Documents, the Tenderer must list below all areas of non-conformity and the reasons therefore, and must value each area of non-conformity so that, in the event such non-conformity is deemed unacceptable, the comparative tender price can be adjusted accordingly. If any non-conformity is not priced and/or is determined to be unacceptable, the Tender may not be further considered.

AREA OF NON-CONFORMITY AND REASON	VALUE OF NON-CONFORMITY (\$)

SCHEDULE 4 - COLLUSIVE TENDERING - STATUTORY DECLARATION

(Page 1 of 2)

I, (Full name), (Position)
of (Name of
Tenderer)
..... (Address of
Tenderer)

do solemnly and sincerely declare that:

4.1 DEFINITIONS

In this Statutory Declaration:

"Bidders" means any tenderers for the Contract and includes the Tenderer;

"the Contract" means the Contract to which this Tender and Statutory Declaration pertains;

"Industry Association" means any organisation of which bidders are members;

"the Tenderer" means (insert name of company, other body corporate, firm, or individual)

.....
"Tender Price" means the amount or amounts indicated by a Bidder as the lowest amount or amounts for which that Bidder is prepared to perform the Contract.

4.2 INTRODUCTION

4.2.1 I hold the position of (insert title)

.....
of the Tenderer and am duly authorised to make this declaration on its behalf.

4.2.2 I make this declaration on behalf of the Tenderer and on behalf of myself.

4.3 NO KNOWLEDGE OF TENDER PRICES

Prior to the Tenderer submitting its tender for the Contract, neither the Tenderer, nor any of its employees or agents, had knowledge of the Tender Price, or proposed Tender Price, of any Bidder (other than the Tenderer) who submitted, or proposed to submit, a tender for the Contract.

4.4 DISCLOSURE OF TENDER PRICE

Neither the Tenderer, nor any of its employees or agents has disclosed nor will they disclose prior to the Closing Date the Tenderer's Tender Price to:

4.4.1 any other Bidder who has submitted or will submit a Tender for the Contract;

4.4.2 any other person, company, body corporate, or firm proposing to submit a Tender for the Contract;

4.4.3 any person or organisation connected or associated with a Bidder, person, company, body corporate, or firm of a kind referred to in Clauses 4.1 or 4.2.

4.5 PROVISION OF INFORMATION

Except as stated herein, neither the Tenderer, nor any of its employees or agents, has provided or will provide information to:

4.5.1 any other Bidder who has submitted or will submit a Tender for the Contract;

4.5.2 any other person, company, body corporate, or firm proposing to submit a Tender for the Contract; or

4.5.3 any other person, company, body corporate, or firm for the purpose of assisting in the preparation of a tender for the Contract.

EXCEPTIONS:

.....
.....
.....

4.6 GENUINE COMPETITION

The Tenderer is genuinely competing for the Contract.

4.7 INDUSTRY ASSOCIATION AGREEMENTS

Neither the Tenderer, nor any of its employees or agents, has entered into any contract, agreement, arrangement or understanding, other than as disclosed to the Council in the Tenderer's Tender, that the successful Bidder for the Contract will pay any money to, or provide any other benefit or other financial advantage to, an Industry Association in respect of the Contract.

4.8 UNSUCCESSFUL TENDERERS' FEES

Neither the Tenderer, nor any of its employees or agents, has entered into any contract, agreement, arrangement or understanding that the successful Bidder for the Contract will pay any money to, or provide any other benefit or other financial advantage to, any other Bidder who unsuccessfully tendered for the Contract.

4.9 QUALIFICATIONS TO TENDERS

Neither the Tenderer, nor any of its employees or agents, has entered into any contract, agreement, arrangement or understanding that Bidders for the Contract would include an identical or similar condition or qualification in their Tenders for the Contract if any such condition or qualification is included in the Tenderer's Tender.

AND I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Oaths Act, 1900.

Declared at)
in the State of)
this day of)
before me:)

.....
(Signature of person making the declaration)

Signature:

Full Name:

Address:

Qualification:
(Insert details of basis on which entitled to witness a Statutory Declaration)

SCHEDULE 5 - INSURANCES

Tenderer to provide details of insurance currently held by you and any proposed subcontractor which would be extended to provide cover for work under the Contract.

INSURANCE TYPE	POLICY NO.	EXTENT OF COVER		EXPIRY DATE	NAME OF INSURER
		Per Incident \$A	In Aggregate \$A		
Public Liability					
Vehicles Plant and Equipment					
Workers Compensation					

(Attach Certificates of Currency or other verification of the above insurances)

SCHEDULE 6 - MANAGEMENT, STAFF AND TECHNICAL RESOURCES

(Page 1 of 2)

Provide a management organisation chart plus indicate below key personnel who will have prime responsibility and accountability for the performance of the contract.

Note: Attach a résumé (CV) for each key person nominated.

NAME 1: _____ **Position:** _____

Reporting to: _____ **Years of relevant experience:** _____

Line responsibilities: _____

NAME 2: _____ **Position:** _____

Reporting to: _____ **Years of relevant experience:** _____

Line responsibilities: _____

NAME 3: _____ **Position:** _____

Reporting to: _____ **Years of relevant experience:** _____

Line responsibilities: _____

NAME 4: _____ **Position:** _____

Reporting to: _____ **Years of relevant experience:** _____

Line responsibilities: _____

(Attach extra page(s) if insufficient space together with the organisation chart and résumés)

(Page 2 of 2)

(Attach extra page(s) if insufficient space)

DRAFT

SCHEDULE 7 - SUBCONTRACTORS

The names of subcontractors (including consultants and sub-consultants) proposed to be engaged for the contract.

- Note:
1. *Written approval of all subcontractors is required before commencement of the contract.*
 2. *The nomination of alternatives is acceptable.*
 3. *The Contractor shall be required to provide evidence that the subcontractors are registered and/or licensed (as required by law) in the work which is to be subcontracted and have the relevant policies of insurance.*

NAME AND OF SUBCONTRACTOR	ADDRESS	DESCRIPTION OF TO BE SUBCONTRACTED	WORK PROPOSED	ESTIMATED WORK VALUE \$
			TOTAL	\$

(Attach extra page(s) if insufficient space)

DRAFT

SCHEDULE 10 - REFEREES

Provide at least three (3) referees who can attest to the Tenderer's capabilities in undertaking the contract.

Note: Council reserves the right to make its own independent enquiries.

FIRST REFEREE

Company Name: _____

Address: _____

Contact Person: _____

Telephone: _____ Facsimile: _____

SECOND REFEREE

Company Name: _____

Address: _____

Contact Person: _____

Telephone: _____ Facsimile: _____

THIRD REFEREE

Company Name: _____

Address: _____

Contact Person: _____

Telephone: _____ Facsimile: _____

FORTH REFEREE

Company Name: _____

Address: _____

Contact Person: _____

Telephone: _____ Facsimile: _____

SCHEDULE 11 - PREVIOUS EXPERIENCE

(Page 1 of 2)

Describe the organisation's experience in projects of a similar nature to the contract COMPLETED in the last three (3) years.

Note: Council reserves the right to make its own independent enquiries.

PROJECT 1

Name: _____

Client: _____

Contact: _____ Telephone: _____

Total Project Value
per year: \$ _____ Duration: _____

Description of the project or task: _____

PROJECT 2

Name: _____

Client: _____

Contact: _____ Telephone: _____

Total Project Value
per year: \$ _____ Duration: _____

Description of the project or task: _____

(Page 2 of 2)

PROJECT 3

Name: _____

Client: _____

Contact: _____ Telephone: _____

Total Project Value
per year: \$ _____ Duration: _____

Description of the project or task: _____

PROJECTS OR SERVICES TERMINATED FOR REASONS OTHER THAN CONTRACT EXPIRY

		YES	NO
1.	Has the tenderer had an appointment terminated on a project in the last five (5) years? (If yes, please provide brief details of each case)		
2.	Has the tenderer terminated a project in the last five (5) years? (If yes, please provide brief details of each case)		
3.	Has the tenderer refused to continue providing services under a contract in the last five (5) years unless the terms or payments are changed from those which were originally agreed? (If yes, please provide brief details of each case)		

(Attach details, as required)

SCHEDULE 12 - CURRENT COMMITMENTS

Describe the organisation's current commitments in projects of a similar nature to the contract.

PROJECT 1

Name: _____

Client: _____

Contact: _____ Telephone: _____

Total Project Value
per year: \$ _____ Duration: _____

Description of the project or task: _____

PROJECT 2

Name: _____

Client: _____

Contact: _____ Telephone: _____

Total Project Value
per year: \$ _____ Duration: _____

Description of the project or task: _____

PROJECT 3

Name: _____

Client: _____

Contact: _____ Telephone: _____

Total Project Value
per year: \$ _____ Duration: _____

Description of the project or task: _____

SCHEDULE 13 - OCCUPATIONAL HEALTH AND SAFETY

Demonstrate commitment to Occupational Health and Safety (OH&S) and understanding and acceptance of the principles of OH&S.

Note: Further information may be required to be submitted as substantiation.

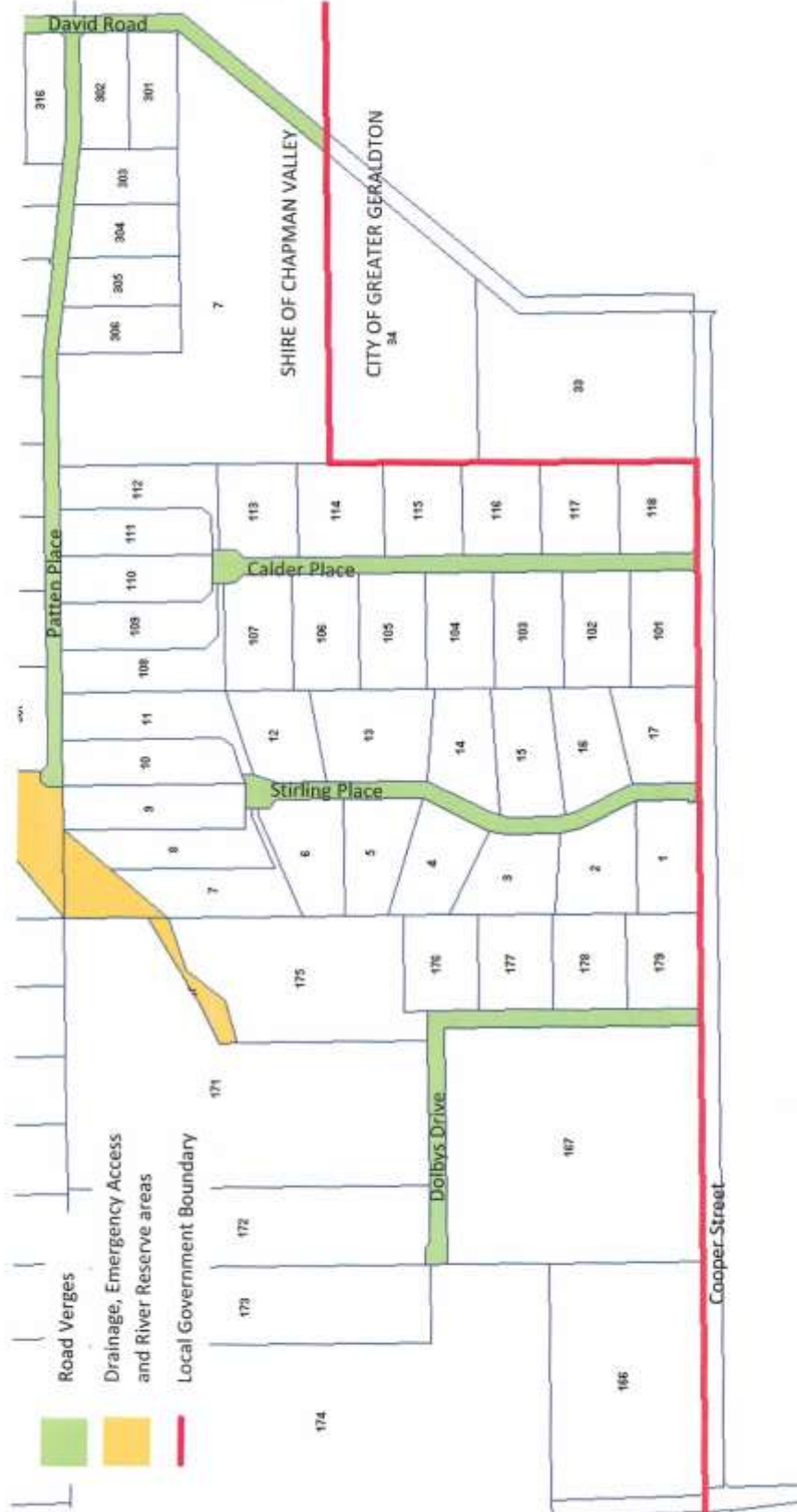
SUBJECT		YES	NO
1.	Does the organisation have an OH&S Management Plan as part of its overall management system? (If yes, give details)		
3.	Has the organisation prepared safe Work Method Statements (or Standard Operation Procedures) for all of its work activities? (If yes, give details)		
4.	Has your organisation an OH&S induction program for employees? (If yes, give details)		
5.	Does your organisation assess the OH&S capabilities of your subcontractors? (If yes, give details)		
6.	Has Worksafe WA issued the organisation with any Prohibition Notices, Improvement Notices or fines in the past two (2) years? (If yes, give details)		
7.	Has the organisation been prosecuted under any Occupational Health and Safety Law in the last five (5) years? (If yes, please provide brief details)		
8.	Is the organisation able to provide documented evidence that within its organisation, there are people or resources nominated to: <ul style="list-style-type: none"> • Define OH&S management policies and objectives, priorities and targets? • Define the responsibilities of personnel for OH&S matters? • Identify system verification requirements and allocating human, technical and financial resources adequate to meet those requirements? • Ensure compliance with OH&S legislation and regulations? • Keep abreast of changes in legislation and regulations? • Acquire and disseminate OH&S management information? • Plan and conduct training in OH&S management, including inducting new employees? • Oversee the development and implementation of OH&S procedures? • Assess subcontractors' and suppliers' abilities to comply with OH&S requirements? • Ensure compliance with safe work practices and procedures? 		

(Attach details, as required)

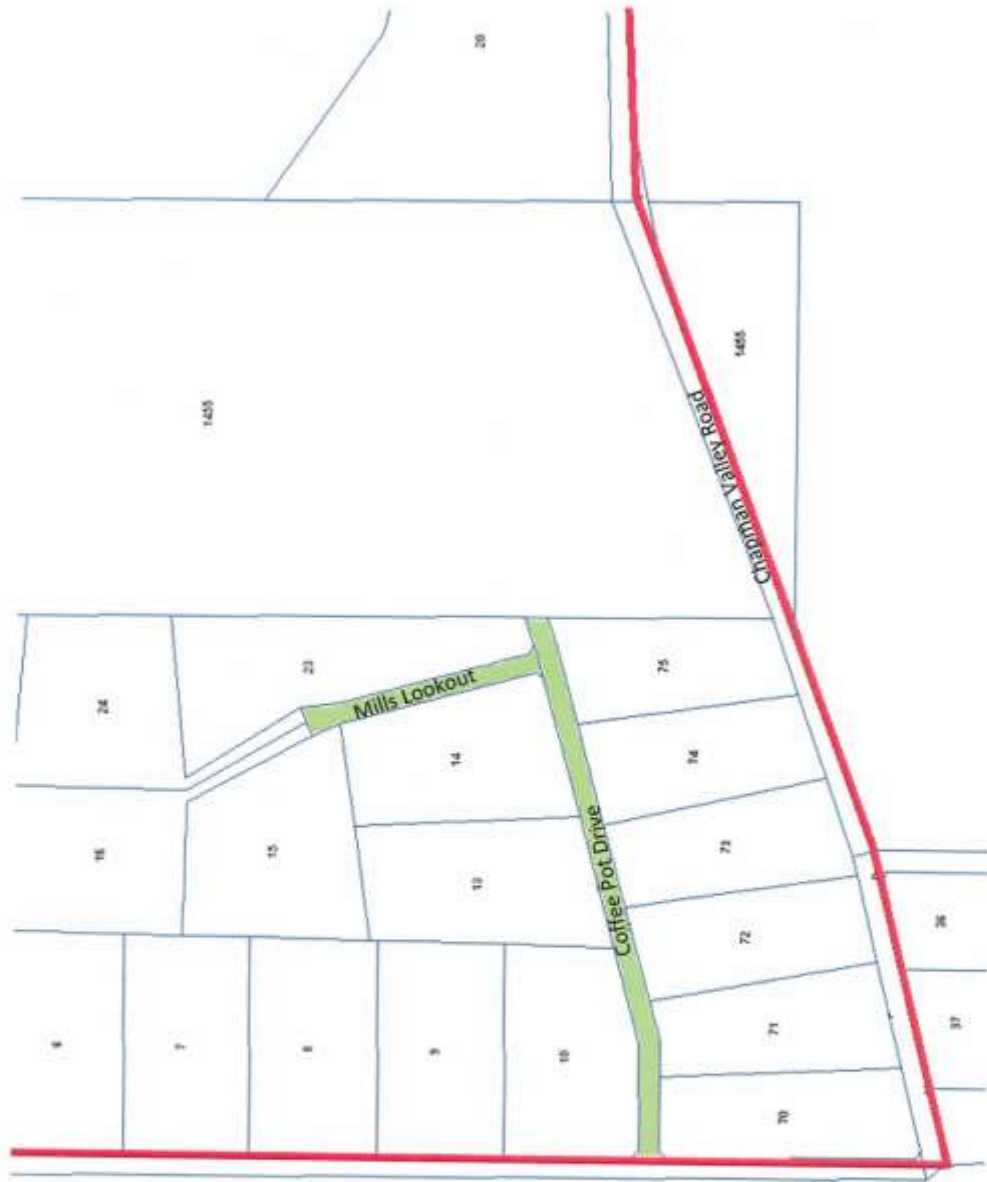
DOLBY CREEK ESTATE



WAGGRAKINE AREA



COFFEE POT, MILLS LOOKOUT & HACKETT ROAD



- Road Verges
- Local Government Boundary

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 Forrester advised that she had attended the Pre-Season Bushfire meeting on 23 September 2013, and Yuna Community Hall building meeting on 24 September 2013 and a CABY meeting.

Cr Collingwood, Cr Batten and Cr Farrell attended a Main Roads WA meeting at the Council Chambers in September in regard to Chapman Valley Road improvements, Naraling area

Cr Batten advised he attended a meeting in Northampton with the CEO in relation to East Bowes Road.

COUNCIL RESOLUTION

MOVED: CR FORRESTER

SECONDED: CR BELL

That Council write a letter of Congratulations to the Chapman Valley P & C in relation to the Chapman Valley Harvest Ball on a wonderful event.

**Voting 7/0
CARRIED**

Minute Reference – 10/13–10

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

LATE ITEMS

12.1 Local Government Structural Reform & 12.2 Landcare & Environment Committee Minutes.

COUNCIL RESOLUTION

MOVED: CR FORRESTER

SECONDED: CR DAVIDSON

That Late Item 12.1 Local Government Structural Reform and 12.2 Landcare & Environment Committee Minutes be dealt with at this meeting.

**Voting 7/0
CARRIED**

Minute Reference – 10/13 – 11

AGENDA ITEM:	LATE ITEM 12.1
SUBJECT:	LOCAL GOVERNMENT STRUCTURAL REFORM
PROPONENT:	CHIEF EXECUTIVE OFFICER
SITE:	WA LOCAL GOVERNMENT INDUSTRY
FILE REFERENCE:	404.20
PREVIOUS REFERENCE:	NA
DATE:	16 OCTOBER 2013
AUTHOR:	MAURICE BATTILANA

COUNCIL RESOLUTION/STAFF RECOMMENDATION

MOVED: CR DAVIDSON

SECONDED: CR ROYCE

Council:

- 1 Support the position taken by a number local government authorities regards to the State Government's to oppose the proposed legislative repeal of Schedule 2.1 (Section 8) of the Local Government Act 1995 (i.e. Electors May Demand Poll on a Recommended Amalgamation);
- 2 Advise the WALGA, the Minister for Local Government and local parliamentarians of Councils position.

**Voting 7/0
CARRIED
Minute Reference – 10/13-12**

AGENDA ITEM:	LATE ITEM – 12.2
SUBJECT:	LANDCARE AND ENVIRONMENT COMMITTEE MINUTES
PROONENT:	SHIRE OF CHAPMAN VALLEY
SITE:	N/A
FILE REFERENCE:	403.08
PREVIOUS REFERENCE:	
DATE:	15 OCTOBER 2013
AUTHOR:	MAURICE BATTILANA

COUNCIL RESOLUTION / STAFF RECOMMENDATION

MOVED: CR FARRELL

SECONDED: CR FORRESTER

STAFF RECOMMENDATION

That Council receives the minutes of the Landcare and Environment Committee meeting of 15 October 2013.

**Voting 7/0
CARRIED
Minute Reference – 10/13-13**

COUNCIL RESOLUTION/COMMITTEE RECOMMENDATION

MOVED: CR BATTEN

SECONDED: CR FARRELL

COMMITTEE RECOMMENDATION 1

- 1 That Council staff investigate the Landcare grants and current financial situation prior to any further action being taken with the implementation of the Invasive Species Plan and Declared Species Group;
- 2 Subject to the CEO being satisfied with the current Landcare financial status the Landcare Officers be authorised to liaise with Department of Parks and Wildlife, Northern Agri Group, Chapman Valley LCDC and Yuna Farm Improvement Group in relation to implementation of the Invasive Species Plan in accordance with the approved DAFWA Agreement for Declared weeds, pigs, wild dogs, rabbits and foxes; and
- 3 The implementation of the Invasive Species Plan in accordance with the Shire of Chapman Valley's adopted budget.

**Voting 7/0
CARRIED
Minute Reference – 10/13-14**

COUNCIL RESOLUTION/COMMITTEE RECOMMENDATION

MOVED: CR BATTEN

SECONDED: CR FARRELL

COMMITTEE RECOMMENDATION 2

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

**Voting 7/0
CARRIED
Minute Reference – 10/13-15**

COUNCIL RESOLUTION/COMMITTEE RECOMMENDATION

MOVED: CR FORRESTER

SECONDED: CR DAVIDSON

COMMITTEE RECOMMENDATION 3

That a draft procedure is developed for controlling and monitoring of the Groundwater Use Operations licensed water supplies.

**Voting 7/0
CARRIED
Minute Reference – 10/13-16**

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

13.1 Disposal of Lot 31 (32) Indialla Road, Nabawa

COUNCIL RESOLUTION

MOVED: CR BATTEN

SECONDED: CR FARRELL

That the meeting be closed to the public in accordance with Section 5.23(2)(d) as Item 13.1 relates to 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 7/0
CARRIED
Minute Reference – 10/13 -17**

AGENDA ITEM:	13.1
SUBJECT:	DISPOSAL OF LOT 31 (No. 32) INDIALLA RD, NABAWA
PROPOSER:	CHIEF EXECUTIVE OFFICER
SITE:	LOT 31 (No. 32) INDIALLA RD, NABAWA
FILE REFERENCE:	A1340
PREVIOUS REFERENCE:	MINUTE NO'S 8/13-8 to 8/13-20 (ADOPTION OF 2013/2014 BUDGET) and 9/13-15
DATE:	10 SEPTEMBER 2013
AUTHOR:	MAURICE BATTILANA

COUNCIL RESOLUTION / STAFF RECOMMENDATION

MOVED: CR FARRELL

SECONDED: CR BELL

Council accepts the offer received for the sale of Lot 31 (No 32) Indialla Rd, Nabawa 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 7/0
CARRIED
Minute Reference – 10/13-18

COUNCIL RESOLUTION

MOVED: CR BELL SECONDED: CR FARRELL

That the meeting be re-opened to the public.

Voting 7/0
CARRIED
Minute Reference – 10/13 -19

14.0 CLOSURE

The Chairman thanked the Elected Members and Staff for their attendance.

COUNCIL RESOLUTION

MOVED: CR FORRESTER SECONDED: CR FARRELL

Formal resolution of appreciation to outgoing Councillors Batten, Davidson and Bell for their dedicated and committed service to Council and the community and wishing Cr Collingwood all the best in the Election on Saturday 19th October 2013.

Voting 7/0
CARRIED(With Acclamation)
Minute Reference – 10/13 -20

The meeting was declared closed at 11.38am