



Shire of
Chapman Valley
Love the Rural Life

UNCONFIRMED MINUTES

OCTOBER 2012

ORDINARY COUNCIL MEETING

Notice is hereby given that an Ordinary Meeting
of Council will be held on Wednesday 17 October 2012
at the Council Chambers, Nabawa, commencing at 10:16am.

THIS PAGE HAS BEEN LEFT BLANK INTENTIONALLY

DISCLAIMER



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

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

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

WRITTEN CONFIRMATION

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


Stuart Billingham
CHIEF EXECUTIVE OFFICER

Disclaimer (To be provided to visitors present)

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 10.16am.

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 Pauline Forrester	North East Ward
Cr Trevor Royce	North East Ward
Cr Peter Humphrey	South West Ward
Cr David Bell	South West Ward

b. Staff

Officer	Ward
Mr Stuart Billingham	Chief Executive Officer
Mr Simon Lancaster	Acting Chief Executive Officer
Mrs Kathryn Jackson	Acting Executive Assistant (Minute Taker)
Mrs Debby Barndon	Finance Manager

3.2 Apologies

Member	Ward
Cr Anthony Farrell	North East Ward
Cr Beverly Davidson	North East Ward

3.3 Approved Leave of Absence

Nil.

4.0 PUBLIC QUESTION TIME

4.1 Questions On Notice

Nil.

4.2 Questions Without Notice

Nil.

5.0 APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

6.0 DISCLOSURE OF INTEREST

Chief Executive Officer – Impartiality – Item 10.2.3

7.0 PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil.

8.0 CONFIRMATION OF MINUTES FROM PREVIOUS MEETINGS

8.1 Ordinary Meeting of Council held on Wednesday 19 September 2012

MOVED: CR BATTEN SECONDED: CR HUMPHREY

‘That the minutes of the Ordinary Meeting of Council held 19 September 2012 be confirmed as a true and accurate record.’

**Voting 6/0
CARRIED
Minute Reference 10/12-1**

9.0 ACCEPTANCE OF MONTHLY STATUS REPORT

Received.

**SHIRE OF CHAPMAN VALLEY STATUS REPORT
FOR 17 OCTOBER 2012 COUNCIL MEETING**

REFERENCE	DETAIL	ACTION REQUIRED	STATUS
JULY 2001			
Min Ref: 05/10-8	Local Planning Scheme Review (Shire of Chapman Valley Local Planning Scheme No.2) Buller Environmental Review	<p>Moved Cr Batten Seconded Cr D Bell</p> <p>That:</p> <p>1 Council adopt the draft Shire of Chapman Valley Local Planning Scheme No.2 pursuant to the Planning and Development Act 2005 and forward the document to the Department of Planning seeking the Western Australian Planning Commission's and Minister for Planning's consent to advertise;</p> <p>2 Prior to the advertising consent being requested forward notice of the resolution to adopt the Shire of Chapman Valley Local Planning Scheme No.2 and a copy of the Scheme to the Environmental Protection Authority to determine whether the Scheme should be formally assessed; &</p> <p>3 Delegate to the Chief Executive Officer to undertake minor modifications to Shire of Chapman Valley Town Planning Scheme No.2 that do not affect or amend the intent of the Scheme (including but not limited to; changes to format, spelling, grammar, numbering; Model Scheme Text provisions; updates necessitated by Scheme Amendments that have been given final approval in the interim period and have therefore already been assessed/approved by the Environmental Protection Authority/Western Australian Planning Commission through the separate Scheme Amendment process) as may be required by the Western Australian Planning Commission or Minister for Planning prior to advertising consent being granted.</p> <p style="text-align: right;">CARRIED Voting 8/0</p>	<p>The Shire was notified by the Environmental Protection Authority (EPA) that the Shire of Chapman Valley Local Planning Scheme No.2 should be assessed under Part IV Division 3 of the Environmental Protection Act relevant to the proposed Buller 'Development' zone, and that the remainder of Scheme No.2 did not raise any additional environmental issues.</p> <p>The advertising period for the Buller Environmental Review and Local Planning Scheme No.2 has concluded 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.</p> <p>The Shire and 7 landowners have lodged appeals with the Office of Appeals Convenor objecting to the EPA Recommendation. Once a decision concerning the Buller 'Development' zone is made by the Minister for Environment, all submissions received during the advertising period and Local Planning Scheme No.2 will be placed before Council for final consideration.</p> <p>Anticipated Completion Date: July 2013 Responsible Officer: Manager of Planning</p>
NOVEMBER 2007			
Min Ref: 11/07-18	Nanson Equestrian Facilities	<p>Moved Cr Forrester Seconded Cr Collingwood</p> <p>That Council consent to convening a public meeting to discuss the concept of establishing an equestrian/show facility that caters for showground, gymkhana, polo cross and other such horse related recreational activities at the Nanson Showgrounds or some alternative location within the Shire.</p> <p style="text-align: right;">CARRIED Voting 8/0</p>	<p>The Shire and Ballycastle Pty Ltd jointly lodged an application for a land exchange of the privately owned 9.7ha on the northern side of the Nanson Showgrounds for 9.7ha of unrequired Crown Reserve to expand the land area and resultant capability of Nanson Showground to cater for additional future uses. Advice received from Department for Lands indicates that the proposed exchange is likely to be delayed for several years by the native title process.</p> <p>Council agreed to a 2 year lease offer (1 July 2011 till 30 June 2013 with a further 2 year option) from the subject landowner at its 16 February 2011 meeting that will serve as a temporary solution till the native title process is resolved.</p> <p>Correspondence received from the Spalding Horse & Pony Club was included in the September 2012 Forum Session, and representatives from the Club will be making a presentation to Councillors at the October 2012 Forum Session.</p> <p>Anticipated Completion Date: June 2013 Responsible Officer: Manager of Planning & Community Development Officer</p>
MAY 2008			
Min Ref:	Dog	Moved Cr Cole Seconded Cr Batten	Building License issued in April 2009 as per SAT

REFERENCE	DETAIL	ACTION REQUIRED	STATUS
05/08-8	Boarding Kennels - Lot 8 North West Coastal Highway	That Council refuse the application for planning consent seeking a concession to vary the northern (side) boundary setback distance from 5m to 1m on Lot 8 North West Coastal Highway and advise the applicants that Council is prepared to approve a 3m setback in lieu. CARRIED Voting 5/1	Hearing to have northern boundary set back to 3m. As per Order 2(2) of the SAT correspondence dated 14 September 2006, the 5 year approval period commenced on 1 July 2007 and ordinarily the expiration date would have been 1 July 2012. However, given that a stop work order was issued on 5 February 2008 and this was lifted by the SAT's decision on 10 March 2009 the expiry date has been extended by the period of 399 days (this being the length of time the matter was 'returned' to SAT) and therefore the new expiry date is 3 August 2013. Anticipated Completion Date: 3 August 2013 Responsible Officer: Manager of Planning
JUNE 2009			
Min Ref: 06/09-13	Nabawa Cemetery Improvements	Moved Cr Forrester Seconded Cr D Bell That Council allocate \$25,000 (twenty five thousand dollars) of 2008/2009 R4R funding for various improvements to the Nabawa Cemetery including a gazebo, paving, plants and signage. CARRIED Voting 7/0	A draft concept design for a stone wall style entrance statement that allows for interpretive and historic information signage, cemetery map and ashes internment was circulated to Councillors for initial comment and further refinement of the plans is being undertaken and will be returned to Council along with the interpretive / historical signage wording and layout. The Nabawa Cemetery improvements are not included within the 2012/2013 budget and the item will be listed in the draft 2013/2014 budget for Council's later consideration. Anticipated Completion Date: July 2014 Responsible Officer: Building Surveyor & Community Development Officer
AUGUST 2010			
Min Ref: 08/10-7 08/10-8 10/11-12 06/12-3	Municipal Inventory of Heritage Places	Moved Cr D Bell Seconded Cr Farrell Elected Committee Cr P Forrester Cr P Humphrey Manager of Planning (observer) S Mincherton (Community Representative) D Attrill (Community Representative) J Vlahov (Community Representative) CARRIED Voting 8/0	Council resolved at its 20 June 2012 meeting to receive the revised Municipal Inventory of Heritage Places and advertise the document for public comment for a period of 30 days. The advertising period has now concluded and the Inventory has been returned to the October 2012 meeting of Council for final consideration. Anticipated Completion Date: November 2012 Responsible Officer: Manager of Planning
Min Ref: 08/10-3 04/11-4 05/11-29 12/11-3	Parkfalls Park	Moved Cr Cole Seconded Cr D Bell That Council: 1 Advise the solicitor acting on behalf of Parkfalls Management Services that it would be satisfied with the Legal Agreement being modified to read as follows: "3 Completion On the Completion Date: - (a) the Developer will vest the Recreation Site as a recreation and hall reserve to the Local Government. (b) the Developer will pay the Trust Payment to the Local Government. (c) the Local Government will hold the Trust Payment upon trust for its application to the upgrade of the Recreation Site. 2 Delegate to the Chief Executive Officer the finalisation of the Legal Agreement including corresponding between the Shire's solicitor and the developer's solicitor as necessary and arranging for the Shire signing and sealing actions.	The legal agreement between the Shire and the developer was finalised as per Council's requirements and advertising of the rezoning took place from 19 September 2011 until 31 October 2011. Council resolved at its 14 December 2011 meeting to approve the rezoning and the Minister for Planning issued final approval on 17 April 2012. The developer has now lodged the subdivision application with the Western Australian Planning Commission to create the nine (9) lots and the Reserve for Recreation and Hall. The concept plan for the proposed park that was advertised with the rezoning was marked 'indicative only', to reassure landowners that the 9ha park would be of sufficient size to accommodate a range of activities. From the responses received during the rezoning advertising period it is evident that there are a number of views within the community on the level of and type of facilities that should be developed upon Lot 9503 (should it be created as a reserve) and it would be appropriate for the Shire to consult with the Residents Association, and all landowners in the Estate, in developing its design for the site once the outcome of the subdivision is known. Council resolved at its 18 May 2011 meeting to engage its solicitor to draft up a Management Committee Agreement for the Park. With rezoning complete the Shire wrote to McLeod's Solicitors on 14 May 2012 instructing them to prepare a draft

REFERENCE	DETAIL	ACTION REQUIRED	STATUS
		<p>3 Instruct staff to commence advertising of Scheme Amendment No.49 upon signing and sealing of the Legal Agreement by all parties.</p> <p style="text-align: right;">CARRIED Voting 6/1 Minute Reference 4/11-4</p> <p>REASON</p> <p>The reason why the Council decision differed from that of the Staff Recommendation was that Council had concerns regarding limiting the future area management and responsibilities to the Residents Association only. As the area progresses and other Groups or Associations are established these new Groups or Associations may be willing and deemed suitable to enter into a Management agreement with Council.</p> <p>Moved Cr P Batten Seconded Cr T Royce</p> <p>That Council engage its solicitor to draft up a management committee agreement including the Parkfalls Residents Association for the consideration of Council and the Residents Association.</p> <p style="text-align: right;">CARRIED Voting 3/2 Minute Reference 5/11-29</p> <p>Moved Cr Royce Seconded Cr D Bell</p> <p>That Council:</p> <ol style="list-style-type: none"> 1 Determine the submissions as outlined in the 'Schedule of Submissions' included as Attachment 1 to this report. 2 Pursuant to Section 5 of the Planning and Development Act 2005 adopt for final approval Scheme Amendment No.49 to Shire of Chapman Valley Town Planning Scheme No.1, as follows: <ol style="list-style-type: none"> (a) Rezoning Lot 9503 Eliza Shaw Drive, White Peak from the 'Special' zone to the 'Low Density Residential R2.5' and 'Recreation' zone; (b) Insert a 'Low Density Residential R2.5' zone within the Zoning and Development Table (Part II of the Scheme); (c) Delete the provisions relating to 'Special' Zone 3 from the 'Special' Zones Table (Part II of the Scheme); (d) Amending the Scheme Map accordingly. 3 Seek final approval of Scheme Amendment No.49 from the Minister for Planning. 4 Adopt the plan included as Attachment 2 to this report as an amendment to the Parkfalls Estate Subdivision Guide Plan. 5 Thanks all respondents for their submissions and advise that the rezoning proposal represents an initial stage only in the creation of a park for the Parkfalls Estate and that in the event that the rezoning and subdivision associated with this proposal were to receive approval 	<p>Management Committee Agreement.</p> <p>A revised draft of the Management Agreement has been included in the October 2012 Forum Session for Councillors review.</p> <p>Anticipated Completion Date: December 2012 Responsible Officer: Manager of Planning</p>

REFERENCE	DETAIL	ACTION REQUIRED	STATUS
		<p>from the Western Australian Planning Commission then Council will further consult with the Parkfalls community prior to its consideration as to what recreational and community facilities might be appropriate on the park site.</p> <p style="text-align: right;">CARRIED Voting 6/0 Minute Reference 12/11 - 3</p>	
APRIL 2011			
<p>Min Ref: 04/11-28 09/12-23</p>	<p>Yuna Community Centre</p>	<p>Moved Cr Royce Seconded Cr Forrester</p> <p>That Council support in principle the Yuna Community and CABY Committee, for a Resource Centre to be established in Yuna, without committing financially.</p> <p>That Council accept the offer to be on the Committee for the future planning of the Resource Centre in Yuna.</p> <p style="text-align: right;">CARRIED Voting 7/0</p> <p>Moved Cr Farrell Seconded Cr Humphrey</p> <p>That Council direct the Community Development Officer to prepare a Business Plan with attached construction costings for the proposed Yuna Community Centre and that this plan be presented to the October 2012 Council meeting for discussion.</p> <p style="text-align: right;">CARRIED Voting 6/0</p>	<p>Community meetings held on 4 July, 4 August and 18 August 2011 in Yuna to determine the type of building (and its location) the community is seeking.</p> <p>A number of preliminary plans from community representatives have been refined into a concept plan. An item in relation to this matter was placed in the February 2012 Information Bulletin.</p> <p>A Business Plan has been completed and construction costings for a range of building materials are currently being sought with the intention to present these for Council's consideration at the November 2012 meeting.</p> <p>Anticipated Completion Date: Ongoing Responsible Officer: Chief Executive Officer & Community Development Officer</p>
SEPTEMBER 2011			
<p>Min Ref: 09/11-14 04/12 -3 04/12-21 07/12-9 09/12-6</p>	<p>Wokarena Heights Structure Plan</p>	<p>Moved Cr Cole Seconded Cr A Bell</p> <p>That Council:</p> <ol style="list-style-type: none"> 1 Appoint GHD to undertake the Richards Road 'Residential R2.5' Structure Plan as per the received expression of interest; & 2 Thank all parties who expressed an interest in undertaking the preparation of the Richards Road 'Residential R2.5' Structure Plan. <p style="text-align: right;">CARRIED Voting 7/0 Minute Reference 9/11 - 14</p> <p>Moved Cr Forrester Seconded Cr Davidson</p> <p>That Council receive the draft Richards Road Residential R2.5 Structure Plan and advertise the document for public comment for a period of 30 days.</p> <p style="text-align: right;">CARRIED Voting: 8/0 Minute Reference 04/12-3</p> <p>Moved Cr Batten Seconded Cr Farrell</p> <p>That the Richards Road Structure Plan be retitled the Wokarena Heights Structure Plan.</p> <p style="text-align: right;">CARRIED Voting: 4/3 Minute Reference 04/12 - 21</p>	<p>Scheme No.2 proposes to rezone the 11 lots fronting Richards Road from the current 'General Farming' zone to the 'Residential R2.5' zone that would allow for future subdivision of this area to 4,000m² lots. With Scheme No.2 nearing completion, and following receipt of several subdivision applications for this area, Council appointed GHD to undertake the preparation of the Richards Road Structure Plan at its 21 September 2011 meeting, with the project funded through the Royalties for Regions (Northern Planning Program) Local Government Assistance Program.</p> <p>Following site visits, a workshop conducted with the Richards Road landowners on 30 January 2012, subsequent individual landowner discussion and feedback, and discussion with key government agencies the draft Wokarena Heights Structure Plan was advertised for public comment and the matter returned to the July meeting of Council</p> <p>Council resolved at its 18 July 2012 meeting to undertake modifications to the Structure Plan in response to the issues raised by the received submissions and readvertise the modified draft document inviting further comment.</p> <p>Council resolved at its 19 September 2012 meeting to adopt the Structure Plan, and write to the WAPC seeking its final approval. Further update will be provided upon receipt of a response from the WAPC.</p> <p>A related item concerning the design and costing for the Wokarena Road and North West Coastal Highway intersection upgrade has been included in the October 2012 Agenda for Council's consideration.</p>

REFERENCE	DETAIL	ACTION REQUIRED	STATUS
		<p>Moved Cr Royce Seconded Cr Batten</p> <p>That Council:</p> <ol style="list-style-type: none"> 1 Modify the Wokarena Heights Residential R2.5 Structure Plan as listed in the recommendations contained within the Schedule of Submissions included as Attachment 1. 2 Write directly to the 11 Richards Road landowners, and those parties who lodged an objection during the initial advertising period, inviting comment within a 30 day period upon the modified Wokarena Heights Residential R2.5 Structure Plan. 3 Write to Main Roads WA and advise that the Shire is willing to enter into a 50/50 cost shared arrangement to fund the design drawings and quantity surveying for the North West Coastal Highway and Wokarena Road intersection upgrade. Council considers it appropriate that Main Roads WA should part fund the design and cost calculation for the highway intersection upgrade, and that the subsequent proportionate contribution towards the highway intersection works by subdividing landowners shall be as outlined in Table 7 of the Wokarena Heights Structure Plan document. <p style="text-align: right;">CARRIED Voting 7/0 Minute Reference 07/12- 9</p> <p>Moved Cr Batten Seconded Cr Bell</p> <p>That Council adopt the Wokarena Heights Structure Plan and write to the Western Australian Planning Commission seeking its final approval.</p> <p style="text-align: right;">CARRIED Voting 7/0 Minute Reference 09/12- 6</p>	<p>Anticipated Completion Date: December 2012 Responsible Officer: Manager of Planning</p>
Min Ref: 9/11-15	Buller Development Zone Structure Plan	<p>Moved Cr Cole Seconded Cr Forrester</p> <p>That Council:</p> <ol style="list-style-type: none"> 1 Appoint GHD to undertake the Buller 'Development' zone Structure Plan as per the received expression of interest; and 2 Thank all parties who expressed an interest in undertaking the preparation of the Buller 'Development' zone Structure Plan. <p style="text-align: right;">CARRIED Voting 5/0</p>	<p>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'.</p> <p>The Buller 'Development' zone rezoning is presently before the Minister of Environment awaiting decision as the Shire and 7 landowners have lodged appeals with the Office of Appeals Convenor objecting to the EPA's recommendation concerning the rezoning.</p> <p>To enable the initial preparation work to take place on the necessary Structure Plan for this area Council appointed GHD to undertake the Buller 'Development' Zone Structure Plan at its 21 September 2011 meeting. GHD have been instructed to limit the Structure Plan preparation to background analysis and initial discussion with Main Roads WA concerning highway access points pending the outcome of the appeal to the Minister of Environment.</p> <p>On 21 February 2012 the Department of Planning advised it would fund the preparation by GHD of a Constraints Analysis report on the Buller 'Development' Zone. The Department of Planning advised that the preparation of the Constraints Analysis report would be project managed by the</p>

REFERENCE	DETAIL	ACTION REQUIRED	STATUS
			<p>Shire. The report will assist the Department of Planning in its response to a request by the Minister for Environment for its comment on the Buller 'Development' Zone.</p> <p>Application has been lodged by Council for the Structure Plan's preparation to be funded through the Royalties for Regions (Northern Planning Program) Local Government Assistance Program, with an announcement upon this application imminent.</p> <p>Upon receipt of the decision of the Minister of Environment in relation to the Buller 'Development' Zone Environmental Review this matter will be returned to a meeting of Council for its consideration of that decision and Council's response as it relates to both Scheme No.2 and the Buller Structure Plan.</p> <p>Anticipated Completion Date: December 2013 Responsible Officer: Manager of Planning</p>

DATES TO REMEMBER

SPECIFIC DATES	
Date	Details
30 June 2010	Lease – Neville & Co P/L – Bowser, Valley Tavern
31 December 2010	Lease – Yuna Hall Lease.
31 December 2010	Lease – Chapman Valley Pre Primary School
December 2012	Review of Wards & Representation
30 June 2015	Agreement – Dartmoor – Dartmoor Lake Nerramyne Road Maintenance
23 rd June 2015	Lease – T Jeffery Lot 41 Lauder Street, Nanson
30 June 2016	License – E O'Donnell – Reserve 43025
30 June 2016	License – T L Cooper – Reserve 8769
31 December 2016	License – E O'Donnell – Reserve 27944

ANNUALLY	
Date	Details
February	<p>Chief Executive Officer and Works Supervisor to inspect all plant, evaluate and/or amend its plant, evaluate and/or amend its plant replacement programme for recommendation to Council.</p> <p>Finance and Audit Committee to review Statutory Compliance Return and report to next full Council meeting</p> <p>Local Government Compliance Return 1 January to 31 December each year.</p> <p>Plan for Future – Commence review process.</p> <p>Building Committee to inspect Council buildings with Property Manager and report to Councils March or April meeting (Include representatives from Yuna Hall committee and Showgrounds to meet at respective locations)</p> <p>Chief Executive Officers performance and remuneration review – commence this month</p>
March	<p>Insurance review undertaken by Manager of Finance and Administration</p> <p>Building Inspection Committee Meeting</p> <p>Road Inspection Committee Meeting – Annual Road inspections to prioritise items of road works for forthcoming year.</p> <p>Councillors to present road proposals to CEO for consideration prior to this inspection.</p> <p>Complete review of Annual Budget (FM Regulations (33A)</p> <p>Completion of Statutory Compliance Return (LG Act 7.13, Audit Regulations 13-15) to be sent to Department of Local Government prior to 31 March.</p> <p>FOI Return (Note: not necessary if Nil return)</p> <p>Arrange Bush Fire Liaison Committee meeting with Council and Chief Bush Fire Control Officer for April (if Fire Break Notice is changed then must advertise. Can simply advertise the amendment, however best to readvertise whole Fire Break Notice).</p>
April	<p>License – Drummond Cove Holiday Park</p> <p>Advertise Differential Rate and seek Ministers Approval if applicable (LG Act 6.36, 6.33(3) & 6.34)</p> <p>Bush Fire Liaison Advisory Committee meeting this month</p> <p>Present any items Councillors or Community requests for Budget inclusion – Community & Recreation Grant Forms.</p> <p>Invite retirees Councillors and Partners to attend Special Meeting as recognition of service to the community.</p>
May	<p>Differential Rate to be considered by Council and advertised, Ministers approval if necessary (LG Act 6.33)</p> <p>Undertake Staff Annual Reviews.</p> <p>National Volunteer Week</p> <p>Tender resolution by Council for next financial years Road Building Materials (i.e. gravel, bitumen, aggregate)</p> <p>Send out recoups of roads and other projects so grant funding can be received by 30 June</p> <p>Review rubbish service and charges</p> <p>Review Councils Fees and Charges for all Council services and facilities</p> <p>Review and renew Council's insurance policies</p> <p>Adopt Firebreak order for next 12 months</p>
June	<p>Sitting fees – Reminder to Councillors re: forthcoming years fees</p> <p>Review of Delegation of Authorities (written confirmation to staff concerned)</p> <p>FOI Return (Note: not necessary if Nil return)</p> <p>FOI Statement – Review this month</p> <p>Have Works Supervisor comment RRG Submissions, which are due to go to Council in the August meeting.</p>

	<p>Remind Manager of Finance and Administration to conduct a Finance & Audit Committee meeting to meet with Auditor as per Committee Roles</p> <p>Item to Council seeking nominations for Honour Awards in accordance with Policy 9.120</p> <p>4 yearly Financial Management Review due before 30 June</p> <p>Local Government Convention deadline for nominations</p> <p>Issue Employee Group Certificates</p> <p>30 June each year – Public Interest Disclosure Return to be submitted for previous period 1/7 to 30/6.</p> <p>Council Forum – Councillors to advise staff of venue and date of Annual Council Dinner (Presidents Dinner) See Policy 9.130</p>
July	<p>Draft Budget submitted by Chief Executive Officer</p> <p>Annual Tenders resolution from Council this month to cover all relevant items in new budget.</p> <p>Councillors – reminder of Annual Financial Interest Report to be in prior to 31 August</p> <p>Invoice Main Roads Western Australia (MRWA) for rubbish bin clearing on Chapman Valley Road – 1st of July Annually</p> <p>Councillors issued with Annual returns for completion</p> <p>Issue eating house licence renewals</p>
August	<p>Councillors annual returns due back</p> <p>Completion/Adoption of budgets (absolute majority). Send copy to Dept of Local Government within 30 days (LG Act 6.2, FM Regulations 33)</p> <p>Councils Audit Committee to meet with Auditor</p> <p>Resolution regarding timing of Annual Electors Meeting</p>
September	<p>Special meeting of Council to undertake a full review of Policies & Procedures manual</p> <p>Completion of Annual Financial Report & submitted to Auditor. AFR sent Dept of Local Government within 30 days (LG Act 6.5, FM Regulations 5.1)</p> <p>FOI Return (Note: Not necessary if Nil return)</p>
October	<p>Policy / Procedures Manual Review – Commence review process by including as last item on Council Monthly agenda (if necessary)</p> <p>Advise Council in this month's Information Bulletin of the time, date and venue for the annual staff end of year function.</p> <p>Special Meeting (Election Years Only) advertise special meeting to swear in Councillors, Elect President, Deputy President, Committee etc. for Monday evening immediately after the Saturday elections.</p>
November	<p>Pensioner rates rebate claim to be lodged</p> <p>Review of Council's Code of Conduct – Section 5.103 (if unable to complete full review at this meeting discuss with Council the need to perhaps convene a Special Meeting to finalise review at this meeting or simply complete review at December Ordinary Meeting)</p>
December	<p>Annual Financial Report – Acceptance by Council within two months of receipt of the Auditors report</p> <p>FOI Return (Note: Not necessary if Nil return)</p> <p>Newsletter & Local Newspaper – advertisement publicising date, time and venue of all Council and Committee meeting (with delegated authority, if any) for next calendar year (S.5.251 (g) & Reg 12) Ensure actual dates are advertised.</p>

AGENDA ITEM:	10.1.1
SUBJECT:	MUNICIPAL INVENTORY OF HERITAGE PLACES REVIEW
PROPONENT:	SHIRE OF CHAPMAN VALLEY
SITE:	WHOLE OF SHIRE
FILE REFERENCE:	806.01
PREVIOUS REFERENCE:	08/10-7, 08/10-8, 10/11-12 & 06/12-3
DATE:	2 OCTOBER 2012
AUTHOR:	KATHRYN JACKSON & SIMON LANCASTER

DISCLOSURE OF INTEREST

Nil.

BACKGROUND

The Shire of Chapman Valley Municipal Inventory of Heritage Places ('MI') was prepared in 1995 as a requirement of the *Heritage of Western Australia Act 1990* to record buildings within the district of heritage significance. Since its release in 1995 the MI has not been updated or reviewed and Council resolved at its 25 August 2010 meeting to initiate the MI Review as follows:

"That:

- 1 *The Municipal Inventory Review Steering Committee be comprised of the following representatives:*
 - *Project Consultant (Tanya Henkel);*
 - *2 x Council representatives;*
 - *2 x Shire of Chapman Valley staff members (Simon Lancaster and Kathryn Jackson); &*
 - *2 or more community members (minimum of 2 representatives).*
- 2 *Council appoint Tanya Henkel as the project consultant to undertake the necessary work as specified within the Consultant's Brief which is included as Attachment 3 to this report.*
- 3 *Council direct staff to contact Barbara Shields, Jayne Vlahov, Shirley Mincherton and Delma Attrill with regards to seeking their interest in being part of the Municipal Inventory Review Steering Committee."*

The reviewed MI was placed before the 20 June 2012 meeting of Council for its consideration at which it was resolved:

"That Council receive the revised Municipal Inventory of Heritage Places and advertise the document for public comment for a period of 30 days and at the conclusion of the advertising period return the MI to a further meeting of Council for final consideration."

The public consultation process has now been completed and the MI is therefore returned to Council for its further consideration. A copy of the MI, updated in response to the received submissions, has been provided to Councillors as a separate attachment to the 17 October 2012 Council Agenda.

COMMENT

The MI is a list of places and structures, which in the opinion of the local Council are considered to be, or may become, of cultural heritage significance within the Shire of Chapman Valley. The MI includes a brief history of the area, a thematic matrix and a list of sites of heritage significance, with a management category assigned to each to provide an indication on the site's level of considered heritage significance.

Whilst change, development and progress are inevitable, an accurate and up to date MI assists in recording, maintaining and protecting the heritage and history of an area, an 'inheritance' that may then be passed onto future generations.

As the Shire's MI had not been updated since its release in 1995 the format of the document required major updating to bring it in line with current standards and technology and to improve its legibility, ease of use and ability to be accessed by the community. Each of the places listed and additional sites have been visited to allow for an up to date assessment of each place, with new photographs taken, the text within entries expanded upon, and GPS readings marked.

The specific aims of the MI Review were to:

- Ensure that the MI is comprehensive, up to date, and represents community views and values;
- Ensure that the MI is consistent with the common standards for inventories recommended by the State Heritage Office (formerly Heritage Council of Western Australia); &
- Give consideration to public submissions relating to existing places and proposals to new places in the MI and/or Heritage List.

The project was supported by a Municipal Inventory Review Steering Committee that comprised of the following:

- The project consultant - Tanya Henkel;
- 2 x Council representatives – Cr Pauline Forrester & Cr Peter Humphrey (Cr Anne Bell represented Council during her term as a Councillor);
- 2 x Shire of Chapman Valley Staff members - Simon Lancaster & Kathryn Jackson;
- 3 x Community members – Jayne Vlahov, Delma Attril & Shirley Mincherton.

Public Consultation

The reviewed MI was advertised from 4 July 2012 until 8 August 2012 with the following actions undertaken inviting public comment:

- A notice being run in the Geraldton Guardian;
- A notice being run in the Valley Vibes;
- A notice being run in the Shire E-News;
- A copy of the MI made available for viewing on the Shire website;
- A copy of the MI made available for viewing at the Shire office/Nabawa library;
- A copy of the MI being mailed to the following individuals and groups:
 - Barbara Shields;
 - Barry Wilton;
 - Chipperton House Museum;
 - Geraldton Historical Society;
 - Glenys Thomas;
 - John Stokes;
 - Lyle Gray;
 - MidWest Heritage Inc.;
 - Nancy Peacock;
 - Nanson Museum;
 - Northampton Historical Society;
 - Pam Batten;
 - Rita Stinson;
 - Stan Gratte; &
 - Yuna CWA.
- Individual letters, containing a copy of the relevant entry from the MI, were also sent out to those landowners that have sites contained within the document on their property.

At the conclusion of the advertising period the Shire had received 8 submissions all providing additional historical information, including many photographs provided on several discs (copies of the received submissions have been provided to Councillors as a separate document to the Agenda).

Shire staff have updated the MI to incorporate the information provided during the advertising period and the modified MI document is now presented to a further meeting of Council for its consideration. Should Council be satisfied with the updated MI then it may resolve to adopt the document and provide a copy to the State Heritage Office.

STATUTORY ENVIRONMENT

The review and update of a Local Government Municipal Inventory of Heritage Places is required under Section 45 of the *Heritage of Western Australia Act 1990*:

- “(1) A local government shall compile and maintain an inventory of buildings within its district which in its opinion are, or may become, of cultural heritage significance.*
- (2) The inventory required by subsection (1) shall be compiled no later than 4 years from the commencement of this Act and shall be —*
 - (a) updated annually; and*
 - (b) reviewed every 4 years after compilation.*
- (3) A local government shall provide the Council with a copy of the inventory compiled pursuant to this section.*
- (4) A local government shall ensure that the inventory required by this section is compiled with proper public consultation.”*

Shire of Chapman Valley Town Planning Scheme No.1 includes provisions for the protection of places listed in Appendix 5 – Schedule of Places of Heritage Value. Scheme No.1 was gazette in 1982 and the subsequently released *Planning and Development Act 2005* allows for the protection of heritage places or areas that are identified in a Heritage List. Draft Scheme No.2 draws upon the provisions of the *Planning and Development Act 2005* in relation to the formation of a Heritage List and states as follows:

“7.1 Heritage List

- 7.1.1 The Local Government is to establish and maintain a Heritage List to identify those places within the Scheme area which are of cultural heritage significance and worthy of conservation under the provisions of the Scheme, together with a description of each place and the reasons for its entry.*
- 7.1.2 In the preparation of the Heritage List the Local Government is to:*
 - (a) have regard to the Municipal Inventory prepared by the Local Government under Section 45 of the Heritage of Western Australia Act 1990; and*
 - (b) include on the Heritage List such of the entries on the Municipal Inventory as it considers to be appropriate.*
- 7.1.3 For the purpose of this Clause, the Heritage List means the Shire of Chapman Valley Municipal Inventory as it relates to the Scheme Area, as amended from time to time, prepared by the Local Government pursuant to Section 45 of the Heritage of Western Australia Act (as amended), or such parts thereof described in the Heritage List.*
- 7.1.4 In considering a proposal to include a place on the Heritage List the Local Government is to:*
 - (a) notify in writing the owner and occupier of the place and provide them with a copy of the description proposed to be used under clause 7.1.1 and the reasons for the proposed entry;*
 - (b) invite submissions on the proposal from the owner and occupier of the place within 21 days of the day the notice is served;*

- (c) *carry out such other consultations as it thinks fit; and*
- (d) *consider any submissions made and resolve to enter the place on the Heritage List with or without modification or reject the proposal after consideration of the submissions.*

7.1.5 *Where a place is included on the Heritage List, the Local Government is to give notice of the inclusion to the Western Australian Planning Commission, the Heritage Council of Western Australia and to the owner and occupier of the place.*

7.1.6 *The Local Government is to keep a copy of the Heritage List with the Scheme documents for public inspection.*

7.1.7 *The Local Government may remove or modify the entry of a place on the Heritage List by following the procedures set out in clause 7.1.4.*

Note:

- 1 *The purpose and intent of the heritage provisions are:*
 - (a) *to facilitate the conservation of places of heritage value; and*
 - (b) *to ensure as far as possible that development occurs with due regard to heritage values.*
- 2 *A "place" is defined in Schedule 1 and may include works, buildings and contents of buildings."*

The heritage provisions in Part 7 of the Scheme with the exception of Part 7.1.3 accord with the Model Scheme Text. Part 7.1.3 of the Scheme establishes the MI as the Heritage List, and this was intended to remove duplication in landowner consultation and document preparation with the *Heritage of Western Australia Act 1990* already requiring the preparation and periodic review of an MI.

The operation of the Heritage List under Scheme No.2 would remain at the discretion of Council, with it being considered appropriate that minor works to buildings listed within the MI would continue to be addressed under delegated authority, and applications that are considered to have a potentially more significant impact upon buildings listed in the MI (including applications for demolition) would be presented to Council for its consideration.

The Management Categories assigned to entries listed within the MI would guide staff (and Council) on whether applications might be considered under delegated authority and whether conditions of approval might be appropriate.

The MI lists the heritage sites within the document under the following management categories:

- 1 Level of Significance: EXCEPTIONAL SIGNIFICANCE: Essential to the heritage of the locality. Rare or outstanding example.
Management Recommendation: Conservation of the place is considered essential. Any proposed change should not unduly impact on the significance of the place and be in accordance with either a Conservation Plan or Heritage Impact Statement.
- 2 Level of Significance: CONSIDERABLE SIGNIFICANCE: Very important to the heritage of the locality.
Management Recommendation: Conservation of the place is highly recommended. Any proposed change should not unduly impact on the heritage values of the place and should retain significant fabric wherever feasible.
- 3 Level of Significance: MODERATE SIGNIFICANCE: Important to the heritage of the locality.
Management Recommendation: Conservation of the place is recommended. Any proposed change to the place should not unduly impact on the heritage values of the place and should retain significant fabric wherever feasible.

- 4 Level of Significance: **SOME SIGNIFICANCE**: Contributes to the heritage and/or historical development of the locality.
Management Recommendation: Conservation of the place is desirable. Any proposed change to the place should be in sympathy with the heritage values of the place.
- 5 Level of Significance: **HISTORIC SITE**: The site has historic significance for its previous use and its role in the historical development of the locality.
Management Recommendation: Proposed development may need to have regard to possible archaeological evidence remaining on the site. Recognise and interpret the site if feasible. This may be achieved through a variety of methods including, but not limited to, signage, public art, paving treatment and plantings as well as design treatment of any new development which reflects the former use of the site.

The *Heritage of Western Australia Act 1990* makes separate provision for the protection of places listed on State Register of Heritage Places. Entry of a place in the State Register of Heritage Places is official recognition by the State of its cultural significance to the heritage of Western Australia. At present there are five (5) sites on the State Register within the Shire of Chapman Valley and are listed below as follows:

- Coffee Pot and Waggrakine Well – Coffee Pot Drive, Waggrakine;
- Cuddy Cuddy Changing Station - North West Coastal Highway, Howatharra;
- Narra Tarra Homestead – East Chapman Road, Howatharra;
- Our Lady Fatima Catholic Church and Convent – Chapman Valley Road, Nanson; &
- Road Board Office – East Terrace, Nanson.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

The Shire applied for a grant from the State Heritage Office on 24 February 2010 to assist in covering the expenses involved in undertaking a review of its MI. On 29 April 2010 the Shire received written notification from the State Heritage Office that it was successful in its grant application and had been awarded a \$10,000 grant (GST exclusive) to be expended as per requirements of the grant agreement (a copy of the grant agreement was previously included as Attachment 1 to the MI report included in the 20 June 2012 Council Agenda).

Payment of the grant funds will be made in the amounts detailed below and within 30 business days of receipt of invoice relating to the events listed below:

Event	Amount to be Paid
Delivery of a revised draft MI for the Shire of Chapman Valley	Up to \$7,500
Delivery of a report to the Shire containing recommendations on changes to the Local Planning Scheme that would assist the management of heritage places in the Shire.	Up to \$1,000
Adoption of the MI by the Shire of Chapman Valley	Up to \$1,500

As part of the MI review process the in-house costs to Council have included planning staff time (largely administration duties such as extensive editing and updating of the document, consultation letters and advertising, liaising with landowners for site visits, organising meetings, grant acquittal etc), supply of a vehicle and GPS to the consultant (in company with Shire staff) for undertaking the site visits (2-3 days only), mailing, printing and production costs.

STRATEGIC IMPLICATIONS

Heritage is based on those aspects of our past that we want to recognise and retain, they may evoke special meaning for us as individuals or as member of a community. Heritage is the elements which have played an important role in our history, a building which is special because of its architectural style or association with a person, or a landscape feature with cultural associations. Heritage significance is the aesthetic, historic, scientific, or social significance of a place for the present community and the desire to protect these places for the enjoyment of future generations.

VOTING REQUIREMENTS

Simple majority of Council.

STAFF RECOMMENDATION

That Council adopt the revised Shire of Chapman Valley Municipal Inventory of Heritage Places, subject to the addition of the map(s) detailing the locations of the entries, and provide a copy of the document to the State Heritage Office as required by Section 45(3) of the *Heritage of Western Australia Act 1990*.

COUNCIL RESOLUTION

MOVED: CR BATTEN

SECONDED: CR FORRESTER

That Council adopt the revised Shire of Chapman Valley Municipal Inventory of Heritage Places, subject to the addition of the map(s) detailing the locations of the entries, and provide a copy of the document to the State Heritage Office as required by Section 45(3) of the *Heritage of Western Australia Act 1990*.

Voting 6/0

CARRIED

Minute Reference 10/12-2

AGENDA ITEM:	10.1.2
SUBJECT:	PROPOSED ROAD CLOSURE
PROPONENT:	SHIRE OF CHAPMAN VALLEY
SITE:	LOTS 7, 893 & 1829 HOTEL ROAD, NABAWA
FILE REFERENCE:	1001.600, A367 & A677
PREVIOUS REFERENCE:	N/A
DATE:	3 OCTOBER 2012
AUTHOR:	SIMON LANCASTER

DISCLOSURE OF INTEREST

Nil.

BACKGROUND

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

COMMENT

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

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

An aerial photograph of the relevant section of Hotel Road with the cadastral information overlaid has been included as **Attachment 1** to this report to elaborate upon this issue.

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

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

As Hotel Road is required to be widened on both the eastern and western intersection truncations with Chapman Valley Road to accommodate the existing service and drainage infrastructure this would involve the two landowners whose properties are also impacted by the Hotel Road alignment deviating into their land. It would be timely given that surveying is

required on-site and the Certificates of Titles must be altered for the intersection widening, to attend to the realignment 80m to the north-west that effects the same two landowners.

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

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

STATUTORY ENVIRONMENT

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

The 6,073m² road closure action is required to be undertaken through the Department of Regional Development and Lands under Section 58 of the *Land Administration Act 1997* and requires a resolution of Council to commence this process.

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

Should Council initiate the road closure, it is required to be publicly advertised for a period of 35 days in accordance with the requirements of the *Land Administration Act 1997*. This would include the following actions:

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

At the conclusion of the advertising period the proposal, and all submissions received, would be placed before a meeting of Council for its final determination.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

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

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

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

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

STRATEGIC IMPLICATIONS

The Hotel Road realignment action will ensure the following:

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

VOTING REQUIREMENTS

Simple majority required.

STAFF RECOMMENDATION

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

COUNCIL RESOLUTION

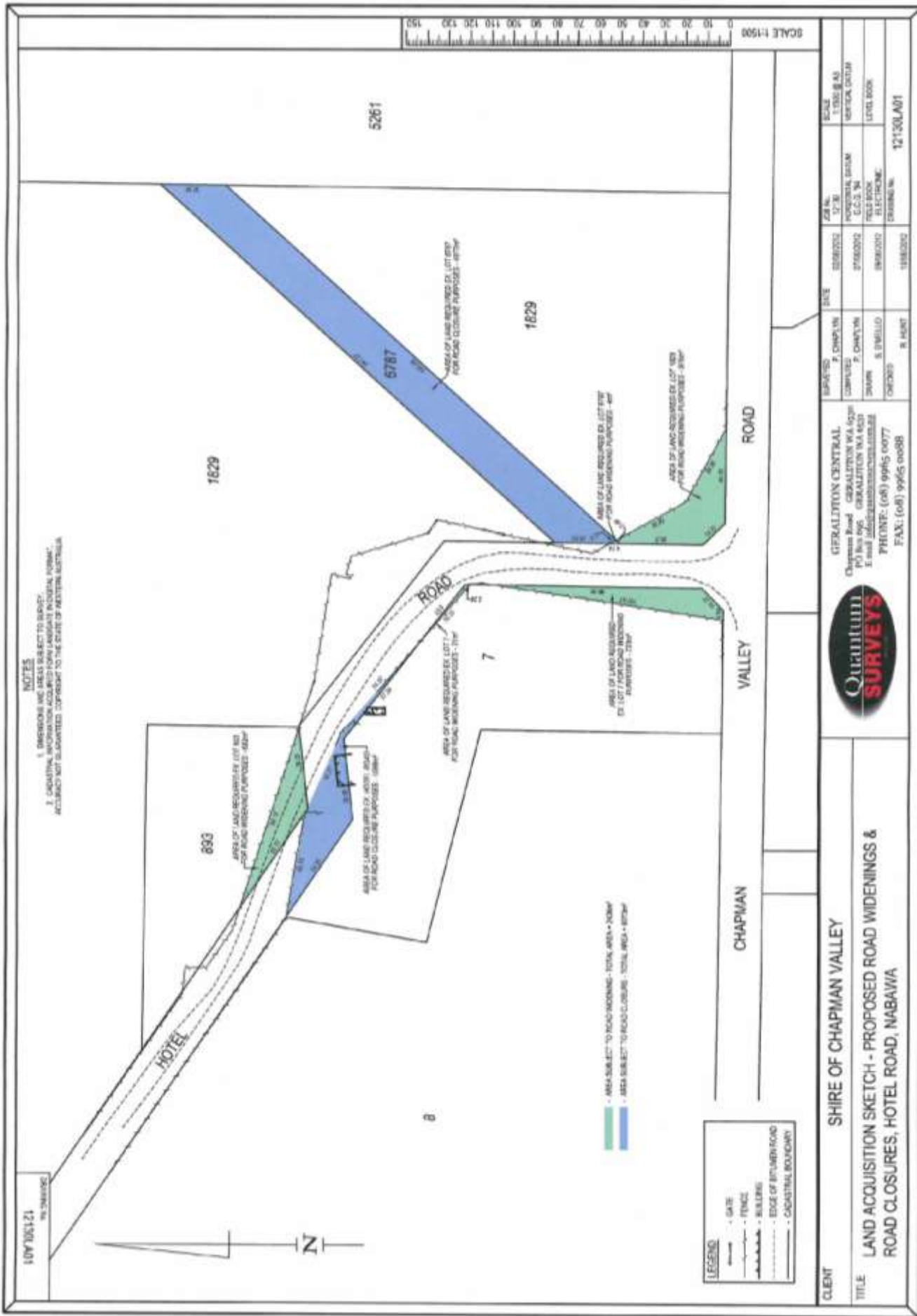
MOVED: CR BATTEN

SECONDED: CR FORRESTER

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

**Voting 6/0
CARRIED
Minute Reference 10/12-3**





AGENDA ITEM:	10.1.3
SUBJECT:	WOKARENA ROAD INTERSECTION UPGRADE DESIGN
PROPONENT:	SHIRE OF CHAPMAN VALLEY & MAIN ROADS WA
SITE:	WOKARENA ROAD & NWC HIGHWAY INTERSECTION
FILE REFERENCE:	204.06.04 & 1001.1350
PREVIOUS REFERENCE:	2/07-11, 12/10-2, 6/11-9, 9/11-14, 04/12-3, 04/12-21, 07/12-9 & 09/12-6
DATE:	9 OCTOBER 2012
AUTHOR:	SIMON LANCASTER

DISCLOSURE OF INTEREST

Nil.

BACKGROUND

Council has previously resolved to approach Main Roads WA advising of its willingness to enter into a shared funding arrangement for the design and costing of the Wokarena Road and North West Coastal Highway intersection, to establish a basis for future subdividers within the Wokarena Heights Structure Plan area to make contribution to the upgrade of the intersection at time of subdivision.

The original quote to undertake the design and costing of the intersection upgrade has been modified to meet with Main Roads WA additional requirements and is presented to Council for its consideration of the revised quote.

COMMENT

Council resolved at its resolved at its 19 July 2012 meeting:

“Write to Main Roads WA and advise that the Shire is willing to enter into a 50/50 cost shared arrangement to fund the design drawings and quantity surveying for the North West Coastal Highway and Wokarena Road intersection upgrade. Council considers it appropriate that Main Roads WA should part fund the design and cost calculation for the highway intersection upgrade, and that the subsequent proportionate contribution towards the highway intersection works by subdividing landowners shall be as outlined in Table 7 of the Wokarena Heights Structure Plan document.”

Main Roads WA responded on 12 September 2012 advising that they were in agreement to the need for an independently prepared design for the upgrading of the Wokarena Road and North West Coastal Highway intersection, and that they would be willing to contribute 50% towards the cost. Main Roads WA also advised that it considered the scope for the project should be widened to allow for the identification of ‘trigger points’ in the number of subdivided lots that would necessitate the development of the final intersection design in separate stages. A copy of the Main Roads WA correspondence has been included as **Attachment 1** to this report.

GHD were requested to provide a revised quote to incorporate the additional works suggested by Main Roads WA and this was provided on 21 September 2012, a copy of which has been included as **Attachment 2** to this report.

Council adopted the Wokarena Heights Structure Plan at its 19 September 2012 meeting and forwarded the document to the Western Australian Planning Commission seeking its final approval, Council further supported the conditional subdivision of a property contained within the Structure Plan area at this meeting. Extracts from the Wokarena Heights Structure Plan document illustrating the subdivisional layout have been included as **Attachment 3** to provide background to this matter.

Section 3.8 and Table 7 of the Structure Plan document establishes the cost sharing arrangement between the subdividing landowners for their contributions towards the sealing of Richards Road and the upgrading of the intersection of Wokarena Road and the North West Coastal Highway. The basis for each subdivider’s proportionate contribution has been

calculated based on each existing lot's residential lot yield (i.e. excluding land identified for public open space and internal subdivisional roads). It is considered reasonable that the cost of the Richards Road upgrade and Highway intersection upgrade would be proportionately borne by subdividers as it is the act of subdivision that will generate the additional lots and with it the additional residences and vehicle trips that will impact upon Richards Road and the Highway intersection, and it is the subdivider who will financially benefit from the subdivision.

Main Roads WA have confirmed that they will require the upgrade of the intersection with the highway to create a left turn/merging lane for vehicles exiting Wokarena Road and heading south on the highway towards Geraldton, a right run lane to enable vehicles to more safely turn into Wokarena Road from the highway, and additional intersection lighting. The final design and construction for the intersection upgrade will ultimately have to be to the satisfaction of Main Roads WA as they have management responsibility for the North West Coastal Highway.

At time of subdivision it is expected that applicants would be subject to condition that they make contribution towards the upgrading of Richards Road and the Highway intersection. Given that the Shire is responsible for the local road network it can provide response in relation to the proportionate contribution towards the Richards Road upgrade. The estimated cost of sealing Richards Road to a 2 coat bitumen sealed standard is approximately \$180,000 and the proportionate contribution that each landowner would make to this amount is listed in Table 7 of the Structure Plan document (with a notation provided in the Appendix B-Frequently Asked Questions section of the Structure Plan document addressing that a lesser contribution is paid that relates only to the area of land being subdivided in the event a landowner is undertaking a staged subdivision of their property). The figure of \$180,000 is based on current costs and is provided only for the purposes of this agenda report, Section 3.8 of the Structure Plan does not list specific monetary amounts, providing instead a formula that references 'cost of road upgrades' and 'amount payable', and should landowners undertake the subdivision in later years then the costs would be different based on road construction costs etc. current to that time.

To provide greater certainty to the effected landowners and the Shire and Main Roads WA, it is considered that a consultant should be engaged to undertake the design and costing for the highway intersection upgrading. This action would enable an accurate figure, based upon an engineering design, to be the basis for any proportionate subdivider contribution. The preparation of this design and costing would also avoid the scenario whereby the design for the highway intersection upgrade was required to be undertaken in haste (either by public or private parties) in response to a future subdivision application condition that was being handled by the State Administrative Tribunal ('SAT'). This issue has become pressing given that WAPC Subdivision Application No.145284 is now understood to be at SAT and Application No.145730 is now considered likely to enter the SAT in the near future.

STATUTORY ENVIRONMENT

Shire of Chapman Valley Town Planning Scheme No.1 was gazetted on 20 August 1982 and designates the Wokarena Heights area as being 'General Farming'. Shire of Chapman Valley Local Planning Scheme No.2 proposes to rezone the Wokarena Heights area to the 'Residential R2.5' zone that would allow for subdivision of the area into 4,000m² residential lots.

The Environmental Protection Authority ('EPA') advised on 9 July 2010 that:

- Scheme No.2 should be assessed under Part IV Division 3 of the Environmental Protection Act relevant to the proposed Buller 'Development' zone (this being the area of land on the western side of the North West Coastal Highway and separate to the proposed Wokarena Heights 'Residential R2.5' zone);
- the Buller 'Development' zone Environmental Review document had been prepared in accordance with the instruction of the EPA and was approved for release;
- the modifications included within Scheme No.2 (May 2010 version) did not raise any additional environmental issues to those described in the instructions issued by the EPA on 17 May 2007, and the Buller 'Development' zone Environmental Review was considered to be in accordance with those instructions.

The EPA have therefore deemed that the proposal to rezone the Wokarena Heights area from 'General Farming' to 'Residential R2.5' does not warrant Environmental Review.

Scheme No.2 and the Buller Environmental Review were advertised concurrently from 23 November 2010 to 23 February 2011. On 7 June 2011 the EPA released their report and recommendations regarding the Buller 'Development' zone, and this is currently subject to appeal. Upon receipt of the final decision of the Minister for Environment regarding the Buller 'Development' Zone Environmental Review, the decision and the Scheme No.2 will be presented to Council for its consideration, and potential adoption of Scheme No.2 and subsequent forwarding to the Minister for Planning seeking final approval.

Section 5.22 of Scheme No.2 lists the requirements pertaining to the purpose, preparation, content and management of Structure Plans and the Wokarena Heights Residential R2.5 Structure Plan has been prepared in accordance with those requirements.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The Shire has taken the lead role in the preparation of a Structure Plan for the Wokarena Heights area, as it was considered unlikely to otherwise eventuate given the disparate ownership of the lots and the need to coordinate road design, services, drainage, infrastructure and open space provision.

Following the calling for expressions of interest from consultants Council resolved, at its 21 September 2011 meeting, to appoint GHD to undertake the preparation of the Wokarena Heights Residential R2.5 Structure Plan.

The preparation of the Wokarena Heights 'Residential R2.5' Structure Plan was included within the adopted 2011/2012 Council Budget under Account 7052-02. Subsequent to the budget allocation process, and appointment of the consultant, Shire staff lodged an application with the Royalties for Regions (Northern Planning Program) Local Government Assistance Program and were advised on 21 February 2012 by the Department of Planning that an amount had been approved for the Shire to manage the preparation of the Wokarena Heights Structure Plan.

Given that the Shire's previously budgeted allocation for the preparation of the Wokarena Heights Structure Plan has been now entirely sourced from the Department of Planning, Council considered it appropriate that the Shire instead make its financial contribution towards resolving the design for the North West Coastal Highway and Wokarena Road intersection upgrade. The adopted 2012/2013 Council Budget under GL's 7032, 0163 and 4810 lists an allocation of \$57,885 drawn from the Land Development Reserve towards the intersection upgrade design project.

The original GHD quote as presented to Council at the 19 July 2012 meeting was \$57,884.81 (GST exclusive) to undertake the design drawings and quantity surveying for the North West Coastal Highway and Wokarena Road intersection upgrade. The revised GHD quote to widen the scope of works to meet the additional requirements of Main Roads WA relating to staging of the intersection upgrading at subdivisional lot threshold 'trigger points' is \$68,266.31 (GST exclusive).

Main Roads WA have confirmed their acceptance of a 50% contribution towards the project, resulting in a \$34,133.16 (GST exclusive) Shire contribution towards the project which is within the 2012/2013 budgeted amount under GL's 7072 and 4810 of \$57,885.

STRATEGIC IMPLICATIONS

The Geraldton Region Plan (1999) provides a framework for the future management, protection and coordination of regional planning in the region. The Region Plan incorporates a Structure Plan for the Greater Geraldton area that was updated by the WAPC in 2011. The updated Greater Geraldton Structure Plan identifies the Wokarena Heights area as 'Future Urban'.

The Wokarena Heights Structure Plan would ultimately create 251 lots with a total resident population of approximately 653 persons (based on the 2011 Census data for average

household size in Chapman Valley). The Structure Plan area would be accessed by an internal subdivisional road network that would primarily connect into the greater road network via Wokarena Road but with some potential for ancillary connection into Beattie Road to the south and Eliza Shaw Drive to the north. The Structure Plan area would be serviced by scheme water, underground power and fibre optic telecommunications, and have a district level park and two smaller neighbourhood parks.

VOTING REQUIREMENTS

Simple majority of Council

STAFF RECOMMENDATION

That Council accept the revised quote from GHD dated 21 September 2012 to undertake the design and costings for the staged upgrading of the Wokarena Roads and North West Coastal Highway intersection (to establish a basis for future subdividers within the Wokarena Heights Structure Plan area to make contribution to the upgrade of the intersection at time of subdivision) on the basis that Main Roads WA will be making a 50% contribution to funding of the project.

COUNCIL RESOLUTION

MOVED: CR ROYCE

SECONDED: CR HUMPHREY

That Council accept the revised quote from GHD dated 21 September 2012 to undertake the design and costings for the staged upgrading of the Wokarena Roads and North West Coastal Highway intersection (to establish a basis for future subdividers within the Wokarena Heights Structure Plan area to make contribution to the upgrade of the intersection at time of subdivision) on the basis that Main Roads WA will be making a 50% contribution to funding of the project.

Voting 6/0

CARRIED

Minute Reference 10/12-4



Record No PA121021



ABN: 50 860 676 021

13 SEP 2012

Enquiries: Naomi Mynott on 08 9956 1205
Our Ref: 05/11893-03
Your Ref: 204.06.04

204.06.04	
PLANNING SERVICES	
ROAD SERVICES	
MANAGER	
ASSISTANT	

12 September 2012

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

Dear Simon

**WOKARENA HEIGHTS STRUCTURE PLAN & SUBDIVISION
NORTH WEST COASTAL HIGHWAY/WOKARENA ROAD INTERSECTION
UPGRADE**

Thank you for your letter dated 1 August 2012, and for meeting with Mark Salt and Naomi Mynott on Friday to further discuss the above intersection upgrade.

We agree with the Shire of Chapman Valley that identifying and agreeing a final design for the upgrade requirements of the intersection between Wokarena Road and North West Coastal Highway would be a sensible approach. Furthermore, we agree that the design of the intersection should be established prior to future subdivision and development applications coming forward to provide greater certainty for all stakeholders, particularly given the potential for future Tribunals. Based upon this, we also agree that it would be appropriate for the Shire of Chapman Valley and Main Roads WA to jointly fund the design work to ensure that it has been done independently of any proponents and that it would meet the required standards and specifications.

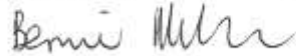
As discussed on Friday, we feel it is important to include a slightly wider scope to allow identification of the final intersection design and also to establish whether there are any appropriate interim design stages together with their associated 'trigger point' number of lots that would generate the requirement for an upgrade e.g. one of the turning lanes would be required after x lots have been subdivided.

Main Roads WA can therefore confirm that we contribute 50% of the design costs, based upon the initial figure of \$57884.81 from GHD. We realise that with the slightly wider scope above, the original quote may alter. We are satisfied that GHD would be best placed for the works given their previous involvement with the site and surrounding area but understand that the Shire of Chapman Valley will undertake the commissioning process.

Mid West Region, Eastward Road, Geraldton or PO Box 165, Geraldton Western Australia 6531
Telephone: (08) 9956 1200 Facsimile: (08) 9956 1240
Email: mwreg@mainroads.wa.gov.au Website: www.mainroads.wa.gov.au

We look forward to hearing from you regarding the amended quote. If you require any further information or have any further questions please contact Mark Salt (08 9956 1245) or Naomi Mynott (08 9956 1205).

Yours faithfully

A handwritten signature in black ink, appearing to read "Bernie Miller". The signature is written in a cursive style with a horizontal line through the middle of the letters.

Bernie Miller
REGIONAL MANAGER MID WEST REGION

Page 2 of 2



21 September 2012

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

Our ref: 61/27523
Your ref: 126016

Dear Simon

**WOKARENA HEIGHTS STRUCTURE PLAN AND SUBDIVISION
North West Coastal Highway / Wokarena Road Intersection Upgrade**

Further to recent correspondence regarding the above and the request from Main Roads Western Australia (MRWA) to include additional traffic analysis for the final intersection design to investigate whether there may be any appropriate interim design stages. Please find below GHD's revised fee estimate, methodology and proposed scope of works to accommodate the objectives of this work.

1 Appreciation of Project

Through liaison with Colleen Murphy and MRWA, we have a good understanding of the requirements and have critically reviewed and targeted the level of design and documentation to the requirements to deliver an accurate cost estimate of the proposed junction upgrade along with the investigation for the staging of the intersection based on gradual conversion of lots in the subdivision.

2 Scope and Methodology

There are two primary elements to the scope of works. The first element is to undertake a detailed traffic review of the development to determine the ultimate junction arrangement and investigate whether there are any interim stages of development of the junction based on a percentage take up of the development lots. The second element is to document the agreed final design of the junction and prepare a detailed cost estimate for the works.

2.1 Methodology

- Agree with MRWA the design criteria with regards to the traffic volumes and future growth rates for NWCH and the Wokarena development. Typically, analysis would be for opening of development plus 10 years
- Apply peak hour factor for current available traffic data for NWCH
- Undertake traffic modelling to assess junction design for the ultimate design traffic forecast. Review if there is an opportunity for an interim scheme based on the gradual development of the Wokarena Heights Subdivision.



- Undertake the detailed design of the proposed ultimate junction layout and produce design drawings for cost estimation. The drawings to be prepared will be as follows:
 - **General Layout Plan (1 : 500 Scale @ A1)**. This set will show the following details: Pavement details, kerbing details, road markings and signs, drainage details, safety barriers and lighting.
 - **Plan and Profile Drawing (1 : 1000 Scale @ A1)**. This will show the plan and profile of the NWCH and Wokarena Road.
 - **Typical Sections and Details (Typically 1 : 100 scale @ A1)**. The typical cross –section of the NWCH and Wokarena Road, along with any special details needed.
 - **General cross-sections (1 : 200 Scale @ A1)**. The section will be shown at 25 m centres for the NWCH and Wokarena Road.
- Cost Indication: Undertake a cost estimate based on the design drawings and compile a cost indication based on Main Roads standard method of measure.
- Technical Design Note: this will cover the design parameters and assumptions used in the design and cost estimation. The report will broadly cover the traffic assessment and any stages of development, safety barrier design and risk assessment, pavement assumptions for a typical pavement, utility findings and summary of issues and drainage.

2.2 Exclusions

- Road Safety Audit: GHD have not allowed in our fee estimate the cost of undertaking a road safety audit on the design. As this will be a typical junction based on MRWA standards we do not envisage that a RSA would identify significant safety issues that may impact on the cost indication.
- Environmental Assessment: GHD have not allowed for assessing any environmental aspects of the works. There may therefore be some unforeseen environmental issues that may need to be assessed which could impact on the cost indication. GHD consider it prudent to review the environmental constraints of the site through an environmental assessment, so as to ensure there are no significant impacts on design. GHD can undertake an assessment to identify any environmental constraints that may be applicable and that may impact on the design solution. (Please refer to Provisional sum items)
- Pavement Design: GHD are not proposing to undertake a detailed pavement design and investigation. Based on experience we propose that a typical pavement construction be used for the costing exercise. (Please refer to Provisional sum items)
- Services: GHD will request service information and make an assessment of the implications on the services and try to gain costs/use past experience to provide a reasonable estimate for the service contingencies.
- Topographical survey: GHD require a survey of the area to undertake the design modelling to develop cut/fill volumes, drainage works etc. GHD can undertake this work through our survey team should an existing survey of the area not be available. (Please refer to Provisional sum items)
- Geotechnical Investigation: GHD can undertake these works to assess the existing pavement. If MRWA agree that the new construction can match the existing pavement this may provide a more



accurate cost to this component compared with a standard pavement construction. (Please refer to Provisional sum items)

- Traffic Surveys: If the existing available traffic data does not adequately enable estimation of the trip distribution and therefore turning volumes additional surveys may be needed. (please see Provisional sum items)

3 Programme:

Broadly we have allowed 10 weeks to provide the final deliverables. This includes approximately 2 weeks for data collection and 1 week for Client review and comments.

4 Itemised Lump Sum Price

The following table indicates GHD's lump sum fee to undertake this project.

Item No	Description	GST Exclusive Amount \$
1	General management, Design Review, Site Visit and Liaison	10,688.44
2	Design Documentation	51,277.88
3	Design Drawings	3,600.00
4	Quantity Surveyor	1,500.00
5	Disbursements	1,200.00
TOTAL AMOUNT OF SCHEDULE (GST exclusive)		\$ 68,266.31

GST	\$ 6,826.63
	\$ 75,092.94

Provisional Sums		
1	Topographical Survey (Excluding GST)	\$ 7,450.00
2	Environmental Support Inspections/Review	\$ 8,200.00
3	Geotechnical Investigations	\$ 17,100.00
4	Traffic Count Survey	\$ 10,490.00



5 Terms and Conditions

GHD propose to undertake this work in accordance with the provisions of the GHD Consultancy Agreement.

We look forward to working with you on this project, should you require any further information please contact Christopher Grant or Jim McNeill on 6222 8985 or 6222 8693 respectively.

Sincerely
GHD Pty Ltd

A handwritten signature in blue ink, appearing to read 'C Grant', is written over a faint, light blue circular watermark or stamp.

Christopher Grant
Principal Engineer
6222 8985



LEGEND:

- | | | | | | |
|---|-------------------------------|---|---------------------------|---|--|
|  | RESIDENTIAL (R2.5) |  | LOCAL STRUCTURE PLAN AREA |  | SUBJECT TO FUTURE DETAILED AREA PLAN (REFER TO FIGURE 13) |
|  | ROAD RESERVE (FUTURE HIGHWAY) |  | FUTURE ROAD CONNECTION |  | ① ROAD CONNECTION ONLY TO BE PROVIDED IF DETERMINED NECESSARY FOR VEHICLE ACCESS AT TIME OF SUBDIVISION. IF NOT REQUIRED FOR VEHICULAR PURPOSES TO BE RETAINED AS PEDESTRIAN ACCESS WAY / SERVICE ALIGNMENT. |
|  | PUBLIC OPEN SPACE |  | TEMPORARY ACCESS WAY | | |



LOCAL STRUCTURE PLAN AREA



PUBLIC OPEN SPACE

DRAINAGE RESERVE



ROAD CONNECTION ONLY TO BE PROVIDED IF DETERMINED NECESSARY FOR VEHICLE ACCESS AT TIME OF SUBDIVISION. IF NOT REQUIRED FOR VEHICULAR PURPOSES TO BE RETAINED AS PEDESTRIAN ACCESS WAY / SERVICE ALIGNMENT.

AGENDA ITEM:	10.2.1
SUBJECT:	RENEWAL OF AGREEMENT – NABAWA COMMUNITY POSTAL AGENCY
PROPONENT:	CHIEF EXECUTIVE OFFICER
SITE:	NABAWA ADMIN OFFICE
FILE REFERENCE:	704.04
PREVIOUS REFERENCE:	N/A
AUTHOR:	STUART BILLINGHAM

DISCLOSURE OF INTEREST

Nil

BACKGROUND

Council is in receipt of correspondence from Australia Post regarding the renewal of its Community Postal Agency Service Agreement for Nabawa. This report seek Council's permission to sign and affix the Shire Seal to the agreement.

COMMENT

The Shire of Chapman Valley currently operates a Community Postal Agency, on behalf of Australia Post, out of the Nabawa Administration Office.

Division 3 Section 9.49A of the *Local Government Act 1995* outlines the requirements for the affixing of the Shire seal to agreements stating as follows:

“Division 3 — Documents

9.49A. Execution of documents

- (1) *A document is duly executed by a local government if —*
 - (a) *the common seal of the local government is affixed to it in accordance with subsections (2) and (3); or*
 - (b) *it is signed on behalf of the local government by a person or persons authorised under subsection (4) to do so.*
- (2) *The common seal of a local government is not to be affixed to any document except as authorised by the local government.*
- (3) *The common seal of the local government is to be affixed to a document in the presence of —*
 - (a) *the mayor or president; and*
 - (b) *the chief executive officer or a senior employee authorised by the chief executive officer,*

each of whom is to sign the document to attest that the common seal was so affixed.
- (4) *A local government may, by resolution, authorise the chief executive officer, another employee or an agent of the local government to sign documents on behalf of the local government, either generally or subject to conditions or restrictions specified in the authorisation.*
- (5) *A document executed by a person under an authority under subsection (4) is not to be regarded as a deed unless the person executes it as a deed and is permitted to do so by the authorisation.*

- (6) *A document purporting to be executed in accordance with this section is to be presumed to be duly executed unless the contrary is shown.”*

In accordance with the Local Government Act 1995 before the Shire seal can be affixed to an agreement, its use must be approved by a resolution of Council.

A copy of the Renewal Agreement has been provided to Council as a separate attachment.

STATUTORY IMPLICATIONS

Local Government Act 1995 section 9.49A.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Commissions received from Australia Post.

VOTING REQUIREMENTS

Simple Majority.

STAFF RECOMMENDATION

That Council authorise the Chief Executive Officer and Shire President to sign and seal the Nabawa Community Postal Agency agreement.

COUNCIL RESOLUTION

MOVED: CR FORRESTER

SECONDED: CR BELL

That Council authorise the Chief Executive Officer and Shire President to sign and seal the Nabawa Community Postal Agency agreement.

**Voting 6/0
CARRIED
Minute Reference 10/12-5**

AGENDA ITEM:	10.2.2
SUBJECT:	STRATEGIC WASTE MANGEMENT PLAN
PROPONENT:	TALIS CONSULTANTS RONAN CULLEN
SITE:	NABAWA AND YUNA TRANSFER STATIONS
FILE REFERENCE:	201.09
PREVIOUS REFERENCE:	N/A
AUTHOR:	STUART BILLINGHAM

DISCLOSURE OF INTEREST

Nil.

BACKGROUND

To present to Council a draft of the Strategic Waste Management Plan produced by Mr Ronan Cullen from Talis Consultants for endorsement before being submitted to the Department of Environment and Conservation. The draft document is submitted for Council review and comment back to Talis Consulting prior to 24 October 2012.

COMMENT

The Shire of Chapman Valley was previously a member of the Batavia Regional Organisation of Councils (BROC) along with the City of Greater Geraldton and the Shires of Irwin and Northampton.

The BROC group was dissolved earlier in 2012 however the Group still had the funding from the Waste Authority Regional Funding Program to create a Strategic Waste Management Plan (SWMP) and Regional Investment Plan (RIP).

The members of the previous BROC group met on Friday 24 August 2012 in a workshop at the Greater City of Geraldton Offices. The SWMP Revision 2012 document contains:

- The current waste management situation across the BROC including;
- Implications of the State Waste Strategy;
- An update on the BROC and its waste Management Priorities and Projects (including those that wish to seek funding through the RIP)

A copy of the draft Strategic Waste Management Plan has been provided to Council as a separate attachment.

It is proposed that the funding from this program would be utilised to rebuild the waste oil bund area at the Nabawa Transfer Station and to fence around the Yuna Transfer station.

STATUTORY ENVIRONMENT

Local Government Act 1995

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIRMENTS

Simple Majority

STAFF RECOMMENDATION

That Council adopt the Strategic Waste Management Plan and that the document be forwarded to the Department of Environment and Conservation for review and endorsement.

COUNCIL RESOLUTION

MOVED: CR HUMPHREY SECONDED: CR FORRESTER

That Council adopt the Strategic Waste Management Plan and that the document be forwarded to the Department of Environment and Conservation for review and endorsement.

**Voting 6/0
CARRIED
Minute Reference 10/12-6**

AGENDA ITEM:	10.2.3
SUBJECT:	CEO EMPLOYMENT CONTRACT – COUNCIL APPROVAL TO JOIN NABAWA VOLUNTEER BUSH FIRE BRIGADE
PROPONENT:	CHIEF EXECUTIVE OFFICER
SITE:	ENTIRE SHIRE
FILE REFERENCE:	908.130
PREVIOUS REFERENCE:	N/A
AUTHOR:	STUART BILLINGHAM

DISCLOSURE OF INTEREST

Yes - Impartiality CEO report author.

BACKGROUND

To present to Council a request from the Chief Executive Officer (CEO), in accordance with the CEO employment contract, for permission to join the Nabawa Volunteer Bush Fire Brigade.

COMMENT

Clause 4.3 'Additional Business or employment' of the Shire of Chapman Valley Chief Executive Officer employment contract states:

"The Chief Executive Officer must not engage in any additional business or employment whether paid or voluntary, without the prior written consent of the Council. In the event that Council gave such consent then should any risk arise that the position might conflict with the interests of Local Government or his ability to perform the duties then the Chief Executive Officer must immediately notify the Council and obtain Council's further written consent to engage or continue in that additional business or employment."

In accordance with the CEO employment contract, clause 4.3, the CEO now seeks Council permission to undertake volunteer work with the Nabawa Volunteer Bush Fire Brigade. FESA Application Form attached for information. It is considered that the duties of the Volunteer Fire fighter position will not conflict with the interests of the Shire of Chapman Valley CEO position.

STATUTORY ENVIRONMENT

Local Government Act 1995

POLICY IMPLICATIONS

CEO Employment Contract

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIRMENTS

Simple Majority

STAFF RECOMMENDATION

That Council provide written consent to the Chief Executive Officer to join the Nabawa Volunteer Bush Fire Brigade.

COUNCIL RESOLUTION

MOVED: CR FORRESTER SECONDED: CR HUMPHREY

That Council provide written consent to the Chief Executive Officer to join the Nabawa Volunteer Bush Fire Brigade.

**Voting 6/0
CARRIED
Minute Reference 10/12-7**

MEMBERSHIP REGISTRATION

24261

TYPE OF RETURN (PLEASE TICK): CHANGE OF INFORMATION TERMINATION NEW MEMBER

1. NABAWA VBFB SHIRE OF CHAPMAN VALLEY
BRIGADE NAME LOCAL AUTHORITY

MEMBER

2. TITLE & RANK MR MRS MISS MS RANK FLO

3. SURNAME BLOCK LETTERS BILLINGHAM

4. CHRISTIAN NAMES IN FULL STUART DAVID

5. DATE OF BIRTH 12 10 8 1968 FEMALE MALE

6. ADDRESS

<small>HOME</small>	<small>POSTAL IF DIFFERENT TO HOME</small>
32 INDAWA ROAD	CF POST OFFICE
NABAWA WA	NABAWA
6532	6532

7. TELEPHONE

<small>HOME</small>	<small>WORK</small>	<small>PAGER (Personal Only)</small>
(08) 9920 5504	(08) 9920 5011	

8. TYPE OF MEMBER: ACTIVE: FIRE FIGHTER AUXILIARY CADET

9. MEMBER I.D. NUMBER

10. TRAINING RECORDS

BFB COURSES ATTENDED			SPECIALIST COURSES		
FFC	SFFC	FCO			
		✓			

CHANGE OF INFORMATION

11. MEMBER I.D. NUMBER

INDICATE LINE NO. CHANGED

2 3 6 7 8 10

12. **TERMINATION OF MEMBERSHIP** (Complete lines 1, 2, 3, 4 & 9)

DATE OF TERMINATION / / REASON.....

APPLICATION FOR NEW MEMBER

13. PREVIOUS MEMBERSHIP (most recent)

COOROW VBFB SHIRE OF COOROW
BRIGADE NAME LOCAL AUTHORITY

14. MEMBER I.D. No.

I hereby apply for enrolment as a member of the above Volunteer Bush Fire Brigade and agree to observe all rules, regulations and procedures promulgated by the Brigade. I advise that I am physically capable of carrying out duties of the type of membership applied for and undertake to advise the Brigade Captain if at anytime this is no longer the case and I am not able to safely carry out the duties I may be called upon to perform. (Attach completed BFB Medical Assessment Form.)

I certify that the above particulars are true and correct.

15. APPLICANT

[Signature]	<small>PARENT/GUARDIAN APPROVAL (Under 18 Years of Age)</small>
<small>SIGNATURE</small>	<small>SIGNATURE</small>
10/10/12	/ /
<small>DATE</small>	<small>DATE</small>

16. AUTHORISED: BRIGADE CAPT/ADMIN OFFICER

[Signature]	10/10/12
<small>SIGNATURE</small>	<small>DATE</small>

BUSH FIRES BOARD USE ONLY

	/ /	<small>I.D. NO. ADVISED TO LOCAL AUTHORITY & BRIGADE</small>
<small>MEMBER'S I.D. NO. ISSUED AND DETAILS ENTERED IN SDS</small>	<small>INITIALS</small>	<small>DATE</small>
	/ /	/ /
	<small>INITIALS</small>	<small>DATE</small>

15443/004-1M BFC-5/12/09

Mrs Debby Barndon entered chambers at 11:25am.

AGENDA ITEM:	10.3.1
SUBJECT:	FINANCIAL REPORT FOR SEPTEMBER 2012
PROPONENT:	ACCOUNTANT
SITE:	SHIRE OF CHAPMAN VALLEY
FILE REFERENCE:	307.04
PREVIOUS REFERENCE:	N/A
DATE:	11 OCTOBER 2012
AUTHOR:	DEBBY BARNDON

DISCLOSURE OF INTEREST

Nil

BACKGROUND

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

COMMENT

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

STATUTORY ENVIRONMENT

Local Government Act 1995 Section 6.4

Local Government (Financial Management) Regulations 1996 Section 34

POLICY IMPLICATIONS

Policy 5.70 Significant Accounting Policies

Extract:

“2. Monthly Reporting

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

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

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

FINANCIAL IMPLICATIONS

As presented.

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIRMENTS

Simple Majority of Council.

STAFF RECOMMENDATION

That Council receive the financial report for the month of September 2012 comprising the following:

- Summary of Payments
- Summary of Financial Activity,
- Net Current Assets
- Detailed Statement of Financial Activity,
- Details of Cash and Investments,
- Statement of Significant Variations,
- Summary of Outstanding Debts
- Reserve Funds
- Information on Borrowings
- Disposal of Assets
- Acquisition of Assets
- Rating Information
- Trust Fund Reconciliations
- Bank Reconciliation
- Credit Card Statement from 21 August to 20 September 2012

COUNCIL RESOLUTION

MOVED: CR FORRESTER

SECONDED: CR HUMPHREY

That Council receive the financial report for the month of September 2012 comprising the following:

- **Summary of Payments**
- **Summary of Financial Activity,**
- **Net Current Assets**
- **Detailed Statement of Financial Activity,**
- **Details of Cash and Investments,**
- **Statement of Significant Variations,**
- **Summary of Outstanding Debts**
- **Reserve Funds**
- **Information on Borrowings**
- **Disposal of Assets**
- **Acquisition of Assets**
- **Rating Information**
- **Trust Fund Reconciliations**
- **Bank Reconciliation**
- **Credit Card Statement from 21 August to 20 September 2012**

**Voting 6/0
CARRIED
Minute Reference 10/12-8**

Cr Batten left chambers at 11:31am

Mr Simon Lancaster, Mrs Debby Barndon and Mrs Kathryn Jackson left chambers at 11:32am.

Cr Batten re-entered chambers at 11:35am.

*** CONFIDENTIAL ***

AGENDA ITEM	10.2.4
SUBJECT:	RENEWAL CONTRACT OF EMPLOYMENT
PROponent:	MANAGER OF BUILDING AND PROJECTS
SITE:	N/A
FILE REFERENCE:	908.90
PREVIOUS REFERENCE:	08/12 - 16
AUTHOR:	STUART BILLINGHAM

COMMENT

In accordance with the Local Government Act 1995 Section 5.23(2)(b) it is appropriate for Council to resolve, by procedural motion, to "Meet Behind Closed Doors" as this Agenda Item should be considered as being a matter affecting the personal affairs of any person.

It is a requirement of the Freedom of Information Act, 1992, that all this information is returned to the Chief Executive Officer at the completion of this item for appropriate filing to maintain confidentiality.

Once all negotiations have been completed this will be considered an "exempt document" in accordance with Schedule 1 of the Freedom of Information Act, 1992, denying public access.

Information relating to this Item has been provided as a separate attachment.

COUNCIL RESOLUTION 1

MOVED: CR FORRESTER

SECONDED: CR BELL

That Council resolve to "Meet Behind Closed Doors" to discuss Agenda Item 10.2.8 as it is considered a matter affecting the personal affairs of any person.

That the Meeting automatically reopen once discussion and voting on the item is complete.

**Voting 6/0
CARRIED
Minute Reference 10/12-9**

The Council Meeting was adjourned at 12:00pm

The Council Meeting was reconvened at 1:06pm

COUNCIL RESOLUTION 2

MOVED: CR ROYCE

SECONDED: CR FORRESTER

The Council endorse the amended contract for the extension of employment for Mr Anthony Abbott to the position of Building and Projects Officer for the period commencing 27 November 2012 and expiring 27 November 2017 (maximum term of 5 years) in accordance with section 5.37 of the Local Government Act 1995.

**Voting 5/1
CARRIED
Minute Reference 10/12-10**

AGENDA ITEM:	10.4.1
SUBJECT:	PROPOSED DISPOSAL OF PLANT – BOMAG ROLLER
PROPONENT:	WORKS SUPERVISOR
SITE:	SHIRE OF CHAPMAN VALLEY
FILE REFERENCE:	P833
PREVIOUS REFERENCE:	10.4.2
AUTHOR:	KEN BARNDON

DISCLOSURE OF INTEREST

Nil

BACKGROUND

This item was presented to Council for disposal by Private Treaty to Mr Richard Paull of Pemco Diesel Pty Ltd Geraldton at the 19 September 2012 meeting of Council. This item closes for submissions on Friday 26 October 2012.

COMMENT

Section 3.58 of the *Local Government Act 1995* “Disposing of Property” sets out the three methods by which a Local Government may dispose of Council property.

- To the highest bidder at a public auction
- Public Tender process
- Private Treaty – Local public notice

The Local Government Act 18995 s.3.58(3) states;

- “(3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —
- (a) it gives local public notice of the proposed disposition —
- (i) describing the property concerned; and
 - (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;
- and
- (b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.
- (4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include —
- (a) the names of all other parties concerned; and
 - (b) the consideration to be received by the local government for the disposition; and
 - (c) the market value of the disposition —
 - (i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or
 - (ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.”

At its 19 September 2012 meeting Council resolved:

“That Council approves the Chief Executive Officer to advertise by local public notice for at least two weeks the proposal that the Shire of Chapman Valley is considering disposing by private treaty the sale of Asset # 264, 1 x 1986 Bomag Multi Tyred Roller to Mr Richard Paull of Pemco Diesel Pty Ltd Geraldton for \$1,500 including GST.”

The Chief Executive Officer and the Works Supervisor have valued the item at \$1,500 including GST

STATUTORY ENVIRONMENT

Local Government Act 1995

POLICY IMPLICATIONS

Shire of Chapman Valley Plant replacement Program – It should be noted that this item of plant is currently not programmed to be replaced on the Shire of Chapman Valley 10 Year Plant Replacement Program.

FINANCIAL IMPLICATIONS

Future income of possibly \$1,500 incl GST from the disposal.

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple majority

STAFF RECOMMENDATION

That Council:

- 1 Authorise the CEO to dispose by Private Treaty the sale of Asset # 264, 1x1986 Multi Tyred Roller to Mr Richard Paull of Pemco Diesel Pty Ltd Geraldton, for \$1,500 including GST at the end of the advertising period should no submissions be received; &
- 2 Should a submission be received during the submission period that this matter along with the received submission(s) be returned to a future meeting of Council for further consideration.

COUNCIL RESOLUTION

MOVED: CR BATTEN

SECONDED: CR FORRESTER

That Council:

- 1 **Authorise the CEO to dispose by Private Treaty the sale of Asset # 264, 1 x 1986 Multi Tyred Roller to Mr Richard Paull of Pemco Diesel Pty Ltd Geraldton, for \$1,500 including GST at the end of the advertising period should no submissions be received; &**
- 2 **Should a submission be received during the submission period that this matter along with the received submission(s) be returned to a future meeting of Council for further consideration.**

**Voting 6/0
CARRIED
Minute Reference 10/12-11**

Mr Simon Lancaster and Mrs Kathryn Jackson re-entered chambers at 1:48pm.

11.0 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

12.0 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

12.1 Elected Member Reports

13.0 GENERAL BUSINESS

(of an urgent nature introduced by decision of meeting)

13.1 Elected Members

13.2 Officers

Manager of Planning – Simon Lancaster

MOVED: CR FORRESTER

SECONDED: CR HUMPHREY

That Council advise the State Heritage Office that it does not support the proposed registration of the Howatharra Lime Kilns and Stone Ruin, Oakajee upon the State Register of Heritage Places as this level of recognition is contrary to the Shire of Chapman Valley Municipal Inventory Heritage Places management recommendation and the places are not considered to be of sufficient historic significance.

Voting 6/0

CARRIED

Minute Reference 10/12-12

14.0 CLOSURE

Meeting declared closed at 1.58pm.