



Shire of
Chapman Valley
Love the Rural Life

ORDINARY COUNCIL MEETING

Notice is hereby given that an Ordinary Meeting
of Council will be held on Wednesday 15 June 2016
at the Council Chambers, Nabawa, commencing at 9:00am.

Maurice Battilana
CHIEF EXECUTIVE OFFICER

AGENDA

JUNE 2016

DISCLAIMER



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

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

The Shire of Chapman Valley warns that anyone who has any application or request with the Shire of Chapman Valley must obtain and should rely on **WRITTEN CONFIRMATION** of the outcome of the application or request of the decision made by the Shire of Chapman Valley.

A handwritten signature in black ink, appearing to read 'M. Battilana'.

Maurice Battilana
CHIEF EXECUTIVE OFFICER

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- 4.0 PUBLIC QUESTION TIME
- 5.0 APPLICATIONS FOR LEAVE OF ABSENCE
- 6.0 DISCLOSURE OF INTEREST

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

Section 5.60A:

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

Section 5.60B:

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

Regulation 34C (Impartiality):

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

- 7.0 PETITIONS/DEPUTATIONS/PRESENTATIONS
- 8.0 CONFIRMATION OF MINUTES FROM PREVIOUS MEETINGS

- 8.1 Ordinary Meeting of Council – 18 May 2016
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ORDER OF BUSINESS:

1.0 DECLARATION OF OPENING/ANNOUNCEMENTS OF VISITORS

2.0 LOYAL TOAST

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4.0 PUBLIC QUESTION TIME

4.1 Questions On Notice

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6.0 DISCLOSURE OF INTEREST

7.0 PETITIONS/DEPUTATIONS/PRESENTATIONS

8.0 CONFIRMATION OF MINUTES FROM PREVIOUS MEETINGS

8.1 Ordinary Meeting of Council held on Wednesday 18 May 2016

That the minutes of the Ordinary Meeting of Council held Wednesday 18 May 2016 be confirmed as a true and accurate record.

9.0 OFFICERS REPORTS

9.1 Manager of Planning June 2016

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9.1 AGENDA ITEMS

- 9.1.1 Proposed Rezoning - Lots 16, 17 & 18 Brown Lane, White Peak
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- 9.1.5 Proposed North West Coastal Highway Widening

AGENDA ITEM:	9.1.1
SUBJECT:	PROPOSED REZONING
PROPONENT:	LANDWEST FOR R.EASTOUGH
SITE:	LOTS 16, 17 & 18 BROWN LANE, WHITE PEAK
FILE REFERENCE:	A1673 & 204.04.03
PREVIOUS REFERENCE:	09/03-4 & 12/15-4
DATE:	2 JUNE 2016
AUTHOR:	SIMON LANCASTER

DISCLOSURE OF INTEREST

Nil.

BACKGROUND

Council resolved at its 16 December 2015 meeting to initiate the rezoning of Lot 17 and portions of Lot 16 & 18 Brown Lane, White Peak from the 'Rural' zone to the 'Rural Residential' and 'Parks & Recreation' zones as Scheme Amendment No.3. The required advertising has now been concluded and this report recommends Council's adoption of Scheme Amendment No.3.

COMMENT

Figure 9.1.1(a) – Location Plan for Lots 16, 17 & 18 Brown Lane, White Peak



Lot 17 is a 23.9924ha vacant property located immediately east of the Parkfalls Estate and is on the north side of Brown Lane and surrounding the Water Corporation facility. The property is almost entirely cleared, and used for farming purposes, with the exception of a small area of remnant vegetation in the northern most section, that adjoins the Wokatherra Nature Reserve. The application seeks to rezone the cleared majority of Lot 17 from 'Rural' to 'Rural Residential 1' (the same zoning as the Parkfalls Estate) with the northern most section proposed to be rezoned 'Parks & Recreation'. The application also seeks to rezone a portion of Lot 17 from 'Rural' to 'Public Purposes Water' to accommodate an area of privately owned land that the Water Corporation are currently discharging stormwater onto.

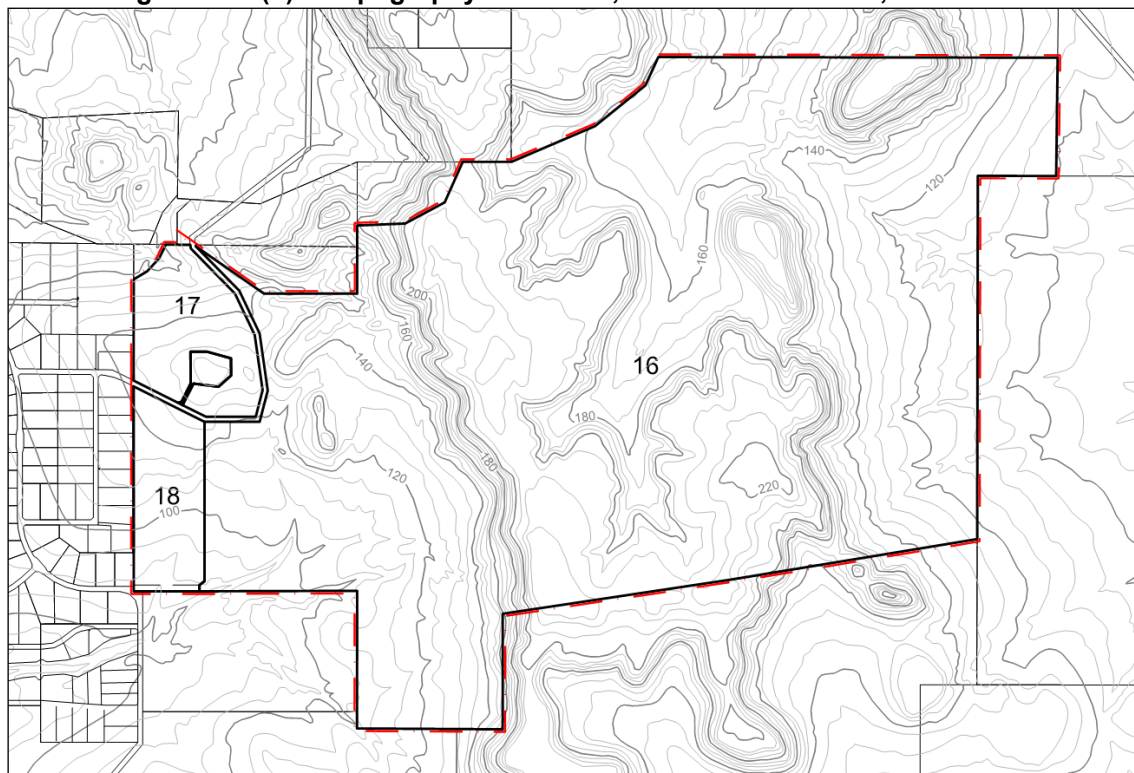
Lot 18 is a 20.7462ha property located immediately east of the Parkfalls Estate and is on the south side of Brown Lane, the property also fronts the Eliza Shaw Drive/David Road bend in its south-western corner. Lot 18 contains a residence and outbuilding and is cleared and used for farming

purposes. The application seeks to rezone the cleared northern section of Lot 18 from 'Rural' to 'Rural Residential 1' to allow for later subdivision, and leave the southern portion zoned 'Rural'.

Lot 16 is 565.95ha property that is used for farming purposes and contains a number of outbuildings and a small family cemetery. Lot 16 is predominantly cleared and the western section contains several tributary watercourses that run into the Dolby Creek that have remnant vegetation along them. Lot 16 rises steeply further to the east, and this vegetated area forms part of the western face of the Moresby Range. A steep vehicle track climbs the Moresby Range to access the cleared flat-top that comprises the middle farming section of Lot 16. The eastern face of the Moresby Range is also vegetated and slopes steeply downward to a farmed area at the eastern end of the property that includes some watercourse tributary lines that run into the Chapman River. The application seeks to rezone the north-western portion of Lot 18 from 'Rural' to 'Parks & Recreation' and leave the remainder of the lot zoned 'Rural' allowing for current grazing and cropping land uses to continue.

A copy of the submitted Scheme Amendment documentation that provides extensive background to this rezoning application was previously provided to Councillors as a **separate attachment** to the December 2015 Council Agenda.

Figure 9.1.1(b) – Topography of Lots 16, 17 & 18 Brown Lane, White Peak



The applicant has prepared an Indicative Subdivision Guide Plan that has been included as **Attachment 9.1.1(a)**.

The Subdivision Guide Pan proposes the creation of 22 lots ranging in area from 1ha to 1.621ha within the 26.6ha area to be rezoned 'Rural Residential'. These lots would gain access to the wider road network through the extension of Brown Lane.

The Subdivision Guide Plan also provides for the creation of the 22.8ha area proposed to be rezoned to 'Parks & Recreation' as public open space at the subdivision stage, with areas of biodiversity value able to be included in the adjoining Wokatherra Nature Reserve.

The Subdivision Guide Plan allows for the portion of land proposed to be rezoned to Public Purposes Water' to be acquired by the Water Corporation and amalgamated into their existing property.

The remaining 'Rural' zoned land would be rationalised into 2 titles of 90ha and 470ha.

Figure 9.1.1(c) – Aerial Photograph of Lots 16, 17 & 18 Brown Lane, White Peak

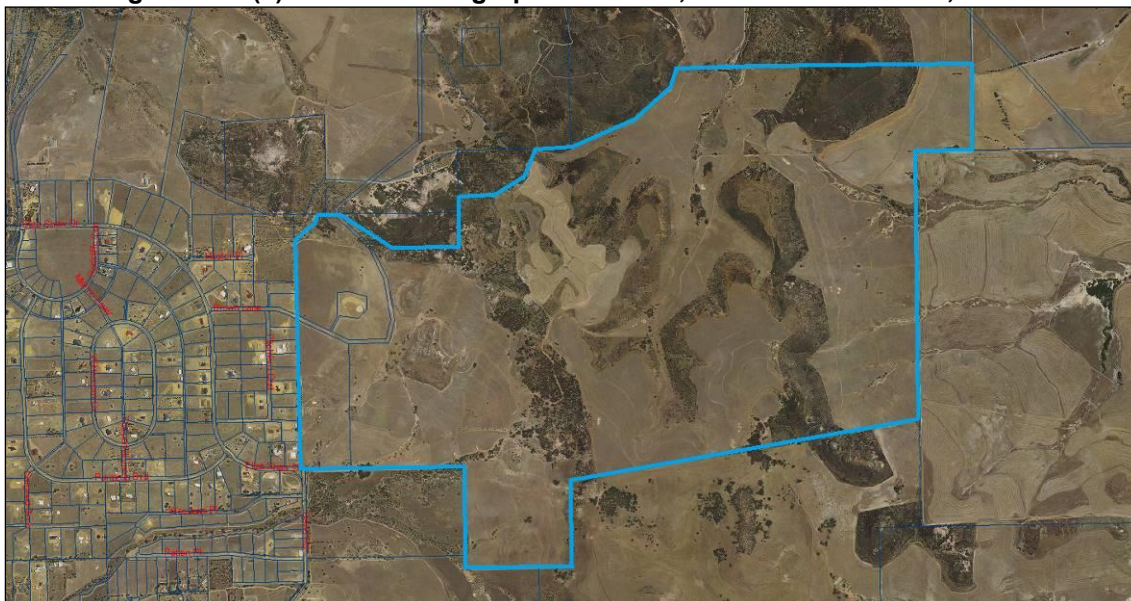


Figure 9.1.1(d) – View looking west from Lot 16 Brown Lane, White Peak



In assessing this application it is considered that the proposal has merit on the following grounds:

- The rezoning of the subject property presents no environmental constraints, with a previously cleared area not impacted by drainage lines proposed to be rezoned to allow for rural residential subdivision;
- The rezoning of the subject property presents no heritage constraints and allows for the section of Ngurlunga (White Peak Hill) identified on the Department of Aboriginal Affairs' database that is presently within private land to be rezoned to 'Parks & Recreation' and ceded as public land;
- The rezoning of the subject property presents no bushfire hazard constraints given the area proposed to be rezoned to 'Rural Residential' is cleared land, and there is the ability for the application of building envelopes for any lots in proximity to remnant vegetation at subdivision stage;
- Land capability analysis indicates that the subject area is suitable for rural residential development and the Scheme requirements for the 'Rural Residential 1' zone provide ability to regulate land management;
- The area proposed to be rezoned can be serviced appropriately at subdivision stage due to its proximity to reticulated water, power and telecommunications;
- The proposed lots are consistent in size with the existing rural-residential lots in the Parkfalls Estate to the west, and Dolby Creek Estate to the south-west;
- The subject area has frontage to the existing sealed road network;
- The rezoning process has provided formal opportunity to the Environmental Protection Authority ('EPA'), the Department of Water, the Department of Agriculture & Food, the Department of Health, the Department of Fire & Emergency Services, service authorities and neighbouring landowners (amongst others) to make comment upon the proposed Scheme Amendment and the accompanying Subdivision Guide Plan;

- The rezoning process has provided opportunity to the Department of Parks & Wildlife to make comment upon the landowner's offer to cede land for inclusion in the Wokatherra Nature Reserve;
- The rezoning process has provided opportunity to the Water Corporation to make comment upon the potential acquisition of an area of privately owned land, that it currently discharges stormwater runoff into;
- The rezoning and subdivision proposals are considered to meet the objectives of State Planning Policy 2.5 Land Use Planning in Rural Areas, the Greater Geraldton Structure Plan, the Moresby Range Management Strategy, the Moresby Range Management Plan and the Shire of Chapman Valley Local Planning Strategy.

STATUTORY ENVIRONMENT

Lots 16, 17 & 18 Brown Lane, White Peak are zoned 'Rural' under Shire of Chapman Valley Local Planning Scheme No.2 ('the Scheme').

The majority of the landholding is located within the overlying 'Special Control Area 2 - Moresby Range Landscape Protection' zone, although only a minor area of the Special Control Area is within the area proposed to be rezoned 'Rural Residential' with the majority proposed to remain 'Rural' and a portion proposed to become 'Parks & Recreation' and ultimately be ceded as Crown Reserve at subdivision stage.

Section 6.3 of the Scheme notes the following for the 'Moresby Range Landscape Protection' zone:

"6.3.2 The purpose of Special Control Area 2 is the protection of the Moresby Ranges and associated valleys from development and/or subdivision that will detrimentally affect the landscape values of the area, including preventing development that may lead to problems of erosion. In determining any application for planning approval on land within Special Control Area 2, the Local Government shall give consideration to the purpose of the Special Control Area.

6.3.3 Within Special Control Area 2 no clearing or destruction of any remnant native vegetation or re-vegetation shall be permitted except for:

- (a) Clearing to comply with the requirements of the Bush Fires Act 1954 (as amended), the Local Government's Bush Fire Notice and/or any fire management plan endorsed by the Local Government;*
- (b) Clearing as may reasonably be required to accommodate an approved building and curtilage, or vehicular access to an approved building or other land use approved by the Local Government; and/or*
- (c) Clearing as may be allowed under the Department of Environment and Conservation Land Clearing Regulations;*
- (d) Trees that are diseased or dangerous.*

6.3.4 In the determination of any application for planning approval within Special Control Area 2 the Local Government may, having regard to the purpose of the Special Control Area set out in Clause 6.3.2 and the assessment criteria detailed in the Moresby Ranges Management Strategy, require modification of development proposals, or impose conditions of approval regarding:

- (a) The siting of the proposed development;*
- (b) The design and layout of the proposed development;*
- (c) The materials and finishes to be used in the proposed development;*
- (d) The protection of remnant native vegetation or re-vegetation located on the site;*
- (e) The installation and maintenance of vegetation to provide for the visual screening of proposed development; and/or*
- (f) The installation and maintenance of vegetation, retaining walls or other works to prevent erosion."*

The application proposes that a 5ha area of land that is within the 'Moresby Range Landscape Protection' Special Control Area would be rezoned from 'Rural' to 'Rural Residential'. This is not considered to be of concern, given it is relatively small area, and the Special Control Area provisions

would still address the subject area and thereby provide an additional layer of control over and above the Structure Plan and Schedule 11 conditions to ensure any visual impact of development is minimised.

Section 4.2.4 of the Scheme lists the objectives for the 'Rural Residential' zone, that is proposed for a 26.6ha portion of the overall 610.6886ha landholding, as follows:

- “(a) Provide for residential development within a low-density environment;*
- (b) Provide for other land-uses compatible with a high level of residential amenity;*
- (c) Prevent the establishment of land-uses more appropriately undertaken in commercial and/or industrial areas; and*
- (d) Protect the environmental and landscape values of the land.”*

Part 5 of the *Planning & Development Act 2005* provides for the amendment of a Scheme.

Schedule 12 of the Scheme lists the following conditions for the 'Rural Residential 1' zone:

- “1 Subdivision and land use shall be generally in accordance with a Structure Plan adopted by the Local Government and endorsed by the Western Australian Planning Commission.*
- 2. All dwellings shall be sited in accordance with the setback requirements specified in the Scheme for the Rural Residential Zone, except where for specific lots, building envelopes are shown on the Structure Plan. Where building envelopes are shown then all dwellings, associated structures and effluent disposal systems must be located within that envelope.*
- 3 For those lots which do not depict a building envelope, all structures including sheds, outbuildings, garages, storage areas and effluent disposal systems shall be sited not more than 22 metres from the closest wall of the dwelling, and must also comply with the setback and/or siting standards in Clause (2) above.*
- 4 All buildings constructed on the land shall be sympathetic to existing landscape elements, namely landform, vegetation and amenity, in terms of their design, height, location, materials and cladding colours.*
- 5 All stormwater and runoff from buildings and other impervious surfaces shall be disposed of within each lot so as to avoid scouring and erosion.*
- 6 With the objective of maintaining sustainable land use practices, and preventing land degradation through wind and water erosion, the keeping of animals is permitted in accordance with the following or such density as approved by the local government following consultation with the Department of Agriculture and Food, with conditions if appropriate:*
 - 5 sheep / 1ha of agistment area*
 - 1 horse / 2ha of agistment area*
 - 1.6 pony / 2ha of agistment area*
 - 1 milking cow / 2ha of agistment area*
 - 1.6 heifer / 2ha of agistment area*
 - 5 goats / 1ha of agistment area**Only one stock option as specified above will be permitted or a combination equivalent of one option.*
- 7 Notwithstanding the above, the Local Government may reduce or vary the limit on stocking or place any other conditions in light of prevailing seasonal conditions to prevent overstocking, erosion, or other practices detrimental to the environment or amenity of the neighbouring properties from those rates described in Clause (6) above.*

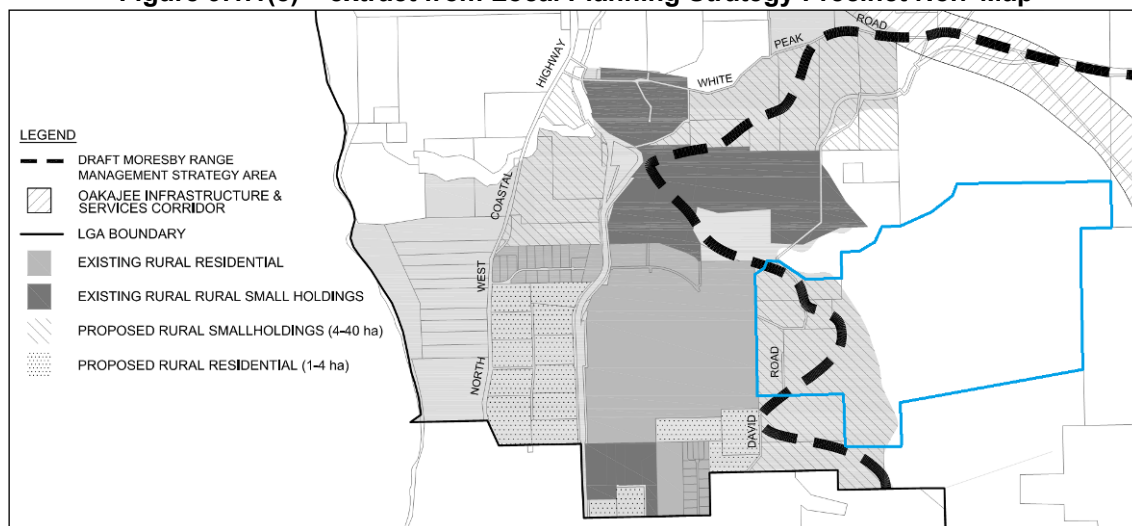
- 8 *No remnant vegetation or tree shall be destroyed or removed except where the landowner obtains the prior consent in writing of the Local Government, or where such vegetation is dead or diseased, or where the clearing is required for the purpose of firebreak, development within a building envelope and access to the envelope, for an outbuilding or fence or for development of a water source.*
- 9 *The following fencing requirements shall apply:*
- (a) *The minimum standard of fencing shall be seven line ringlock with single strand wire on top, with pine posts at six metre separation;*
 - (b) *The subdivider shall construct perimeter boundary fencing to the minimum standard at each stage of subdivision.*
 - (c) *The developer shall fence all bridle trails to the minimum standard as the bridle trails are developed at each progressive stage of subdivision.*
 - (d) *Prior to final approval of subdivision of the land, the watercourse and all remnant vegetation (excluding areas for fire control, driveway access and servicing) shall be protected from livestock by means of fencing to an appropriate standard as prescribed by the local government.*
 - (e) *All other fencing shall be constructed by individual landowners to the minimum standard, prior to the issue of a Building Licence.*
- 10 *Prior to the commencement of any development on any new lot, the Local Government will require each lot owner to prepare a tree planting and maintenance program with the intention of screening building structures and rehabilitating and revegetating the land without restricting approved activities/operations.*
- 11 *Construction of a dam or soak or land use activity that may impede in any way the natural flow along any water course shall be subject to formal planning consent being granted by the local government, following consultation with the Department of Water.*
- 12 *No dwelling shall be constructed or approved for construction unless an approved method of on-site effluent disposal suitable for long-term usage has been incorporated into the approved plans, and is in a location, to the satisfaction of the local government in consultation with the Health Department of WA.*
- 13 *At the time of subdivision the preparation of a fire protection plan may need to be established in consultation with and to the satisfaction of the Local Government and FESA.*
- 14 *The Local Government shall recommend to the Western Australian Planning Commission that as part of any approval to subdivide the land that an Urban Water Management Plan and Watercourse Management Plan shall be prepared and implemented to the satisfaction of the Local Government and the Department of Water by the subdivider at the subdivider's cost.*
- 15 *Bridle trails depicted on the Structure Plan will be constructed by the subdivider at the time of subdivision to the specification and satisfaction of the Local Government.*
- 16 *Stables are to be sited no closer than 50 metres from any watercourse or land prone to inundation or waterlogging, and are to be at least 1.2 metres above the highest known groundwater level.*
- 17 *All lots created shall be connected to a reticulated water supply.*
- 18 *The creation of lots adjoining the future North West Coastal Highway alignment will not be permitted without a trafficable alternative access being provided to the subject land, and direct access onto the highway alignment will not be permitted."*

POLICY IMPLICATIONS

Lots 16, 17 & 18 Brown Lane, White Peak are located within 'Precinct No.7 – South West' of the Shire of Chapman Valley Local Planning Strategy (2008) the vision for which is:

"The planned expansion of the south west area of the Shire, whilst taking into consideration the plans and policies of other local and regional government authorities."

Figure 9.1.1(e) – extract from Local Planning Strategy Precinct No.7 Map



Figures 4 & 11 of the Local Planning Strategy identify the area proposed to be zoned 'Rural Residential' by this application as 'Proposed Rural Smallholdings (20-40ha)' and the rezoning application may therefore be considered to not accord with the following community objective of the Shire's Local Planning Strategy. However, it should be noted that the Moresby Range Management Plan (2010) and Greater Geraldton Structure Plan (2011) subsequently refined strategic planning for this area, identifying land west of the Range Precinct as suitable for carefully designed rural residential subdivision. Review of the Local Planning Strategy is about to commence and will incorporate the superseding recommendations of the Moresby Range Management Plan and Greater Geraldton Structure Plan that investigated and planned for this area on a more detailed basis.

The rezoning application might be considered to accord with the following community and economic objectives for Precinct 7 of the Local Planning Strategy:

"7.1.2 Encourage the rezoning and subdivision of land into Rural Smallholdings and Rural Residential lots in accordance with Figure 4 as a rounding off the greater northern Geraldton area."

"7.2.1 Accommodate urban growth sympathetic to rural lifestyle based on appropriate structure planning."

"7.2.3 Ensure that Urban and Rural Residential development are adequately serviced by existing services and infrastructure that includes connection to a potable scheme water supply."

The rezoning application has the potential to better meet the following environmental objectives of Precinct 7 of the Local Planning Strategy, through conditions attached to the subsequent structure planning and subdivision stages that would follow rezoning:

"7.3.1 Encourage re-vegetation and retention of existing vegetation in order to minimise soil erosion and to stabilise existing landforms along the coast and the western portion of the Moresby Ranges."

7.3.2 Protect and enhance the visual amenity in areas of visual prominence."

- 7.3.3 *Ensure that land use and development adjacent to and in proximity to coastal and river areas incorporate appropriate environmental protection based on natural resource management measures.*
- 7.3.4 *Ensure that land use conflicts (i.e. noise, dust, odour, spray drift, vermin etc.) are avoided through appropriate environmental controls.*
- 7.3.5 *Ensure fire prevention measures are implemented and maintained in accordance with statutory requirements as a minimum."*

The rezoning application can be considered to accord with the following infrastructure objectives for Precinct 7 of the Local Planning Strategy:

- "7.4.1 Enhance the standards of servicing and infrastructure commensurate with urban development standards (i.e. bitumen sealed roads, reticulated water, underground power etc.).*
- 7.4.2 Ensure adequate levels of servicing and infrastructure, as determined by Council, exist or will be provided when supporting proposals for a change in land use/development or subdivision, to avoid burden (financial or otherwise) on the Council's resources.*
- 7.4.3 Identify, support and facilitate the efficient and coordinated use of existing road linkages."*

FINANCIAL IMPLICATIONS

The applicant was charged the \$7,377 (GST inclusive) fee for a request to Council for the initiation of a (major) Scheme Amendment under the Shire of Chapman Valley 2015/2016 Planning Service Fees.

- **Long Term Financial Plan:**

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

Section 3.2 of the Shire of Chapman Valley Long Term Financial Plan notes that the Shire's population is projected to increase by 680 over the next 15 years following annual growth of 5.7% per annum between 2006 and 2011. This growing population, particularly in the Shire's coastal and rural-residential areas will place increasing demands on Council for services.

The Long Term Financial Plan further notes that a key issue for the Shire is its ability to grow the revenue base so that sufficient operational revenue is collected to fund all operating expenses, but that Council must ensure it manages community aspirations within a confined fiscal envelope.

STRATEGIC IMPLICATIONS

The Greater Geraldton Structure Plan was updated in 2011 by the WAPC to provide 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 which identifies the area proposed to be rezoned from 'Rural' to 'Rural Residential' by this application as being within 'Development Investigation Area 3 – Rural land adjacent to the Moresby Range' noting that:

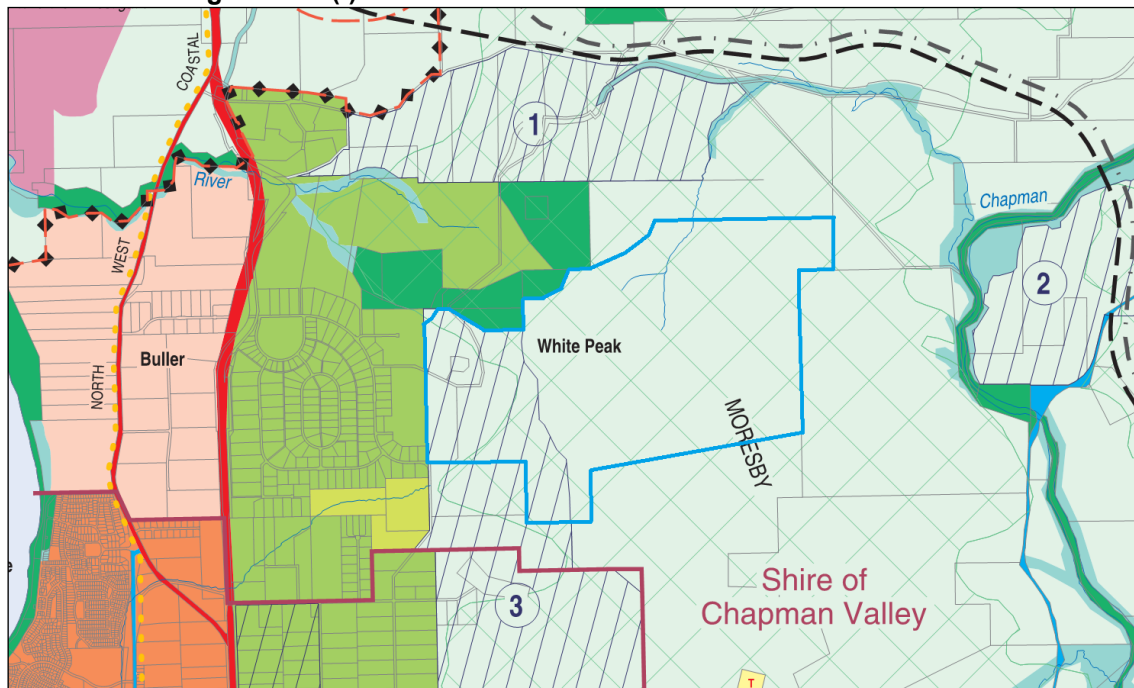
"This area is situated immediately adjacent to the Moresby Range and is identified as 'rural.' It will be considered for future intensification. The relative proximity of the southern portion to Central Geraldton and the northern portion to the northern coastal corridor will be significant considerations in determining the most appropriate level of intensification.

General farming currently constitutes the predominant land use and as such most of the land is extensively cleared. Significant remnant vegetation however, does remain in parts

of the development investigation area. The surrounding area is of significant visual landscape value and it is essential that the interface between any future development and the Moresby Range is considered.

An amendment to the applicable local planning schemes will be necessary for any eventual change in zoning. Amendments may be subject to environmental studies and plans, including the Geraldton Regional Flora and Vegetation Survey and Moresby Range Management Strategy. Depending on the sensitivity of the proposed land use, the rezoning of land may require an environmental assessment to be undertaken by the Environmental Protection Authority.”

Figure 9.1.1(f) – extract from Greater Geraldton Structure Plan



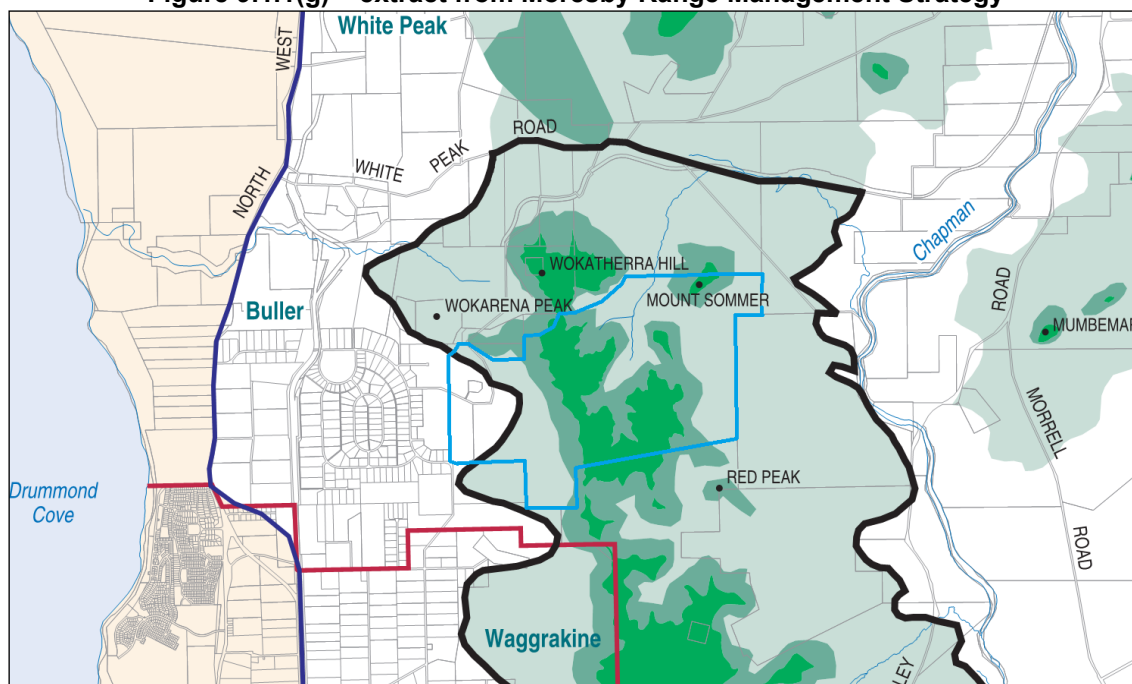
The area proposed to be rezoned from ‘Rural’ to ‘Rural Residential’ by this application falls outside the ‘Development Investigation Area’ boundary and Moresby Range footslopes and sideslopes as identified by the WAPC’s Moresby Range Management Strategy (2009) and is consistent with the strategy’s recommendations. The rezoning of portions of the landholding from ‘Rural’ to Parks & Recreation’ and their subsequent ceding as Crown Reserve at the subdivision stage would align with the recommendations of the Moresby Range Management Strategy.

The WAPC’s Moresby Range Management Strategy addressed a 55,000ha study area from Isseka in the north, to Mount Erin to the east (27km inland) and the Geraldton-Mount Magnet Road to the south. The Strategy recognised that there were particular issues relating to the southern section of the Range (which includes the area subject to this rezoning application) that were of particular importance to the regional community, and recommended that a Management Plan be prepared for this area, with Section 5.1 noting that:

“A key recommendation of this strategy is the development of a management plan for the Detailed Investigation Area...The intent of developing a management plan is to more clearly define the objectives and recommendations of this strategy as they relate to the portion of the range identified as having the most development pressure.

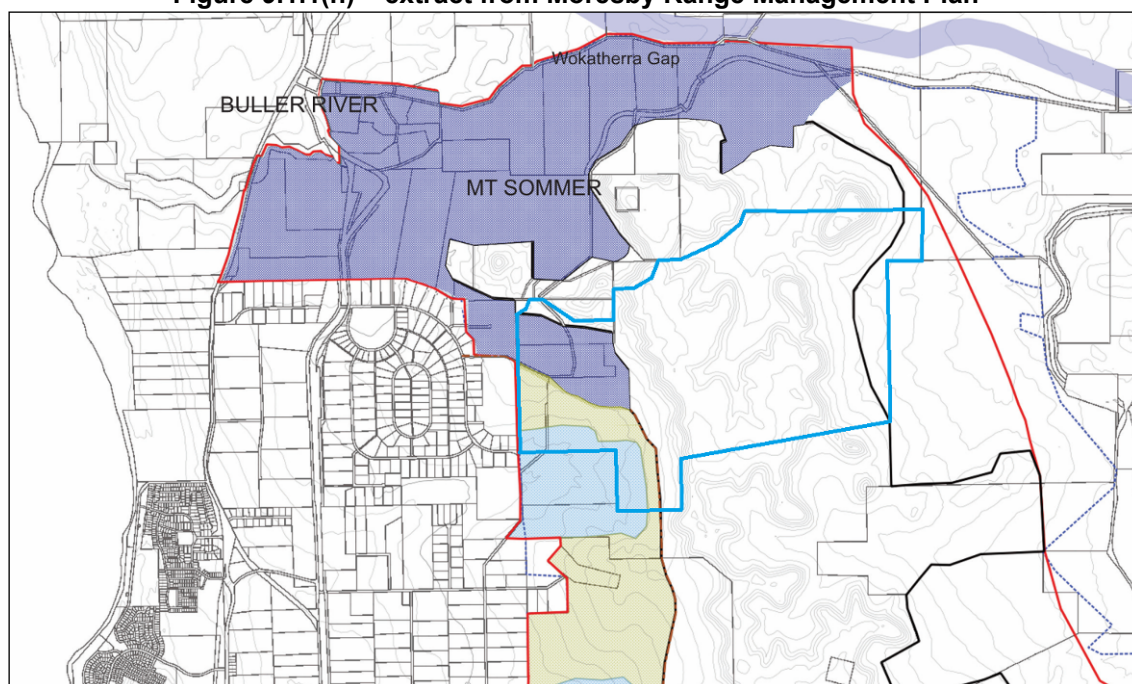
The management plan will include an implementation strategy for achieving key objectives for the detailed investigation area, particularly in relating to providing for public access and recreation. It should define areas targeted for future public access and set out means to achieve this, including any necessary land acquisition.”

Figure 9.1.1(g) – extract from Moresby Range Management Strategy



The area proposed to be rezoned from 'Rural' to 'Rural Residential' by this application falls outside the area identified as 'Range Precinct' by the Moresby Range Management Plan (2010). The proposed rezoning of portions of the applicant's landholding identified within the 'Range Precinct' from 'Rural' to Parks & Recreation' and their subsequent ceding as Crown Reserve at the subdivision stage would align with the strategic direction of the Moresby Range Management Plan. Section 4.3.4 of the applicant's submitted Scheme Amendment documentation addresses in detail the proposal's alignment with the objectives and recommendations of the Moresby Range Management Plan.

Figure 9.1.1(h) – extract from Moresby Range Management Plan



The Moresby Range Management Plan defines the 'Range Precinct' as the area that includes the flat tops and major slopes of a section of the Moresby Range but excludes the flatter areas of land that surrounds the Range. The Plan has the vision for a community park that would ultimately turn the Range Precinct into an iconic regional resource. The Plan identifies the community park not as a formal planning description, rather a

statement of aspiration and intent, ideally, when a park eventuates it will be formally recognised under an appropriate planning framework.

The boundary of the Range Precinct was selected according to a number of criteria including topography, cadastral boundaries, biogeographical and biodiversity features, and existing developments. The Plan makes recommendations for land uses around the Range Precinct, particularly on the western side of the Range that is under the most immediate pressure. Here the objective is to allow limited urban development to occur in the foothills, subject to development conditions, that will create smooth and gradual visual transitions from the obviously urban centre of the City to the vegetated and green appearance of the Range.

Section 13.1 of the Moresby Range Management Plan (2010) noted that:

“Most of the land in the Range Precinct, except for the Wokatherra Nature Reserve, is privately owned and the landowners should receive a fair and reasonable exchange for placing their land into a Park if they choose to do so. This exchange may involve a mix of purchase, land swaps and development opportunities, and would be determined on a case-by-case basis. Land would not be acquired ahead of landowner agreement as it is considered inappropriate for State or Local Government acquisition to be done before landowners are ready for such action and legislative mechanisms in place.”

- **Strategic Community Plan:**

The Shire of Chapman Valley Strategic Community Plan 2013-2023 was adopted by Council at its 19 June 2013 meeting and reviewed and approved by Council at its 16 March 2016 meeting.

Council's support for this rezoning, and subsequent subdivision, application would assist in addressing the community strategy of *‘Ensure planning and procedures are in place to make the right land available to increase housing’* with the outcome of *‘More people and families move into the Shire’* and the environmental objective of *‘We want to make the most of our environment, including the ranges, rivers and coastline’* with the strategy of *‘Explore opportunities to utilise key areas in the Shire by showcasing their natural and environmental characteristics’* as outlined by the Shire's Strategic Community Plan.

CONSULTATION

Scheme Amendment No.3 was referred to the Environmental Protection Authority (‘EPA’) on 17 December 2015 for its assessment as per Section 81 of the *Planning & Development Act 2005*. The EPA advised on 11 January 2016 that the Amendment did not warrant assessment under Part IV Division 3 of the *Environmental Protection Act 1986*.

The WAPC were advised of the EPA determination on 18 January 2016 and on 22 January 2016 the WAPC advised that no modifications to the Scheme Amendment No.3 document were required and that the amendment was considered a standard amendment as per Regulation 36 of the *Planning & Development Act (Local Planning Schemes) Regulations 2015*.

Scheme Amendment No.3 was advertised in accordance with the provisions of the *Planning & Development Act 2005* from 17 February 2016 until 22 April 2016 inclusive of the following actions:

- newspaper notice placed in the Mid-West Times on 17 February 2016;
- sign placed on-site,
- copy of the Scheme Amendment No.3 documentation made available for viewing at the Shire office/library;
- copy of the Scheme Amendment No.3 documentation made available for viewing on the Shire website;
- letters being sent to the 21 surrounding landowners inviting comment;
- letters being sent to Alinta Energy, Department of Aboriginal Affairs, Department of Agriculture and Food, Department of Education, Department of Environment Regulation, Department of Fire & Emergency Services, Department of Health, Department of Mines & Petroleum, Department of Parks & Wildlife, Department of Water, Main Roads WA, Parkfalls

Residents Association, State Heritage Office, Telstra, Water Corporation, Western Power and Westnet Energy inviting comment.

At the conclusion of the advertising period 18 submissions had been received, with 4 being from neighbouring landowners and 14 from government agencies, all offering either support or technical comment to the proposed rezoning, and no objections were received.

A copy of the Scheme Amendment No.3 Schedule of Submissions that is required to be forwarded to the WAPC is included as **Attachment 9.1.1(b)**. The Schedule of Submissions identifies the respondents, the nature of their submissions, and provides individual comment upon any raised issues. Copies of the received submissions can be provided to Councillors upon request.

RISK ASSESSMENT

Not applicable.

VOTING REQUIREMENTS

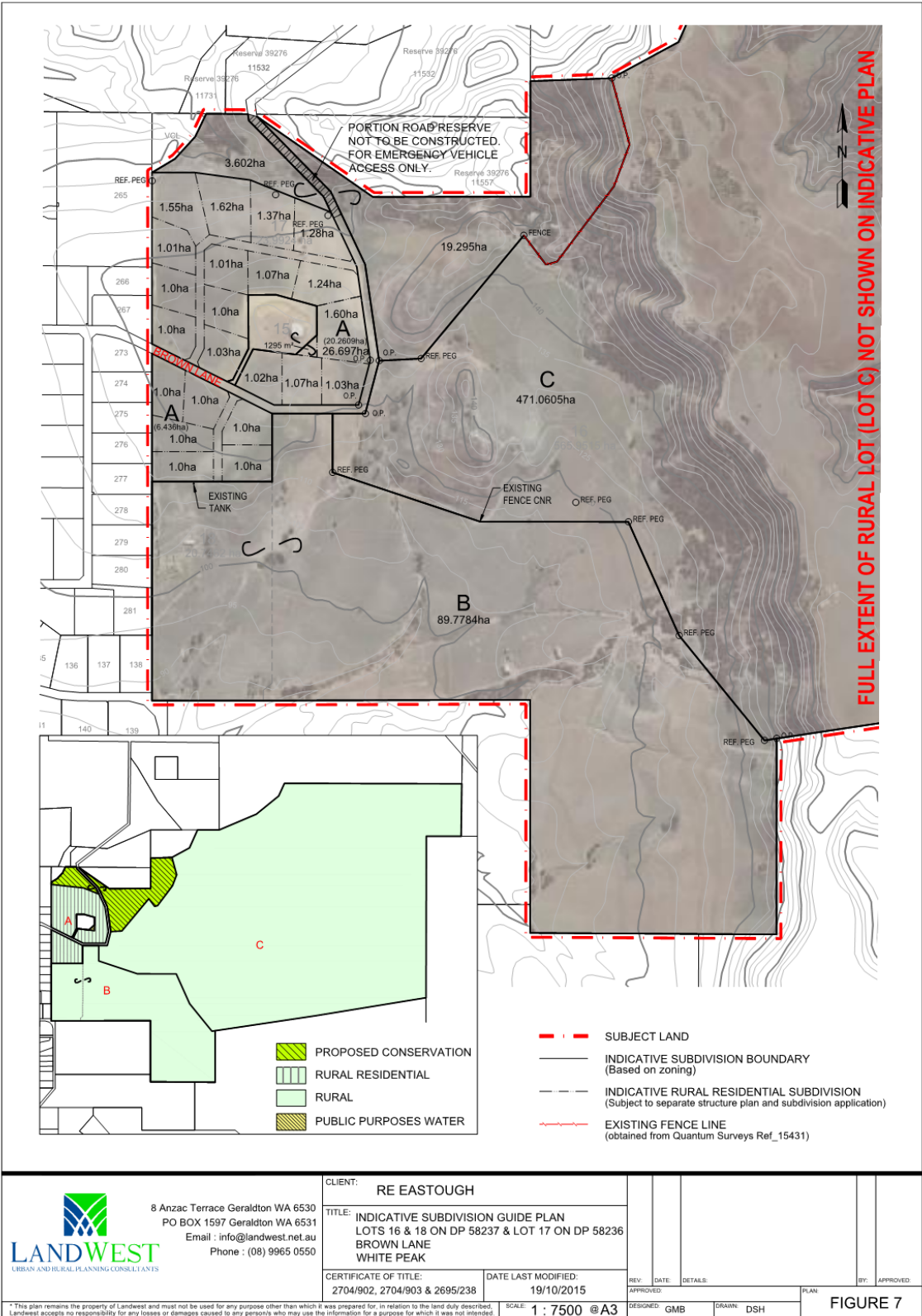
Simple majority of Council.

STAFF RECOMMENDATION

That Council:

- 1 Receive the submissions as outlined in the 'Schedule of Submissions' included as Attachment 9.1.1(b);
- 2 Adopt for final approval Scheme Amendment No.3 to Shire of Chapman Valley Local Planning Scheme No.2, pursuant to Part 5 of the *Planning and Development Act 2005*, as follows:
 - (a) Rezoning a portion of Lot 17 and portion of Lot 18 Brown Lane, White Peak from 'Rural' to 'Rural Residential';
 - (b) Rezoning a portion of Lot 17 from 'Rural' to 'Public Purpose (Water)';
 - (c) Rezoning a portion of Lot 16 and Lot 17 from 'Rural' to 'Parks and Recreation';
 - (d) Modifying the Description of Land column for RR1 in Schedule 11 by replacing 'Map 12/14' with 'Maps 12/14 and 13/14'; and
 - (e) Amending the Scheme Maps accordingly.
- 3 Seek final approval of Scheme Amendment No.3 from the Minister for Planning.
- 4 Adopt the Subdivision Guide Plan as contained within the advertised version of the Scheme Amendment No.3 documentation and included as Attachment 9.1.1(a).

ATTACHMENT 9.1.1(a)



Shire of Chapman Valley Local Planning Scheme No.2 - Scheme Amendment No.3 Schedule of Submissions				
Submission No. & Date Rec'd	Respondent	Nature of Submission	Comment	Recommendation
1 (19/2/16)	Telstra	<p><i>No objection</i> Developers are responsible for telecommunications infrastructure on all developments, i.e. conduits, pits and the cost of the cable installation by Telstra or another carrier.</p> <p>Telstra can provide a quote for the pit and pipe and/or cable. The owner/developer will have to submit an application before construction is due to start to Telstra (less than 100 lots or living units) or NBN Co. (for greater than 100 lots or living units in a 3 year period).</p>	The issues raised concern the telecommunication servicing of lots and this would be a matter to be addressed at a future subdivision stage (were the rezoning to be approved).	Note submission and provide a copy of Telstra's advice to the applicant.
2 (23/2/16)	Western Power	<p><i>No objection</i> As proposed work is near energised electrical installations and powerlines, the person in control of the work site must ensure that no person, plant or material enters the "Danger Zone" (as set out in Western Australian Occupational Safety and Health Regulation 3.64) of an overhead powerline or other electrical network assets.</p> <p>If you require information about Western Power's infrastructure including plans, please complete a request for Digital Data.</p> <p>If you require Western Power to complete work on your behalf, please complete the appropriate application form. Should the project involve any changes to existing ground levels around poles and structures, or you will be working underneath power lines or around underground cables, please contact Western Power.</p> <p>We are obliged to point out that any change to Western Power's network is the responsibility of the individual developer.</p>	<p>The issues raised concern the power servicing of lots and this would be a matter to be addressed at a future subdivision stage (were the rezoning to be approved).</p> <p>It is also noted that Western Power would be written to directly by the WAPC at time of subdivision application and provided with the opportunity to make comment and request the imposition of conditions of subdivision approval.</p> <p>Section 3.5 'Servicing' of the applicant's Scheme Amendment report notes: <i>"Lot 18 is serviced with reticulated power, and all future development would require a comprehensive planning and upgrading of the service network for proposed development."</i></p>	Note submission and provide a copy of Western Power's advice to the applicant.
3 (1/3/15)	Department of Aboriginal Affairs	<p><i>No objection</i> DAA confirm that the amendment area is not within the boundary of any sites under the <i>Aboriginal Heritage Act 1972</i> as currently mapped on the Register of Aboriginal Sites.</p> <p>However, the amendment area is within one place on the DAA database where a decision under Section 5 of the</p>	<p>The application proposes to rezone an approximately 22.89ha area from its current 'Rural' zoning to a 'Parks & Recreation' zoning and subsequently cede this as Crown Land for incorporation into the Wokatherra Nature Reserve.</p> <p>Section 3.6 of the Scheme Amendment report notes:</p>	Note submission and provide applicant with copy of Department of Aboriginal Affairs' advice relating to State's Cultural Heritage Due

Shire of Chapman Valley Local Planning Scheme No.2 - Scheme Amendment No.3 Schedule of Submissions				
Submission No. & Date Rec'd	Respondent	Nature of Submission	Comment	Recommendation
		<p>Aboriginal Heritage Act 1972 is yet to be made: DAA24412 Ngurlunga (White Peak Hill).</p> <p>DAA24412 is recorded as a place of ceremonial and historical significance, the place is largely within the Wokatherra Nature Reserve and rezoning the area of remnant vegetation within Lot 17 to 'Parks & Recreation' may serve to help preserve the section of the place currently located outside of the reserve.</p> <p>There may be sites to which the <i>Aboriginal Heritage Act 1972</i> applies that are yet to be identified and are therefore not in DAA records and these sites are still afforded protection under the Act. The applicant should be reminded of the obligation under Section 15 of the Act to report any new Aboriginal heritage features or objects that might be discovered.</p> <p>Recommended that the applicant is referred to the State's Cultural Heritage Due Diligence Guidelines.</p>	<p>"In the preparation of the Moresby Range Management Strategy, consultation with representatives from local Aboriginal groups identified several areas of interest to local Aboriginal groups (shown on Map 6 of the Strategy). None of these were located on the land subject of this Amendment. Land around Wokatherra Hill, to the north of the subject land, was identified as an area of interest to local Aboriginal groups.</p> <p>A review of the Department of Indigenous Affairs' Aboriginal Heritage Inquiry System shows no Registered Aboriginal Sites on the subject land. However, an identified Aboriginal heritage place (Other Heritage Place) does extend marginally into the northwest of Lot 17. This is Ngurlunga (White Peak Hill – ID 24412), a place of ceremonial, mythological and historical type. The small portion of this heritage place that falls within Lot 17 is within the area proposed to be reserved for parks and recreation and ceded as public open space in subdivision of the subject land."</p>	<p>Diligence Guidelines and obligations as per Section 15 of the <i>Aboriginal Heritage Act 1972</i>.</p>
4 (26/2/16)	Department of Environment Regulation	<p>No objection</p> <p>DER has no comment on the application in reference to regulatory responsibilities under the <i>Environmental Protection Act 1986</i> and the <i>Contaminated Sites Act 2003</i>.</p>	No additional comment	Note submission
5 (26/2/16)	ATCO Gas	<p>No objection</p> <p>ATCO do not operate gas mains nor infrastructure within the boundaries of the application area nor within the road reserve in this location. We have no objection to the proposed amendment proceeding.</p>	No additional comment	Note submission
6 (4/3/16)	Department of Mines & Petroleum	<p>No objection</p> <p>The Geological Survey of Western Australia has assessed this proposed on behalf of the DMP with respect to access to minerals and petroleum resources, geothermal energy and basic raw materials, and have no concerns with Amendment No.3.</p>	No additional comment	Note submission
7 (8/3/16)	Department of Water	<p>No objection</p> <p>DoW does not object to the amendment, however provides the following comment for consideration.</p> <p>Waterways Management</p>	The issues raised concern water management and this would be a matter to be addressed at a future structure planning or subdivision stage (were the rezoning to be approved).	Note submission and provide a copy of the Department of Water's advice to the applicant to

Shire of Chapman Valley Local Planning Scheme No.2 - Scheme Amendment No.3 Schedule of Submissions				
Submission No. & Date Rec'd	Respondent	Nature of Submission	Comment	Recommendation
		<p>The study area encompasses upper tributaries of Dolby Creek and Chapman River. The tributaries are generally in poor condition and highly degraded, the bed and banks of the waterways are unstable contributing to sedimentation and erosion.</p> <p>The land use change proposed in the amendment is unlikely to increase surface water flows given the adoption of Better Urban Water Management principles as guided by the Local Water Management Strategy to be prepared for the rural residential area.</p> <p>DoW supports the zoning of the proposed 'Parks and Recreation' area adjacent to the 'Wokatherra Nature Reserve' for the purpose of Conservation. There is great opportunity to improve the condition of the tributaries within the Parks and Recreation zone to mitigate downstream impacts, such as localised flooding, which occurs at sections of Dolby Creek. The landholder should be encouraged to fence the tributaries as part of this scheme amendment or as a condition at subdivision stage. DoW recommends that the Shire consider the creation of a foreshore reserve along the main tributary of Dolby's Creek to be managed in line with the existing Dolby Creek Management Plan for Reserve 51029 David Road.</p> <p>Stormwater DoW advises that there is a stormwater discharge pipe from the Water Corporation's facility directing flow events into the portion identified as 'Public Purpose Water'. At present this stormwater is unmanaged and is contributing to localised erosion. The creation of the Public Purpose Water zone will accommodate this drainage outfall, however the DoW recommends for the Shire to request the Water Corporation to implement measures to better retain the stormwater on-site and address the current erosion problem to safeguard the newly created lots adjacent to the facility from potential downstream impacts.</p> <p>Groundwater The subject land is located within the Northampton/Galena</p>	<p>It is also noted that the Department of Water would be written to directly by the WAPC at time of subdivision application and provided with the opportunity to make comment and request the imposition of conditions of subdivision approval.</p> <p>Section 6.5 'Water Management' of the applicant's Scheme Amendment report notes: <i>"An Urban Water Management Plan will inform the detailed structure planning phase. This may incorporate recommendation and mechanisms to retain natural drainage line/s where possible within proposed road reserve/s or adjacent to the boundary of larger lots provides for more site responsive water management options. This would include detailed information on both groundwater resources and management of all surface runoff as a result of introduction of non-impervious surfaces within development."</i></p>	<p>inform the preparation of an Urban Water Management Plan. Also provide a copy of the Department of Water's comments pertaining to the unmanaged stormwater runoff from the Brown Lane tank facility to the Water Corporation for their actioning.</p>

Shire of Chapman Valley Local Planning Scheme No.2 - Scheme Amendment No.3 Schedule of Submissions				
Submission No. & Date Rec'd	Respondent	Nature of Submission	Comment	Recommendation
		subarea of the Gascoyne Groundwater Area as proclaimed under the <i>Rights in Water and Irrigation Act 1914</i> . DoW advises that the Northampton/Galena subarea is characterised by fractured rock aquifers. Water availability and quality is variable in this area, hence the DoW encourages early consideration of water requirements and water source availability for development, as well as the consideration of alternative water sources and maximum efficiency of water use.		
8 (9/3/16)	Parkfalls Management Services (neighbouring landowner)	No objection	No additional comment	Note submission
9 (14/3/16)	State Heritage Office	No objection The proposed scheme amendment has been considered for its potential impact on heritage places within the scheme area. There is no objection to the proposal.	No additional comment	Note submission
10 (15/3/16)	Department of Education	No objection DoE has reviewed the document and wishes to advise that it has no objection to this amendment.	No additional comment	Note submission
11 (17/3/16)	Water Corporation	No objection Water Corporation has no objections to the proposed rezoning. However, it is noted that the accompanying Subdivision Concept Plan indicates an intention to subdivide the north-western portion of the site at the end of Brown Lane to create 22 x 1ha rural residential lots. It is assumed that lots of this size will attract a subdivision condition requiring connection to a reticulated potable water system. The Water Corporation has recently constructed a 3ML regional water storage tank on the Public Purposes reserve shown on the amendment. The water tank has large inlet and outlet water transfer mains, which are not available for direct servicing of the proposed 1ha lots. The tank has a base level of around 134mAHD and a maximum water level	The issues raised concern the water servicing of lots and this would be a matter to be addressed at a future structure planning or subdivision stage (were the rezoning to be approved). It is also noted that the Water Corporation would be written to directly by the WAPC at time of subdivision application and provided with the opportunity to make comment and request the imposition of conditions of subdivision approval. Section 3.5 'Servicing' of the applicant's Scheme Amendment report notes: "Reticulated water is available in Brown Lane however these are transfer (distribution) mains only. Development would require reticulated mains to be constructed to	Note submission and provide a copy of Water Corporation's advice to the applicant.

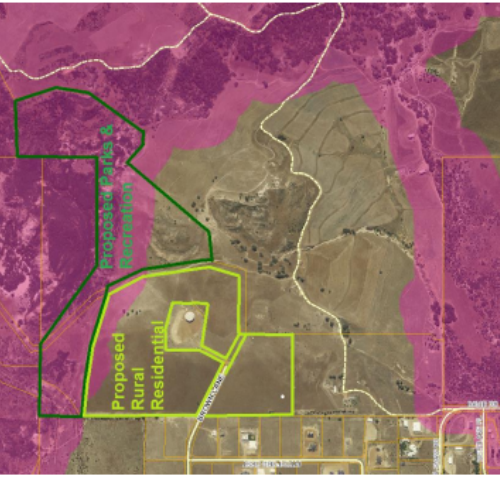
Shire of Chapman Valley Local Planning Scheme No.2 - Scheme Amendment No.3 Schedule of Submissions				
Submission No. & Date Rec'd	Respondent	Nature of Submission	Comment	Recommendation
12 (17/3/16)	D & K LeFevre (neighbouring landowner)	<p>of 140mAHD.</p> <p>The Water Corporation is obliged under the conditions of its Operating Licence to ensure a minimum residual water pressure of 12m at the front boundary of new lots. It is possible that standard water services could be provided to some of the proposed lots by the developer undertaking a mains extension of the 150mm mains on Brown Lane. However, some of the lots, notably those located at elevations above approximately 125mAHD, are not likely to be able to achieve complying water pressures and therefore cannot be served off the existing system. Upgrades to the system may be required in order to service these lots.</p> <p>The servicing information contained in the scheme amendment report notes this servicing constraint and identifies the need for an additional elevated water storage tank to ensure adequate water pressures to the high level lots.</p> <p>At the structure planning stage, the proponent will need to liaise with the Water Corporation to determine if and how the high level lots can be provided with water services and to agree funding arrangements.</p>	<p>service individual lots from further west along Brown Lane and provision of services may require the provision of an additional tank at a higher elevation to ensure adequate pressure for servicing development."</p> <p>Section 6.3 'Infrastructure and servicing' of the applicant's Scheme Amendment report notes:</p> <p>"It is expected that service requirements at initial boundary rationalisation stage will be minimal. All services can be extended and upgraded as required to provide a level of service expected for rural residential development. A detailed consideration of engineering servicing requirements will occur at structure planning phase.</p> <p>However, it is expected that provision of reticulated water to elevations higher than approximately 110mRL may require significant developer contribution to additional infrastructure and/or the provision of land for infrastructure. This may include (but is not limited to) a booster pump station and tank site of significant capacity. This would be determined at detailed structure planning phase in terms of location, and land requirements for same.</p> <p>The subdivision guide plan (and proposed zoning mapping) indicates a small portion of Lots 17 being included with adjoining Lot 15 (Water Corporation). Preliminary consultations with water Corporation indicate their support for this proposal as it will rationalise the area of land available for future infrastructure, it will help with management of on-site impacts of Water Corporation infrastructure, and ensures that future lots developed for rural residential are regular in shape."</p> <p>The area proposed to be rezoned 'Rural Residential' is located approximately 500m north of the closest tributary line that feeds into the Dolby Creek (which runs through the respondent's neighbouring property).</p> <p>In the event that this rezoning were to be approved, and</p>	Note submission.

Shire of Chapman Valley Local Planning Scheme No.2 - Scheme Amendment No.3				
Schedule of Submissions				
Submission No. & Date Rec'd	Respondent	Nature of Submission	Comment	Recommendation
13 (7/4/16)	Department of Agriculture & Food	<p>No objection DAFWA does not object to the proposal, previously identified as an investigation area and offers the following comments.</p> <p>In the recent DAFWA report <i>Identification of high quality agricultural land in the Mid West region</i> (2013) this area is identified as part of the Moresby Range agricultural land area which has limited water resources for intensive agriculture but features good rainfall and moderately yielding soils for broadacre agriculture. Management of non-agricultural uses to minimise conflict with adjoining agricultural activities was identified as a potential issue in this area.</p> <p>DAFWA supports the planning and implementation of buffer zones and/or specific separation distances to minimise conflict with adjoining agricultural and incompatible land uses. The Department of Health's publication <i>Guidelines for Separation of Agricultural and Residential Land Uses; Establishment of Buffer Areas</i> provides the DoH position for the establishment of buffers in new residential subdivisions. When a residential or urban use is proposed next to an existing agricultural area the buffer areas and separation distance should be located within the area being developed and should not be imposed on the existing agricultural land use. This principle protects the prior rights of agricultural producers to practice agriculture on rural land.</p>	<p>the subsequent subdivision stage prove successful for the applicant, then a subsequent rezoning, structure plan and subdivision process for a further stage could examine the ability to extend the existing Dolby Creek foreshore reserve (and walking trail and replanting improvements) into the applicant's (and the respondent's) property.</p> <p>The Department of Health's <i>Guidelines for Separation of Agricultural and Residential Land Uses; Establishment of Buffer Areas</i> address practices including market gardens (suggested buffer distance of 300-500m), orchards, turf-farms, vineyards (suggested buffer distance of 500m) and notes that the buffer design will be dependent upon several factors including chemicals used, method of application, site, vegetation, and the nature of adjacent land uses.</p> <p>These land uses are not practiced in the area proposed to be rezoned 'Rural Residential', or upon the balance of the landholding that would remain zoned 'Rural'. The subject area is currently utilised for broadacre cropping and grazing purposes, and the lower footslopes area is more commonly used for grazing and much of the cropping is undertaken on the flat-topped range area of the landholding which is situated at a significant vertical and horizontal separation distance to the proposed 'Rural Residential' zone.</p> <p>The Department of Health guidelines reference a 300m minimum separation distance to control spray drift, dust, smoke and ash, but it is unclear whether this applies to the more intensive agricultural land uses listed in the guidelines, or all agricultural activity.</p> <p>It should be noted that the applicant's subdivision guide plan proposes that the land to the east of the majority of the proposed rural-residential lots would be rezoned to 'Parks & Recreation' and amalgamated into the Wokatherra Nature Reserve and no longer be zoned 'Rural'.</p>	Note submission.

Shire of Chapman Valley Local Planning Scheme No.2 - Scheme Amendment No.3				
Schedule of Submissions				
Submission No. & Date Rec'd	Respondent	Nature of Submission	Comment	Recommendation
		<p>The majority of the proposed 'Rural Residential' zoning is located on yellow sandy soils in upper landscape position. The loose sandy nature of the topsoil in this exposed landscape position makes the region extremely susceptible to wind erosion and degradation if the protection of the ground surface is not maintained. It is desirable that the plan should encourage good land management practices to protect the soils in the area from inappropriate land uses.</p>	<p>It is further noted that the topography of the site, and the layout of the rezoning and subdivision guide plan would also result in the proposed rural-residential lots being separated from the farming land to the east by two rocky outcrops, and the applicant's own residence to the south would be located between the rural residential lots and the area grazed to the south.</p> <p>The amendment is proposing to rezone the land to the 'Rural Residential 1' zone which limits the number and type of land uses able to be conducted upon the land, comparable to the 'Rural' zone.</p> <p>The 'Rural Residential 1' zone also has the following land management requirements as listed in Schedule 11 of Scheme No.2:</p> <p>"All stormwater and runoff from buildings and other impervious surfaces shall be disposed of within each lot so as to avoid scouring and erosion.</p> <p>"With the objective of maintaining sustainable land use practices, and preventing land degradation through wind and water erosion, the keeping of animals is permitted in accordance with the following or such density as approved by the local government following consultation with the Department of Agriculture and Food, with conditions if appropriate:</p> <p>5 sheep / 1ha of agistment area 1 horse / 2ha of agistment area 1.6 pony / 2ha of agistment area 1 milking cow / 2ha of agistment area 1.6 heifer / 2ha of agistment area 5 goats / 1ha of agistment area</p> <p>Only one stock option as specified above will be permitted or a combination equivalent of one option.</p> <p>Notwithstanding the above, the Local Government may reduce or vary the limit on stocking or place any other conditions in light of prevailing seasonal conditions to</p>	

Shire of Chapman Valley Local Planning Scheme No.2 - Scheme Amendment No.3 Schedule of Submissions				
Submission No. & Date Rec'd	Respondent	Nature of Submission	Comment	Recommendation
			<p>prevent overstocking, erosion, or other practices detrimental to the environment or amenity of the neighbouring properties from those rates described in Clause (6) above.</p> <p>No remnant vegetation or tree shall be destroyed or removed except where the landowner obtains the prior consent in writing of the Local Government, or where such vegetation is dead or diseased, or where the clearing is required for the purpose of firebreak, development within a building envelope and access to the envelope, for an outbuilding or fence or for development of a water source."</p> <p>Further it is the general practice in the neighbouring Parkfalls Estate to the west that upon rural-residential lots being purchased and developed that the new landowner begins to plant and landscape their property, resulting in previously cleared land becoming less exposed to potential wind and water erosion.</p>	
14 (8/4/16)	B Wren & L Leeming (neighbouring landowner)	No objection	No additional comment	Note submission
15 (9/4/16)	G Pickersgill (neighbouring landowner)	No objection I fully support this proposal.	No additional comment	Note submission
16 (18/4/16)	Main Roads WA	No objection The scheme amendment would facilitate a future subdivision to create 22 lots which would generate additional traffic in the area from light vehicles turning on and off North West Coastal Highway either heading south towards Geraldton or north-bound. Given that there are various indirect access points for vehicles to turn on and off the highway via the local road network to the site it is considered unlikely that the proposal would have a significant detrimental impact on the level of service, amenity or safety of users of the Main Roads network.	No additional comment	Note submission

Shire of Chapman Valley Local Planning Scheme No.2 - Scheme Amendment No.3				
Schedule of Submissions				
Submission No. & Date Rec'd	Respondent	Nature of Submission	Comment	Recommendation
17 (19/4/16)	Department of Health	<p>No objection</p> <p>DoH has no objection to the rezoning and the subdivision guide plan based on the land capability report of the site for effluent disposal,</p> <p>Water supply, water management including the utilisation of recreation water and any wastewater recycling is to comply with DoH guidelines and requirements.</p> <p>Should acknowledge the DoH's <i>Guidelines for Separation of Agricultural and Residential Land Uses; Establishment of Buffer Areas</i> as a means to help avoid conflict and potential adverse health effects and nuisance impacts from chemical use, dust and other rural pursuits.</p>	<p>The land capability assessment for the proposed 'Rural Residential' zone indicates high ease of excavation, high microbial purification, and high soil absorption ability, and hence suitability for on-site effluent disposal for lots 1ha or larger.</p> <p>Comments in relation to the Department of Health's <i>Guidelines for Separation of Agricultural and Residential Land Uses; Establishment of Buffer Areas</i> have previously been made in relation to the DAFWA submission (No.13).</p> <p>It is considered that the submitted Subdivision Guide Plan with its regard for the site's topography, the proposal to extend the Wokathera Nature Reserve, and the intervening location of the applicant's own residence and outbuildings have adequately addressed the issue of separation in relation to the current farming practices (which consist of grazing on the lower footslopes area and broadacre cropping on the higher footslopes and flat-topped range area).</p> <p>In the event that the area proposed to remain 'Rural' zoned were to be farmed in a different manner to current practices (e.g. introduction of market garden, orchard, vineyard, turf farm etc.) this would be considered a change of land use and subject to application and the creation of buffer areas would be a requirement of planning within the applicant's own land area.</p> <p>However, these forms of more intensive land use being introduced in this area, could be considered less likely as the land is identified by the DAFWA report <i>Identification of high quality agricultural land in the Mid West region</i> (2013) as having limited water resources for intensive agriculture.</p>	Note submission

Shire of Chapman Valley Local Planning Scheme No.2 - Scheme Amendment No.3 Schedule of Submissions				
Submission No. & Date Rec'd	Respondent	Nature of Submission	Comment	Recommendation
18 (26/4/16)	Department of Parks & Wildlife	<p>No objection</p> <p>DPaW understands that the structure plan to follow will detail how the risk of bushfire from remnant vegetation will be managed within Lots 16 & 17, this should not place reliance on the management practices or biodiversity values of Wokatherra Nature Reserve.</p>	<p>The northern most portion of the proposed 'Rural Residential' area, being within 100m of vegetation, is identified as a bushfire prone area by the State Map (2016) as illustrated below:</p>  <p>This would require a bushfire hazard assessment to be undertaken by an applicant proposing to subdivide or develop a habitable building upon one of the 4 rural-residential lots proposed within this area.</p> <p>Section 3.3 'Bushfire Hazard' of the Scheme Amendment report notes:</p> <p>"The Western Australian Government through DFES is compiling mapping to demonstrate bushfire prone area across Western Australia, with the assistance of local governments. At the time of writing, this mapping is not</p>	

Shire of Chapman Valley Local Planning Scheme No.2 - Scheme Amendment No.3 Schedule of Submissions				
Submission No. & Date Rec'd	Respondent	Nature of Submission	Comment	Recommendation
			<p>available for the Shire of Chapman Valley but the state-wide map is expected to be gazetted late in 2015.</p> <p>As the land proposed for Rural Residential zoning comprises cleared farmland it is anticipated that a Low bushfire hazard would apply to most of that land. However, areas of remnant vegetation on the portions of Lots 16 and 17 that are proposed to be included in public open space are likely to be classified as bushfire prone due to their size as intact parcels of bushland. If so, a 100 metre buffer from that bushfire prone vegetation would also be classified as bushfire prone. This buffer may extend marginally into the proposed Rural Residential zoned portion of the subject land. This exclusion area would be calculated and addressed at detailed structure planning phase.</p> <p>Under the proposed Planning and Development (Bushfire Risk Management) Regulations, which when gazetted will have effect in all local planning schemes throughout Western Australia, a Bushfire Attack Level (BAL) assessment will be required for any dwelling (or other habitable building) on land within a bushfire prone area. This assessment would be required to be in accordance with Australian Standard AS 3959 Construction of Buildings in Bushfire Prone Areas."</p> <p>Section 6.4 'Fire risk management' of the Scheme Amendment report notes:</p> <p>"All future structure plans and subdivision proposals will be required to demonstrate compliance with the provisions of the Western Australian Planning Commission and FESA Planning for Bush Fire Protection Guidelines. A FMP would be incorporated in a structure plan and would need to determine fire risk level, and bush fire protection measures.</p> <p>Road design, minimal use of battleaxe lots, provision of reticulated water with associated fire hydrants, and strategic firebreaks will all form part of incorporating fire</p>	

Shire of Chapman Valley Local Planning Scheme No.2 - Scheme Amendment No.3 Schedule of Submissions				
Submission No & Date Rec'd	Respondent	Nature of Submission	Comment	Recommendation
		<p>DPaW is willing to further discuss the inclusion into Wokatherra Nature Reserve of the area of remnant vegetation included in the proposed conservation zone.</p>	<p>protection into a fire management plan.</p> <p>Under the Planning and Development (Bushfire Risk Management) Regulations, a Bushfire Attack Level (BAL) assessment will be required for any dwelling (or other habitable building) on land within a bushfire prone area. This assessment would be required to be in accordance with Australian Standard AS 3959 Construction of Buildings in Bushfire Prone Areas."</p> <p>The comment that DPaW are willing to discuss the area being offered by the landowner for inclusion into the Wokatherra Nature Reserve is welcomed.</p>	

AGENDA ITEM:	9.1.2
SUBJECT:	RESERVE 17233 NOLBA STOCK ROUTE, NOLBA
PROPONENT:	DEPARTMENT OF LANDS
SITE:	RESERVE 17233 NOLBA STOCK ROUTE, NOLBA
FILE REFERENCE:	R17233
PREVIOUS REFERENCE:	02/16-7-8 & 05/16-7
DATE:	30 MAY 2016
AUTHOR:	SIMON LANCASTER

DISCLOSURE OF INTEREST

Nil.

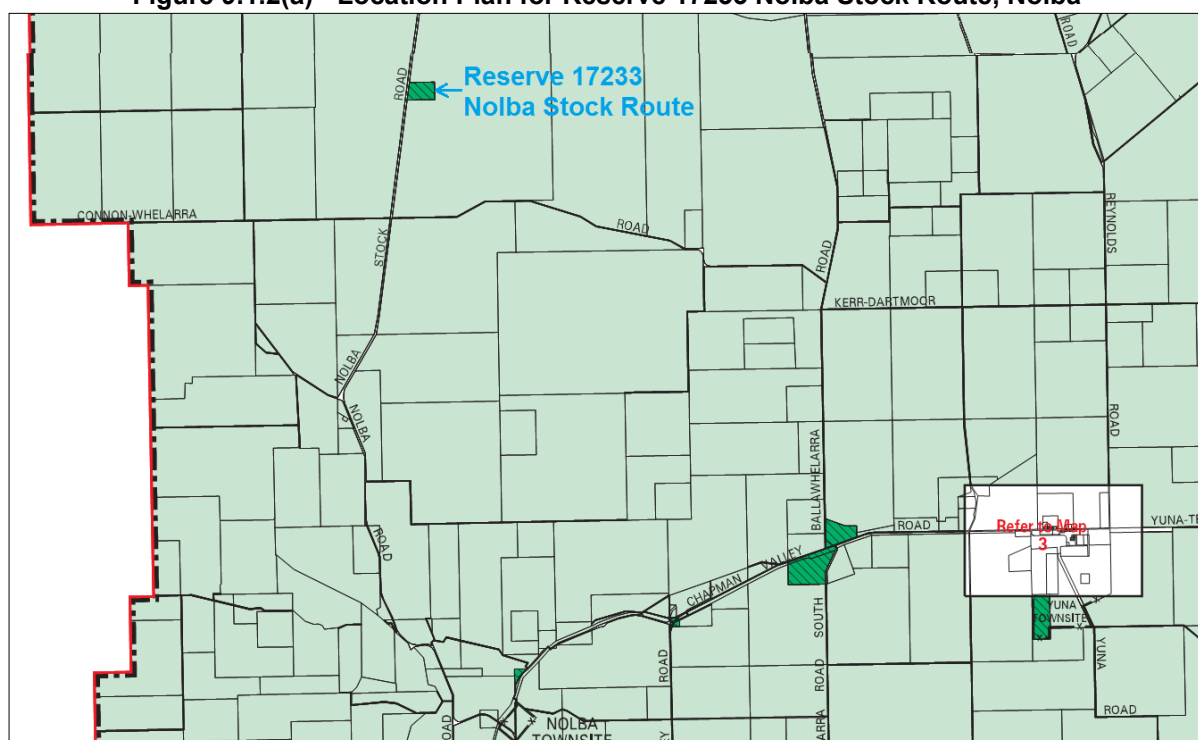
BACKGROUND

Council is in receipt of correspondence from the Department of Lands relating to Reserve 17233 Nolba Stock Route, Nolba. This report recommends that Council advise the Department of Lands that it has no objection to the Department of Parks & Wildlife accepting the management order for Reserve 17233. In the event that Council wishes to pursue an alternative direction a series of options are presented at the end of the comment section of this report.

COMMENT

Reserve 17233 Nolba Stock Route is a 24.2811ha property containing remnant vegetation located on the eastern side of the road, approximately 14km north of the Nolba townsite and approximately 17km north-west of the Yuna townsite.

Figure 9.1.2(a) - Location Plan for Reserve 17233 Nolba Stock Route, Nolba



Reserve 17233 was gazetted on 29 June 1919, and the Department of Water have the management order for the purpose of 'Water'.

The Department of Lands wrote to the Shire on 2 December 2016 enquiring whether it would be prepared to accept the management order for Reserve 17233 as the Department of Water have identified that it is surplus to their requirements.

Figure 9.1.2(b) – Cadastral Plan for Reserve 17233 Nolba Stock Route, Nolba

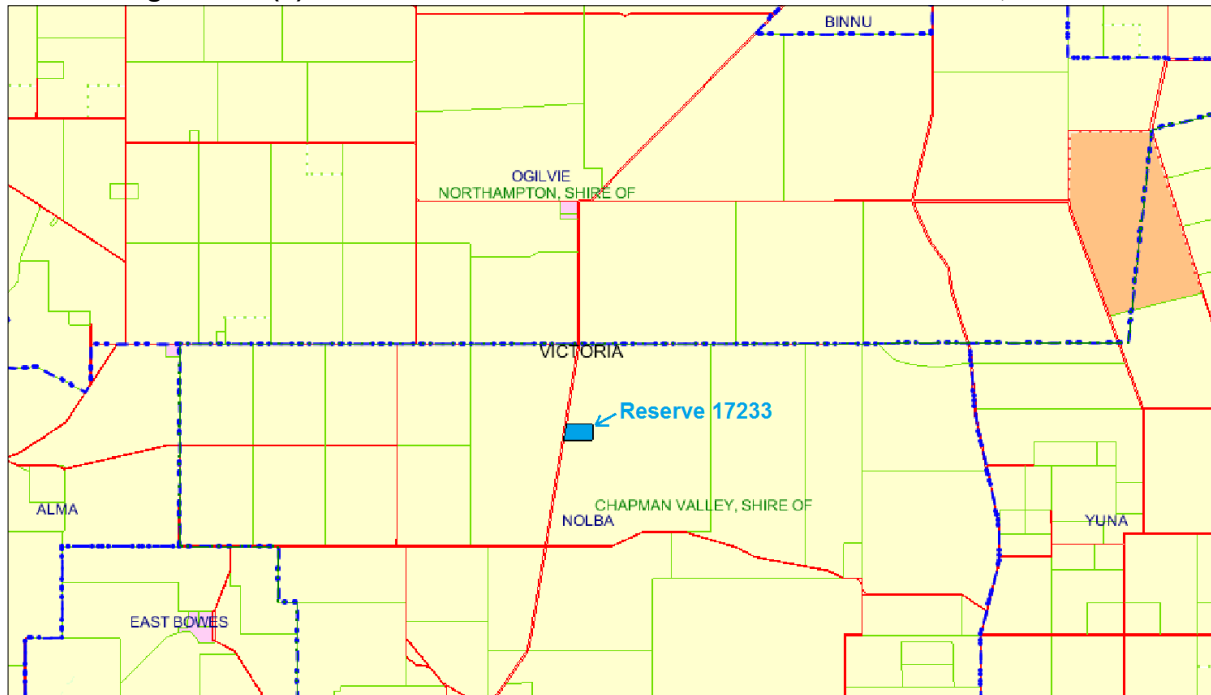


Figure 9.1.2(c) – Aerial Photograph of Reserve 17233 Nolba Stock Route, Nolba



This matter was presented to the 17 February 2016 meeting of Council where it was resolved:

“COUNCIL RESOLUTION/STAFF RECOMMENDATION

MOVED: CR FORRESTER SECONDED: CR HUMPHREY

That Council write to the Department of Lands advising that it would accept the management order for Reserve 17233 Nolba Stock Route, Nolba subject to the purpose of the reserve being amended to ‘Water & Road Purposes’ or ‘Local Government Requirements’.

***Voting 1/5
LOST***

FORESHADOWED MOTION

MOVED: CR FARRELL

SECONDED: CR HUMPHREY

That Council write to the Department of Lands advising that it considers that the adjoining landowner of Lot 4039 Nolba Stock Route (BRW Enterprises Pty Ltd) should be written to seeking their interest in acquiring Reserve 17233 Nolba Stock Route, Nolba.

Voting 5/1

CARRIED

Minute Reference: 02/16-8

Reason for Deviation from Staff Recommendation: Council wanted land offered to the adjoining landowners in the first instance."

The Department of Lands were advised of Council's resolution and wrote to the Shire again on 28 April 2016 to advise that the Department of Parks & Wildlife have expressed an interest in accepting the management order for Reserve 17233, as a Class A Reserve, with the purpose of the reserve being amended from 'Water' to 'Conservation of Flora and Fauna'. A copy of the Department of Lands' correspondence has been included as **Attachment 9.1.2**.

Council further considered this matter at its 18 May 2016 meeting and resolved:

"COUNCIL PROCEDURAL MOTION

MOVED: CR FARRELL

SECONDED: CR FORRESTER

That the question be adjourned till the June 2016 Council meeting.

Voting 7/0

CARRIED

Minute Reference: 05/16-7

Cr Warr re-entered Chambers at 9.26am

Reason for Deviation from Staff Recommendation: Council required more time to allow adjoining land owner to respond."

Council may at this juncture wish to consider one of the following options:

- advise the Department of Lands that Council has no objection to Reserve 17233 Nolba Stock Route, Nolba being transferred to the management of the Department of Parks & Wildlife as a Class A Reserve, with the purpose of the reserve being amended from 'Water' to 'Conservation of Flora and Fauna'; or
- advise the Department of Lands that Council seeks the management order for Reserve 17233 Nolba Stock Route, Nolba subject to the purpose of the reserve being amended to 'Water & Road Purposes' or 'Local Government Requirements'; or
- advise the Department of Lands that Council considers that the adjoining landowner of Lot 4039 Nolba Stock Route (BRW Enterprises Pty Ltd) should be written to seeking their interest in acquiring Reserve 17233 Nolba Stock Route, Nolba.

STATUTORY ENVIRONMENT

Reserve 17233 Nolba Stock Route is zoned 'Parks & Recreation' under Shire of Chapman Valley Local Planning Scheme No.2 ('the Scheme').

Were Council to accept the management of the reserve this could be amended to a 'Public Purposes' zoning, or were the Department of Parks and Wildlife to accept the management order this could be

amended to a 'Conservation' zoning, as part of a future omnibus Scheme Amendment or during the next Scheme Review.

The Department of Lands have advised that native title has been extinguished for Reserve 17233.

Figure 9.1.2(d) – Reserve 17233 looking south-east from Nolba Stock Route



POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Should Council accept a management order for Reserve 17233 from the Department of Lands then the Shire will be responsible for ongoing management (similar to its other reserves) this would include fire, rubbish, access and environmental responsibilities.

- **Long Term Financial Plan:**

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

STRATEGIC IMPLICATIONS

Reserve 17233 is located within Precinct No.1 – Yuna East of the Shire of Chapman Valley Local Planning Strategy ('the Strategy').

Section 5.11.1 of the Strategy notes that:

"5.11.1 Reserves and National Parks - Major reserves and remnant vegetation within the Chapman Valley Shire are in the east and north east and the steeper slopes and mesa tops of the Moresby Ranges. The East Yuna and Wandana Reserves are the most notable and are included in System 5. Protection measures are planned for the Moresby Ranges, which were also recognised in System 5. Here vegetation communities are significant and contain a number of Rare and Priority species. Some land has been acquired by Government and other land may be taken up as the opportunities are presented."

There is merit in retaining strips of indigenous vegetation as wind and wildlife belts between cleared arable land, and consideration should be given to preserving additional areas of remnant vegetation, with Government now tending to a 'No Clearing Policy'."

Were Council to support the Department of Parks and Wildlife in its request to accept management responsibility for Reserve 17233 as a Conservation Reserve this could be considered in-line with this strategic vision, and the following Precinct No.1 objective:

"Environmental Objective 1.3.1 - Encourage re-vegetation and retention of existing vegetation in order to minimise soil erosion and salinity levels through the promotion of natural resource management measures."

Section 5.12.4 of the Strategy however also notes that:

"5.12.4 Gravel - Laterite gravel is present on mesa tops and on the plateau remnants. However these areas also frequently remain covered by remnant vegetation. There is a current trend to produce road making materials by crushing laterite (ferricrete duricrust) using portable crushing equipment. Consideration should be given for the protection of strategic gravel sources by the planning process."

Were Council to seek management responsibility for Reserve 17233 it would be in position to implement the following Precinct No.1 objectives:

"Economic Objective 1.2.4 - Support the extraction of basic raw materials (except radioactive materials or minerals), pursuant to the provisions of the Mining Act 1978 and conducted in accordance with the 'Mining Code of Conduct' and 'Farmer Mining Guide'."

"Environmental Objective 1.3.5 - Ensure fire prevention measures are implemented and maintained in accordance with statutory requirements."

The Department of Agriculture & Food's 'Identification of High Quality Agricultural in the Mid West Region' (2013) technical report (pages 154-155) identifies Reserve 17233 as being within the Yuna-Binnu Sandplain Agricultural Land Area with the area characterised as follows:

"These areas are dominated by broad expanses of undulating yellow sandplain with some areas of dune ridges. Currently they are used mainly for cropping (mostly wheat), though the grazing of livestock (mostly sheep with a few cattle) is also significant. No significant irrigated agriculture exists. This area is typified by relatively large properties (mostly between 1000 and 5000 ha) comprised of relatively large parcels. Most of this area is cleared with only about 8 per cent of the remnant vegetation remaining. Much of this lies on the land least suited to agricultural production."

"Good quality yellow deep sands, with some yellow sandy earths, (Eradu series) cover most of this area, along with fair quality yellow deep sands (Eurangoa). Other soils include the poorer quality coarse yellow deep sands—generally on dunes (Indarra series); grey deep sandy duplexes (Heaton series); and in the north, red shallow loamy duplexes (Northampton series). Most of these soils are well drained."

- **Strategic Community Plan:**

The Shire of Chapman Valley Strategic Community Plan 2013-2023 was adopted by Council at its 19 June 2013 meeting and reviewed and approved by Council at its 16 March 2016 meeting. It is not considered that the determination of this application by Council would have an impact in relation to the Strategic Community Plan.

CONSULTATION

The Department of Lands generally consult with government agencies to determine whether they may have an interest in accepting the management of Crown Land as a matter of precedence prior to considering disposal of Crown Land to adjoining landowners or other interested private parties.

RISK ASSESSMENT

Not Applicable.

VOTING REQUIREMENTS

Simple majority required.

STAFF RECOMMENDATION

That Council advise the Department of Lands that it has no objection to Reserve 17233 Nolba Stock Route, Nolba being transferred to the management of the Department of Parks & Wildlife as a Class A Reserve, with the purpose of the reserve being amended from 'Water' to 'Conservation of Flora and Fauna'.



Government of Western Australia
Department of Lands

Record No CR1611679

5 MAY 2016

Our Ref: 00458-1968 Job No: 104092
Enquiries: LISA NICHOLAS
Ph: (08) 6552 4436 Fax: (08) 6552 4417
Email : lisa.nicholas@lands.wa.gov.au

28 April 2016

Shire of Chapman Valley
PO Box 1
NABAWA WA 6532

Attention: Chief Executive Officer

FILE No.	R17233
CEO	
CORPORATE SERVICES	
PLANNING	X
WORKS & SERVICES	
RANGER	
PROPERTY MANAGER	
EXECUTIVE ASSISTANT	
CHAPMAN VALLEY	

PROPOSED AMENDMENTS TO RESERVE 17233 – SHIRE OF CHAPMAN VALLEY

I refer to previous correspondence regarding the Shire of Chapman Valley's declination in managing Reserve 17233.

This Office has recently received a request from the Department of Parks and Wildlife to have the management of Reserve 17233 transferred to them as a Class 'A' Reserve with an amended purpose of 'Conservation of Flora and Fauna'.

Accordingly, please provide DoL with your approval of the abovementioned land request. Your general advice and comments on the proposal would also be most welcomed.

Please do not hesitate to contact me on the details at the top right-hand side of this letter if you have any questions or require further information.

Yours Sincerely

LISA NICHOLAS
For Case Manager
MID WEST GASCOYNE REGION
REGIONAL AND METROPOLITAN SERVICES

AGENDA ITEM:	9.1.3
SUBJECT:	EXTENSION OF LEASE
PROPONENT:	TL & G COOPER
SITE:	RESERVE 8769 NABAWA-YETNA ROAD, NABAWA
FILE REFERENCE:	R8769
PREVIOUS REFERENCE:	05/01-13 & 2/11-7
DATE:	30 MAY 2016
AUTHOR:	SIMON LANCASTER

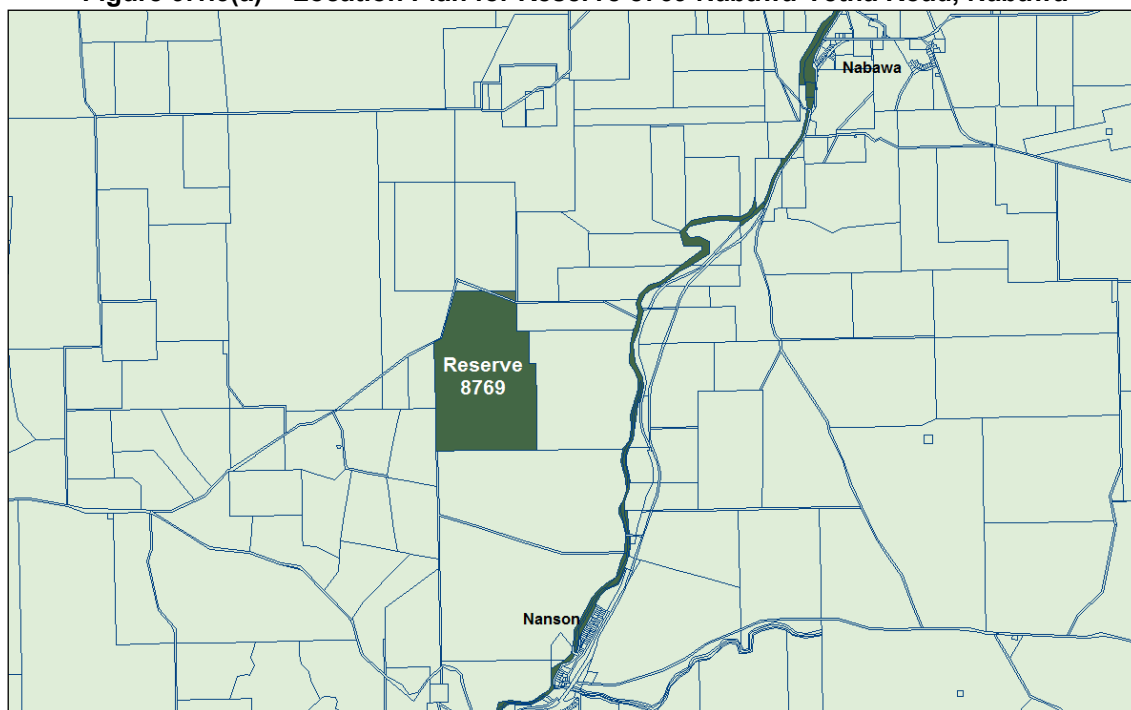
DISCLOSURE OF INTEREST

Nil.

BACKGROUND

The lessee of Reserve 8769 Nabawa-Yetna Road, Nabawa has written to the Shire seeking to continue the current grazing lease agreement. This report makes recommendation that a new agreement be entered into with the lessee for a further five (5) years.

Figure 9.1.3(a) – Location Plan for Reserve 8769 Nabawa-Yetna Road, Nabawa



COMMENT

Reserve 8769 is a vacant 177.4729ha property located 2km north of the Nanson townsite, and 4km south-west of the Nabawa townsite. Reserve 8769 was created in 1903 for the purpose of mining and has a management order dating back to 1916 issued to the Shire of Chapman Valley for the purpose of 'Mining & Camping'.

Reserve 8769 has been leased to the current lessee for the purposes of grazing since 1987. The current lease agreement is due to expire on 30 June 2016 and the lessee has written to the Shire seeking the extension of this lease, and a copy of this correspondence has been included as **Attachment 9.1.3(a)**.

Council last considered this matter at its 16 February 2011 meeting where it resolved to lease Reserve 8769 to the current lessee for the purpose of grazing for a period of 5 years at an annual fee of \$150 (GST ex).

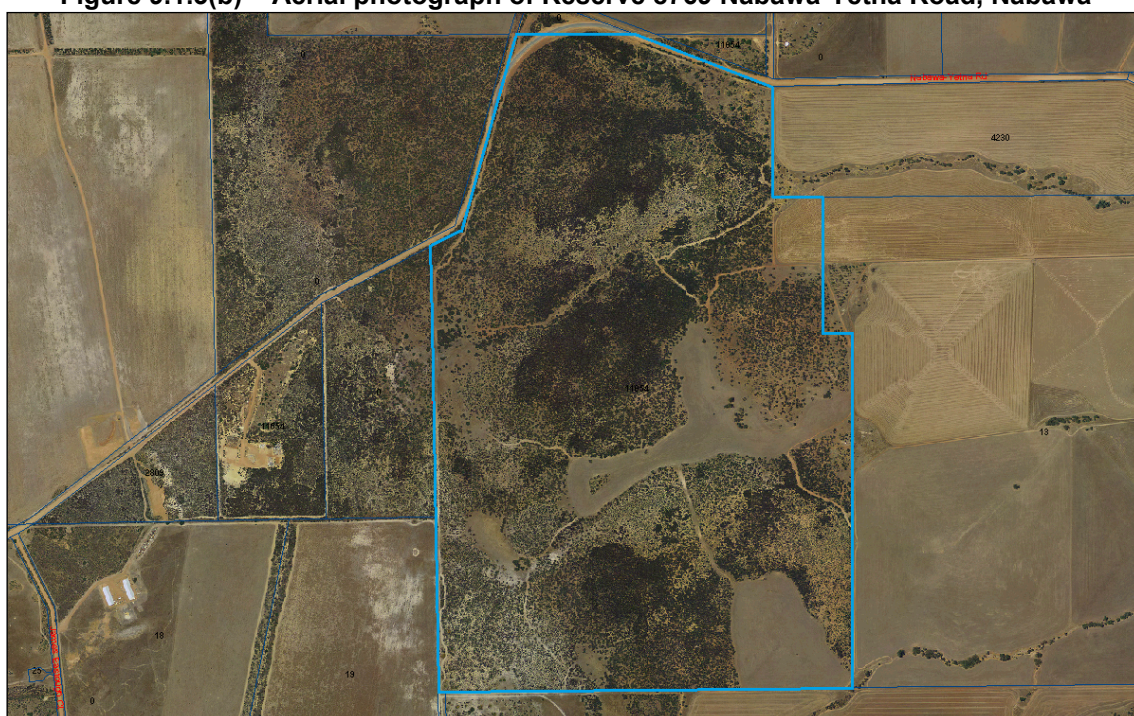
The applicant has managed Reserve 8769 for many years as the adjoining landowner and no complaints have been received by the Shire in regards to the use and management of the land. The Shire has no current plans to utilise or develop Reserve 8769.

It is also noted that in 2013 the lessee provided to the Shire a 1.7279ha area, located immediately north of Reserve 8769, of their Lot 119 (as shown upon DP76151) at no cost to Council for the purposes of realigning a dangerous bend of the Nabawa-Yetna Road.

No objection is therefore raised to the renewal of the current lease, however, it is suggested that as per the current lease agreement, that the Shire retain the ability to terminate the agreement at any time, subject to 3 months' notice should it require the land for some unforeseen purpose.

It is recommended that a new lease agreement be drafted as per the previous lease agreement, that is for a period of five (5) years with an annual fee of \$150 (GST ex). A draft lease agreement for Reserve 8794 has been included as **Attachment 9.1.3(b)** with this report for Council's consideration.

Figure 9.1.3(b) – Aerial photograph of Reserve 8769 Nabawa-Yetna Road, Nabawa



STATUTORY ENVIRONMENT

Reserve 8769 Nabawa-Yetna Road, Nabawa is zoned 'Recreation' under the Shire of Chapman Valley Local Planning Scheme No.2.

The Council may under Section 3.54 of the *Local Government Act 1995* issue a licence for the private use of Crown land under its control in the interest of controlling and managing that land.

POLICY IMPLICATIONS

Nil

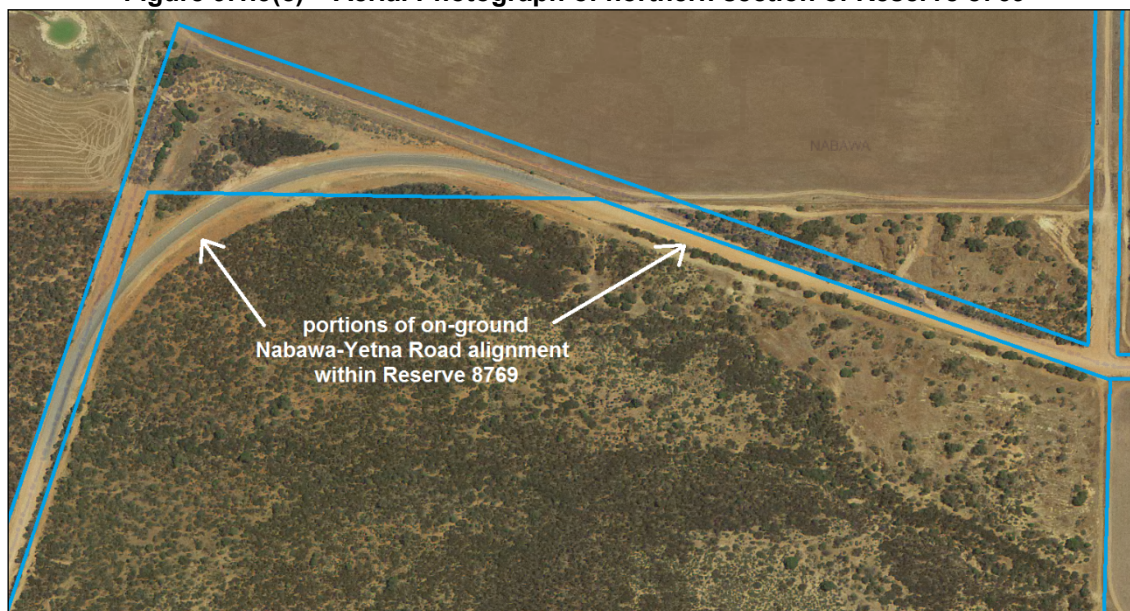
FINANCIAL IMPLICATIONS

Were the reserve not leased then Council would be required to undertake maintenance upon the property (e.g. fencing, firebreaks, weed control and general maintenance) which would require mobilising of staff and equipment. It has been previously considered by Council that these resources could be better utilised elsewhere and that leasing the property is a more appropriate means of

management. Although the property has only been leased at a relatively low rate it has been considered that such a lease has reduced a cost to Council.

It is noted that an approximately 1.05ha portion of the on-ground Nabawa-Yetna Road alignment strays into Reserve 8769 along its northern boundary and it is further recommended that this be formalised to ensure that the existing on-ground alignment is contained within the road reserve.

Figure 9.1.3(c) – Aerial Photograph of northern section of Reserve 8769



The formalisation of the on-ground alignment of Nabawa-Yetna Road that is contained within Reserve 8769 would require the preparation of a Deposited Plan of Survey, and the Department of Lands would require the Shire to accept the incurred surveying costs. It is the Shire's experience that, due to the subject land being Crown Reserve and not under private ownership, there will not be a land acquisition cost or settlement agent fee incurred as part of this process.

The Surveying & Land Expenses Account 7052 would be used to pay for the surveying costs required to formalise the subject portion of Nabawa-Yetna Road.

- **Long Term Financial Plan:**

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

STRATEGIC IMPLICATIONS

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

The Shire of Chapman Valley Strategic Community Plan 2013-2023 was adopted by Council at its 19 June 2013 meeting and reviewed and approved by Council at its 16 March 2016 meeting. The Plan includes the following environmental strategy:

"Ensure we adequately protect and manage the land across the Shire, including weed eradication, mining developments and fire management services."

CONSULTATION

The current lessee has advised that they would like to continue the lease agreement.

RISK ASSESMENT

Not Applicable.

VOTING REQUIREMENTS

Simple Majority required.

STAFF RECOMMENDATION

That Council resolve to:

- 1 Issue a formal licence to Trevor Cooper, under Section 3.54 of the *Local Government Act 1995*, for the use of Crown Reserve 8769 Nabawa-Yetna Road, Nabawa for the expressed purpose of grazing. This licence will be valid for a period of five (5) years at an annual fee of \$150 (GST ex).
- 2 Write to the Department of Lands advising that it supports the dedication of the portion of the on-ground alignment of Nabawa-Yetna Road contained within Reserve 8769 as public road, and that Council accepts the surveying cost involved in the preparation and lodgement of the necessary Deposited Plan of Survey as per the requirements of Section 56 of the *Land Administration Act 1997*.

**TL & G Cooper
PO Box 5
NABAWA WA 6532**

Shire of Chapman Valley

PO Box 1

NABAWA WA 6532

Dear Simon,

Re: Reserve 8769 Nabawa – Yetna Road, Nabawa

I, Trevor Cooper trading as TL & G Cooper, would like to apply into a new lease for Reserve 8769 with the Shire of Chapman Valley, as my current lease expires on the 30th June 2016.

I never intend to over stock the reserve with sheep. I have always keep more than adequate boundary fencing and I also fire break each and every year.

I have been a long time lease holder of the reserve and would like to continue this lease well into the future.

If you would like to discuss further please feel free to contact me on 9920 5065.

Look forward to your response.

Regards,



Trevor Cooper

TL & G Cooper

**AGREEMENT TO LICENSE USE OF RESERVE 8769
FOR PURPOSE OF GRAZING**

An AGREEMENT made on 15 June 2016 between the SHIRE OF CHAPMAN VALLEY having its office at 3270 (Lot 7) Chapman Valley Road, Nabawa in the State of Western Australia (hereinafter called 'the Shire') of the one part and TREVOR COOPER of 2841 (Lot 14) Chapman Valley Road, Nabawa (hereinafter called 'the licensee') of the other part.

WHEREAS

- (a) Reserve No.8769 (hereinafter called 'the said land') is vested in or placed under the control of the Shire for the purpose of 'Mining & Camping' and by virtue of Section 5 of the *Parks and Reserves Act 1895* and Section 3.54 of the *Local Government Act 1995*, and subject to the approval of the Minister for Lands, the Shire may grant licenses for the purpose of grazing of animals upon the same.
- (b) The licensee has applied to the Shire for a license to graze animals on the said land and the Shire has agreed to grant a license to him on these terms and conditions hereinafter set forth.
 - 1. Subject to the provisions hereafter contained the licensee shall have the exclusive right to graze stock on the said land for the period 1 July 2016 to 30 June 2021, however, the agreement may be terminated at any time at the expiration of three months notice in writing by either party.
 - 2. The licensee will pay to the Shire for the License aforesaid the yearly rent of one hundred and fifty dollars (\$150 + GST) or such other amount as the Shire may in respect of any year other than the first year at any time and from time to time determine yearly in advance on or before the first day of July in every year after the commencement of the said term.
 - 3. The land shall not be used for any purpose other than grazing.
 - 4. The licensee shall not without the previous consent in writing of the Shire, and approval of the Minister of Lands, transfer, mortgage, sublet or part with the possession of the demised land.
 - 5. The licensee shall not cut down, fell, injure or destroy any living timber or scrub upon the demised land except for the purpose of destroying poisonous growth or by the agistment of stock in reasonable numbers.
 - 6. The licensee shall indemnify the Shire and the Minister of Lands against all claims for damage to property or persons arising from the use of the demised land for the purpose of grazing.
 - 7. The licensee shall effect no improvements to the demised land without the prior written permission of the Shire.

8. Compensation shall not be payable to the licensee in respect of any improvements effected by her on the demised land and remaining thereon at the expiration or earlier determination of the lease.
9. Power is reserved to the Shire to direct that the number of stock grazing on the demised land shall be reduced if the Shire is of the opinion that the demised land is overstocked to an extent sufficient or likely to cause permanent damage to the land; failure to comply with any such direction will result in the forfeiture of the license.
10. The licensee shall be responsible for the maintenance of fencing and the construction and maintenance of firebreaks or other fire management measures to the requirements of the Shire.

WITNESS whereof this agreement has been signed the day and the year first before written.

The COMMON SEAL of the SHIRE OF CHAPMAN VALLEY

Was hereunto fixed in the presence of

PRESIDENT

CHIEF EXECUTIVE OFFICER

Signed by the said of

TREVOR COOPER

In the presence of:

Print Name

Signed

Approved

MINISTER FOR LANDS

AGENDA ITEM:	9.1.4
SUBJECT:	PROPOSED REZONING
PROPONENT:	SHIRE OF CHAPMAN VALLEY
SITE:	PART LOT 271 CHAPMAN VALLEY ROAD, YETNA
FILE REFERENCE:	A337 & 204.04.04
PREVIOUS REFERENCE:	12/07-8, 09/14-5 & 02/16-6
DATE:	7 JUNE 2016
AUTHOR:	SIMON LANCASTER

DISCLOSURE OF INTEREST

Nil.

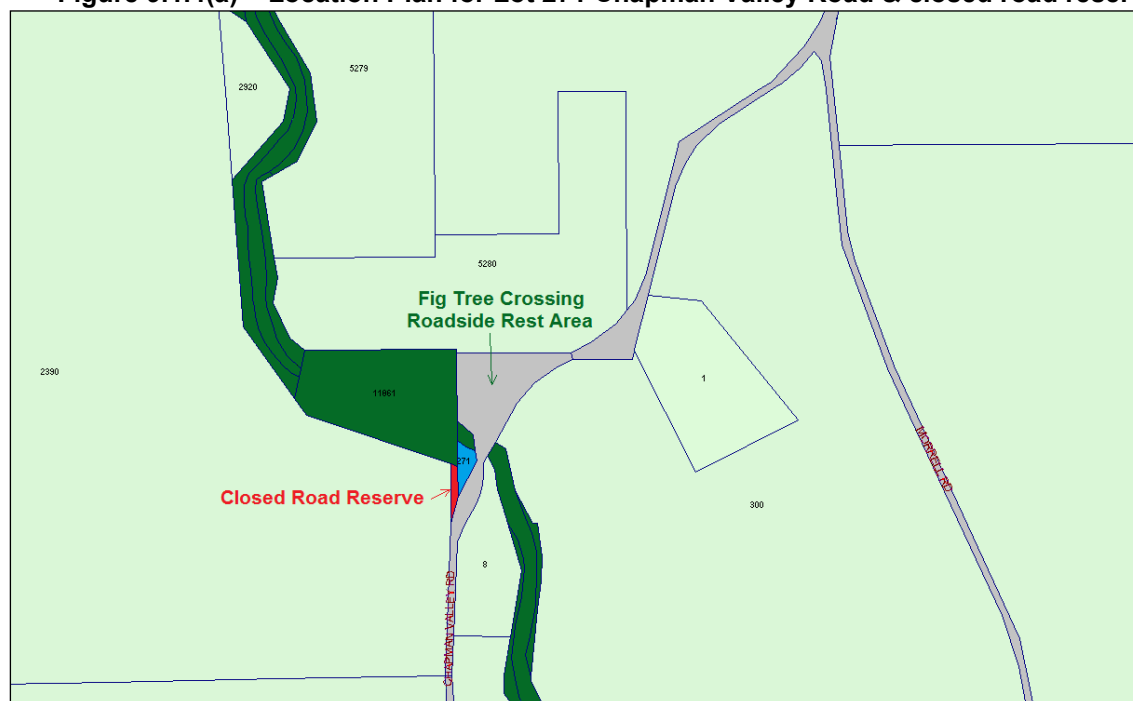
BACKGROUND

Council resolved at its 17 February 2016 meeting to initiate Scheme Amendment No.4 to correct a zoning anomaly relevant to Part Lot 271 Chapman Valley Road, Yetna. The required advertising has now been concluded and this report recommends Council's adoption of Scheme Amendment No.4.

COMMENT

Lot 271 is a triangular shaped 5,126m² property bordered by Chapman Valley Road on its eastern frontage, the Chapman River on its northern boundary and a closed road reserve along its western boundary. Lot 271 is located immediately south of the Fig Tree Crossing bridge and approximately 250m south of the Fig Tree Crossing Roadside Rest Area entry point.

Figure 9.1.4(a) – Location Plan for Lot 271 Chapman Valley Road & closed road reserve



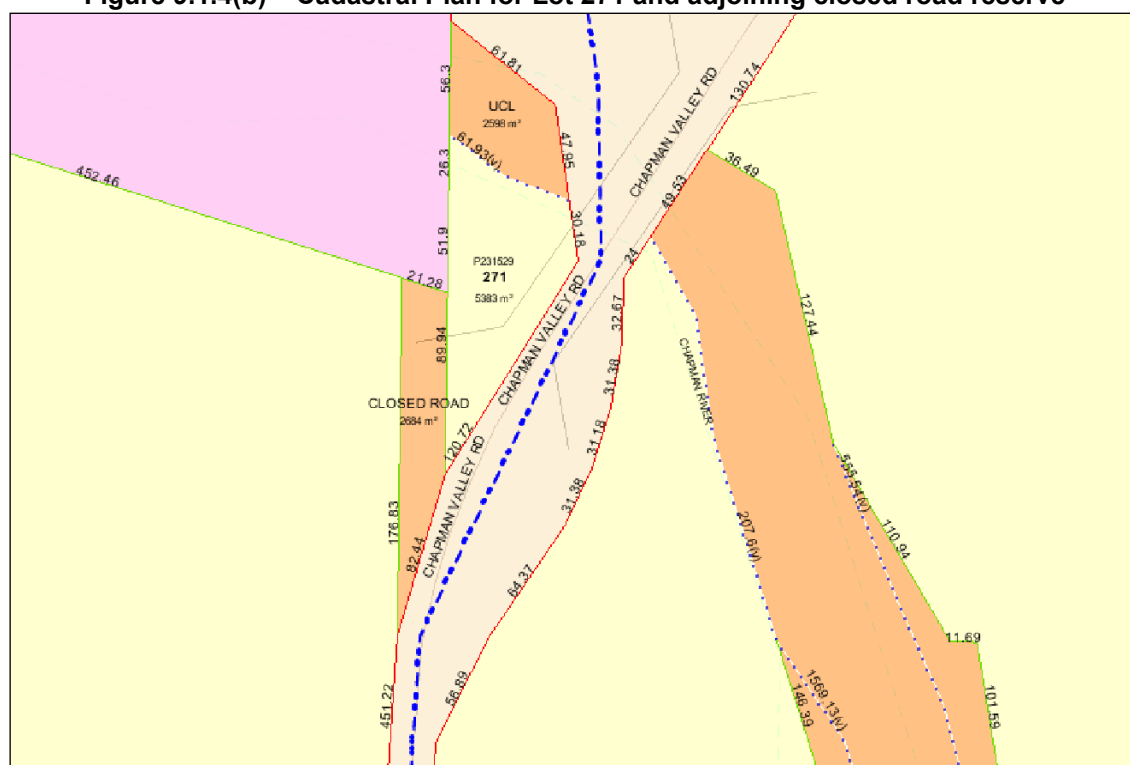
This rezoning application proposes to correct a historic zoning anomaly, where Part Lot 271 has been identified as 'Parks and Recreation' zone, by rezoning it to the 'Rural' zone consistent with surrounding landholdings and its status as privately owned land.

Council resolved at its 17 September 2014 meeting to support the landowner of Lot 271 in their application to the Department of Lands to acquire the 2,684m² closed road reserve that runs along the western boundary and its subsequent amalgamation into Lot 271. Council support was made on the basis that:

- the closed road reserve is not constructed on-ground and does not provide access currently to any party;
- the closed road reserve was considered surplus to Shire requirements;
- the closed road reserve was not required to be constructed as it does not provide a sole means of access to the greater road network to any otherwise 'land-locked' third party;
- the amalgamation of the closed road reserve would provide Lot 271 with an increased land area in which to site a future residence with improved setback to Chapman Valley Road and Chapman River;
- the amalgamation of the closed road reserve into Lot 271 will provide the property with a safer future driveway/crossover access point onto Chapman Valley Road that is located further west where the sightlines can be improved and access is at an improved grade;
- the road component of the proposed Oakajee Narngulu Infrastructure Corridor ('ONIC')/Geraldton Outer Bypass is proposed to run 950m north-east of Lot 271, and the rail component 1km north-east of Lot 271 (and the service component 450m north-east) and would not directly impact upon the property.

The Department of Lands have subsequently agreed to the disposal of the closed road reserve to the landowner of Lot 271 and its amalgamation into the property, and are currently liaising with the landowner in regards to the valuation that they will be required to meet to purchase the land (in addition to the meeting of all surveying and settlement costs).

Figure 9.1.4(b) – Cadastral Plan for Lot 271 and adjoining closed road reserve



The rezoning application also proposes to rezone the 2,684 m² closed road reserve from the 'Parks and Recreation' zone to the 'Rural' zone to recognise the advance state of proceedings for the disposal and amalgamation of the land into adjoining Lot 271.

A draft copy of the Scheme Amendment No.4 documentation that provides extensive background to this rezoning application was previously provided to Councillors as an attachment with the February 2016 Council Agenda. A hard copy of the completed and advertised Scheme Amendment No.4 documentation can be provided to Councillors upon request.

Plans illustrating Scheme Amendment No.4 have been included as **Attachment 9.1.4(a)**.

STATUTORY ENVIRONMENT

Lot 271 Chapman Valley Road, Yetna was zoned 'Parks & Recreation' with the gazettal of the Shire of Chapman Valley Town Planning Scheme No.1 on 20 August 1982, this cartographic error most likely arose from the lot's small size and being surrounded by Crown Reserves on all sides with the closed road reserve to the west, Fig Tree Crossing reserve to the north-west, the Chapman River reserve to the north and Chapman Valley Road reserve to the east.

Part 5 of the *Planning & Development Act 2005* provides for the amendment of a Scheme.

Figure 9.1.4(c) – Aerial Photograph of Lot 271 and adjoining road reserve



Figure 9.1.4(d) – View of Lot 271 looking north along Chapman Valley Road



POLICY IMPLICATIONS

Lot 271 Chapman Valley Road, Yetna and the closed road reserve are located within Precinct No.3 – Chapman Valley of the Shire of Chapman Valley Local Planning Strategy ('the Strategy') the vision for which is *"a diverse range of rural pursuits and incidental tourist developments that complement the sustainable use of agricultural resources."*

The 2008 Strategy pre-dates the relocation of the ONIC/Geraldton Outer Bypass alignment from west of Chapman River in the vicinity of Lot 271 to the eastern side of Chapman River and the review of the Strategy, that Council has commenced, will attend to the necessary updating.

Figure 9.1.4(e) – Local Planning Strategy Map extract (containing superseded ONIC)

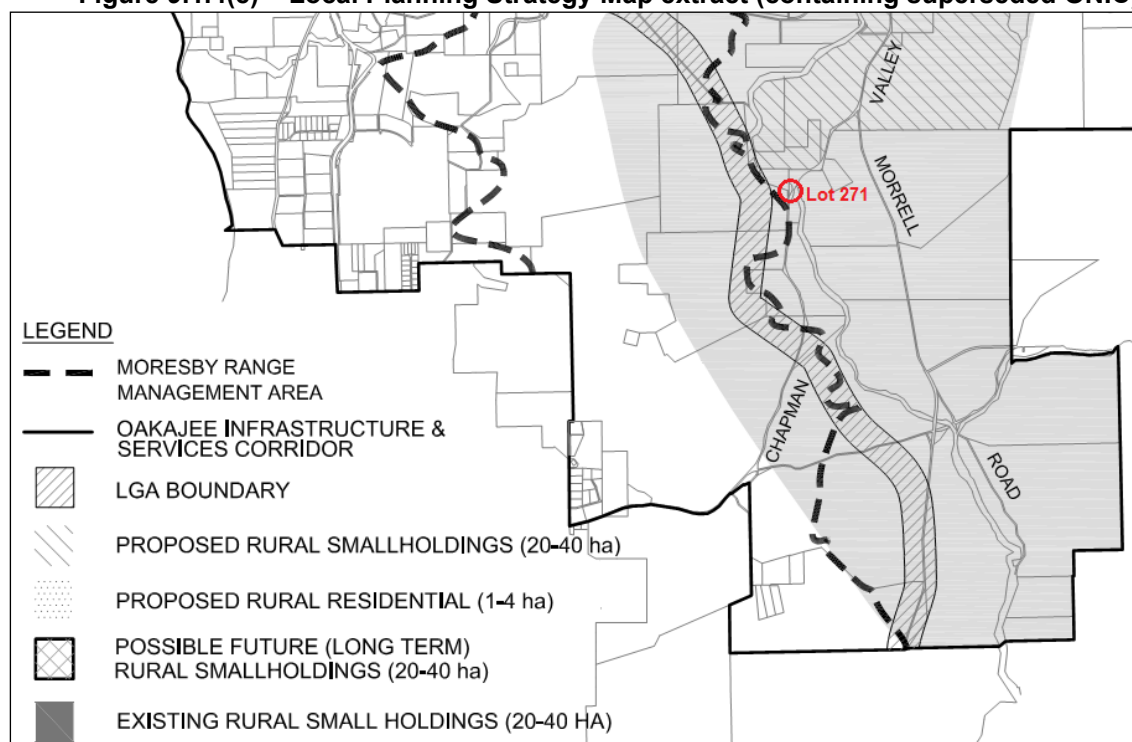
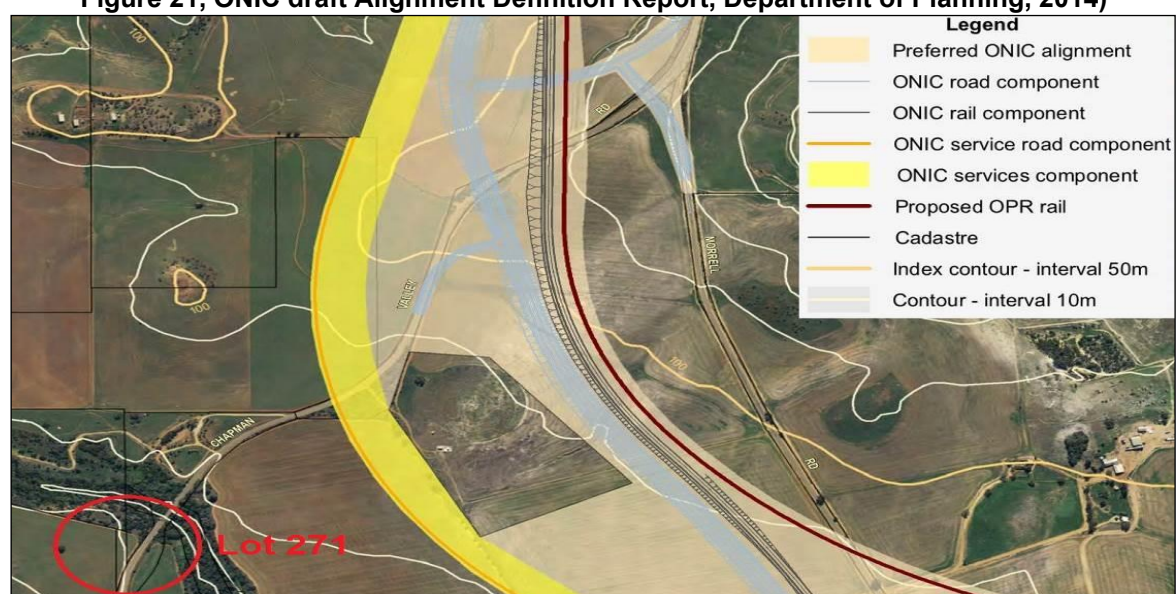


Figure 9.1.4(f) – Proposed ONIC alignment in relation to Lot 271 and closed road reserve (Ref: Figure 21, ONIC draft Alignment Definition Report, Department of Planning, 2014)



FINANCIAL IMPLICATIONS

The rezoning application has been prepared by the Shire and the landowner of Lot 271 has not been charged a rezoning application fee as the Scheme Map identifies private land under a public zoning, and given that the Shire do not intend to resume this land, and the original rezoning designation from 1982 onwards appears to have been made in error then it is considered the matter should be attended to in-house.

- **Long Term Financial Plan:**

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

Sections 11.5 and 11.6 of Scheme No.2 address the issue of compensation and taking of land, however, given that the Shire does not intend to acquire the land and would be attending to the removal of a public zoning from over private land, through Scheme Amendment No.4, then this section of the Scheme would not be required in this instance.

STRATEGIC IMPLICATIONS

The Geraldton Region Plan was released in 1999 by the WAPC to provide 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 in 2011 which identifies Lot 271 as 'Regional Park, Recreation and Conservation' and it is considered likely that this identification has taken its lead from the Shire Scheme Map.

The Scheme Amendment No.4 documentation provides detailed reference to the various strategic planning documents relevant to Lot 271.

- **Strategic Community Plan:**

The Shire of Chapman Valley Strategic Community Plan 2013-2023 was adopted by Council at its 19 June 2013 meeting and reviewed and approved by Council at its 16 March 2016 meeting. It is not considered that the determination of this application by Council would have impact in relation to the Strategic Community Plan.

CONSULTATION

Scheme Amendment No.4 was referred to the Environmental Protection Authority ('EPA') on 23 February 2016 for its assessment as per Section 81 of the *Planning & Development Act 2005*. The EPA advised on 14 March 2016 that the Amendment did not warrant assessment under Part IV Division 3 of the *Environmental Protection Act 1986*.

The WAPC were advised of the EPA determination on 23 March 2016 and on 30 March 2016 the WAPC advised that the amendment was considered a basic amendment as per Regulation 36 of the *Planning & Development Act (Local Planning Schemes) Regulations 2015*.

Scheme Amendment No.4 was advertised in accordance with the provisions of the *Planning & Development Act 2005* from 30 March 2016 until 3 June 2016 inclusive of the following actions:

- newspaper notice placed in the Mid West Times on 30 March 2016;
- sign placed on-site,
- copy of the Scheme Amendment No.4 documentation made available for viewing at the Shire office/library;
- copy of the Scheme Amendment No.4 documentation made available for viewing on the Shire website;
- letters being sent to the 3 surrounding landowners inviting comment;
- letters being sent to Alinta Energy, Department of Aboriginal Affairs, Department of Agriculture and Food, Department of Environment Regulation, Department of Fire & Emergency Services, Department of Health, Department of Lands, Department of Parks &

Wildlife, Department of Water, Main Roads WA, State Heritage Office, Telstra, Water Corporation, Western Power and Westnet Energy inviting comment.

At the conclusion of the advertising period 11 submissions had been received, all from government agencies, and all offering either support or technical comment to the proposed rezoning, and no objections were received.

A copy of the Scheme Amendment No.4 Schedule of Submissions that is required to be forwarded to the WAPC is included as **Attachment 9.1.4(b)**. The Schedule of Submissions identifies the respondents, the nature of their submissions, and provides individual comment upon any raised issues. Copies of the received submissions can be provided to Councillors upon request.

RISK ASSESMENT

Not applicable.

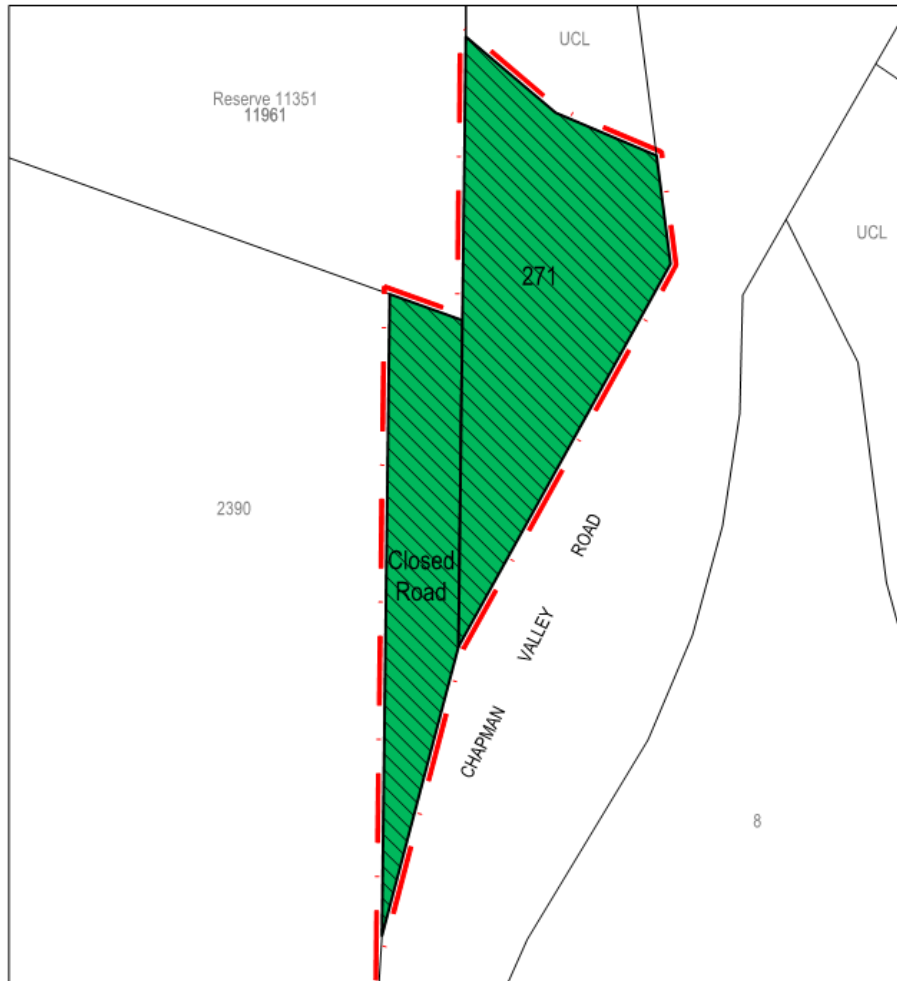
VOTING REQUIREMENTS

Simple majority of Council.

STAFF RECOMMENDATION

That Council:

- 1 Receive the submissions as outlined in the 'Schedule of Submissions' included as Attachment 9.1.4(b);
- 2 Adopt for final approval Scheme Amendment No.4 to Shire of Chapman Valley Local Planning Scheme No.2, pursuant to Part 5 of the *Planning and Development Act 2005*, as follows:
 - (a) Rezoning Part Lot 271 Chapman Valley Road, Yetna and the adjoining closed road reserve from 'Parks and Recreation Reserve' to 'Rural'; and
 - (b) Amending the Scheme Map accordingly.
- 3 Seek final approval of Scheme Amendment No.4 from the Minister for Planning.
- 4 In the event that Scheme Amendment No.4, and the subsequent amalgamation of Lot 271 and the adjoining closed road reserve, are finalised, adopt the Building Exclusion Area and Site Access Plan as contained within the advertised version of the Scheme Amendment No.4 documentation and included within Attachment 9.1.4(a) relevant to Section 5.11 of the Shire of Chapman Valley Local Planning Scheme No.2.



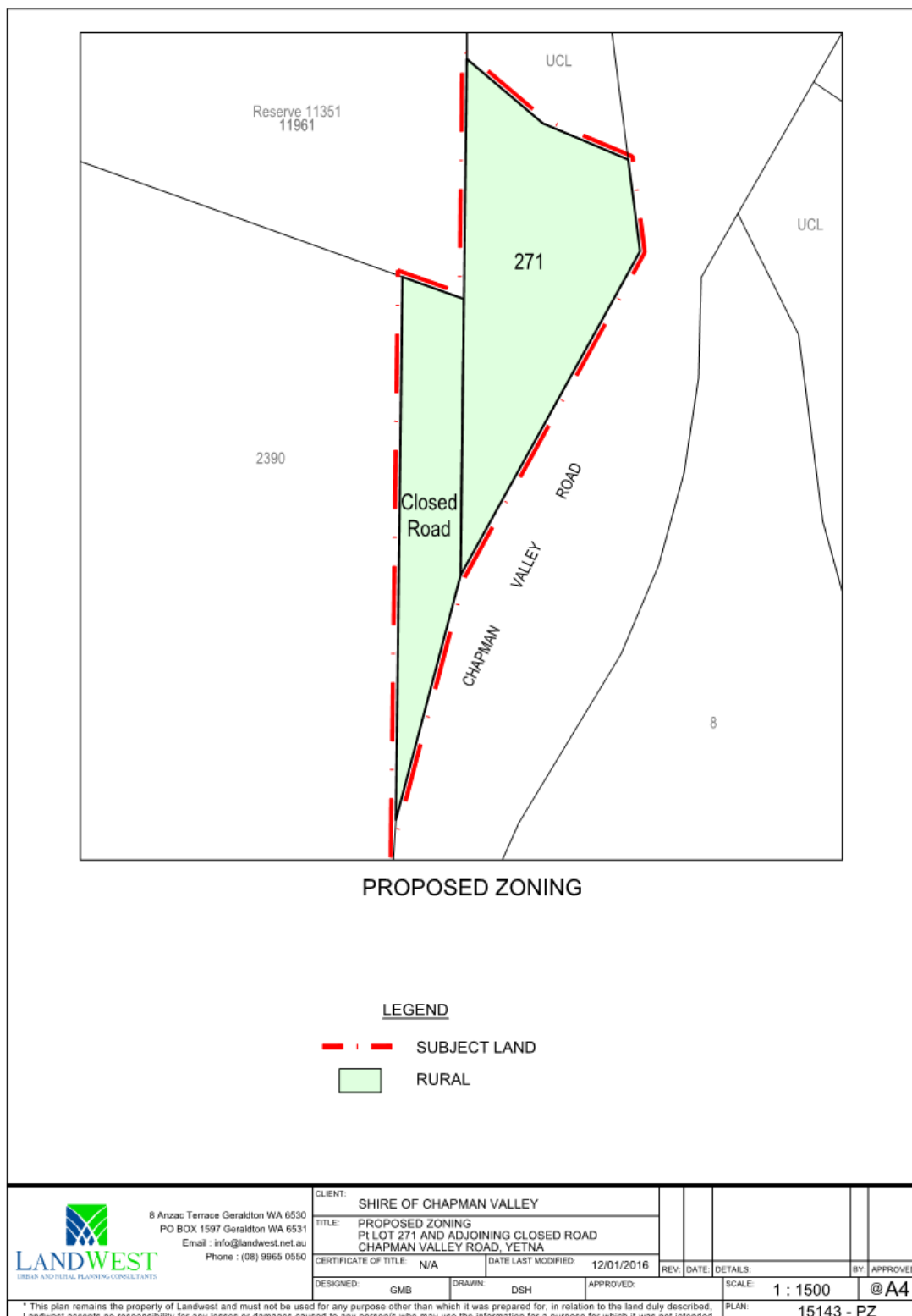
**ZONING AS DEPICTED IN
SHIRE OF CHAPMAN VALLEY
LOCAL PLANNING SCHEME No.2**

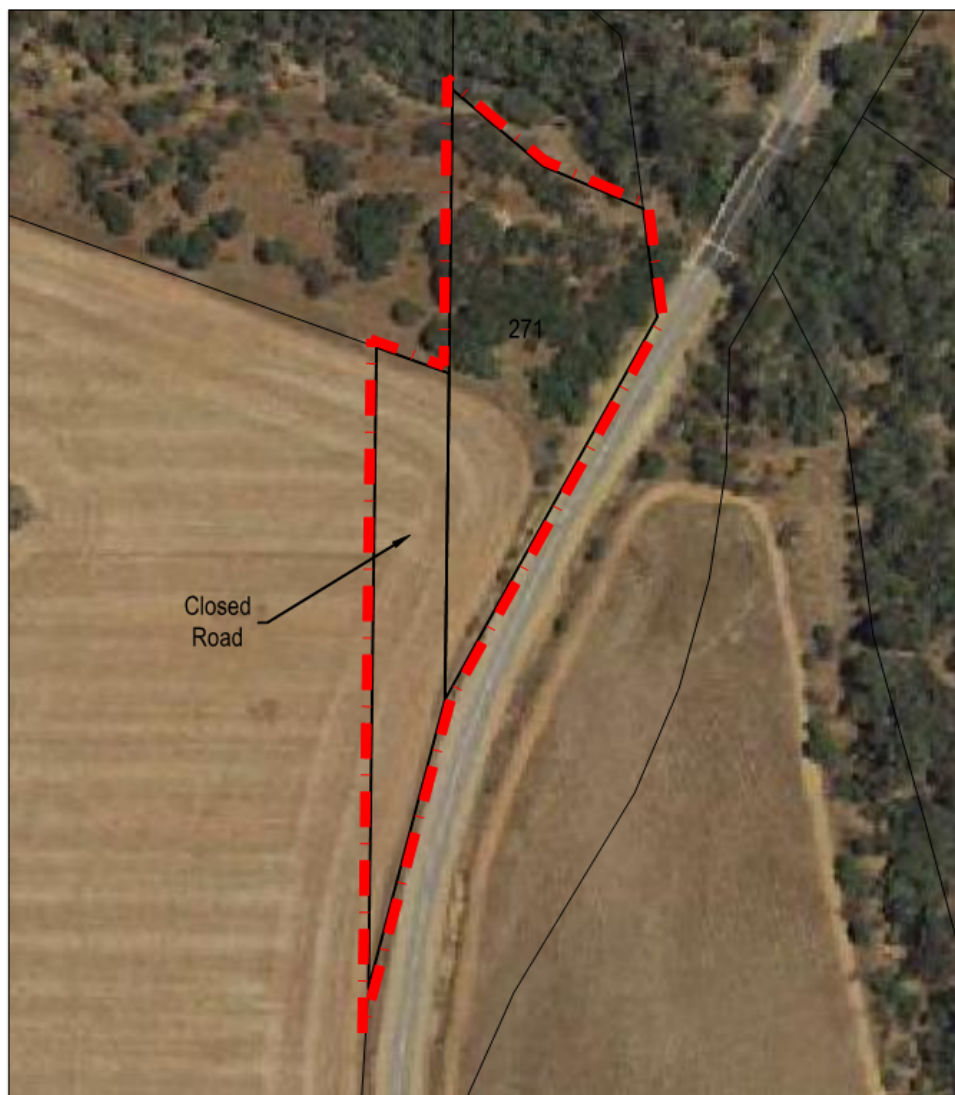
LEGEND

- --- SUBJECT LAND
 PARKS AND RECREATION

 LANDWEST <small>URBAN AND RURAL PLANNING CONSULTANTS</small>	8 Anzac Terrace Geraldton WA 6530 PO BOX 1597 Geraldton WA 6531 Email : info@landwest.net.au Phone : (08) 9965 0550		CLIENT: SHIRE OF CHAPMAN VALLEY		REV: DATE: DETAILS: BY: APPROVED:	
	TITLE: EXISTING ZONING P1 LOT 271 AND ADJOINING CLOSED ROAD CHAPMAN VALLEY ROAD, YETNA		CERTIFICATE OF TITLE: N/A		DATE LAST MODIFIED: 11/01/2016	
	DESIGNED: GMB	DRAWN: DSH	APPROVED:		SCALE: 1 : 1500	
	PLAN: 15143 - EZ		@A4			


* This plan remains the property of Landwest and must not be used for any purpose other than which it was prepared for, in relation to the land duly described, Landwest accepts no responsibility for any losses or damages caused to any person/s who may use the information for a purpose for which it was not intended.

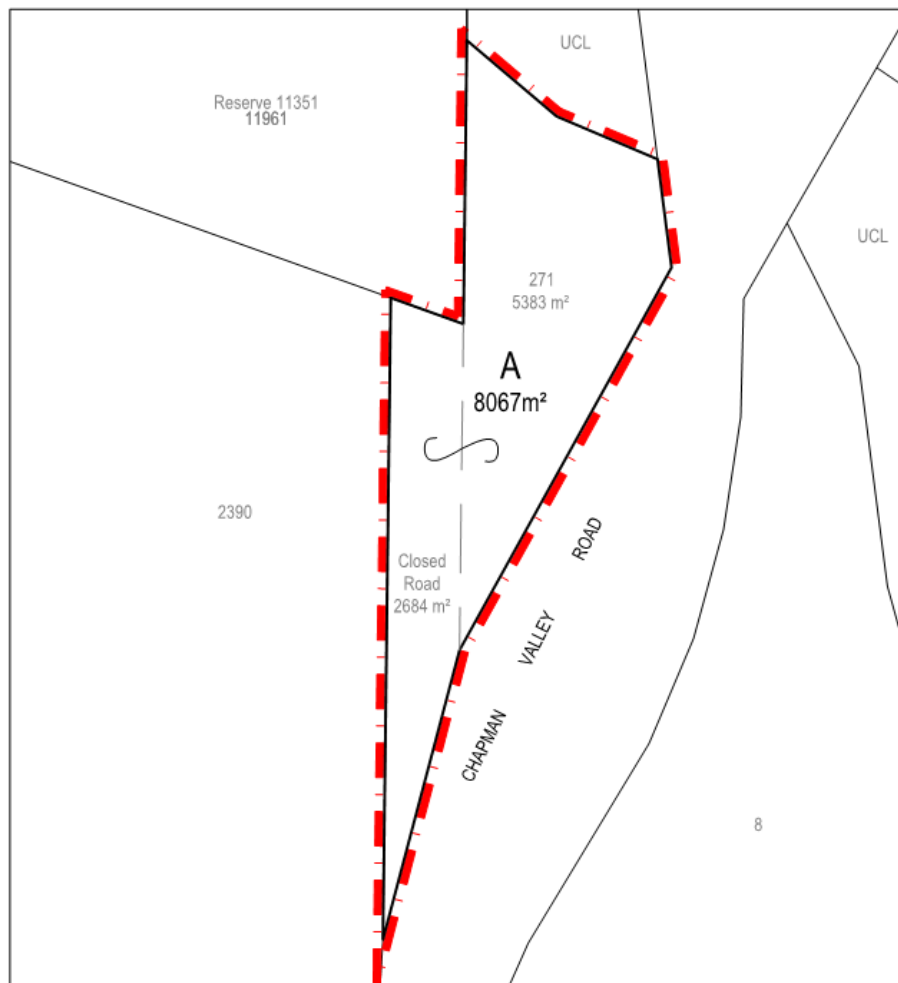




AERIAL PHOTOGRAPHY
SOURCE - CoGG INTRAMAPS (2015)

— · — SUBJECT LAND

 <p>8 Anzac Terrace Geraldton WA 6530 PO BOX 1597 Geraldton WA 6531 Email : info@landwest.net.au Phone : (08) 9965 0550</p>	CLIENT: SHIRE OF CHAPMAN VALLEY							
	TITLE: AERIAL EXTRACT PI LOT 271 AND ADJOINING CLOSED ROAD CHAPMAN VALLEY ROAD, YETNA							
	CERTIFICATE OF TITLE: N/A		DATE LAST MODIFIED: 21/01/2016		REV: DATE: DETAILS:		BY: APPROVED:	
	DESIGNED: GMB	DRAWN: DSH	APPROVED:		SCALE: 1 : 1500		@A4	
<small>* This plan remains the property of Landwest and must not be used for any purpose other than which it was prepared for, in relation to the land duly described, Landwest accepts no responsibility for any losses or damages caused to any person/s who may use the information for a purpose for which it was not intended.</small>								
<p>PLAN: FIGURE 3</p>								



PROPOSED AMALGAMATION

NOTE: Lot area after amalgamation indicative only and subject to final survey and Deposited Plan preparation.

LEGEND

--- SUBJECT LAND


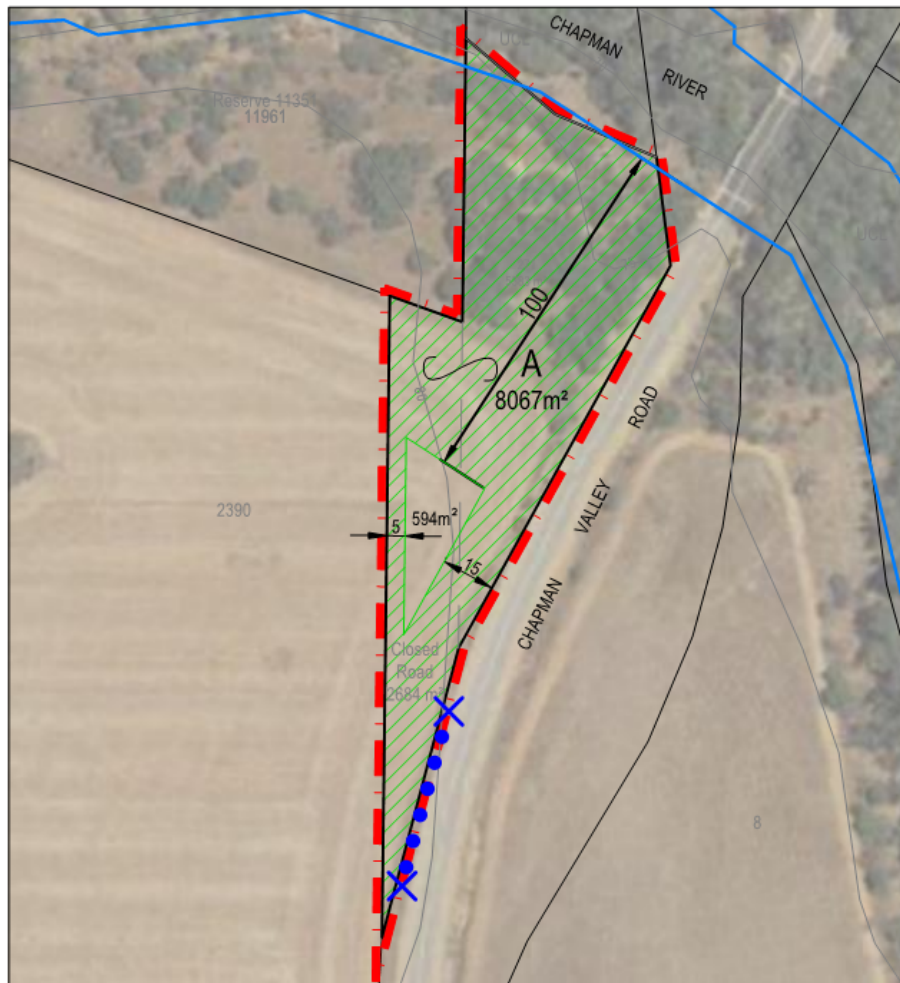
 <p>8 Anzac Terrace Geraldton WA 6530 PO BOX 1597 Geraldton WA 6531 Email : info@landwest.net.au Phone : (08) 9965 0550</p>	CLIENT: SHIRE OF CHAPMAN VALLEY							
	TITLE: PROPOSED AMALGAMATION PI LOT 271 AND ADJOINING CLOSED ROAD CHAPMAN VALLEY ROAD, YETNA							
	CERTIFICATE OF TITLE: N/A		DATE LAST MODIFIED: 21/01/2016		REV: DATE: DETAILS:		BY: APPROVED:	
	DESIGNED: GMB	DRAWN: DSH	APPROVED:		SCALE: 1 : 1500		@A4	
<p>* This plan remains the property of Landwest and must not be used for any purpose other than which it was prepared for, in relation to the land duly described, Landwest accepts no responsibility for any losses or damages caused to any person/s who may use the information for a purpose for which it was not intended.</p>								

FIGURE 4




NOTES:

1. Contours and Chapman River bank information derived from Greater Geraldton Structure Plan 1999.
2. Aerial Photography extract derived from COGG Intramaps.

LEGEND

- - - SUBJECT LAND
- BUILDING EXCLUSION ZONE
(Section 5.11 Shire of Chapman Valley Local Planning Scheme No. 2)
- X...X PROPOSED CROSSOVER
(SITE ACCESS PARAMETERS)
(Subject to Local Government Approval)

 <p>8 Anzac Terrace Geraldton WA 6530 PO BOX 1597 Geraldton WA 6531 Email : info@landwest.net.au Phone : (08) 9965 0550</p>	CLIENT: SHIRE OF CHAPMAN VALLEY					
	TITLE: PROPOSED BUILDING EXCLUSION AREA & SITE ACCESS Pt LOT 271 AND ADJOINING CLOSED ROAD CHAPMAN VALLEY ROAD, YETNA					
	CERTIFICATE OF TITLE: N/A		DATE LAST MODIFIED: 06/05/2016		REV: DATE: DETAILS:	
	DESIGNED: GMB	DRAWN: DSH	APPROVED:	SCALE: 1 : 1500	BY:	APPROVED: @A4
* This plan remains the property of Landwest and must not be used for any purpose other than which it was prepared for, in relation to the land duly described, Landwest accepts no responsibility for any losses or damages caused to any person/s who may use the information for a purpose for which it was not intended.						PLAN: FIGURE 6

Shire of Chapman Valley Local Planning Scheme No.2 - Scheme Amendment No.4 Schedule of Submissions				
Submission No & Date Rec'd	Respondent	Nature of Submission	Comment	Recommendation
1 (31/3/16)	Telstra	<p>No objection Telstra has no objection. Although not an issue, please be aware that Telstra has underground cable running along this lot, as per normal practice most likely in the firebreak.</p> <p>Developers are responsible for telecommunications infrastructure on all developments i.e. conduits, pits and the cost of the cable installation by Telstra or another carrier.</p> <p>Telstra can provide a quote for the pit and pipe and/or cable. The owner/developer will have to submit an application before construction is due to start to Telstra (less than 100 lots or living units) or NBN Co. (for greater than 100 lots or living units in a 3 year period).</p> <p>Please contact Dial before you Dig for location of existing services.</p>	The issues raised concern the telecommunication servicing of the lot and this would be a matter to be addressed at a future development/building stage.	Note submission and provide a copy of Telstra's advice to the landowner.
2 (6/4/16)	ATCO Gas	<p>No objection ATCO does not have gas mains nor infrastructure in the vicinity of the lots. ATCO has no objection to the proposal.</p>	No additional comment	Note submission
3 (7/4/16)	Western Power	<p>No objection Thank you for submitting your due diligence request to Western Power in relation to your proposed work. Your proposal is being reviewed and we will contact you directly for more information if required. This should not be considered to be an approval of non-objection to your works.</p>	<p>No further correspondence was received from Western Power. It is therefore assumed that the application does not present further concern to Western Power. The landowner would be required to meet with the requirements of Western Power at a development/building stage should they seek connection to the power network.</p> <p>Section 3.6 'Servicing' of the Scheme Amendment document notes: "The subject land is not currently serviced. At development stage, a proponent would need to demonstrate a suitable supply for potable water, in accordance with local planning scheme provisions. Western Power services may be available to the proposed lot after amalgamation."</p>	Note submission.
4 (7/4/16)	Department of Environment	No objection DER has no comment on the application in reference to	No additional comment	Note submission

Shire of Chapman Valley Local Planning Scheme No.2 - Scheme Amendment No.4 Schedule of Submissions				
Submission No. & Date Rec'd	Respondent	Nature of Submission	Comment	Recommendation
	Regulation	regulatory responsibilities under the <i>Environmental Protection Act 1986</i> and the <i>Contaminated Sites Act 2003</i> .		
5 (15/4/16)	Dampier Bunbury Natural Gas Pipeline (WA) Nominees Pty Ltd	<i>No objection</i> DBP as the owner and operator of the Dampier to Bunbury Natural Gas Pipeline has no objection to the proposal.	No additional comment	Note submission
6 (21/4/15)	Department of Aboriginal Affairs	<i>No objection</i> The amendment is partly within the boundary of one site (DAA30063 Chapman River) under the <i>Aboriginal Heritage Act 1972</i> as currently mapped on the Register of Aboriginal Sites. It is noted in Section 3.7 of the amendment document there is an acknowledgement of the <i>Aboriginal Heritage Act 1972</i> and the possible requirement for an approval under this act. The applicants should be advised to familiarise themselves with the State's Cultural Heritage Due Diligence Guidelines. These have been developed to assist proponents identify any risks to Aboriginal sites and to mitigate risk where Aboriginal sites may be present.	The subject area is alongside, but does not include, the Chapman River. The proposed rezoning and subsequent lot amalgamation this enables will ensure future development/building has a greater setback from the Chapman River than were the rezoning to not proceed. Figure 6 of the Scheme Amendment document provides a plan illustrating a building exclusion zone that demonstrates that an adequate area will be available in the southwest of the lot, setback from the Chapman River. Section 3.7 'Aboriginal Heritage' of the Scheme Amendment report notes: "A review of the Department of Aboriginal Affairs' <i>Aboriginal Heritage Inquiry System</i> shows no recorded sites of Aboriginal heritage significance on the subject land. However, the adjacent Chapman River is a Registered Aboriginal Site of historical and mythological type (ID 30063). Development of the subject land for a dwelling or any related purpose should not involve any disturbance of the adjacent Chapman River. Any disturbance of the Chapman River, as a registered site, would require consent from the Minister for Aboriginal Affairs under section 19 of the <i>Aboriginal Heritage Act 1972</i> ."	Note submission, and recommend that Council, in addition to adopting the rezoning, also resolve that: "In the event that Scheme Amendment No.4, and the subsequent amalgamation of Lot 271 and the adjoining closed road reserve, are finalised, adopt the Building Exclusion Area and Site Access Plan as contained within the advertised version of the Scheme Amendment No.4 documentation and included within Attachment 9.1.4(a) relevant to Section 5.11 of the Shire of Chapman Valley Local Planning Scheme No.2."
7 (2/5/16)	Main Roads WA	<i>No objection</i> The proposal could facilitate the future development of a	The road component of the proposed ONIC/Geraldton Outer Bypass is proposed to run 950m north-east of the	Note submission, and recommend

Shire of Chapman Valley Local Planning Scheme No.2 - Scheme Amendment No.4				
Schedule of Submissions				
Submission No & Date Rec'd	Respondent	Nature of Submission	Comment	Recommendation
		<p>single house and a wide range of other permissible or discretionary land uses within the rural zone.</p> <p>Given that the site has no direct access onto the Main Roads network and the small lot size may preclude many of these land uses Main Roads has no objection.</p> <p>Additionally Main Roads acknowledges that while the site is not required for the possible road, rail and services alignment in the Oakajee Nangulu Infrastructure Corridor ('ONIC') the site could be affected by rail noise in the future. In order to protect people from these effects we advise the Shire that future development within the site should address the possible noise management and mitigation measures as set out in <i>State Planning Policy 5.4 Road and Rail Transport Noise and Freight Considerations in Land Use Planning</i>.</p>	<p>rezoning area, and the rail component 1km north-east, and the service component 450m north-east.</p> <p>The proposed rezoning and subsequent lot amalgamation this enables will ensure future development/building has a greater setback from the ONIC than were the rezoning to not proceed.</p>	<p>that Council, in addition to adopting the rezoning, also resolve that:</p> <p>"In the event that Scheme Amendment No.4, and the subsequent amalgamation of Lot 271 and the adjoining closed road reserve, are finalised, adopt the Building Exclusion Area and Site Access Plan as contained within the advertised version of the Scheme Amendment No.4 documentation and included within Attachment 9.1.4(a) relevant to Section 5.11 of the Shire of Chapman Valley Local Planning Scheme No.2."</p>
8 (10/5/16)	Department of Agriculture & Food	No objection DAFWA does not object to the proposal.	No additional comment	Note submission.
9 (13/5/16)	Department of Water	<p>No objection DoW does not object to the Scheme Amendment, however provides the following comment.</p> <p>Section 3.3 Hydrology The subject land is within the Northampton/Galena sub area of the Gascoyne Groundwater Area as proclaimed under the <i>Rights in Water and Irrigation Act 1974</i>. Groundwater availability and quantity is variable within this</p>	<p>The comments of the DoW relate to future development/building upon the land, and the raised issues can be given due regard at this subsequent stage.</p> <p>The proposed rezoning, and subsequent lot amalgamation this enables, will ensure future development/building has a greater setback and be located at a higher elevation, from the Chapman River</p>	<p>Note submission, and recommend that Council, in addition to adopting the rezoning, also resolve that:</p> <p>"In the event that Scheme</p>

Shire of Chapman Valley Local Planning Scheme No.2 - Scheme Amendment No.4				
Submission No. & Date Rec'd	Respondent	Nature of Submission	Comment	Recommendation
		<p>sub area.</p> <p>Section 5.2.4 Suitability for dwelling DoW advises that flood mapping of this section of the Chapman River has not been undertaken. The DoW is therefore not able to provide comment or advice relating to floodplain management for the subject land.</p> <p>Section 5.2.6 Absence of environmental and planning constraints</p> <p>DoW supports the proposed Rural zoning consistent with adjacent land use. Rural zoning permits land uses that may impact on the environmental condition and integrity of the Chapman River foreshore area. Section 5.2.6 states that the scheme amendment is not subject to any environmental or planning constraints. DoW requests the Shire to encourage implementation of the recommendations made in the <i>Chapman River Foreshore Assessment Report 2001</i> as described in Section 3.3 Chapman River environs.</p>	<p>than were the rezoning to not proceed.</p> <p>Section 5.2.4 'Suitability for dwelling' of the Scheme Amendment report notes that:</p> <p>"Given the size of the subject land, it is likely to only be used for a dwelling and ancillary purposes.</p> <p>The subject land, particularly when the amalgamation of Part Lot 271 with the closed road reserve has been completed, will have sufficient area to accommodate a dwelling having regard to:</p> <ul style="list-style-type: none"> any potential flooding from the Chapman River; minimum 100m setback to the Chapman River for watercourse protection; bushfire hazard and the requirement for BAL assessment; on-site effluent disposal capacity, including adequate setback (horizontal and vertical) from the Chapman River; appropriate vehicular access to/from Chapman Road; and servicing requirements for a dwelling on Rural zoned land. <p>A plan showing a building exclusion area and site access is attached that demonstrates that an adequate area will be available in the southwest of the lot (after the amalgamation) to satisfy the above requirements."</p> <p>No additional comment</p>	<p>Amendment No.4, and the subsequent amalgamation of Lot 271 and the adjoining closed road reserve, are finalised, adopt the Building Exclusion Area and Site Access Plan as contained within the advertised version of the Scheme of the Amendment No.4 documentation and included within Attachment 9.1.4(a) relevant to Section 5.11 of the Shire of Chapman Valley Local Planning Scheme No.2."</p>
10 (17/5/16)	Water Corporation	No objection Water Corporation has no objections in regards to the proposal.		Note submission.
11 (26/5/16)	State Heritage Office	No objection The proposed scheme amendment has been considered for its potential impact on heritage places within the scheme area. There is no objection to the proposal.	No additional comment	Note submission

AGENDA ITEM:	9.1.5
SUBJECT:	PROPOSED NORTH WEST COASTAL HIGHWAY WIDENING
PROPONENT:	MAIN ROADS WA
SITE:	LOTS 65 & 5620 NORTH WEST COASTAL HIGHWAY, HOWATHARRA
FILE REFERENCE:	1003.00 & 1001.1010
PREVIOUS REFERENCE:	04/16-14
DATE:	7 JUNE 2016
AUTHOR:	SIMON LANCASTER

DISCLOSURE OF INTEREST

Nil.

BACKGROUND

Council is in receipt of correspondence from Main Roads WA, provided as **Attachment 9.1.5(a)**, seeking its support for the dedication of a portion of Lots 65 & 5620 North West Coastal Highway, Howatharra as road to enable the subsequent land acquisition and upgrade works to occur. This report recommends that Council make the necessary resolution in support.

COMMENT

Council and Main Roads WA have been working to improve the intersection alignment of Olsen Road with the North West Coastal Highway, as this has been raised as an issue of concern by residents. A copy of correspondence from the Minister for Transport to the Member for Moore in relation to this issue has been included as **Attachment 9.1.5(b)**.

The realignment of Olsen Road to intersect with the North West Coastal Highway in a safer location would require the redesign of this intersection and an initial plan prepared by Main Roads WA for these works has been included as **Attachment 9.1.5(c)**.

Figure 9.1.5(a) – Existing cadastral boundaries for North West Coastal Highway and Olsen Road reserves overlaid upon aerial photograph with proposed new alignment indicated in blue



The new Olsen Road alignment and North West Coastal Highway intersection upgrade would require an area of 4,541m² to be acquired from the 22.353ha Lot 65 North West Coastal Highway,

Howatharra and 2.541ha to be acquired from the 160.54ha Lot 5620 North West Coastal Highway, both of which are owned by LandCorp.

Council's Road Infrastructure Committee viewed the Olsen Road and North West Coastal Highway intersection on its 16 March 2015 tour, and again discussed this matter at its 18 March 2016 meeting, where it was resolved that:

"The Road Infrastructure Committee recommends Council endorse the 10 Year Road Works Program – 2016/2017 to 2025/2026 as presented with the inclusion of investigative work on the extension of proposed seal of the blackspot project on Olsen Road and this Plan be used as a basis for resource allocation into the Draft 2016/2017 Budget with the understanding there will be projects scheduled for 2015/2016, which will need to be carried-over and completed in 2016/2017."

Council subsequently resolved at its 20 April 2016 meeting that:

"Council endorse the 10 Year Road Works Program – 2016/2017 to 2025/2026 as presented:

• with the inclusion of investigative work on the extension of proposed seal of the blackspot project on Olsen Road; and...

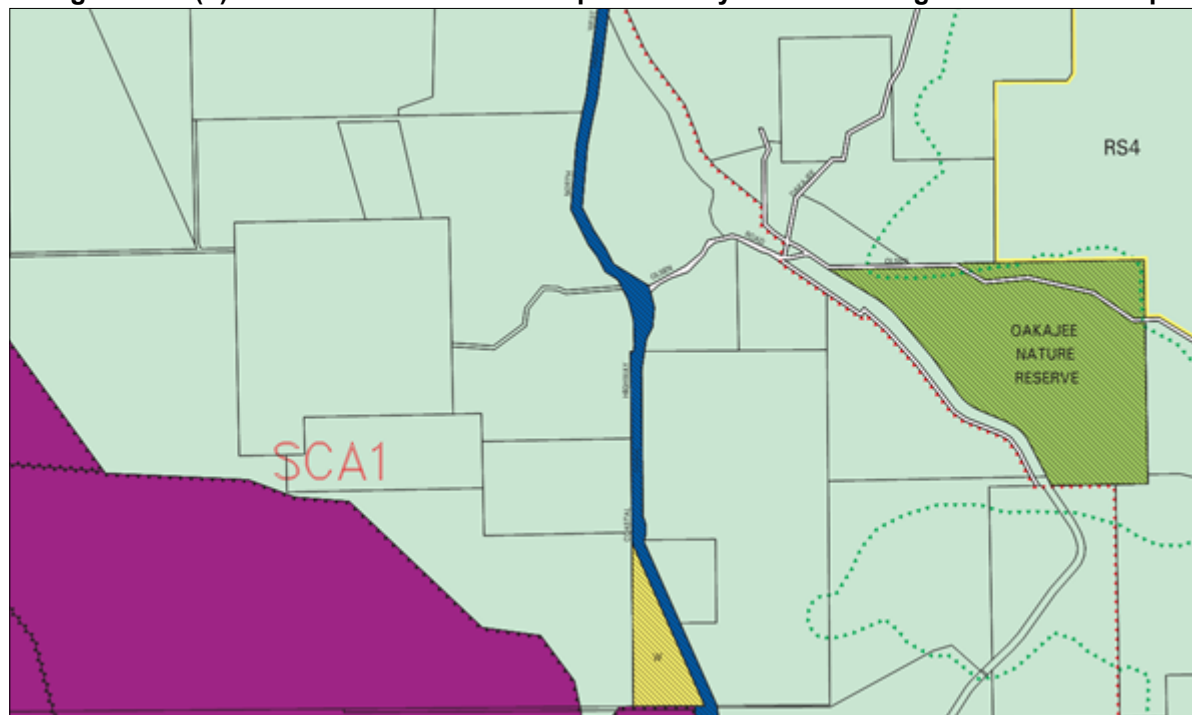
...this Plan be used as a basis for resource allocation into the Draft 2016/2017 Budget with the understanding there will be projects scheduled for 2015/2016, which will need to be carried-over and completed in 2016/2017."

STATUTORY ENVIRONMENT

Section 56 of the *Land Administration Act 1997* allows for the dedication of land for road purposes, and Part 9 allows for the acquisition of interest in land as public work.

The subject area is zoned 'Rural' under Shire of Chapman Valley Local Planning Scheme No.2 and in the event that the land acquisition was completed then a future omnibus Scheme Amendment or Scheme Review could rezone the subject 2.9951ha area to 'Major Road' zone. The subject area also lies within the 'Special Control Area 1 – Oakajee Industrial Zone Buffer' zoning.

Figure 9.1.5(b) – extract from Shire of Chapman Valley Local Planning Scheme No.2 Map



POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

The proposed realignment of the Olsen Road and North West Coastal Highway junction has been designed, and would be managed, by Main Roads WA (i.e. there would be no Shire plant and/or labour associated with the project).

This project will only go ahead if Main Roads WA are successful in receiving Black Spot funding to cover costs, which is in the vicinity of \$500,000 (subject to finalisation of design, and tendering).

Main Roads WA has requested that the Shire contribute an amount of \$40,000 (cash contribution) to extend the bitumen seal on Olsen Road. The Shire's engineers have reviewed the draft design and consider this seal extension works necessary.

As per Council's resolution from its 20 April 2016 meeting (Minute Reference 04/16-14) an amount of \$40,000 has been included in the draft 2016/2017 budget for Council's later consideration.

Main Roads WA have advised in their correspondence that they will indemnify Council against all costs and charges that may arise as a result of the road dedication. Typically in addition to the actual road construction costs this may include land acquisition costs, and surveying, settlement and re-fencing costs associated with the taking of private land to be amalgamated into the road reserve.

- **Long Term Financial Plan:**

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

The 10 Year Road Works Program 2016/2017 - 2025/2026 is structured to complement the Long Term Financial Plan.

STRATEGIC IMPLICATIONS

The subject land is located within Precinct No.6 – Oakajee of the Shire of Chapman Valley Local Planning Strategy (2008) and the proposed road widening action would be in accordance with the following precinct infrastructure objective:

"6.4.2 Identify, support and facilitate the efficient and co-ordinated use of existing road linkages."

- **Strategic Community Plan:**

The Shire of Chapman Valley Strategic Community Plan 2013-2023 was adopted by Council at its 19 June 2013 meeting and reviewed and approved by Council at its 16 March 2016 meeting. The Strategic Community Plan lists contributing to improve the road network as a strategy to meet the community objective of delivering good services to support our development as a Shire.

CONSULTATION

The 2.9951ha area of land required for road realignment purposes is already under State Government ownership through LandCorp's acquisition of Lots 65 & 5620 as part of the purchase of the Oakajee Industrial Estate and Buffer. Main Roads WA will be required to meet with the requirements of LandCorp and the Department of Lands in relation to the acquisition of the land necessary for road purposes.

RISK ASSESSMENT

Not Applicable.

VOTING REQUIREMENTS

Simple majority required.

STAFF RECOMMENDATION

That Council resolve to dedicate an area of land, as shown upon Main Roads WA Land Dealings Plan 1560-203, as a road pursuant to Section 56 of the *Land Administration Act 1997*.



mainroads
WESTERN AUSTRALIA

Record No **CR1611722**

RECEIVED

26 MAY 2016

Enquiries: Gavin Ellery on 9323 4454
Our Ref: 16/231
Your Ref:

18 May 2016

Chief Executive Officer
Shire of Chapman Valley
PO Box 1
NABAWA WA 6532

FILE No. 1003.00	
CEO	
CORPORATE SERVICES	
PLANNING	
WORKS & SERVICES	<input checked="" type="checkbox"/>
RANGER	
PROPERTY MANAGER	
EXECUTIVE ASSISTANT	

Dear Sir

WIDENING AND SEALING OF GREAT NORTHERN HIGHWAY (SLK 25.5)

Attached for consideration by Council is a plan depicting land required for improvement works to be carried out on North West Coastal Highway (SLK 25.5). In order for the project to proceed, the land shown shaded on the enclosed copy of the land Dealings Plan 1560-203 is required for inclusion in the road reserve that fall within the Shire of Chapman Valley.

Main Roads has approached the land owners and other affected parties and arrangement for acquisition are being finalised. To enable the land to be dedicated as road reserve it is a requirement of the *Land Administration Act* that local government resolve to dedicate the road.

It would be appreciated if Council could consider the matter at its next meeting and provide the following statement in a letter to Main Roads WA marked for my attention. This will satisfy the requirement of Regional and Metropolitan Services (RMS) at the Department of Lands who will be arranging dedication when the land has been acquired.

"Council at its ordinary meeting held on (Day Month Year) pass a resolution for the dedication of lands, the subject of Main Roads Land Dealings Plan 1560-203 as a road pursuant to Section 56 of the Land Administration Act 1997".

In addition, please provide a copy of the minutes of the Council meeting relating to the resolution, which is required for the Department of Lands records.

Main Roads will indemnify Council against all costs and charges that may arise as a result of the dedication.

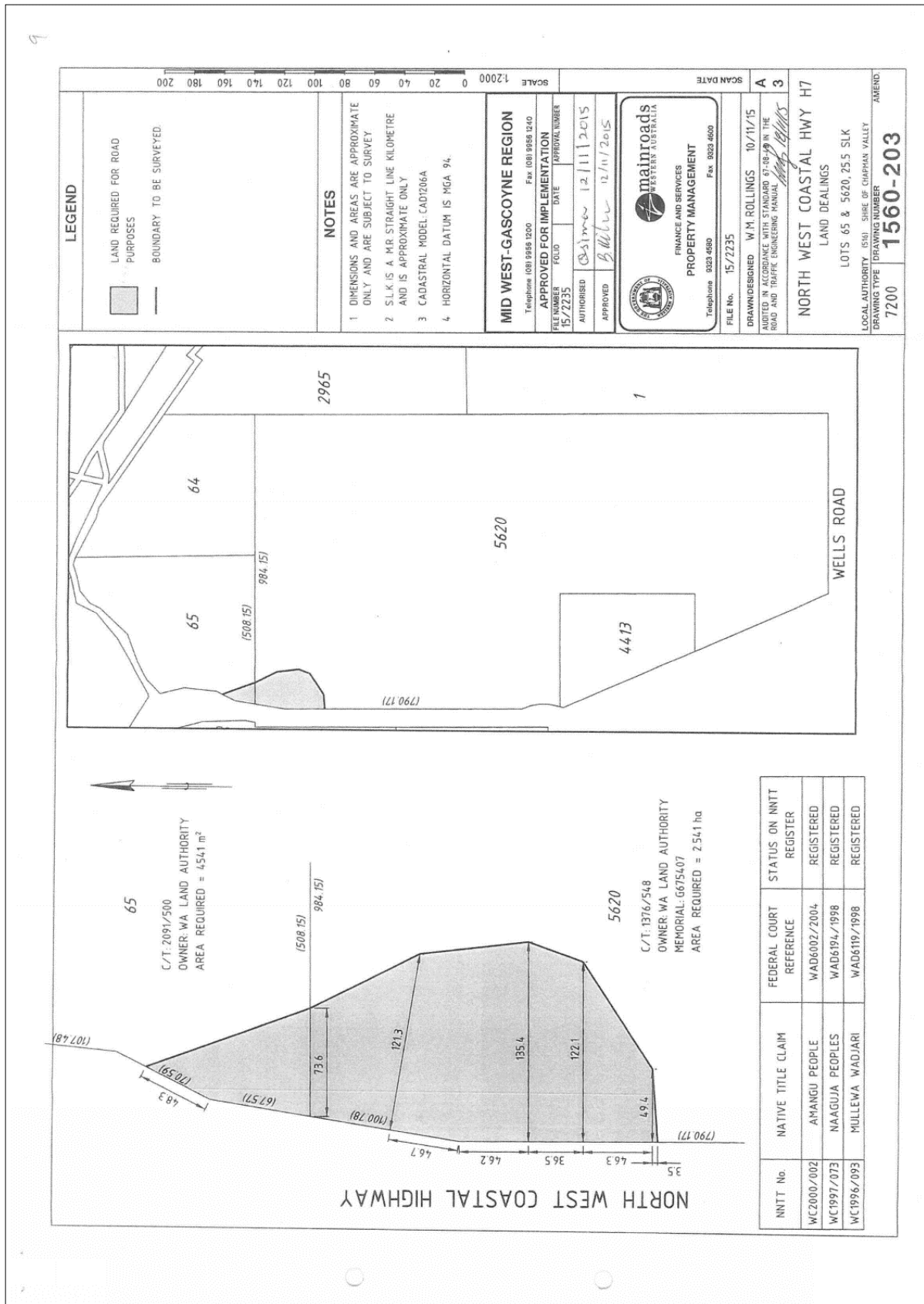
If you require any further information please contact me on 9323 4454.

Yours sincerely

Gavin Ellery
LAND ACQUISITION OFFICER

Main Roads Western Australia
Don Aitken Centre, Waterloo Crescent, East Perth WA 6004
PO Box 6202, East Perth WA 6892

mainroads.wa.gov.au
enquiries@mainroads.wa.gov.au
138 138





Received
19/3/15
SH

Minister for Transport

Our Ref : 53-06227

Mr S Love MLA
Member for Moore
PO Box 295
WEST PERTH WA 6872

Dear Mr Love *Shane*

Thank you for your letter of 12 February 2015 addressed to Main Roads regarding safety concerns at the intersection of North West Coastal Highway (NWCH) and Olsen Road in Howatharra.

Main Roads has inspected the intersection and carried out clearing of vegetation works on NWCH to improve sight distance to the north. The intersection sight distance for vehicles exiting Olsen Road into NWCH has also been assessed and was found to meet design standards.

The risk at this location is for vehicles stopped on NWCH turning right into Olsen Road as following traffic has insufficient gravel shoulder width to safely pass a waiting vehicle on the left.

The normal treatment in this situation would be to construct a bulge widening opposite the intersection to allow through vehicles adequate pavement to pass turning traffic safely. In this instance there is a large rock cutting very close to the intersection, which would make the standard treatment very expensive.

The alternative solution is to relocate the intersection to provide better sight distance. This intersection realignment would involve land acquisition from the adjacent land holder. At this stage no formal approach has been made about this requirement.

Main Roads will contact the Shire of Chapman Valley to discuss options for relocating the intersection southward to a safer location approximately 300 metres, including funding associated with such a proposal.

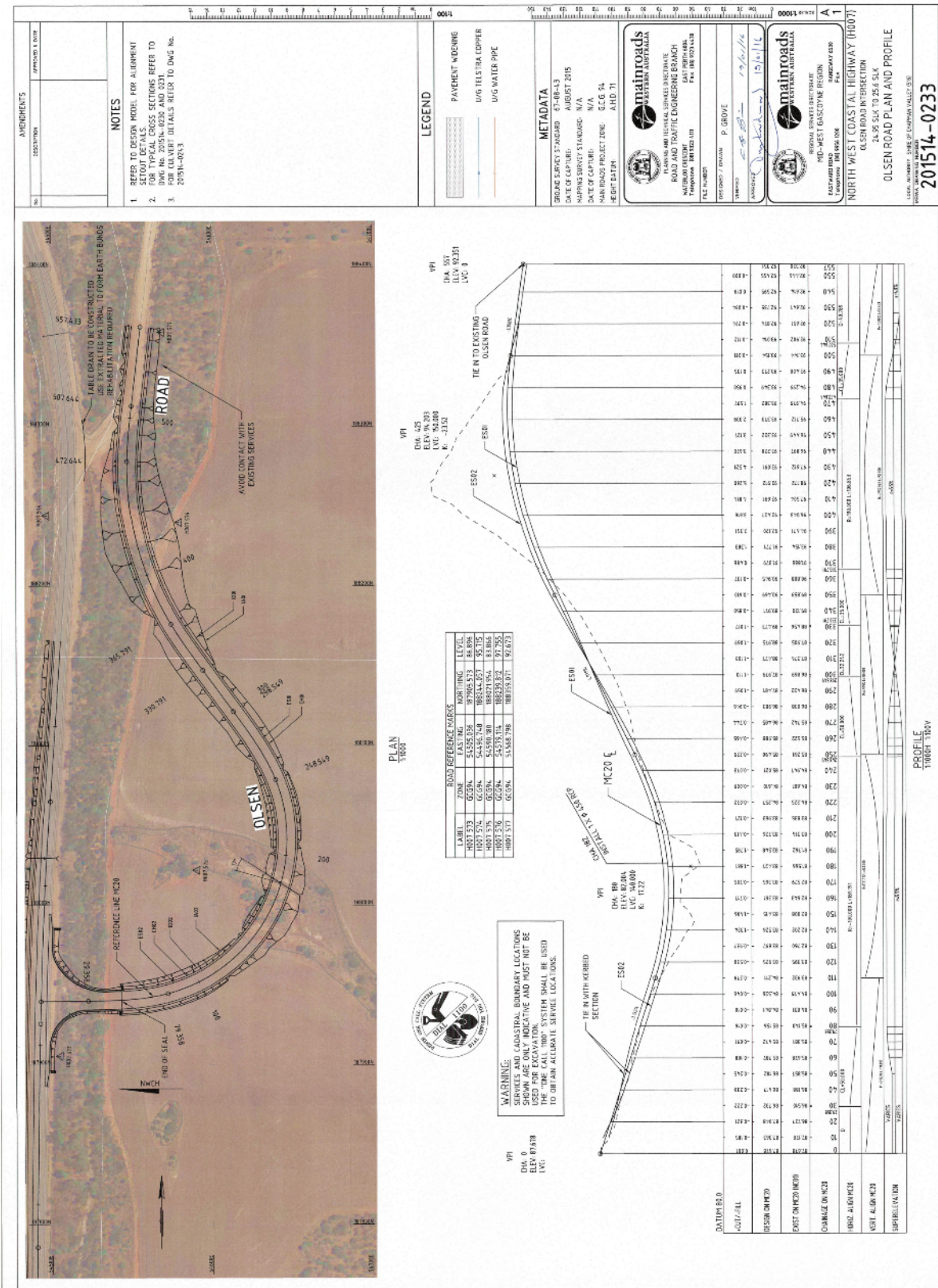
Yours sincerely

**HON DEAN NALDER MLA
MINISTER FOR TRANSPORT**

13 MAR 2015

Level 7, Dumas House, 2 Havelock Street, West Perth, Western Australia, 6005
Telephone: +61 8 6552 6400 Facsimile: +61 8 6552 6401 Email: minister.nalder@dpc.wa.gov.au

Attachment 9.1.5(c)



9.2 Finance June 2016

Contents

9.2 AGENDA ITEMS

- 9.2.1 Financial Reports for May 2016
- 9.2.2 Financial Management Review
- 9.2.3 2016/2017 Proposed Fess & Charges

AGENDA ITEM:	9.2.1
SUBJECT:	FINANCIAL REPORTS FOR MAY 2016
PROPONENT:	SHIRE OF CHAPMAN VALLEY
SITE:	SHIRE OF CHAPMAN VALLEY
FILE REFERENCE:	307.04
PREVIOUS REFERENCE:	N/A
DATE:	15 JUNE 2016
AUTHOR:	DIANNE RAYMOND

DISCLOSURE OF INTEREST

Nil

BACKGROUND

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

COMMENT

Attached to this report are the monthly financial statements for May 2016 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 10 percent is set for reporting of all material variances."*

FINANCIAL IMPLICATIONS

As presented in May 2016 financial statements.

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

No significant affect on the LTFP

STRATEGIC IMPLICATIONS

Nil

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

Nil

CONSULTATION

Not applicable

RISK ASSESSMENT

The associated risk would be the failure to comply with Local Government Financial Regulations requiring monthly reporting of financial activity.

VOTING REQUIREMENTS

Simple Majority

STAFF RECOMMENDATION

That Council receives the financial report supplied under separate attachment for the month of May 2016 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

AGENDA ITEM:	9.2.2
SUBJECT:	FINANCIAL MANAGEMENT REVIEW
PROPONENT:	CHIEF EXECUTIVE OFFICER
SITE:	SHIRE OF CHAPMAN VALLEY
FILE REFERENCE:	312.00
PREVIOUS REFERENCE:	NIL
DATE:	1 JUNE 2016
AUTHORS:	DIANNE RAYMOND, MANAGER FINANCE & CORPORATE SERVICES MAURICE BATTILANA, CHIEF EXECUTIVE OFFICER

DISCLOSURE OF INTEREST

Nil

BACKGROUND

The Local Government (Financial Management) Regulations 1996, 5(2)(c) requires Local Governments to undertake a Financial Management Review every 4 years.

A report from Moore Stephens on the Financial Management Review audit they undertook is attached for Council information and reference.

COMMENT

For each point raised by the auditor please refer to the response action taken listed immediately below each item:

- 4.3 Receipts & Receivables – Coronation Beach Camp Site (Risk Rated Low)
No action considered necessary and the audit conclusion is concurred with i.e.
“Whilst additional controls may be beneficial, management risk assessment indicates the costs of implementing controls would far outweigh the benefit due to the low value of transactions”.
- 4.4 Fees and Charges Risk Rated Low
Action taken to ensure staff are charging adopted fees and charges.
- 4.6 Purchases, Payments and Payables (Including Purchase Orders) (Risk Rated Low/Medium)
~ Staff delegated Purchasing Authority by the CEO have been reminded of the procedures associated with this delegation.
~ ABA File has now being saved in a secure folder.
- 4.7 Salaries and Wages (Risk Rated Low)
Record system being reviewed to establish a secure environment, which can easily be retrieved.
- 4.8 Credit Card Procedures (Risk Rated Low)
Credit Card Statements will now be presented as part of the monthly financial report to Council as per Policy.

- 4.9 Fixed Assets (Including Acquisition and Disposal of Property (Risk Rated Low/Medium)
- ~ Fixed Assets reconciliation undertaken on an annual basis has not been an issue in the past due to the minimal asset movements within the Shire. More frequent reconciliations will be considered, yet not considered a high risk or priority.
- ~ Accounting Policy is reviewed annually. Action underway to ensure depreciation rates reflect Policy.

STATUTORY ENVIRONMENT

Local Government Act 1995; and Local Government (Financial Management) Regulations 1996

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

- Long Term Financial Plan (LTFP):

No effect.

STRATEGIC IMPLICATIONS

It is strategically sound to undertake periodical reviews of the organisation operational procedures, hence the legislative requirement to do this at least every four years.

5. CEO's duties as to financial management

(2) The CEO is to —

- (a) ensure that the resources of the local government are effectively and efficiently managed;
- (b) assist the council to undertake reviews of fees and charges regularly (and not less than once in every financial year); and
- (c) undertake reviews of the appropriateness and effectiveness of the financial management systems and procedures of the local government regularly (and not less than once in every 4 financial years) and report to the local government the results of those reviews.

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

Objective	Strategy	Actions
We want a representation and governance model that reflects our community's	The President and Councillors to be representative of the community and provide strong leadership	Develop Council appropriate policies and procedures that enable good: governance, development, services and growth

RISK ASSESSMENT

Section 3 of the Report indicates Risk in relation to each item raised in the audit. These were predominantly all Low Risk, with two being rated Medium Risk.

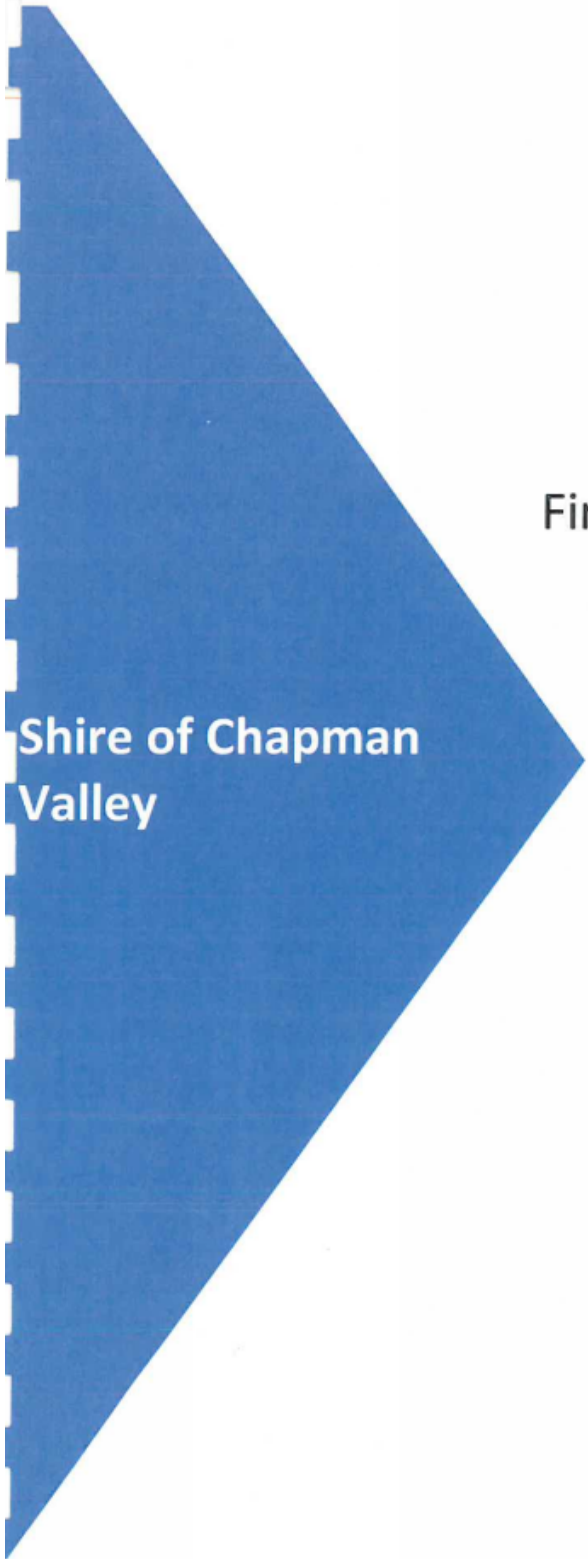
VOTING REQUIRMENTS

Simple Majority.

STAFF RECOMMENDATIONS

That Council receives the Financial Management Review 2016 Audit Report as presented.

**Financial Management Review
2016**



**Shire of Chapman
Valley**

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Disclaimer

The objective of this review as outlined in greater detail in Part 2.0 of this report as presented, is to assist the Chief Executive Officer of the Shire of Chapman Valley discharge responsibilities in respect to Regulation 5(2)(c) of the Local Government (Financial Management) Regulations 1996 (as amended).

It has been prepared by Moore Stephens (WA) Pty Ltd for this sole purpose.

It is not intended to be used by any other individual or organisation.

Confidential – this document and the information contained in it are confidential and should not be used or disclosed in any way without our prior consent.

Moore Stephens (WA) Pty Ltd carries on business separately and independently from other Moore Stephens member firms around Australia and worldwide.

Services provided under this engagement are provided by Moore Stephens (WA) Pty Ltd and not by any other independent Moore Stephens member firm. No other independent Moore Stephens member has any liability for services provided by other members.

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1.0 Independent Reviewer's Report to the Chief Executive Officer (CEO) of the Shire of Chapman Valley

At the request of the CEO, Moore Stephens (WA) Pty Ltd was engaged to conduct a limited assurance review of the appropriateness and effectiveness of the Shire of Chapman Valley financial management systems and procedures. The objective of the review is to assist the CEO discharge responsibilities in respect to Regulation 5(2)(c) of the Local Government (Financial Management) Regulations 1996 (as amended). The review was conducted for the period 1 July 2015 to 31 March 2016.

CEO'S RESPONSIBILITY FOR MAINTAINING AND REVIEWING FINANCIAL MANAGEMENT SYSTEMS AND PROCEDURES

The CEO is responsible for implementing policies, procedures and controls which are designed to ensure the effective and efficient management of the Shire's resources. In accordance with Regulation 5(2)(c) of the Local Government (Financial Management) Regulations 1996 (as amended), the CEO is to undertake reviews of the appropriateness and effectiveness of the financial management systems and procedures. At least once in every four financial years the CEO is to report the results of those reviews to Council.

OUR RESPONSIBILITY

Our responsibility is to provide a report expressing limited assurance, designed to enhance the confidence of the CEO to assist reporting on the appropriateness and effectiveness of the financial management systems as required by Regulation 5(2)(c) of the Local Government (Financial Management) Regulations 1996 (as amended). We conducted our engagement in accordance with Australian Standard on Assurance Engagements ASAE 3500 Performance Engagements issued by the Australian Auditing and Assurance Standards Board and the Audit Guidelines, in order to state whether, based on the procedures performed, anything has come to our attention that causes us to believe that Shire's financial management systems have not been operating effectively. Our engagement provides limited assurance as defined in ASAE 3500.

Our procedures were agreed to with the CEO in our engagement letter dated 28 January 2016.

LIMITATIONS OF USE

This report is made solely to the CEO of the Shire of Chapman Valley for the purpose of reporting under Local Government (Financial Management) Regulation 5(2)(c). We disclaim any assumption of responsibility for any reliance on this report to any person other than the CEO of the Shire of Chapman Valley, or for any purpose other than that for which it was prepared. We disclaim all liability to any other party for all costs, loss, damages, and liability that the other party might suffer or incur arising from or relating to or in any way connected with the contents of our report, the provision of our report to the other party, or the reliance on our report by the other party.

1.0 Independent Reviewer's Report to the Chief Executive Officer (CEO) of the Shire of Chapman Valley (Continued)

INHERENT LIMITATIONS

A limited assurance engagement is substantially less in scope than a reasonable assurance engagement conducted in accordance with ASAE 3500 and consequently does not allow us to obtain assurance that we would become aware of all significant matters that might be identified in a reasonable assurance engagement. Accordingly, we will not express an opinion providing reasonable assurance.

We cannot, in practice, examine every activity and procedure, nor can we be a substitute for management's responsibility to maintain adequate controls over all levels of operations and its responsibility to prevent and detect irregularities, including fraud. Accordingly, readers of our reports should not rely on the report to identify all potential instances of non-compliance which may occur.

Any projection of the evaluation of the level of compliance to future periods is subject to the risk that the systems may become inadequate because of changes in conditions, or that the degree of compliance with management procedures may deteriorate.

INDEPENDENCE

In conducting our engagement, we have complied with the independence requirements of the Australian professional accounting bodies.

CONCLUSION

Based on our work described in this report (which is not an audit), nothing has come to our attention to indicate the Shire of Chapman Valley has not established and maintained, in all material respects, appropriate and effective financial management systems and procedures during the period of our review being 1 July 2015 to 31 March 2016.

For those aspects of the Shire of Chapman Valley's Financial Management systems and procedures which were assessed as having opportunities for improvement, our findings are summarised as Part 3.0 of this report and detailed observations and comments are located at Part 4.0 of this report.



GREG GODWIN
DIRECTOR



MOORE STEPHENS (WA) PTY LTD
CHARTERED ACCOUNTANTS

Date: 9 May 2016
Perth, WA

2.0 Objective, Scope And Overview Of Findings

OBJECTIVE

The objective of our engagement as outlined in our engagement letter is as follows:

To provide a report expressing limited assurance designed to enhance the confidence of the intended user (in this instance the CEO) in the performance of the control environment of the financial management system of the Shire of Chapman Valley (administered by Shire staff being the Responsible Party) for which the intended user (CEO) is ultimately responsible in accordance with the Act and Regulations.

It includes the performance of assurance procedures designed to test the financial management system and report to the CEO on the appropriateness and effectiveness of the control environment within, as required by Financial Management Regulation 5(2)(c).

We trust this report will assist in the ongoing review and improvement of the Shire's financial management practices and procedures.

SCOPE

As agreed our examination covered the period 1 July 2015 to 31 March 2016. To this end we examined the following financial systems and procedures of Council:-

- | | |
|---|--|
| • Bank Reconciliations | • Minutes and Meetings |
| • Trust Funds | • Budget |
| • Receipts and Receivables | • Financial Reports |
| • Rates | • Registers (Including Annual and Primary Returns) |
| • Fees and Charges | • Delegations |
| • Purchases, Payments and Payables (Including Purchase Orders) | • Audit Committee |
| • Payroll | • Insurance |
| • Credit Card Procedures | • Storage of Documents/Record Keeping |
| • Fixed Assets (Including Acquisition and Disposal of Property) | • Plan for the future |
| • Cost and Administration Overhead Allocations | • General Compliance and Other Matters |

We did not necessarily examine compliance with provisions of the Act or Regulations, which were not financial in nature. That is, Parts 2, 4, 8 and 9 of the Act, some provisions of Parts 3 and 5 as well as most regulations (apart from the Financial Management Regulations), which did not impact on the areas examined above.

OVERVIEW OF FINDINGS

As referred to in Part 1.0 of this report, a summary of our findings and detailed observations may be found in Parts 3.0 and 4.0 on the following pages.

Addressing the issues highlighted will help to ensure the controls and procedures established are not compromised in the future and the integrity of the financial management system is maintained.

3.0 Summary of Findings

The following is a brief summary of matters noted for improvement together with our assessment of the level of risk in relation to each item:

Key: <div> <div>S</div> Systems and Procedures </div> <div> <div>C</div> Compliance Matter </div> <div> <div>H</div> High Risk </div> <div> <div>M</div> Medium Risk </div> <div> <div>L</div> Low Risk </div>				
FINDINGS	REF	PAGE	NATURE	RISK
RECEIPTS AND RECEIVABLES	4.3	6		
Receipts are not issued and no register is maintained at camping site.			S	L
FEES AND CHARGES	4.4	6		
Hall hire charges not as per adopted budget.			S	L
PURCHASES, PAYMENTS AND PAYABLES (INCLUDING PURCHASE ORDERS)	4.6	7		
One instance where the purchase order did not precede the supplier invoice.			S	L
ABA files not saved in a secure folder			S	M
SALARIES AND WAGES	4.7	8		
Employee authorisation for salary sacrifice cannot be located.			S	L
CREDIT CARD PROCEDURES	4.8	8		
Credit card statement of expenditure not presented to Council.			S	L
FIXED ASSETS (INCLUDING ACQUISITION AND DISPOSAL OF PROPERTY)	4.9	9		
Fixed asset reconciliations not performed.			S	M
Accounting policy needs to be reviewed.			S	L

Please Note: The assessment of risk as detailed above is our assessment based on the circumstances surrounding the procedures performed. An assessment of "Low Risk" is to be read in the context of our assessment of risk to the organisation as a whole. It is not intended to indicate no further action is required. Our assessments are provided solely to assist you understand the nature of the matters raised and to prioritise any remedial action.

4.0 Areas Examined with Detailed Observations and Comments

4.1 BANK RECONCILIATIONS AND PETTY CASH

Bank Reconciliations

An examination of bank reconciliations and procedures for the period under review revealed bank reconciliations were performed and reviewed on a monthly basis.

Petty Cash

An examination of the petty cash system and procedures concluded these are being properly controlled and maintained.

4.2 TRUST FUNDS

Trust funds held by Council were examined to determine proper accountability in the Shire's financial management system and compliance with regulatory requirements.

Overall testing was completed satisfactorily. Besides infrequent trust account bank reconciliations as mentioned previously, controls and procedures are considered to be operating effectively and are appropriate for Council's current scope of operations.

4.3 RECEIPTS AND RECEIVABLES

Detailed testing of a sample of 20 receipts, randomly selected, was performed. This included tracing to individual receipt detail, bank deposits and the general ledger to ensure allocation/posting was correctly performed. The receivables system including raising of invoices was also reviewed with limited testing in respect to allocation/posting.

Overall testing was completed satisfactorily. Controls and procedures are considered to be operating effectively and are appropriate for Council's current scope of operations with the following exception:

- No receipts are issued to visitors and no visitors registers are maintained at Coronation beach camp site. As a result, there is no supporting evidence against which to verify whether all funds collected are brought to the Shire office for banking.

Comment: Whilst additional controls may be beneficial, management risk assessment indicates the cost of implementing controls would far outweigh the benefit due to the low value of transactions.

4.4 FEES AND CHARGES

Fees and Charges imposed at the time of budget adoption were found to be in accordance with legislative requirements except for the following:

- Halls hire charges are not in agreement to those in the adopted budget.

Comments: To help ensure compliance to the budget, fees and charges levied to the general public should be in agreement to those adopted in the budget.

4.0 Areas Examined with Detailed Observations and Comments (Continued)

4.5 RATES

Council's rating procedures were examined to determine if they were adequate in ensuring rates were being imposed or raised correctly. This also included inspection of the rate record, rate notices, instalment notices, valuation reconciliations and general ledger.

We judgementally selected and tested ten annual and eight interim rate notices for the period under review. This included:

- sighting the notices;
- re-performing the calculations;
- ascertaining whether the valuations applied agree to Landgate's valuation roll/report;
- ascertaining whether rates per dollar imposed are as adopted budget;
- ensuring the rate system is properly updated; and
- checking proper posting to the general ledger.

From testing, we concluded the rate system and record is being properly maintained, rates are correctly imposed as well as posted to the general ledger.

4.6 PURCHASES, PAYMENTS AND PAYABLES (INCLUDING PURCHASE ORDERS)

A sample of eleven payment transactions were judgementally selected and testing performed to determine whether purchases were authorised/budgeted and payments were supported, certified, authorised and correctly allocated. Council's purchases, payments and payables system was also examined to determine if adequate controls were in place to help ensure liabilities are properly recorded and payments are properly controlled.

In general, controls and procedures over payments and payables are operating effectively and are appropriate for the Shire's current scope of operations. The following areas were assessed as having opportunity for improvement:

- In one instance the purchase order date did not precede the date of the supplier invoice.

Comments: All authorised officers should be "reminded" of the need to ensure purchase orders are raised prior to the time of authorising works/services or ordering goods. This will help to ensure goods/services have been appropriately ordered and authorised. It will also help ensure budget responsibility.

- Review of controls over electronic funds transfers revealed, once created, the ABA files are saved in an unsecured folder before the payments are subsequently uploaded onto the banking system.

Comments: To help ensure all payments made are bona fide and appropriately authorised, the ABA file should be saved in a secure folder once created.

4.0 Areas Examined with Detailed Observations and Comments (Continued)

4.7 SALARIES AND WAGES

Five individual employees were judgementally selected from four pay runs and for each employee, testing was performed to help ensure:

- the employee existed;
- the correct rate of pay was used;
- non-statutory deduction authorities are on hand;
- time sheets are properly completed and authorised;
- hours worked are authorised; and
- allocations are reasonable and correctly posted.

In addition, we selected the first pay of two new employees and the last pay of two terminating employees.

The Shire's payroll system was also reviewed to determine if adequate controls were in place to help ensure wages and salaries were properly processed and payments are properly controlled.

Overall reporting was completed satisfactorily. Controls and procedures are considered to be operating effectively and are appropriate for the Shire's current scope of operations except for the following:

- Written authorisation for salary sacrifice from one employee could not be located.

Comment: Salary details should be kept in a secure environment which can be easily retrieved when required.

4.8 CREDIT CARD PROCEDURES

A review of the Shire's credit card procedures was performed to determine if adequate controls were in place.

Two credit cards are currently in use. We randomly selected and tested credit card transactions from July 2015 to March 2016 to determine whether they are legitimate and usual in the context of the Shire's operations. This included:

- sighting tax invoices;
- ascertaining whether the transaction was for bona fide Shire's business; and
- determining whether transactions were in line with the Shire's policy.

Overall testing was completed satisfactorily. Controls and procedures are considered to be operating effectively and are appropriate for the Shire's current scope of operations except for the following:

- Credit card expenditure statements are not presented regularly to the Council as per Corporate credit card policy.

Comment: To help ensure compliance with Corporate credit card policy this requirement should be met.

4.0 Areas Examined with Detailed Observations and Comments (Continued)

4.9 FIXED ASSETS (INCLUDING ACQUISITION AND DISPOSAL OF PROPERTY)

The fixed assets management system including controls over acquisition and disposal of assets, updating of the fixed assets register, depreciation of fixed assets and reconciliation of the fixed assets register to the general ledger was examined.

Four asset additions and one asset disposal were judgementally selected and testing performed to ensure:

- the tax invoices existed;
- correct posting to the general ledger;
- fixed assets register was promptly updated;
- classification of assets was correct; and

Nine assets were judgementally selected and testing performed to ensure the depreciation rate used was in line with Council's policy.

We concluded fixed assets are properly accounted for and supporting controls are operating effectively except for the following:

- Fixed asset reconciliations have not been performed since July 2015.

Comment: To help ensure the completeness and accuracy of subsidiary ledgers, the general ledger should be reconciled to the respective subsidiary ledgers on a regular basis (at least quarterly). These reconciliations should be signed and dated by the preparer and should be independently reviewed with this review evidenced.

- Depreciation rates for Parks and Ovals and other infrastructure assets are not included in the accounting policy.

Comment: In order to ensure depreciation rates of all asset classes held by the Shire are appropriately reflected on the accounting policy, the accounting policy should be regularly reviewed and updated for changes if required.

4.10 COST AND ADMINISTRATION OVERHEAD ALLOCATIONS

The Shire's cost and administration allocation system was examined to determine if indirect costs have been properly reallocated to various jobs/programs. This included review of the allocation basis or rates used to ensure they are appropriate and regularly reviewed.

Our review noted the system is being properly maintained.

4.11 MINUTES AND MEETINGS

Council meeting minutes were reviewed to ensure compliance with procedures and protocols.

The procedures and protocols surrounding meetings and the quality of minutes were found to be of a satisfactory standard and in accordance with legislative requirements.

4.12 BUDGET

The 2015/16 budget document and documents surrounding budget adoption were reviewed to ensure compliance with regulatory requirements. All statutory requirements were satisfactorily met and the budget was of satisfactory form and content.

4.0 Areas Examined with Detailed Observations and Comments (Continued)

4.13 FINANCIAL REPORTS

The following reports were reviewed for compliance with legislative requirements:

- Annual Report;
- Annual Financial Report; and
- Monthly Financial Reports.

All were found to be of a satisfactory standard and in compliance with legislative requirements.

4.14 COMPLIANCE WITH INTEGRATED PLANNING AND REPORTING

New regulations relating to Integrated Planning came into effect on 1 July 2013. Department of Local Government and Communities Circular no.15-2013 required local governments to have the following in place by 6 September 2013:

- Strategic Community Plan;
- Corporate Business Plan;
- Workforce Plan;
- Long Term Financial Plan; and
- Asset Management Plan(s).

Based upon our review, it appears all statutory requirements were satisfactorily met.

4.15 DELEGATIONS

The delegations register was reviewed for completeness and compliance and deemed to be satisfactorily maintained and appropriate for the Shire's needs.

4.16 AUDIT COMMITTEE

Council's establishment of its audit committee and the constituted membership was examined by us and found to be in compliance with the requirements of the Act.

4.17 INSURANCE

Discussions with staff and review of policy documents revealed policies are current. Evidence also exists to suggest an annual review of insurance risks occurs.

4.18 INVESTMENTS

The Shire's investment policy was reviewed to help ensure its adequacy and compliance with legislative requirements.

Internal control procedures and restrictions over investments are properly maintained and adhered to and the investment policy complies with the requirements of Local Government (Financial Management) Regulation 19C.

4.0 Areas Examined with Detailed Observations and Comments (Continued)

4.19 IT GENERAL ENVIRONMENT

Whilst reviewing the adequacy of the Shire's IT general environment, we noted general controls such as access to the computer system, regular changes to passwords and the review and data back up are being performed. Based on our review, this approach is considered appropriate for the Shire's needs.

4.20 FINANCIAL INTEREST REGISTER

The register was examined to ensure compliance with regulatory requirements. Our review noted the register was deemed to be satisfactorily maintained and appropriate for Council needs.

4.21 TENDER REGISTER

The tender register was reviewed for completeness and compliance and deemed to be satisfactorily maintained and appropriate for the Shire's needs.

5.0 Reminders

The Shire is reminded of the following item:

- FBT Return to be lodged by 21 May 2016.

AGENDA ITEM:	9.2.3
SUBJECT:	2016/2017 PROPOSED FEES & CHARGES
PROPONENT:	CHIEF EXECUTIVE OFFICER
SITE:	SHIRE OF CHAPMAN VALLEY
FILE REFERENCE:	306
PREVIOUS REFERENCE:	N/A
DATE:	17 JUNE 2016
AUTHOR:	DIANNE RAYMOND, MANAGER FINANCE & CORPORATE SERVICES

DISCLOSURE OF INTEREST

Nil

BACKGROUND

As part of the function of local government and its operations, each year the Council is required, under Section 6.2 of the Local Government Act 1995, to formally adopt its annual financial year budget, to enable the administration to carry out the defined services and programs and to raise revenue through rates and fees and charges. In preparation for the compilation of the 2016/2017 Annual Budget the Proposed Schedule of Fees and Charges for 2016/2017 is attached for review and approval to list in the 2016/2017 Draft Budget.

COMMENT

Proposed changes to the attached Draft Fees & Charges have been based on cost recovery, benchmarking with similar local governments or appropriate percentage increases. The percentage increases being similar to either the Local Government Cost Index forecasting or known cost percentage increases from contractors. Fees and charges associated with Planning and Building have been increased or remain unchanged as per relevant legislation available to date.

STATUTORY ENVIRONMENT

Section 6.16 is the primary piece of legislation under the Local Government Act 1995 that requires fees and charges to be reviewed and adopted as part of the budget process.

6.16. Imposition of fees and charges

- (1) A local government may impose* and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.

** Absolute majority required.*

- (2) A fee or charge may be imposed for the following —
 - (a) providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government;
 - (b) supplying a service or carrying out work at the request of a person;
 - (c) subject to section 5.94, providing information from local government records;
 - (d) receiving an application for approval, granting an approval, making an inspection and issuing a license, permit, authorisation or certificate;
 - (e) supplying goods;
 - (f) such other service as may be prescribed.

- (3) Fees and charges are to be imposed when adopting the annual budget but may be —

- (a) imposed* during a financial year; and
- (b) amended* from time to time during a financial year.

** Absolute majority required.*

6.17. Setting the level of fees and charges

- (1) In determining the amount of a fee or charge for a service or for goods a local government is required to take into consideration the following factors —
- (a) the cost to the local government of providing the service or goods;
 - (b) the importance of the service or goods to the community; and
 - (c) the price at which the service or goods could be provided by an alternative provider.
- (2) A higher fee or charge or additional fee or charge may be imposed for an expedited service or supply of goods if it is requested that the service or goods be provided urgently.
- (3) The basis for determining a fee or charge is not to be limited to the cost of providing the service or goods other than a service —
- (a) under section 5.96;
 - (b) under section 6.16(2)(d); or
 - (c) prescribed under section 6.16(2)(f), where the regulation prescribing the service also specifies that such a limit is to apply to the fee or charge for the service.
- (4) Regulations may —
- (a) prohibit the imposition of a fee or charge in prescribed circumstances; or
 - (b) limit the amount of a fee or charge in prescribed circumstances.

6.18. Effect of other written laws

- (1) If the amount of a fee or charge for a service or for goods is determined under another written law a local government may not —
- (a) determine an amount that is inconsistent with the amount determined under the other written law; or
 - (b) charge a fee or charge in addition to the amount determined by or under the other written law.
- (2) A local government is not to impose a fee or charge for a service or goods under this Act if the imposition of a fee or charge for the service or goods is prohibited under another written law.

6.19. Local government to give notice of fees and charges

If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of —

- (a) its intention to do so; and

- (b) the date from which it is proposed the fees or charges will be imposed.

POLICY IMPLICATIONS

Shire of Chapman Valley 2016/2017 Draft Budget

FINANCIAL IMPLICATIONS

Shire of Chapman Valley 2016/2017 Schedule of Fees and Charges.

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

No significant effect on the LTFP

STRATEGIC IMPLICATIONS

Nil

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

Nil

CONSULTATION

All senior staff has reviewed the attached Draft 2016/2017 Schedule of Fees & Charges.

RISK ASSESSMENT

The associated risk would be the failure to comply with Local Government Financial Regulations.

VOTING REQUIREMENTS

Absolute Majority

STAFF RECOMMENDATION

The Fees and Charges as presented to Council are adopted and included into the 2016/2017 Budget in accordance with the requirements of the Local Government Act, 1995.

ADMINISTRATION		Proposed 2016/2017	Fees & Charges	Comparative 2015/2016	Adopted	Charge Basis	GST
Account Enquiries and Requisitions							
	Rates Account Enquiry Only (No Requisitions)	\$	26.50	\$	26.50	Per Lot	GST N/A
	Orders And Requisitions Account Enquiry (No Rates)	\$	58.50	\$	58.50	Per Lot	GST N/A
	Rates, Orders And Requisitions Account Enquiry	\$	85.00	\$	85.00	Per Lot	GST N/A
	Instalment Administration Fee	\$	9.00	\$	9.00	Per Instalment	GST N/A
	Instalment Interest Charge		5.50%		5.50%	Upper limit LGA	GST N/A
	Penalty Interest On Overdue Rates And Debtors		11.00%		11.00%	Upper limit LGA	GST N/A
	Administration fee for Debt Clearance confirmation		Cost plus \$25.00		Cost plus \$25.00	Per Assessment	Ex GST
NEW	Administration fee for Debt Recovery		\$30.00			Per Assessment	Ex GST
	Recovery of Dishonour Fees		Cost plus \$11.00		Cost plus \$11.00	Per item	Ex GST
Postal Boxes at Shire Office							
	Deposit to cover fitting new lock if keys not handed in	\$	62.00	\$	62.00	Per Post Box	GST N/A
	Annual fee for use of box - Non Pensioner	\$	50.00	\$	50.00		Ex GST
	Discounted Annual fee - 25% discount based on Seniors Rate Eligibility Criteria	\$	37.50	\$	37.50	Per Post Box	Ex GST
	Discounted Annual fee - 50% discount based on Full Pensioner Rate Eligibility Criteria	\$	25.00	\$	25.00	Per Post Box	Ex GST
	Copy of Rate Notice - electronic only	\$	5.00	\$	5.00	Per Copy	GST N/A
Library Services							
	Lost or damaged materials while on loan		Replacement cost plus 10% admin fee		Replacement cost plus 10% admin fee	Per item	Ex GST
Maps							
			Cost Recovery		Cost Recovery	Per Map	Ex GST
Tourism Maps of Shire							
			No Charge		No Charge	No Charge	
NEW	NEW Heritage Inventory Booklet	\$	25.00		No Charge	No Charge	Ex GST
Photocopying							
	Black and White	\$	0.50	\$	0.50	Per A4 sheet	Ex GST
	Colour	\$	1.75	\$	1.75	Per A4 sheet	Ex GST
	Black and White	\$	0.55	\$	0.55	Per A3 sheet	Ex GST
	Colour	\$	2.10	\$	2.10	Per A3 sheet	Ex GST
	Council Minutes - Copies	\$	25.00	\$	25.00	Per Copy	Ex GST
Binding							
	Hardcover (Leather Look with Foil Title)	\$	30.00	\$	30.00	Per item	Ex GST
	Softcover	\$	7.00	\$	7.00	Per item	Ex GST
	Wire Comb	\$	5.00	\$	5.00	Per item	Ex GST
	Plastic Comb	\$	4.00	\$	4.00	Per item	Ex GST
Laminating							
	A4 per sheet	\$	1.60	\$	1.60	Per item	Ex GST
	A3 per sheet	\$	2.10	\$	2.10	Per item	Ex GST
	Electoral Rolls	\$	20.00	\$	20.00	Per Roll	GST N/A
Facsimiles							
	Faxes Sent	\$	2.30	\$	2.30	Minimum Charge	Ex GST
	Faxes Received	\$	0.50	\$	0.50	Per Sheet	Ex GST
Freedom of Information Charges (as set by FOI Act Regulations 1993)							
	Personal Information about the applicant		No Fee		No Fee	No Charge	
	Application fee (for non personal information)	\$	30.00	\$	30.00	Per Application	GST N/A
	Charge for time dealing with application	\$	30.00	\$	30.00	Per Hour or Pro Rata	GST N/A
	Access time supervised by staff	\$	30.00	\$	30.00	Per Hour or Pro Rata	GST N/A
	Photocopying staff time	\$	30.00	\$	30.00	Per Hour or Pro Rata	GST N/A
	Photocopy	\$	0.20	\$	0.20	Per Sheet	Ex GST
	Transcribing from tape, film or computer	\$	30.00	\$	30.00	Per Hour or Pro Rata	GST N/A
	Film or computer information		At Cost		At Cost	Cost Recovery	Ex GST
	Delivery, packaging and postage		At Cost		At Cost	Cost Recovery	Ex GST
	Advance deposit required for the estimated charges.		25%		25%	From Estimated Charges	GST N/A
Further advance deposit may be required to meet the charges for dealing with the application. For financially disadvantaged applicants with prescribed pensioner concession cards, the charge payable may be reduced by 25% at the CEO's discretion.							

PROPERTY HIRE				
Hall Hire				
Note: The CEO is to impose bonds on the hire of Council facilities at his/her discretion				
All Venues Bond - Events without Liquor License	\$	530.00	\$ 530.00	To be placed into Trust Account. Bonds to be imposed at CEOs discretion GST N/A
All Venues Bond - Events with Liquor License	\$	700.00	\$ 700.00	To be placed into Trust Account. Bonds to be imposed at CEOs discretion GST N/A
Nabawa Community Centre				
Whole Facility - Main & Lesser Halls, Kitchen & Toilets	\$	105.00	\$ 105.00	per use Ex GST
Main Hall only	\$	75.00	\$ 75.00	per use Ex GST
Kitchen	\$	35.00	\$ 35.00	per use Ex GST
Clinic Room	\$	35.00	\$ 35.00	per use Ex GST
Chapman Valley Primary School		No Charge	No Charge	Exemption - Policy
Lesser Hall	\$	25.00	\$ 25.00	per use Ex GST
Main or Lesser Hall Block Bookings (payable in advance only)				
10 - 20 bookings per annum		20% Discount	20% Discount	Of Normal Hire Charge Ex GST
20 - 40 bookings per annum		25% Discount	25% Discount	Of Normal Hire Charge Ex GST
40 - 60 bookings per annum		30% Discount	30% Discount	Of Normal Hire Charge Ex GST
> 60 bookings per annum		35% Discount	35% Discount	Of Normal Hire Charge Ex GST
Annual Booking (Up 2 uses per week only)	\$	525.00	\$ 525.00	Per Annum Ex GST
Yuna Multipurpose Community Centre				
Whole Facility - Main Hall, Kitchen & Toilets	\$	105.00	\$ 105.00	per use Ex GST
Main Hall only	\$	75.00	\$ 75.00	per use Ex GST
Kitchen	\$	35.00	\$ 35.00	per use Ex GST
Creche/Small Room	\$	35.00	\$ 35.00	per use Ex GST
Yuna Primary School		No Charge	No Charge	Exemption - Policy
Yuna Hall				
Main & Lesser Halls, Kitchen & Toilets - All Groups	\$	68.00	\$ 68.00	per use Ex GST
Main & Lesser Halls, Kitchen & Toilets - Local Community Member	\$	42.00	\$ 42.00	per use Ex GST
Badminton Club	\$	8.00	\$ 8.00	per use Ex GST
Yuna Primary School		No Charge	No Charge	Exemption - Policy
Nabawa Recreation Centre				
Whole of stadium facilities	\$	131.00	\$ 129.00	per use Ex GST
Clubrooms (Upstairs area)	\$	65.00	\$ 64.00	per use Ex GST
Changerooms (1 section only)	\$	18.00	\$ 17.00	per use Ex GST
Kitchen (downstairs)	\$	33.00	\$ 32.00	per use Ex GST
Basketball Courts	\$	44.00	\$ 43.00	per use Ex GST
Oval, Kitchen, Clubroom and Changerooms Hire	\$	142.00	\$ 139.00	per use Ex GST
Nanson Showgrounds				
Kitchen Hire Exemption - Annual Ram Sale	\$	-	\$ -	Single Use Only Ex GST
Other Parks & Gardens				
Bond required as per Venue Hire	\$	530.00		Single Use Only Ex GST
Venue Hire		Nil		
Furniture Hire				
Tables	\$	6.50	\$ 6.50	each Ex GST
Chairs	\$	0.50	\$ 0.50	each Ex GST
Recreation Centre Facilities				
Football Club	\$	1,635.00	\$ 1,610.00	per annum -subject to change as per agreement Ex GST
Basketball Club - subject to use of facility	\$	1,177.00	\$ 1,159.00	per annum -subject to change as per agreement Ex GST
Geraldton Regional Cricket Board (GVNCC)	\$	1,353.00	\$ 1,333.00	per annum -subject to change as per agreement Ex GST
Geraldton Regional Cricket Board - fixtures not involving the Chapman Valley Cricket Team	\$	60.00	\$ 59.00	per game Ex GST
Tennis Club - Nabawa	\$	340.00	\$ 334.00	per annum -subject to change as per agreement Ex GST
Badminton Club	\$	14.00	\$ 13.00	per use Ex GST
Greenough Western Riding Club - Showgrounds Reserve	\$	406.00	\$ 339.00	per annum -subject to change as per the Management Licence Ex GST
Chapman Valley Agricultural Society - Showgrounds Reserve	\$	406.00	\$ 339.00	per annum -subject to change as per the Management Licence Ex GST
Yuna Multipurpose Community Centre - CABY Management Licence	\$	1,522.50	\$ 1,500.00	per annum -subject to change as per the Management Licence Ex GST

NEW

Caravan and Camping Fees

All camping grounds	\$	8.00	\$	8.00	Per Person Per Night	Ex GST
	\$	7.00	\$	7.00	Per Pensioner Per Night	Ex GST
		No Charge		No Charge	Shire Residents - must show Access Card	GST N/A
		No Charge		No Charge	Under 16	GST N/A
Camping with Utilities (e.g. Nanson Showgrounds)		\$8.00 + Full Cost Recovery as determined by CEO		\$8.00 + Full Cost Recovery as determined by CEO	Per Person Per Night + Full cost recovery for utility usage	Ex GST
NEW Nanson Showgrounds Camping- Chapman Valley Show Carnival	\$	250.00			Per Week Maximum stay 2 weeks	Ex GST

Residential Housing Rental

Lot 23 Chapman Valley Rd, Yuna	\$	180.00	\$	180.00	Per Week	Input Taxed
Lot 19 Chapman Valley Rd, Nabawa	\$	180.00	\$	180.00	Per Week	Input Taxed

Animal Traps -Bond

	\$	50.00	\$	50.00	Hire Agreement	Ex GST
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REFUSE CHARGES

Domestic Refuse Removal

Domestic Refuse Removal	\$	335.00	\$	325.00	per service per annum	GST N/A
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Refuse Site Charges (Non Residents)

Lawncippings and greenwaste	\$	28.00	\$	28.00	per m3 (Ute or Trailer load)	Ex GST
Any/all household rubbish (deemed to be generated day to day)	\$	33.00	\$	31.00	per m3 (Ute or Trailer load)	Ex GST
Building/backyard rubble under 0.4 m3 (approximately 2 wheelbarrows)	\$	33.00	\$	31.00	per m3 (Ute or Trailer load)	Ex GST
Household oil (under 20 litres)	\$	33.00	\$	31.00	up to 20 litres	Ex GST
Special Burial (by prior arrangement only)						
Paint containers and medical waste	\$	154.00	\$	148.00	per m3 for first m3 or less	Ex GST
Crayfish offal or similar	\$	154.00	\$	148.00	per m3 for first m3 or less	Ex GST
Commercial Items						
General waste	\$	33.00	\$	31.00	per m3 (Ute or Trailer load)	Ex GST
Syringe containers - first 7 litres	\$	18.00	\$	17.00	for first 7 litre container	Ex GST
- per litre thereafter	\$	7.00	\$	6.00	per litre thereafter	Ex GST
Cardboard	\$	7.00	\$	6.00	per m3 (Ute or trailer load)	Ex GST

PRIVATE WORKS

Private Works (Includes Operator)

Comment: Private Works fees rationalised

Grader Hire	\$	169.00	\$	169.00	per hour	Ex GST
Truck Hire (incl trailer/water tanker or side-tipper if required)	\$	175.00	\$	175.00	per hour	Ex GST
Light Truck Hire	\$	107.00	\$	107.00	per hour	Ex GST
Roller Hire - Vibrating	\$	152.00	\$	152.00	per hour	Ex GST
	\$	214.00	\$	214.00	per hour	Ex GST
Backhoe	\$	141.00	\$	141.00	per hour	Ex GST
Bobcat (Skidsteer) Hire	\$	119.00	\$	119.00	per hour	Ex GST
Pedestrian Roller	\$	102.00	\$	102.00	per hour	Ex GST
Plate Compactor	\$	85.00	\$	85.00	per hour	Ex GST
Light Vehicle (4WD Ute plus labour)	\$	4.00	\$	4.00	Per km	Ex GST
Cement Mixer	\$	79.00	\$	79.00	per hour	Ex GST
Yellow Sand	\$	2.00	\$	2.00	per cubic meter	Ex GST
Gravel	\$	7.00	\$	7.00	per cubic meter	Ex GST
Aggregate	\$	57.00	\$	57.00	per cubic meter	Ex GST
Other						
Administration Fee - Job Value less than \$2,000	\$	25.00	\$	25.00	For job value under \$2,000	Ex GST
Administration Fee - Job Value over \$2,000		20% of Job Cost		20% of Job Cost	For job value over \$2,000	Ex GST
Labour only - plant operators	\$	68.00	\$	68.00	per hour	Ex GST
Labour only - senior works staff (Works supervisor/leading hand)	\$	79.00	\$	79.00	per hour	Ex GST

LAW, ORDER & PUBLIC SAFETY				
Dog Registrations				
Unsterilised Dog 1 Year	\$	50.00	\$	50.00 Dog Act & Regulations GST N/A
Unsterilised Dog 3 Years	\$	120.00	\$	120.00 Dog Act & Regulations GST N/A
Unsterilised Dog Lifetime	\$	250.00	\$	250.00 Dog Act & Regulations GST N/A
Sterilised Dog 1 Year	\$	20.00	\$	20.00 Dog Act & Regulations GST N/A
Sterilised Dog 3 Years	\$	42.50	\$	42.50 Dog Act & Regulations GST N/A
Sterilised Dog Lifetime	\$	100.00	\$	100.00 Dog Act & Regulations GST N/A
Dog kept in approved establishment licensed under s.27	\$	200.00	\$	200.00 Dog Act & Regulations GST N/A
Sterilisation Certificate must be produced				
Dog Impounding Fees				
1st Day	\$	30.00	\$	30.00 For first day GST N/A
Subsequent Days	\$	15.00	\$	15.00 per day GST N/A
Sustenance	\$	7.00	\$	7.00 per day GST N/A
Microchip of any impounded dog or cat	\$	40.00	\$	40.00 Ex GST
Dog Act 1976				
Unregistered Dog	\$	200.00	\$	200.00 per offence GST N/A
Dog causing a nuisance	\$	200.00	\$	200.00 per offence GST N/A
Dog in a public place without collar	\$	200.00	\$	200.00 per offence GST N/A
Owners details and registration tag not on collar	\$	200.00	\$	200.00 per offence GST N/A
Dog in a public place without a collar or tag	\$	200.00	\$	200.00 per offence GST N/A
Dog not held by a leash in public	\$	200.00	\$	200.00 per offence GST N/A
Uncontrolled dog in exercise/ rural area	\$	200.00	\$	200.00 per offence GST N/A
Cat Registrations				
Sterilised Male or Female 1 Year	\$	20.00	\$	20.00 Cat Act & Regulations GST N/A
Sterilised Male or Female 3 Year	\$	42.00	\$	42.00 Cat Act & Regulations GST N/A
Sterilised Male or Female Whole of Life	\$	100.00	\$	100.00 Cat Act & Regulations GST N/A
Sterilisation Certificate must be produced				
Cat Impounding Fees				
1st Day	\$	28.00	\$	28.00 For first day GST N/A
Subsequent Days	\$	11.00	\$	11.00 per day GST N/A
Cat Act 2011				
Unregistered Cat	\$	200.00	\$	200.00 per offence GST N/A
Failure to ensure cat is wearing its registration tag in public	\$	200.00	\$	200.00 per offence GST N/A
Removing, or interfering with, a cat's registration tag	\$	200.00	\$	200.00 per offence GST N/A
Failure to ensure cat is microchipped	\$	200.00	\$	200.00 per offence GST N/A
Removing, or interfering with, a cat's microchip	\$	200.00	\$	200.00 per offence GST N/A
Failure to ensure cat is sterilised	\$	200.00	\$	200.00 per offence GST N/A
Identifying a cat as sterilised that is not	\$	200.00	\$	200.00 per offence GST N/A
Transfer of a cat that is not microchipped (and is not exempt)	\$	200.00	\$	200.00 per offence GST N/A
Transfer of a cat that is not sterilised (and is not exempt)	\$	200.00	\$	200.00 per offence GST N/A
Failure to notify local government or microchip database company of a new owner	\$	200.00	\$	200.00 per offence GST N/A
Failure to notify local government or microchip database company of a change of details	\$	200.00	\$	200.00 per offence GST N/A
Breeding cats, not being an approved cat breeder	\$	200.00	\$	200.00 per offence GST N/A
Cats not to be offered as prizes	\$	200.00	\$	200.00 per offence GST N/A
Refusal by alleged offender to give information on request	\$	200.00	\$	200.00 per offence GST N/A
Abandoned Vehicles				
Towing/Impounding of Vehicles		Cost Recovery plus 10%	Cost Recovery plus 10%	Cost Recovery plus 10%
Ranger Attendance		Cost Recovery plus 10%	Cost Recovery plus 10%	Cost Recovery plus 10%
Fire Prevention				
Fire Prevention Works Infringed Properties		Cost Recovery plus 10%	Cost Recovery plus 10%	Cost Recovery plus 10%
Ranger Attendance		Cost Recovery plus 10%	Cost Recovery plus 10%	Cost Recovery plus 10%

CEMETERY CHARGES				
Cemetery				
Sinking, exhumation, reopening and closing a grave***	\$	540.00	\$	535.00 to a depth of 1.8 metres GST N/A
Additional sinking ordered in excess of 1.8 metres***	\$	55.00	\$	54.00 Each additional 0.3 cubic metres or part thereof GST N/A
Re-sinking and closing any grave***	\$	540.00	\$	535.00 For the purpose of second interment or exhumation GST N/A
***Add 50% to charges above for burials on Saturdays and add 100% for burials on Sundays and Public Holidays				
Removal of kerbing, lilies, grass, etc	\$	40.00	\$	38.00 per hour GST N/A
Plot reservation (Burial or Niche Wall)	\$	275.00	\$	268.00 per lot GST N/A
Plot Charge (for land where grave is situated)	\$	55.00	\$	54.00 per lot GST N/A
Additional Fees				
Re-opening of any existing grave for a second interment	\$	23.00	\$	22.00 re-opening for second interment GST N/A
Permission for Exhumation	\$	23.00	\$	22.00 For exhumation GST N/A
Permission to erect a monument headstone and/or kerbing	\$	25.00	\$	22.00 Per monument headstone/kerbing GST N/A
Interment without specified notice - Extra	\$	25.00	\$	24.00 Extra for interment without notice Ex GST
Interment not in usual hours	\$	25.00	\$	24.00 Ex GST
Single Niche Wall Position Fee	\$	165.00	\$	161.00 Ex GST
Memorial Wall Position Fee	\$	110.00	\$	107.00 Ex GST
Plaque for Niche Wall		At Cost + 15%		At Cost + 15% Ex GST
Funeral Directors fee for conducting funeral within cemetery	\$	25.00	\$	25.00 Funeral Directors Fee GST N/A
Maximum fee paid by each (or any one) Funeral Director shall not in any financial year (1st July to 30th June), exceed the total amount of:	\$	100.00	\$	100.00 Maximum Funeral Direction Fee GST N/A
BUILDING & HEALTH				
BUILDING PERMIT CHARGES - SET BY LEGISLATION NOT BY COUNCIL				
			Building Act	
			Value/Quantity	
Construction Training Fund (CTF) Levy over \$20,000	0.2% x total contract price (inclusive of GST) or \$200 in every \$100,000 worth of project value.	0.2% x total contract price (inclusive of GST) or \$200 in every \$100,000 worth of project value.	Set by legislation	GST N/A
Building Commission Levy (old BRB) under \$45,000	\$61.65	\$61.65	Set by legislation	GST N/A
Building Commission Levy (old BRB) over \$45,000	0.137% of value of work	0.137% of value of work	Set by legislation	GST N/A
Building Permit Application - Certified- Class 1 or 10 s16(1)	0.19% of value of work but not less than \$96	0.09% of value of work but not less than \$95	Set by legislation	GST N/A
Building Permit Application - Certified -Class 2 to 9	0.09% of value of work but not less than \$96	0.09% of value of work but not less than \$95	Set by legislation	GST N/A
Building Permit Application - Uncertified	0.32% of value of work but not less than \$96	0.32% of value of work but not less than \$95	Set by legislation	GST N/A
Demolition Permit Application - Class 1 or Class 10 Residential	\$96.00	\$95.00	Set by legislation	GST N/A
Demolition Permit Application - Class 2 to Class 9 Commercial	\$96 for each storey	\$95 for each storey	Set by legislation	GST N/A
Application Fee to extend time for Building or Demolition Permit has effect	\$96.00	\$95.00	Set by legislation	GST N/A
Application for an occupancy permit for a completed building s 46	\$96.00	\$95.00	Set by legislation	GST N/A
Application for a temporary occupancy permit for an incomplete building s47	\$96.00	\$95.00	Set by legislation	GST N/A
Application for modification of an occupancy permit for additional use of a building on a temporary basis s48	\$96.00	\$95.00	Set by legislation	GST N/A
Application for a replacement occupancy permit for permanent change of the building's use, classification s 49	\$96.00	\$95.00	Set by legislation	GST N/A
Occupancy Permit or Building Approval cert for rego of strata scheme, plan of re-subdiv s50(1) and (2)Application Unauthorised Work s51(2)	\$10.60 for each Strata Unit covered by the application, but less than \$105.80	\$10.50 for each Strata Unit covered by the application, but less than \$104.65	Set by legislation	GST N/A
Occupancy Permit Application Unauthorised Work s51(2)	0.18% of value of work but not less than \$96	0.18% of value of work but not less than \$95	Set by legislation	GST N/A
Building Approval Certificate Unauthorised Work s51(3)	0.38% of value of work but not less than \$96	0.38% of value of work but not less than \$95	Set by legislation	GST N/A

Application to replace an occupancy permit for an existing building s52(1)		\$96.00	\$95.00	Set by legislation	GST N/A
Building Approval Certificate-existing building where unauthorised work has not been done s52(2)		\$96.00	\$95.00	Set by legislation	GST N/A
Application to extend the time during which an occupancy permit or building approval certificate has effect s65(3)(a)		\$96.00	\$95.00	Set by legislation	GST N/A
Anthony Application for Approval of Septic Apparatus		\$118.00	\$118.00	Set by legislation	GST N/A
Issuing of a "Permit to use an Apparatus"		\$118.00	\$118.00	Set by legislation	GST N/A
<i>Health (Treatment of Sewerage and Disposal of Effluent and Liquid Waste) Regulations 1974</i>					
Simon Meat Inspection N/A		Cost Recovery	Cost Recovery	At cost	Ex GST
Simon Itinerant food vendor's license		\$200.00	\$200.00	per annum	GST N/A
Licenses					
Simon Caravan Park		Set by Legislation	Set by Legislation	per annum	GST N/A
<i>Caravan Parks & Camping Grounds Act 1995</i>					
Anthony Swimming pool inspection		\$15.00	\$13.75	per annum	GST N/A
<i>Checked 4 yearly - charge spread over 4 years on rate notice</i>					
<i>Building Reg Clause 53 (a) must not exceed \$57.45 per year</i>					
Earl Analysis of public & semi public pool water		\$30.00	\$30.00	per sample taken	Ex GST
Water from Standpipe		\$30.00 Min	\$30.00 Min	\$30.00 up to 36,000 litres then 80c kL (1,000 litres) thereafter	GST Free
Earl Swipe Card Bond		\$50.00	\$50.00	Held in trust	GST N/A
<i>Recoverable Water charges from Standpipes & Bores</i>		Cost Recovery			
Simon Food Act 2008		\$50.00	\$50.00	Registration Fee per premises	GST N/A
PLANNING SERVICE FEES					
Simon Development Application					
<i>Determination of development application (other than for an extractive industry) where the estimated cost of the development is:</i>					
- Not more than \$50,000		\$147.00	\$147.00	Development Application	GST N/A
- More than \$50,000 but not more than \$500,000				0.32% of the estimated cost of the development	GST N/A
- More than \$500,000 but not more than \$2.5 million		\$1,700.00	\$1,700.00	+. 0.257% for every \$1 in excess of \$500,000	GST N/A
- More than \$2.5 million but not more than \$5 million		\$7,161.00	\$7,161.00	+. 0.206% for every \$1 in excess of \$2.5 million	GST N/A
- More than \$5 million but not more than \$21.5 million		\$12,633.00	\$12,633.00	+. 0.123% for every \$1 in excess of \$5 million	GST N/A
- More than \$21.5 million		\$34,196.00	\$34,196.00	Development Application	GST N/A
<i>Note - If development has commenced or been carried out:</i>					
<i>an additional amount by way of penalty, that is twice the amount of the fee payable for determination of the application (in addition to the initial application fee)</i>					
Amended Plans					
<i>This applies where a determination is already given by the Shire or where amended plans are submitted and not requested by the Shire</i>					
		66% of the original application fee with a minimum of \$73		66% of the original application fee with a minimum of \$73	GST N/A
Single House - Residential Design Codes					
Performance criteria or Town Planning Scheme variation assessment		\$147 - \$730	\$147 - \$730	\$73 per performance criteria/ Town Planning Scheme variation assessed with a minimum charge of \$147 and a maximum of \$730	Ex GST
Demolition					
Demolition where planning approval is required		\$147.00	\$147.00	per demolition	GST N/A
Home Based Business (including Cottage industry):					
Initial Fee		\$222.00	\$222.00	per application	GST N/A
Renewal Fee		\$73.00	\$73.00	per renewal	GST N/A

Note - If home based business or cottage industry has commenced:		an additional amount of \$666 by way of penalty			GST N/A
Application for Change of Use or Alteration or Extension					
Change of use or for alteration or extension or change of a non-conforming use which item 1 does not apply	\$	295.00	\$	295.00	Application Change GST N/A
Note - If change of use or the alteration or extension or change of the non-conforming use has commenced:		an additional amount of \$885 by way of penalty		an additional amount of \$885 by way of penalty	GST N/A
Extension of Current Planning Approval					
Extension of current Planning Approval	\$	131.00	\$	131.00	per extension GST N/A
Relocation of Building Envelope					
Relocation of building envelope	\$	147.00	\$	147.00	per relocation GST N/A
Development Application for Extractive Industry					
Initial Fee	\$	739.00	\$	739.00	per applicatoin GST N/A
Note - If development has commenced or been carried out:					GST N/A
an additional amount by way of penalty, that is twice the amount of the fee payable for determination of the application (in addition to the initial application fee)					
Provision of a subdivision clearance:					
Not more than 5 lots	\$	73.00	\$	73.00	per lot GST N/A
More than 5 lots but not more than 195 lots	\$	73.00	\$	73.00	per lot for first 5 lots then \$35 per lot GST N/A
More than 195 lots	\$	7,393.00	\$	7,393.00	max GST N/A
Town Planning Scheme Amendments-Minor					
Minor Scheme amendment (ie an amendment that involving only textural changes or rectifies a zoning anomaly) Note: 50%refundable if not advertised	\$	3,657.27	\$	3,657.27	Total with payments in stages as follows 50% refundable if not advertised Ex GST
Town Planning Scheme Amendments-Major					
Major Scheme Amendment (ie. an amendment that involves a zoning change) Note: 50%refundable if not advertised	\$	6,706.36	\$	6,706.36	Total with payments in stages as follows 50% refundable if not advertised Ex GST
Structure Plans-Minor					
Minor Structure Plans, Outline Development Plans, Subdivision Guide Plans or Similar Note: 50% refundable if not advertised	\$	3,043.64	\$	3,043.64	Total with payments in stages as follows Ex GST
Modifications to Plans once approval given	\$	979.10	\$	979.10	Plan modifications Ex GST
Structure Plans-Major					
Major Structure Plans, Outline Development Plans, Subdivision Guide Plans or Similar (Excluding Oakajee):	\$	5,493.64	\$	5,493.64	Total with payments in stages as follows Ex GST
Lodgement of documentation (major)					(50% refundable if not advertised) Ex GST
Conclusion of advertising for Council adoption (major)					advertising conclusion Ex GST
Modifications to Plans once approval given	\$	1,951.82	\$	1,951.82	plan modifications Ex GST
Detailed Area Plan					
Detailed Area Plan	\$	847.27	\$	847.27	per plan arrangement Ex GST
Zoning Certificate					
Issue of a Zoning Certificate	\$	73.00	\$	73.00	per certificate GST N/A
Section 40 Certificate					
Issue of Section 40 Certificate	\$	69.10	\$	69.10	per certificate Ex GST
Planning Advice					
Issue of written planning advice	\$	73.00	\$	73.00	for written advice Ex GST
Road/Right-of-Way Closures					
Road/R.O.W./P.A.W. requests for closure	\$	597.27	\$	597.27	per request Ex GST
Advertising Fee					
On site signage	\$	293.64	\$	293.64	per sign Ex GST



Live the Koroit Life

Fees and Charges Effective 1 July 2016

Newspaper advertising	\$	293.64	\$	293.64	per advertisement	Ex GST
Planning Documents						
CD Digital Copy	\$	23.64	\$	23.64	per copy	Ex GST
Paper Copy		Cost recovery + 10% Administration		Cost recovery + 10% Administration	Cost recovery + 10% Administration	
Inspection						
Pre-strata Inspection	\$	299.10	\$	299.10	per inspection	Ex GST
<p>NB: All fees are exempt from GST unless otherwise indicated Fee is inclusive of all associated advertising charges A 'minor' Town Planning Scheme Amendment is one that involves only textural changes or rectifies a zoning anomaly. A 'major' Town Planning Scheme Amendment is one that involves the rezoning of land. Fees are non-refundable unless otherwise stated.</p> <p>Notes:</p> <ol style="list-style-type: none"> 1 Cost Recovery' is calculated on the basis of costs incurred by Council from outside suppliers plus a 10% administration charge. 2 At Cost' is calculated on the basis of costs incurred by Council from outside suppliers. 3 An additional hourly rate may be levied by Council for Officer's time pursuant to the Town planning Regulations should an excessive work load be incurred. 4 Cost may increase in line with increase from supplier. 						
PLANNING SERVICES CHARGES - CONTRACT WORKS						
Higher Order Strategic/Statutory Planning						
Processing and reporting on Schemes & Amendments, Strategies Development Applications & Subdivisions > \$1,000,000, Structure Plans, ODP's, etc						
		\$80.00 per hour		\$80.00 per hour		Ex GST
Lower Order Strategic/Statutory Planning						
Processing and reporting on Developments & Subdivision Applications < \$1,000,000, Preparation of Local Planning Policies, etc						
		\$80.00 per hour		\$80.00 per hour		Ex GST
Preparation of Minor Scheme Amendments						
Textural amendments to the Shire Town Planning Scheme						
		\$80.00 per hour		\$80.00 per hour		Ex GST
Telephone/Written Advice (Council Community, Govt Agencies etc)						
Advice on R Codes, general development standards, subdivision and policy requirements, and other planning matters						
		\$80.00 per hour		\$80.00 per hour		Ex GST
Representation on Appeals						
Includes telephone, written and inperson attendance						
		\$80.00 per hour		\$80.00 per hour		Ex GST
Travel						
Includes officer time and vehicle costs						
		\$50.00 per hour + \$0.70 per km		\$50.00 per hour + \$0.70 per km		Ex GST
Accommodation						
General standard to be hotel/motel accommodation inclusive of dinner and breakfast All fees are GST inclusive and charged at 15 minute intervals (except travel and accommodation) Fees to be reviewed annually						
		Arranged by Client		Arranged by Client		
<p>Notes</p> <p>Hypothetically</p> <ol style="list-style-type: none"> 1 8 hours (1 day pw) x \$80.00 per hour = \$33,280 pa 2 Site Visits 1 p/month (return Nabawa to Leeman) x 300 kms/3hrs40mins travel = \$393.35 pm.....\$4,720pa 3 Site Visits 1 p/month (return Nabawa to Coorow) x 440 kms/5hrs15mins travel = \$570.50pm.....\$6,846pa 						

9.3

Chief Executive Officer

June 2016

Contents

9.3 AGENDA ITEMS

- 9.3.1 Shire of Chapman Valley – Wards and Representation Review
- 9.3.2 Amendment - Ten Year Roadworks Program
- 9.3.3 Dedicated Internet Services
- 9.3.4 Chapman Valley Agricultural Society – Grant Request Variation

AGENDA ITEM:	9.3.1
SUBJECT:	SHIRE OF CHAPMAN VALLEY – WARDS AND REPRESENTATION REVIEW
PROPOSER:	CHIEF EXECUTIVE OFFICER
SITE:	SHIRE OF CHAPMAN VALLEY
FILE REFERENCE:	404.03
PREVIOUS REFERENCE:	MINUTE REFERENCE: 03/16- 9
DATE:	15th JUNE 2016
AUTHOR:	MAURICE BATTILANA

DISCLOSURE OF INTEREST

Nil

BACKGROUND

A Local Government that has a Ward system is required to carry out reviews of:

- Its ward boundaries; and
- The number of offices of councillor for each ward;

from time to time so that not more than eight years elapse between successive reviews. The last time the Shire of Chapman Valley undertook a review of its wards and representation was in 2012.

At the March 2016 Ordinary Council Meeting (OCM) the following was resolved:

MOVED: CR ROYCE

SECONDED: CR WARR

Council:

- 1 *Conducts a review of wards and representation in accordance with Clause 6 of Schedule 2.2 of the Local Government Act 1995 and advise the Local Government Advisory Board accordingly;*
- 2 *Endorses the Draft Review of Wards and Representation Discussion Paper prepared by the Chief Executive Officer; and*
- 3 *Gives local public notice of the review and advertises for public submissions in accordance with clause 7 of schedule 2.2 of the Local Government Act 1995.*

Voting 8/0

CARRIED

Minute Reference: 03/16- 9

In accordance with legislative requirements the review of wards and representation was advertised with advice provided on where constituents could obtain a copy of the Council endorsed Discussion Paper (**see Attachment 1**) outlining review process and some options for consideration. This matter has now been brought back to Council for consideration and formal resolution on the Ward structure for the Shire.

As I reported at the March 2016 OCM, I have had informal discussions with the Department of Local Government & Communities and though the Local Government Advisory Board (LGAB) did not insist upon Council undertaking another Ward Representation Review four years after the 2012 review (this was a decision of Council not the LGAB at the time) it is highly likely Council will be requested by the LGAB for this to occur due to the significant movement in representation ratios since the 2012 review i.e.

Ward	2011 Electoral Roll Ratios (LGAB Approved in 2012 for 2013 Elections)				2015 Electoral Roll Ratios			
	No. Electors	Ratio	Elected Members	Variation	No. Electors	Ratio	Elected Members	Variation
North East	478	1:96	5	+0.80	471	1:94	5	-13.18
South West	293	1:98	3	-1.34	397	1:132	3	+21.97
Total Shire	771	1:96	8	-	868	1:108	8	-

Based on the above figures it is obvious the trend in population growth over the past four years has been (and will continue to be) an increase in the South West Ward of the Shire; whereas, the trend in the North East Ward has been a *plateauing out* of population numbers.

In order for changes to be implemented in time for the 2017 Ordinary Local Government Elections, the required community consultation process and then presentation of documentation to the Local Government Advisory Board will need to be submitted by December 2016 at the latest.

There are a number of options available to Council in regards to addressing the representation ratios, which were included in the Discussion Paper advertised for comment e.g.

- Revert to a “No Ward” structure;
- Reduce Elected Member numbers to bring the balance back within the required +/- 10% threshold;
- Adjust existing Ward Boundaries to bring the balance back within the required +/- 10% threshold.

COMMENT

In accordance with clause 6(3) of Schedule 2.2 of the *Local Government Act 1995* a local government is required to conduct a ward and representation review upon request from the LGAB to ensure any changes can be implemented in time for the forthcoming local government elections, the review must be completed and submitted to the board by 31 December 2016 for this to occur.

At the close of the advertised submission period (i.e. 31st May 2016) the following submissions were received:

Name	Shire Locality	Preferred Option	Respondents Comments
Gavin Hirschhausen	White Peak	Option 3(a)	Here is my opinion as a rate payer (Parkfalls) and as President of the DCPA. I'm not a member of the Parkfalls Residents Association. Option 3 – Abolish the ward structure and have the ratio stay around 1 elected councillor per 100 people, which is approx. 8 or 9 if my maths is correct.
Joanne Brown	White Peak	Option 1(b)	With an area the size of the South West and a population that is continually growing, it seems the only logical way to proceed is with a fair balance of Councillors for each ward. White Peak is the fastest growing area within the Shire of Chapman Valley and with most of the land now either sold or being lived on, this will only increase. To be represented by Councillors who (a) either do not live there or (b) have a vested interest in other parts of the Shire would seem highly irregular.
Anne & Keith	White Peak	Option 1(b)	We are in favour of Option 1B

Bird			
Barry Wren	White Peak	Option 1(b)	<p>I support Option 1B. Either:</p> <ul style="list-style-type: none"> • Table 3 – 4 + 4 Total 8; or • Table 4 – 3 + 3 = 6
Parkfalls Residents Association	White Peak	Option 1(b)	<p>We as the Parkfalls Residents Association Inc. have already submitted our support for even representation in both Wards. We have submitted this on behalf of the residents within the estate.</p> <p>We have also reached over approximately 160 people on Social media and via email.</p> <p>We are asking you to please consider our submission not only from the PRA but for our whole South West Ward community.</p>
Greg Pickersgill	White Peak	Option 1(b)	<p>I would like to recommend that Option 1(b) be implemented.</p>
Linda & Barry Dymond	White Peak	Option 1(b)	<p>We are aware that the Shire of Chapman Valley is conducting a review of its wards and representation and invites public participation in the review.</p> <p>The number of elected members in a ward or no ward structure will be reviewed against the following factors:</p> <ul style="list-style-type: none"> •Community of interest •Physical and topographical features •Demographic trends •Economic factors •Ratio of councillors to electors in the various wards. <p>We wish to place our vote for the ward boundary our vote is for Option 1(b) to retain the existing Ward Boundaries and increase Councillor representation to 4 in the Southwest Ward.</p>
Darren Cole	White Peak	Option 1(b)	<p>I would like to have my say on the changes to the ward boundaries in the Shire of Chapman Valley.</p> <p>I have lived in Parkfalls for just over 6 months and have owned our block for just over eighteen months and to see how the council has treated the Southwest Ward is to be honest, disappointing.</p> <p>It seems that we are being discriminated against due to the numbers on Council as it is with a number of things in our area when the rest of the Council gets what it wants virtually without question.</p> <p>I believe having 4 Councillors (option 1B) in the Southwest Ward would even up the issues within Council and give the residents a fairer go.</p>
Lisa Cole	White Peak	Option 1(b)	<p>As a ratepayer and resident of the South West Ward I believe the best option is equal representation in both wards, Option 1 (b) to retain existing boundaries and increase Councillor representation to 4 in the South West Ward.</p>
Ian Maluish	White Peak	Option 1(b)	<p>My preference is to maintain the Ward structure</p>

			<p>'as is' with equal representation from each Ward i.e. Option 1b of the Discussion Paper.</p> <p>Both Wards now have approximately the same population and therefore should have equal representation.</p> <p>Council has indicated a wish to maintain 8 Councillors, which I have no problem with, but would not be adverse to having 6 Councillors. I do not agree with having 7 or 9 Councillors.</p> <p>The current % Ratio Deviation of + 21.97% will be altered to -8.53%. I do not see the rapid rate of increase in population in the SW Ward being maintained in the near future, so it would take around 8 years to get to a situation where the difference would exceed the 10% again. This would be the time when we are required to do our next Review.</p> <p>The Shire of Chapman Valley has historically been a broad acre farming area which has been the main economic driver for over 100 years. The NE Ward towns of Nabawa, Nanson and Yuna have developed strong social and sporting communities.</p> <p>The SW Ward is predominately peri-urban, is relatively new and has vastly different interests to that in the NE Ward. The SW Ward is expanding steadily and is the future of the Shire.</p> <p>The SW portion is also cut off from the rest of the Shire by the Moresby Ranges with limited access from the west.</p> <p>To sum up, I believe we must retain the Ward system because of the distinct differences between the Wards with regards to lifestyle, location, economic factors and community interests.</p>
Linda Saunders	White Peak	Option 1(b)	I would like to see the Ward structure maintained with 4 Councillors from each Ward i.e. Option 1b. Table 3 of the Discussion Paper.
Garry Wood	White Peak	Option 1(b)	<p>My preference is option 1b as listed below for a 4 & 4 (equal) representation in each Ward.</p> <p>The current shenanigans going on at Council over the Bill Hemsley Park and the current spending in each Ward research as posted in social media reinforces my opinion that this is the only option for fair representation as a rate payer.</p>
Veronica Wood	White Peak	Option 1(b)	<p>My personal opinion is that the Representation should be 4 & 4 for each Ward, being maintain the current structure with 1 extra Councillor in the SW Ward.</p> <p>We have 2 very different communities in our Shire being the agricultural and peri-urban community and in my experience each think very differently.</p> <p>This would enable an even balance of thoughts, ideas and decisions at Council level to benefit everyone.</p>
Catherine Low	White Peak	Option 1(b)	I would like to recommend that Option 1(b) be implemented.
Tom & Tana Davies	White Peak	Option 1(b)	Over the last 10- 15 years there has been a change in the demographics within the Shire of Chapman Valley which in part has had an impact

			<p>on community interests.</p> <p>The growth of the population in the South West of the Shire has resulted in a portion of the Shire that is no longer purely focused on agriculture and the needs of those involved in maintaining services for those involved in that industry.</p> <p>It is important for Councillors as elected members to recognise the changes and accept that the needs of electors have changed and that a recognition that facilities currently enjoyed by communities within the Shire were provided to cater for populations that have been part of the Shire for decades. There is now a new and rapidly growing sector of the Shire that needs consideration for the provision of facilities to cater for their needs.</p> <p>The population of the South West Ward has increased to a point where it is almost 50% of the total population of the Shire and will under current trends continue to grow.</p> <p>It is therefore important that the views and needs of the South West Ward get fair representation on Council.</p> <p>We recognise the current economic difficulties of managing small Local Governments especially those closer to larger regional centres.</p> <p>In our opinion if Shires do not recognise the need to treat their electors equitably then they will not survive.</p> <p>We therefore submit that Option 1(b) ie; equal number of Councillors from each Ward would at least send a message to electors that their opinions have a chance of a fair hearing at Council meetings resulting in decisions that are in the best interests of the whole Shire.</p>
Tina Pendlebury	White Peak	Option 1(b)	In regards to the ward boundary review discussion paper, I support option 1b, to increase representation to 4 councillors in the South West ward.
Jan Mills	White Peak	Option 1(b)	Regarding the ward boundary review I would like to register option 1(b) as my submission.

Below is an extract from the Local Government Advisory Board's guide indicating how to conduct a review of wards and representation for local governments, with and without a ward system, in regards to Council reaching a decision:

"A conclusive argument needs to be developed which demonstrates that consideration of submissions and the assessment of options against the factors why a particular option has been chosen.

"If the Council proposes to maintain the status quo then reasons for this must be included in the resolution.

*If the Council decides to make a change, then an **absolute majority** is required. The resolution of the Council must propose the making of an order under s2.2 (1), s2.3 (3) and/or s2.18 (3) of the Act.*

In some cases a local government may determine that no change is required at the current time and identifies other factors as impacting on the future balance of representation (for example, housing development, declining populations, new industries, closure of mining operations, extension of freeways and railway networks). The expected impact of these factors may persuade a local government to resolve to undertake another review of wards and representation before the eight year period required by the Act.

The timing of this next review may be specified at the completion of the review, or at a later time.”

The Options listed in the Discussion Paper were:

Option 1(a)

Option 1(a) proposes the Shire of Chapman Valley retains the existing Ward boundaries and reduce from a total of eight (8) to seven (7) Councillors. Four (4) elected from the North East Ward (i.e. a reduction of 1) and three (3) elected from South West Ward (i.e. remain as is) as shown in the table below:

Table 2 - Ratio of councillors to electors

Ward	Number of Councillors	Number of Electors	Councillor: Elector Ratio	% Ratio Deviation
North East	4	471	1:118	-5.04%
South West	3	397	1:132	+6.72%
Total	7	868	1:124	-

Option 1(b)

Option 1(b) proposes the Shire of Chapman Valley retains the existing Ward boundaries and eight (8) councillors yet reduces the North East Ward to four (4) Councillors (i.e. a decrease of 1) and increases the South West Ward to four (4) Councillors (i.e. an increase of 1) as shown in the table below:

Table 3 - Ratio of councillors to electors

Ward	Number of Councillors	Number of Electors	Councillor: Elector Ratio	% Ratio Deviation
North East	4	471	1:118	+8.53%
South West	4	397	1:99	-8.53%
Total	8	868	1:108	-

This option could also entertain a reduction of Councillors to three (3) from each Ward i.e.

Table 4 - Ratio of councillors to electors

Ward	Number of Councillors	Number of Electors	Councillor: Elector Ratio	% Ratio Deviation
North East	3	471	1:157	+8.53%
South West	3	397	1:132	-8.53%
Total	6	868	1:145	-

Option 2(a)

Option 2(a) proposes the Shire of Chapman Valley has an overall reduction from eight (8) councillors to seven (7) Councillors. Four (4) elected from the North East Ward (i.e. a decrease of 1) and three (3) elected from South West wards (i.e. remain as is) as shown in the table below, yet the Ward boundaries be adjusted to incorporate (as near as possible) localities being fully incorporated within a particular Ward i.e.

- Move all of the Howatharra Locality into the North East Ward;
- Move all of the Oakajee Locality into the North East Ward;
- Move all of the Yetna Locality into the North East Ward;
- Move three David Rd electors in the Waggrakine Locality into South West Ward;
- Move one Coffee Pot elector in the Waggrakine Locality into North East Ward;
- Balance of Ward Boundaries remains the same.

Table 5 - Ratio of councillors to electors

Ward	Number of Councillors	Number of Electors	Councillor: Elector Ratio	% Ratio Deviation
North East	4	495	1:124	0%
South West	3	373	1:124	0%
Total	7	868	1:124	-

Option 2(b)

Option 2(b) proposes the Shire of Chapman Valley increase the number of Councillors from eight (8) councillors to Nine (9). Five (5) elected from the North East Ward (i.e. remain as is) and four (4) elected from South West Ward (i.e. an increase of 1) as shown in the table below, yet the Ward boundaries be adjusted to incorporate (as near as possible) localities being fully incorporated within a particular Ward i.e.

- Move all of the Howatharra Locality into the North East Ward;
- Move all of the Oakajee Locality into the North East Ward;
- Move all of the Yetna Locality into the North East Ward;
- Move all of the Waggrakine Locality into the South West Ward;

Table 6 - Ratio of councillors to electors

Ward	Number of Councillors	Number of Electors	Councillor: Elector Ratio	% Ratio Deviation
North East	5	461	1:92	-4.17%
South West	4	407	1:102	++5.50%
Total	9	868	1:96	-

Option 3(a)

Option 3(a); 3(b) and 3(c) all advocate removing wards and reverting to a no-ward structure, yet each of these suggest differing numbers of total Elected Members i.e.

Table 7 - Ratio of councillors to electors

Ward	Number of Councillors	Number of Electors	Councillor: Elector Ratio	% Ratio Deviation
No Wards	8	868	1:108	0.00%
Total	8	868	1:108	0.00%

Option 3(b)

Table 8 - Ratio of councillors to electors

Ward	Number of Councillors	Number of Electors	Councillor: Elector Ratio	% Ratio Deviation
No Wards	7	868	1:124	0.00%
Total	7	868	1:124	0.00%

Option 3(c)

Table 9 - Ratio of councillors to electors

Ward	Number of Councillors	Number of Electors	Councillor: Elector Ratio	% Ratio Deviation
No Wards	6	868	1:145	0.00%
Total	6	868	1:145	0.00%

Council is not necessarily limited to the above options and may wish to consider an alternative arrangement. However; any alternative ward structure being proposed would need to be compliant with the +/- 10% Elected Member/Elector ratio requirement.

STATUTORY ENVIRONMENT

Local Government Act 1995 Schedule 2.2

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Minimal advertising costs, which will be absorbed within the current and forthcoming year budgets.

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

No effect on Council's LTFP envisaged.

STRATEGIC IMPLICATIONS

It is a requirement of the Local Government Act for periodical reviews of Ward Representation to be undertaken to ensure ratios of Elected Members – to – Electors is kept within the balance required by the State Government.

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

Objective	Strategy	Outcome
We want a representation and governance model that reflects our community's unique attributes	The President and Councillors to be representative of the community and provide strong leadership	Community confidence and trust in council

CONSULTATION

The submission period for the Shire constituents to comment on the Discussion Paper was approximately 10 weeks, which is in excess of the minimum six week period required in accordance with legislation.

RISK ASSESSMENT

Non-compliance with legislation for the Ward Representation Review would only be an issue if the Council's resolution resulted in the outcome being non-conforming.

The Staff Recommendation does conform to the LGAB's requirements (i.e. the +/- 10% ration is not relevant under the no ward structure).

VOTING REQUIREMENTS

Absolute Majority

STAFF RECOMMENDATION – Option 1

In accordance with Schedule 2.2(9) of the *Local Government Act, 1995*, (the Act) the following is recommended to the Local Government Advisory Board:

1. An order be made under section 2.2 (1)(d) of the *Local Government Act 1995* abolishing all wards into which the district is divided.
2. An order be made under section 2.18 (3) of the *Local Government Act 1995* to maintain current the number of offices of councillor on the Council at eight (8).
3. Council *does not* wish to declare all offices of councillor vacant at the next ordinary elections, with councillors to complete their terms as normal and nominations are called to fill these vacancies. The remaining councillors who still have two years in office after the 2017 Ordinary Elections will represent the electors of the whole district, not wards.
4. Advise the Local Government Advisory Board of the following reasons for this decision:

Community of interest

Communities of interest are better reflected within the local government boundary under a no ward structure than the current or alternative ward boundary structures.

Physical & topographic features

The current or alternative ward boundaries do not follow any physical or topographic features.

Demographic trends

Current or alternative ward boundaries do not reflect demographic trends.

Economic factors

The current or alternative ward boundary do not reflect areas of economic activity.

STAFF RECOMMENDATION – Option 2

In accordance with Schedule 2.2(9) of the *Local Government Act, 1995*, (the Act) the following is recommended to the Local Government Advisory Board:

1. An order be made under section 2.2 (1)(d) of the *Local Government Act 1995* maintaining the existing Ward structure.
2. An order be made under section 2.18 (3) of the *Local Government Act 1995* to maintain current the number of offices of councillor on the Council at eight (8) and designate the following number of offices of Councillors to each ward:
 - North East Ward - Four (4) Elected Members
 - South West Ward – Four (4) Elected Members
3. Council *does not* wish to declare all offices of councillor vacant at the next ordinary elections, rather would have the restructure introduced at both the 2017 and 2019 Ordinary Elections:

Election Year	Ward	Ref	Number of Offices of Councillor	Term	Expiry Year of Office
2017	North East	A	1	4 Years	2021
	South West	B	1	4 Years	2021
	South West	C	1	4 Years	2021
	South West	D	1	2 Years	2019
2019	North East	E	1	4 Years	2023
	North East	F	1	4 Years	2023
	North East	G	1	2 Years	2021
	South West	H	1	4 Years	2023
	South West	D	1	4 Years	2023

4. Advise the Local Government Advisory Board of the following reasons for this decision:

Community of interest

Current Ward boundaries and representation do not totally reflect all interest of the rural, rural residential or town of the district and the elected member representation per elector does not comply with +/- 10% ratio of Elected Members to Electors. The proposed amendments to the number of elected members per ward addresses the current ratio anomaly.

While the Shire of Chapman Valley's areas are geographically different the *Community of Interests* also vary.

Physical & topographic features

Current Ward boundaries and representation do somewhat reflect physical or topographical features (e.g. roads, property boundaries, rivers and creeks etc.), yet the ratio of Elected Member representation per Elector does not. Proposed amendments to the number of elected members per ward addresses the ratio anomaly.

Demographic trends

Current ward boundaries do not reflect current demographic trends. Whereas the proposed amendments to the number of elected members per ward somewhat addresses this anomaly.

Economic factors

Current Ward boundaries do not reflect current economic activities, and nor will the proposed amendments to the number of elected members per ward being advocated. The districts economy strength remains in the broad-acre agriculture industry, which is not addressed in the proposed amendments to the number of elected members per ward. This factor will never be addressed whilst there is a requirement to comply with +/- 10% ratio of Elected Members to Electors.



DISCUSSION PAPER

REVIEW OF WARDS AND REPRESENTATION

BACKGROUND

The Shire of Chapman Valley has resolved to undertake a review of its system of representation to comply with the requirements of the *Local Government Act 1995* ('the Act').

Schedule 2.2 of the Act requires local governments with wards to carry out reviews of the ward boundaries and the number of councillors for each ward from time to time so that no more than eight years elapse between successive reviews.

The last review of wards in the Shire of Chapman Valley was undertaken in 2012 and due to the continued change in the population disbursement within the Shire it is now considered appropriate to carry out another review. Therefore, the Shire of Chapman Valley has resolved to undertake another review due to the Councillor/Elector ratios being greater than the 10% deviation permitted.

Current situation as at the October 2015 Local Government Electoral Rolls

Currently the Shire of Chapman Valley has eight (8) councillors elected from two (2) Wards as follows: (Includes State Residents Roll and Owner Occupiers Roll).

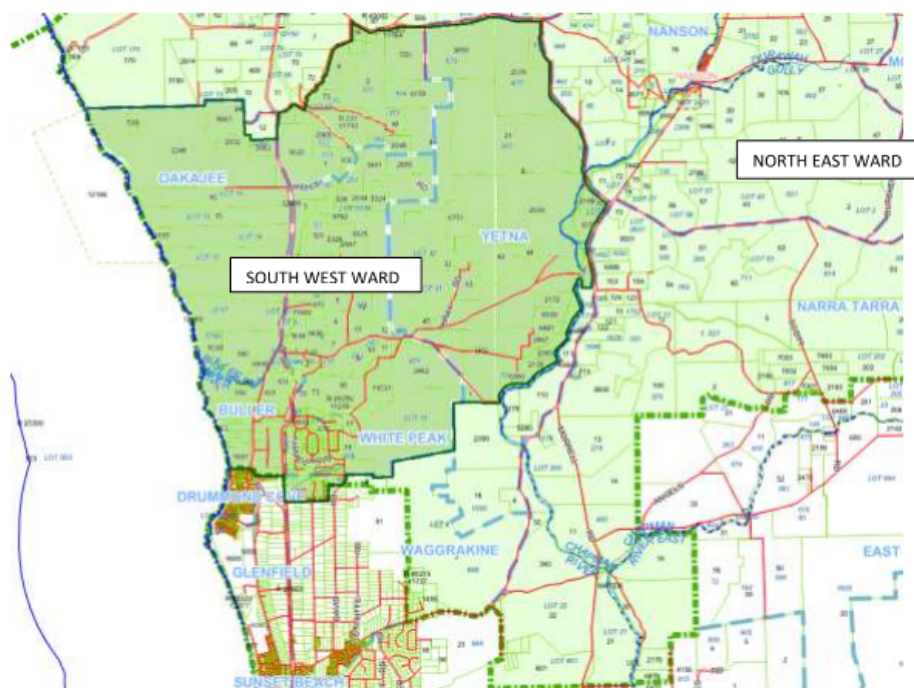
Table 1

Ward	Number of Councillors	Number of Electors	Councillor: Elector Ratio	% Ratio Deviation
North East	5	471	1:94	-13.18%
South West	3	397	1:132	+21.97%
Total	8	868	1:108	-

The % ratio deviation gives a clear indication of the difference between the average Councillor/Elector ratio for the whole local government and the Councillor/Elector ratio for each ward.

It can be seen there is an imbalance in representation across the Shire with the North East Ward being over represented and the South West Ward being under represented. A balanced representation would be reflected in the % ratio deviation being within plus or minus 10%.

Maps showing the current ward boundaries is shown below.



G:\040 Governance\411 Council Documents\Agendas\Ordinary Meetings of Council\2016\3 - March 2016\CEO\9.3.1 DISCUSSION PAPER - CV Ward and Representation Review 2016 (V1).docx

The purpose of a review is to evaluate the current arrangements and consider other options to find the system of representation that best reflects the characteristics of the district and its people. Any of the following may be considered:

- Creating new wards in a district already divided into wards;
- Changing the boundaries of a ward;
- Abolishing any or all of the wards into which a district is divided;
- Changing the name of a district or ward;
- Changing the number of offices of Councillor on a council; and
- Specifying or changing the number of offices of Councillor for a ward.

REVIEW PROCESS

The review process involves a number of steps:

1. The Council resolves to undertake the review;
2. Public submission period opens;
3. Information provided to the community for discussion;
4. Public submission period closes;
5. The Council considers all submissions and relevant factors and makes a decision;
6. The Council submits a report to the Local Government Advisory Board (the Board) for its consideration; and
7. (If a change is proposed) The Board submits a recommendation to the Minister for Local Government (the Minister).

Any changes approved by the Minister where possible will be in place for the next ordinary election.

FACTORS TO BE CONSIDERED

When considering changes to wards and representation, Schedule 2.2 of the Act specifies factors that must be taken into account by a local government as part of the review process:

1. Community of interest;
2. Physical and topographic features;
3. Demographic trends;
4. Economic factors; and
5. Ratio of Councillors to Electors in the various wards.

The Local Government Advisory Board offers the following interpretation of these factors.

1. Community of interest

The term community of interest has a number of elements. These include a sense of community identity and belonging, similarities in the characteristics of the residents of a community and similarities in the economic activities. It can also include dependence on the shared facilities in an area as reflected in catchment areas of local schools and sporting teams, or the circulation areas of local newspapers. Neighbourhoods, suburbs and towns are important units in the physical, historical and social infrastructure and often generate a feeling of community and belonging.

2. Physical and topographic features

These may be natural or man-made features that will vary from area to area. Water features such as rivers and catchment boundaries may be relevant considerations. Coastal plain and

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foothills regions, parks and reserves may be relevant as may other man made features such as railway lines and freeways.

3. Demographic trends

Several measurements of the characteristics of human populations, such as population size, and its distribution by age, sex, occupation and location provide important demographic information. Current and projected population characteristics will be relevant as well as similarities and differences between areas within the local government.

4. Economic factors

Economic factors can be broadly interpreted to include any factor that reflects the character of economic activities and resources in the area. This may include the industries that occur in a local government area (or the release of land for these) and the distribution of community assets and infrastructure such as road networks.

Options to consider

The Council is to consider the following options and members of the community may suggest other options. There are various scenarios listed under each option:

- Option 1** Maintain the Current Ward Boundaries & Adjust Councillor Numbers to bring ratios in line with the required $\pm 10\%$ level.
- Option 2** Maintain the Ward System & Adjust Boundaries to bring ratios in line with the required $\pm 10\%$ level.
- Option 3** Abolish Wards – Maintain or Reduce Councillors

NB: Notwithstanding the above options, Council may consider other options including but not limited to creating/adding wards, modifying existing ward boundaries.

OPTION 1	MAINTAIN THE CURRENT WARD BOUNDARIES & ADJUST COUNCILLOR NUMBERS TO BRING RATIOS IN LINE WITH THE REQUIRED $\pm 10\%$ LEVEL.
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The following is an assessment of the current situation against the factors.

Community of interest

Current Ward boundaries do not totally reflect all interest of the rural, rural residential or town of the district.

While the Shire of Chapman Valley's areas are geographically different the *Community of Interests* also vary.

Physical & topographic features

Current Ward boundaries do reflect physical or topographical features (e.g. roads, property boundaries, rivers and creeks etc.).

Demographic trends

Ward boundaries do not reflect current demographic trends.

Economic factors

Ward boundaries do not reflect current economic activities.

Option 1(a)

Based on *Table 1* above the North East Ward has an under allocation of electors to number of Councillors, resulting in a lower Councillor/Elector ratio whilst the South West Ward has an over allocation of electors to number of Councillors, resulting in and a higher Councillor/Elector ratio.

Option 1(a) proposes the Shire of Chapman Valley retains the existing Ward boundaries and reduce from a total of eight (8) to seven (7) Councillors. Four (4) elected from the North East Ward (i.e. a reduction of 1) and three (3) elected from South West Ward (i.e. remain as is) as shown in the table below:

Table 2 - Ratio of councillors to electors

Ward	Number of Councillors	Number of Electors	Councillor: Elector Ratio	% Ratio Deviation
North East	4	471	1:118	-5.04%
South West	3	397	1:132	+6.72%
Total	7	868	1:124	-

Option 1(b)

Option 1(b) proposes the Shire of Chapman Valley retains the existing Ward boundaries and eight (8) councillors yet reduces the North East Ward to four (4) Councillors (i.e. a decrease of 1) and increases the South West Ward to four (4) Councillors (i.e. an increase of 1) as shown in the table below:

Table 3 - Ratio of councillors to electors

Ward	Number of Councillors	Number of Electors	Councillor: Elector Ratio	% Ratio Deviation
North East	4	471	1:118	+8.53%
South West	4	397	1:99	-8.53%
Total	8	868	1:108	-

This option could also entertain a reduction of Councillors to three (3) from each Ward i.e.

Table 4 - Ratio of councillors to electors

Ward	Number of Councillors	Number of Electors	Councillor: Elector Ratio	% Ratio Deviation
North East	3	471	1:157	+8.53%
South West	3	397	1:132	-8.53%
Total	6	868	1:145	-

OPTION 2 MAINTAIN THE WARD SYSTEM & ADJUST BOUNDARIES TO BRING RATIOS IN LINE WITH THE REQUIRED +/-10% LEVEL

Community of interest

The scenarios listed in this Option, better reflects interest of the rural, rural residential and town areas of the district as they have been adjusted to reflect as near as possible the localities within the district.

The Shire of Chapman Valley remains geographically different and therefore the *Community of Interests* will always vary.

Physical & topographic features

Current Ward boundaries do reflect physical or topographical features (e.g. roads, property boundaries, rivers and creeks etc.). However, this Option looks at Ward boundaries being more closely linked to locality boundaries within the district

Demographic trends

Ward boundaries do not reflect current demographic trends.

Economic factors

Ward boundaries do not reflect current economic activities.

Option 2(a)

Option 2(a) proposes the Shire of Chapman Valley has an overall reduction from eight (8) councillors to seven (7) Councillors. Four (4) elected from the North East Ward (i.e. a decrease of 1) and three (3) elected from South West wards (i.e. remain as is) as shown in the table below, yet the Ward boundaries be adjusted to incorporate (as near as possible) localities being fully incorporated within a particular Ward i.e.

- Move all of the Howatharra Locality into the North East Ward;
- Move all of the Oakajee Locality into the North East Ward;
- Move all of the Yetna Locality into the North East Ward;
- Move three David Rd electors in the Waggrakine Locality into South West Ward;
- Move one Coffee Pot elector in the Waggrakine Locality into North East Ward;
- Balance of Ward Boundaries remains the same.

Table 5 - Ratio of councillors to electors

Ward	Number of Councillors	Number of Electors	Councillor: Elector Ratio	% Ratio Deviation
North East	4	495	1:124	0%
South West	3	373	1:124	0%
Total	7	868	1:124	-

Option 2(b)

Option 2(b) proposes the Shire of Chapman Valley increase the number of Councillors from eight (8) councillors to Nine (9). Five (5) elected from the North East Ward (i.e. remain as is) and four (4) elected from South West Ward (i.e. an increase of 1) as shown in the table below, yet the Ward boundaries be adjusted to incorporate (as near as possible) localities being fully incorporated within a particular Ward i.e.

- Move all of the Howatharra Locality into the North East Ward;
- Move all of the Oakajee Locality into the North East Ward;
- Move all of the Yetna Locality into the North East Ward;
- Move all of the Waggrakine Locality into the South West Ward;

Table 6 - Ratio of councillors to electors

Ward	Number of Councillors	Number of Electors	Councillor: Elector Ratio	% Ratio Deviation
North East	5	461	1:92	-4.17%
South West	4	407	1:102	+5.50%
Total	9	868	1:96	-

OPTION 3 ABOLISH WARDS – MAINTAIN OR REDUCE COUNCILLORS

The following is an assessment of the proposed Option 3 situation against the factors.

Community of interest

Communities of interest are better reflected within the local government boundary.

Physical & topographic features

The district boundary does not follow any physical or topographic features.

Demographic trends

District boundaries do not reflect demographic trends.

Economic factors

The district boundary does not reflect the areas of economic activity.

Option 3(a)

Table 7 - Ratio of councillors to electors

Ward	Number of Councillors	Number of Electors	Councillor: Elector Ratio	% Ratio Deviation
No Wards	8	868	1:108	0.00%
Total	8	868	1:108	0.00%

Option 3(b)

Table 8 - Ratio of councillors to electors

Ward	Number of Councillors	Number of Electors	Councillor: Elector Ratio	% Ratio Deviation
No Wards	7	868	1:124	0.00%
Total	7	868	1:124	0.00%

Option 3(c)

Table 9 - Ratio of councillors to electors

Ward	Number of Councillors	Number of Electors	Councillor: Elector Ratio	% Ratio Deviation
No Wards	6	868	1:145	0.00%
Total	6	868	1:145	0.00%

Abolishing Wards will remove the future requirement for a Wards and Representation Review to be undertaken at least every 8 Years.

PUBLIC SUBMISSION PERIOD

The Shire of Chapman Valley is seeking community input into its Review of Wards and Representations and Members of the community are invited to make a written submission about any aspect of representation. These submissions can be lodged at the following:

In Person: Shire Office
Lot 7 Chapman Valley Road

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NABAWA WA 6532

By Mail: Shire of Chapman Valley
PO Box 1
NABAWA WA 6532

By Email: ea@chapmanvalley.wa.gov.au

By Fax: (08) 9920 5155

All submissions must be received by 4.00pm on 31st May 2016.

Thank you for your interest and involvement in this review. Council welcomes your comments on any matters that may assist it to make informed and responsible decisions for the benefit of the people of the Shire of Chapman Valley.

John Collingwood
SHIRE PRESIDENT

Maurice Battilana
CHIEF EXECUTIVE OFFICER

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Ward and Representation Review 2016 (V1).docx

AGENDA ITEM:	9.3.2
SUBJECT:	AMENDMENT - TEN YEAR ROADWORKS PROGRAM
PROPOSER:	CHIEF EXECUTIVE OFFICER
SITE:	SHIRE OF CHAPMAN VALLEY
FILE REFERENCE:	1001.00
PREVIOUS REFERENCE:	NA
DATE:	20th APRIL 2016
AUTHOR:	MAURICE BATTILANA

DISCLOSURE OF INTEREST

Nil

BACKGROUND

At the April 2016 OCM Council considered the Road Infrastructure Committee's recommendation on the *10 Year Road Works Program (2016/2017 to 2025/2026)* with the following being resolved:

"MOVED: CRMALUISH

SECONDED: CR WOOD

Council receive the Road Infrastructure Committee minutes and endorse the recommendations within i.e.

Recommendation 1

Council endorse the 10 Year Road Works Program – 2016/2017 to 2025/2026 as presented:

- ~ *with the inclusion of investigative work on the extension of proposed seal of the blackspot project on Olsen Road; and*
- ~ *the wording of works to be undertaken in the Parkfalls Estate be read "Parkfalls Estate Gravel Shoulder Improvements/Bill Hemsley Park In-House Earthworks".*

this Plan be used as a basis for resource allocation into the Draft 2016/2017 Budget with the understanding there will be projects scheduled for 2015/2016, which will need to be carried-over and completed in 2016/2017."

The Program included the following projects for the 2017/2018 and 2018/2019 financial years:

Two	2017/18	BRG Grant Projects	Other Grant; Maintenance & Own Resource							
Priority 1 "Grant Funded" Projects will take precedence over all other road works										
		Dartmoor	Seal Extension	4.00	\$470,000	\$111,333	\$300,000	\$43,667		\$15,000
		Valentine	Upgrade to 7m Seal	3.00	\$435,000	\$15,000	\$290,000	\$130,000		
		East Nabawa	Upgrade to 7m Seal	3.00	\$480,000	\$113,667	\$300,000	\$66,333		
		Yuna Tenindewa	Reseal	5.00	\$175,000	\$58,333	\$116,667			
Priority 2 Works "Maintenance Works" (Amount listed is indicative only and may vary. Works not guaranteed to be completed in this year)										
		Major Maintenance Works - Various Roads	Vegetation Clearance; Drainage Works; Etc)	0.00	\$235,146	\$135,746			\$99,400	
		Minor Maintenance Works - Various Roads	Maintenance Grading; Etc)	0.00	\$298,204	\$298,204				
Priority 3 Works - "Own Resources Projects Deferred for Prev Yrs" (Amount listed is indicative only and may vary.)										
		Deferred Wandin	Gravel Shredding	4.30	\$268,709	\$268,709				
		Deferred McNaught Mazzuchelli	Gravel Shredding	4.30	\$412,831	\$412,831				
		Deferred East Nabawa	Gravel Shredding (Worst Area as determined by CEO)	4.00	\$496,190	\$496,190				
Priority 4 Works - "Additional Own Resource Projects" (Amounts listed are indicative only and may vary. Works not guaranteed to be completed in this year)										
		Wandana	Gravel Shredding	4.00	\$300,000	\$300,000				
		Parkfalls Estate	Gravel Shoulder Improvements	2.00	\$50,000	\$50,000				
					\$3,996,080	\$2,635,013	\$1,006,667	\$240,000	\$99,400	\$15,000
						Total Grants		\$1,361,067		
						% of Grants to Total Program of Works		34%		
Three	2018/19	BRG Grant Projects	Other Grant; Maintenance & Own Resource							
Priority 1 "Grant Funded" Projects will take precedence over all other road works										
		East Nabawa	Upgrade to 7m Seal	3.00	\$480,000	\$0	\$300,000	\$180,000		
		Valentine	Upgrade to 7m Seal	3.00	\$435,000	\$85,000	\$290,000	\$60,000		
		Yuna Tenindewa	Reseal	5.00	\$175,000	\$58,333	\$116,667			
Priority 2 Works "Maintenance Works" (Amount listed is indicative only and may vary. Works not guaranteed to be completed in this year)										
		Major Maintenance Works - Various Roads	Vegetation Clearance; Drainage Works; Etc)	0.00	\$235,146	\$135,746			\$99,400	
		Minor Maintenance Works - Various Roads	Maintenance Grading; Etc)	0.00	\$298,204	\$283,204				\$15,000
Priority 3 Works - "Own Resources Projects Deferred for Prev Yrs" (Amount listed is indicative only and may vary.)										
		Deferred Wandin	Gravel Shredding	4.00	\$270,000	\$270,000				
		Deferred Murphy Norris	Gravel Shredding	4.00	\$270,000	\$270,000				
		Deferred Newmarcarra	Gravel Shredding	4.00	\$270,000	\$270,000				
Priority 4 Works - "Additional Own Resource Projects" (Amounts listed are indicative only and may vary. Works not guaranteed to be completed in this year)										
		McNaught Mazzuchelli	Gravel Shredding	4.30	\$400,000	\$400,000				
		Coonawa	Gravel Shredding	4.00	\$400,000	\$400,000				
		Northern Gully	Gravel Shredding	4.00	\$300,000	\$300,000				
					\$3,533,350	\$2,472,283	\$706,667	\$240,000	\$99,400	\$15,000
						Total Grants		\$1,061,067		
						% of Grants to Total Program of Works		30%		

I have notice the Chapman Valley Road shoulder reconstruction and reseal project list for 2016/2017 (which has been funded part funded by the Mid West Regional Road Group in this year) for the first 3 kilometres of the full 9km length, was not continued on in 17/18 and 18/19. The intention was to complete the full length of the section of road under the Shire's ownership over

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

The Ten Year Road Works Program has been structured in a way to complement the LTFP. However; the Annual Budget can vary the amounts shown in the LTFP due to these Programs being more detailed.

STRATEGIC IMPLICATIONS

It is imperative Council carefully considers where resources are allocated in future road works programs to ensure the higher priority roads are catered for. The Shire's Road Hierarchy identifies the priority roads into the following categories:

- A. Main Arterial Roads (Significant Roads and approved by the RRG only);
- B. Main Feeder Roads;
- C. Minor Feeder Roads;
- D. Major Access Roads; and
- E. Minor Access Roads

It is important the Policy/Procedure to amend the Road Hierarchy is adhered to. This will ensure the integrity of the Road Hierarchy list and therefore the integrity of how Council allocates its resources to road works within the Shire.

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

We need good services to support our development as a Shire	Maintain existing services and facilities	Support improved telecommunications, power, road & water services in the community
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CONSULTATION

Consultation occurred with the Shire's Manager Works and Services (Esky Kelly) and Greenfield Technical Services (consultant Engineer) when developing the proposed road works program and the aforementioned recommended amendments.

RISK ASSESSMENT

The risk associated with not amending the 10 Year Roadworks Program as recommended is the Chapman Valley Road may not receive funding through the MWRRG, therefore making it basically impossible for the full project to be completed from Shire own resources..

VOTING REQUIREMENTS

Simple Majority

STAFF RECOMMENDATION

Council amend the 10 Year Road Works Program in 2017/2018 and 2018/2019 by:

1. Deferring the Yuna Tenindewa Road Reseal Projects by two years; and
2. Adding the continuation of the Chapman Valley Road Shoulder Reconstruction and Reseal Project over the two years of the Program to compete these works.

AGENDA ITEM:	9.3.3
SUBJECT:	DEDICATED INTERNET SERVICES
PROPOSER:	CHIEF EXECUTIVE OFFICER
SITE:	SHIRE OF CHAPMAN VALLEY
FILE REFERENCE:	206.05
PREVIOUS REFERENCE:	MINUTE REFERENCE: 04/16-6
DATE:	15th JUNE 2016
AUTHOR:	MAURICE BATTILANA, CHIEF EXECUTIVE OFFICER

DISCLOSURE OF INTEREST

Nil

BACKGROUND

Councillors will recall the presentation made to the April 2016 OCM by Mr. Rob Smallwood from the Mid West Development Commission (MWDC) in regards to a pilot project to establish a line-of-sight fixed wireless internet service to the shire between Mt Fairfax and Nabawa, generally following the alignment of the Chapman Valley Road. At this meeting Council resolved the following:

Council:

1. *Endorse an application to be submitted to the Mid West Development Commission for the Shire of Chapman Valley to undertake a Pilot Project for the establishment of improved internet services in the Shire of Chapman Valley between Waggrakine and Nabawa;*
2. *If the grant application is successful quarantine a cash contribution of \$20,000 towards the Pilot Project in the 2016/2017 Budget;*
3. *If the grant application is successful establish a Working Group to steer the Pilot Project under the following conditions and guidelines:*
 - a) *Composition of the Working Group:*
 - ~ *2 x Elected Members;*
Cr Farrell and Cr Collingwood
 - ~ *1 x MWDC representative*
 - ~ *Chief Executive Officer*
 - ~ *Manager Finance & Corporate Services*
 - ~ *Community Development Officer*
 - ~ *1 x community representative (preferably from within the area to be serviced)*
 - b) *Purpose and Rules of the Working Group's role and responsibilities:*
 - ~ *Establish Specifications to undertake a "Request for Quotes" process seeking suitably qualified and capable Internet Service Provider(s) to design, construct and install the infrastructure to achieve the desired outcomes of the Pilot Project.*
 - The Chief Executive Officer can appoint the successful respondent under the existing Purchasing Policy and Delegated Authority;*
 - ~ *Develop a Draft Agreement between the preferred Internet Service Provider and the Shire of Chapman Valley for areas such as (yet not limited to) the ongoing ownership, maintenance, operational costs, capital upgrades/replacement of the infrastructure, and the ongoing established internet service arrangement to constituents covered by the pilot project area, etc.;*
 - ~ *Assist with steering the project to achieve the desired outcomes, yet not direct staff, contractors, service provider, etc. as this is the role of the Chief Executive Officer;*

- ~ *The Group will have no delegated authority and cannot commit the Shire of Chapman Valley in any way whatsoever. All decisions not provided to the Chief Executive Officer under delegation must be made by Council;*
- ~ *The Chief Executive Officer will determine if any variations to the scope of works for the Pilot Project are minor or major. Minor variations, which do not affect the overall budget allocation to the project and do not breach funding agreement conditions, can be dealt with by the Chief Executive Officer.*

Any variation considered as being major by the Chief Executive Officer, whether there is an effect on the budget allocated to project and/or breach funding agreement conditions or not, is to be brought back to Council for determination;

Voting 8/0

CARRIED

Minute Reference: 04/16-6

COMMENT

As resolved, an application has been lodged with the MWDC for the Internet Pilot Project with the outcome of the applications not being expected until June/July 2016. This is not considered an issue as it was not anticipated the Internet Pilot Project would commence until the 2016/2017 anyway.

The purpose of this agenda item is to advise Council of another option being explored in parallel to the Internet Pilot Project.

I have been working with a local ICT organisation to determine if a dedicated fixed wireless internet service can be established through existing privately owned infrastructure, currently being used by the agricultural industry, to service the Shire Administration Offices at Nabawa in isolation to the proposed Internet Pilot Project. This would hopefully solve the Shire's current very poor internet service being provided through the Telstra 3G network, which is substandard and periodically renders the internet functions at the Shire Offices inoperable. It must be understood this dedicated fixed wireless service would be for the Shire Administration Office only and not any residents/businesses as the MWDC Internet Pilot Project was proposing to do.

The alternative to a line-of-sight fixed wireless setup (either option) is the Satellite NBN (SkyMuster) being advocated by the Commonwealth Government as the internet solution to remote areas of the country. The SkyMuster service is not being portrayed by many ICT experts as a satisfactory solution due to high costs to customer, time lags/delays, minimal capacity, capped download/upload speeds and volumes.

The technical logistics of the dedicated fixed wireless service to the Shire Administration Office has been developed by the local ICT organisation who have provided the costs estimates to install and commission this service. This scenario would result in the assets being owned by the Shire (as per the MWDC Internet Pilot Project) with the maintenance and asset replacement costs being the responsibility of the Shire.

The scenario being pursued in regards to the MWDC Pilot Project was for an Internet Service Provider (ISP) to establish clientele within the catchment area of the fixed wireless route and would use the Shire assets (i.e. towers, solar panels, batteries, etc.). A Management Agreement would then be established between the Shire and the ISP, which will stipulate the ISP being responsible for the ongoing maintenance and replacement/upgrade of all assets associated with providing the service. It is yet to be determined if such an agreement can be reached with an ISP and this will not be known until after Council goes out to the market for expressions of interest to provide the service. Expressions of interest cannot proceed until Council is aware of the grant application we have with the MWDC.

I am continuing to work with the ICT organisation in regards how the ongoing maintenance issues of assets associated with the dedicated fixed wireless service to the Shire Administration Office can be dealt with. The intention is remove this from the Shire's responsibility and have an external ICT organisation or the existing tower owner take on this responsibility on the Shire's behalf on a *fee for service* basis.

STATUTORY ENVIRONMENT

6.8. Expenditure from municipal fund not included in annual budget

Local Government Act (1995) – Section 6.8. - Expenditure from municipal fund not included in annual budget

(1) *A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure:*

- (a) *is incurred in a financial year before the adoption of the annual budget by the local government; or*
- (b) *is authorised in advance by resolution*; or*
- (c) *is authorised in advance by the mayor or president in an emergency.*

** Absolute majority required.*

(1a) *In subsection (1):*

additional purpose means a purpose for which no expenditure estimate is included in the local government's annual budget.

(2) *Where expenditure has been incurred by a local government —*

- (a) *pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and*
- (b) *pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the council.*

POLICY/PROCEDURE IMPLICATIONS

Nil affect.

FINANCIAL IMPLICATIONS

Council has an amount of \$10,000 listed in the budget (included in COA 0682) for “*ICT Shared Services with the Northern Country Zone*”. These funds have not been required due to the regional ICT concept not coming to fruition in 2015/2016, nor is it expected to be in the near future. The majority of Northern Country Zone local governments have either remained as they are (i.e. in-house systems) or transitioned to the Cloud Based Data Centre structure (similar to what this Shire has recently converted to). Therefore I am advocating Council use these unallocated funds to establish a dedicated fixed wireless internet service to the Shire Administration Office at Nabawa.

I am also advocating Council maintain the previously endorsed \$20,000 allocation to the MWDC Internet Pilot Project in the event this grant is successful as this would provide a service for the Council and community benefit, yet retain the separate independent dedicated fixed wireless for the Shire. I believe this dedicated service will remove the risk of the community service becoming oversubscribed and therefore the service standards being compromised. This concept may also provide Council with a strong backup service if the dedicated Shire fixed wireless service fails.

• Long Term Financial Plan (LTFP):

There is nothing specifically mentioned in the LTFP in regards to the improvement of internet services. However; this is part of the Strategic Community Plan and I do not see this having a significant impact on the LTFP.

STRATEGIC IMPLICATIONS

The Shire of Chapman Valley has historically been strong on improving telecommunication services to the Shire. This is supported by the recently released MWDC Blue Print, which highlights improved telecommunications as one of the Blue Print's Pillars and a high priority.

It is understood technology will advance rapidly and what is considered state of the art today will be old technology in the near future.

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

We want to be able to spend our money locally and encourage others to do the same	Develop tourism in the Shire, including cottage industries, caravan park and events
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We want to strengthen our community's position for the future	Maintain a resilient and independent Shire
---	--

Increase mobile phone coverage and improve power, road and water services	Essential services help us to grow and prosper as a community
---	---

CONSULTATION

There has been dialogue over the past few months between Market Creations and Shire staff on how to improve the internet services to the Shire Administration in Nabawa. The current Telstra 3G service is proving to be too slow and unreliable.

The consultation has also included discussions with the MWDC and an internet service provider to assist with the technical and cost estimate aspects of the MWDC Internet Pilot Project.

RISK ASSESSMENT

It is considered there is some risk in the Shire becoming an Internet Service Provider (ISP) and/or being responsible for the maintenance of assets. This is a matter I am working on with both the MWDC and Market Creations.

VOTING REQUIREMENTS

Absolute Majority

STAFF RECOMMENDATION

Council:

1. Endorse the reallocation of \$10,000 budgeted for in 2015/2016 under COA 0682 for "*ICT Shared Services with the Northern Country Zone*" to the establishment of a dedicated fixed wireless service specifically for the Shire Administration Offices in Nabawa;
2. If the funds reallocated in Item 1 above are not spent in 2015/2016 then this full amount, or the unspent residual amount, be quarantined in the 2016/2017 Budget to complete this dedicated fixed wireless service;
3. The Chief Executive Officer to establish maintenance agreements/arrangements with an external contractor(s) for all assets associated with the dedicated fixed wireless service and bring this back to Council for consideration prior to implementing the establishment of the dedicated fixed wireless service;
4. If the Mid West Development Commission grant application is successful for the Internet Pilot Project then Council retain its endorsed position (as per Minute Reference: 04/16-6) to quarantine a cash contribution of \$20,000 towards the Pilot Project in the 2016/2017 Budget to improve community internet services.

AGENDA ITEM:	9.3.4
SUBJECT:	CHAPMAN VALLEY AGRICULTURAL SOCIETY – GRANT REQUEST VARIATION
PROPONENT:	CHAPMAN VALLEY AGRICULTURAL SOCIETY
SITE:	SHIRE OF CHAPMAN VALLEY
FILE REFERENCE:	403.10
PREVIOUS REFERENCE:	MINUTE REFERENCE: 04/16-17
DATE:	20th APRIL 2016
AUTHOR:	MAURICE BATTILANA, CHIEF EXECUTIVE OFFICER

DISCLOSURE OF INTEREST

Nil

BACKGROUND

Correspondence (see email at **Attachment 1**) has been received from the Chapman Valley Agricultural Society (CVAS) seeking Council approval to carry-over already approved funds the Shire has agreed to contribute towards the establishment of an under-cover area at the Nanson Showgrounds.

Council resolved the following at the April 2016 OCM:

MOVED: CR FARRELL

SECONDED: CR WARR

Council advises the Chapman Valley Agricultural Society the following to assist them with the establishment of an under-cover area at the Nanson Showgrounds:

1. *Council will reallocate the amount of \$5,000 under COA 2644 in the 2015/2016 budget from relocation the ticket box and installing carpark fencing at the Nanson Showgrounds to costs associated with installing a new under-cover area at this location;*
2. *Council will allocate an additional amount of \$5,000 towards installing a new under-cover area at the Nanson Showgrounds from the 2015/2016 Community Growth Funds;*
3. *The conditions of funding allocations listed in items 1 & 2 above are:*

~ *All Council funds to be spent and acquitted by the 30th June 2016;*

~ *Funds will only be made available if all other revenue sources are forthcoming.*

Voting 7/0

CARRIED

Minute Reference: 04/16-17

Council has established a Community Growth Fund Advisory Group (CGFAG) with purpose of this Group being as follows:

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

As the initial approach made by the CVAS eventuated after the annual request for CGF applications for 2015/2016 and was not formally received until April 2016 it was not considered practicable to convene a meeting of the CGFAG, therefore Council agreed to deal with this request at a Council level.

COMMENT

The problem being faced by the CVAS is a matter of timing. The CVAS lodged an application for funding assistance through the Mid-West Development Commission’s (MWDC) Community Chest Fund to complete the project.

At the time this matter was dealt with by Council (i.e. April 2016) it was anticipated the grant application outcome would be known in time for the CVAS to at least have the shed ordered and delivered prior to the 30th June 2016. Therefore allowing the CVAS to acquit the funds provided to them by Council. It appears now this may not be possible due to the MWDC grant application outcome not being known until mid/late June '16 (or even early July '16).

It is therefore being recommended the \$10,000 (all or any unspent portion at 30/6/16) allocated by Council as per the April 2016 OCM (i.e. Minute Reference 04/16-17) be carried over into the 2016/2017 financial year.

STATUTORY ENVIRONMENT

6.8. Expenditure from municipal fund not included in annual budget

Local Government Act (1995) – Section 6.8. - Expenditure from municipal fund not included in annual budget

(2) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure:

- (a) is incurred in a financial year before the adoption of the annual budget by the local government; or
- (b) is authorised in advance by resolution*; or
- (c) is authorised in advance by the mayor or president in an emergency.

* Absolute majority required.

(1a) In subsection (1):

additional purpose means a purpose for which no expenditure estimate is included in the local government's annual budget.

(2) Where expenditure has been incurred by a local government —

- (a) pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and
- (b) pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the council.

POLICY IMPLICATIONS

Council has approved the CGF Operational Procedures, which clearly state:

9. Grant Conditions

Period of Funding

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

FINANCIAL IMPLICATIONS

As previously reported when the initial grant request was put to Council, the intention of the annual allocation of CGF in the Budget is that any residual amount unallocated at 30th June each year will not be carried over into the new financial year (i.e. will not accumulate). All unallocated CGF budgeted amounts at the 30th June each year will form part of Council's end of financial year position and consideration will be made by Council in the new Budget on what is to be allocated in the forthcoming year to the CGF.

As per the CGF Operational Procedures Council may consider an extension and carry-over if required, yet this is not encouraged.

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

No affect envisaged on Council's LTFP

STRATEGIC IMPLICATIONS

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

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

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

VOTING REQUIREMENTS

Absolute Majority

STAFF RECOMMENDATION

Council advises the Chapman Valley Agricultural Society the following:

1. Approval is granted to carry over the full or any unspent portion of the previously approved \$10,000 contribution towards the establishment of an under-cover area at the Nanson Showgrounds into the 2016/2017 Financial Year;
2. The previously stated condition of funding allocation remains i.e.
 - ~ Funds will only be made available if all other revenue sources are forthcoming.

Maurice Battilana

From: Peter Elliott-Lockhart <Peter.Elliott-Lockhart@elders.com.au>
Sent: Wednesday, 1 June 2016 7:14 PM
To: CVAS; CVAS; Maurice Battilana
Cc: Nicole Batten; bkwarr@bigpond.com
Subject: Acquittal of funds for multi use shed

Hi Maurice

As the community funding for the multi use shed at the Showgrounds has been funded in this years budget and we will be required to acquit these funds by the 30 June 2016. As I understand it we may not have a final decision on whether this will be confirmed in time for this, So I am requesting some help from the shire to maintain this funding until we are able to move on this.

Regards

Peter Elliott-Lockhart

President Chapman Valley Show Committee

10.0 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

AGENDA ITEM:	10.1
SUBJECT:	BILL HEMSLEY PARK
PROPONENT:	BILL HEMSLEY PARK MANAGEMENT COMMITTEE
SITE:	RESERVE 49641 ELIZA SHAW DRIVE, WHITE PEAK
FILE REFERENCE:	R49641
PREVIOUS REFERENCE:	09/09-11, 08/10-3, 04/11-4, 05/11-29, 12/11-3, 04/13-5, 06/13-25, 10/13-3, 02/14-10-13, 06/14-6, 08/14-5 & 11/14-7, 12/14-19-21, 02/15-13, 03/15-4-5, 06/15-9, 09/15-2-8, 11/15-9 & 05/16-9-12
DATE:	1 JUNE 2016
AUTHOR:	COUNCILLOR VERONICA WOOD Staff comment provided in red

DISCLOSURE OF INTEREST

Nil.

BACKGROUND

I am proposing that the following procedural motion from the 18 May 2016 Council Meeting be revoked:

"PROCEDURAL MOTION

MOVED: CR HUMPHREY

SECONDED: CR FARRELL

That the question be adjourned until notification of all current grant applications have been received and brought back to Council for further consideration.

Voting 5/3

CARRIED

Minute Reference: 05/16-12"

In the event that this procedural motion were to be revoked by Council the following substantive motion from the 18 May 2016 Council Meeting would be returned to Council for its consideration:

"MOVED: CR MALUISH

SECONDED: CR WOOD

That Council:

- 1 Receive the minutes of the 27 April 2016 Bill Hemsley Park Management Committee meeting as provided as Attachment 9.1.7(a).*
- 2 Adopt the Bill Hemsley Park Community Building Plans included as Attachment 9.1.7(b) and request that Teakle & Lalor prepare the building drawings, and associated specifications, so that they may be utilised for tender purposes when required.*
- 3 Adopt the Bill Hemsley Park Nature Playground Plans included as Attachment 9.1.7(c), subject to the inclusion of 2 additional swings, and request that Ecoscape prepare the nature playground drawings, and associated specifications, so that they may be utilised for tender purposes when required.*
- 4 Items 2 and 3 subject to Council endorsed funding."*

COMMENT

My Elected Members Motions are seeking to enable discussion on the Bill Hemsley Park project to continue.

I have requested that Shire staff provide a timeline for the Bill Hemsley Park project to date as I believe that it will provide a background to the extensive consultation process that has been

undertaken for this project and the repeated stages at which Council has been informed on this project and the various stages at which it has unanimously supported the project. **This has been provided as Attachment 10.1(a).**

I have also requested that Shire staff provide a timeline for the Yuna Community Centre project as I believe that this will provide an understanding on the previous process Council undertook for a similar project. **This has been provided as Attachment 10.1(b).**

I believe that revoking the procedural motion will enable Council to move forward on the Bill Hemsley Park project in a reasonable and consistent manner.

STATUTORY ENVIRONMENT

In the event that Council wishes to consider revoking a previous motion the revocation process as per the *Local Government Act 1995* is as follows:

The first step:

Councils needs a minimum of one third of Elected Members (i.e. minimum of three (3) affirmative votes) to agree to deal with the revocation motion presented.

If the one third is not obtained for then Council cannot deal with the matter and this is recorded in the Minutes and Council move on to the next item on the Agenda for the meeting.

If the one third is obtained then Council can move to the revocation motion.

The second step:

Subject to one third of Councillors agreeing (as stated above) Council then need to deal with the revocation motion, which actually revokes (or substantially changes) the initial resolution (i.e. Minute Ref: 05/16-12). This motion requires an Absolute Majority (i.e. minimum of five (5) affirmative votes).

If an Absolute Majority is not obtained for the revocation motion then Council cannot deal with the matter and this is recorded in the Minutes and Council move on to the next item on the Agenda for the meeting.

If an Absolute Majority is obtained for the revocation motion then Council can move to the substantive motion.

POLICY IMPLICATIONS

As per Item 9.1.7 in the 18 May 2016 Council Agenda.

FINANCIAL IMPLICATIONS

As per Item 9.1.7 in the 18 May 2016 Council Agenda.

Councillor query has previously been made in relation to the anticipated operating and maintenance costs (i.e. water, power, insurance, employee, materials, contracts, other overheads). To provide some comparative costs, drawn from community buildings of varying sizes and ages, the following annual costs table is provided:

		Operating & Maintenance	
		2015/2016	2014/2015
Yuna Community Centre	Operating	\$1,688	n/a
	Maintenance	\$4,215	n/a
		\$5,903	n/a
Yuna Hall	Operating	\$3,206	\$3,677
	Maintenance	\$7,348	\$5,065
		\$10,555	\$8,742
Waggrakine Hall	Operating	\$4,141	\$5,867
	Maintenance	\$3,594	\$4,269
		\$7,735	\$10,136
Batten Hall	Operating	\$4,141	\$5,867
	Maintenance	\$3,594	\$4,269
		\$7,735	\$10,136

Average for like facilities	Operating	\$3,294	\$5,137
	Maintenance	\$4,688	\$4,534
		\$7,982	\$9,671

Councillor query has also previously been made in relation to the anticipated headworks costs and when this issue was investigated by the Bill Hemsley Park Management Committee (25 July 2014 Committee minutes) the Water Corporation had advised on 8 April 2014 as follows (some price variation should be made for the intervening time period):

\$1,139.00 cost of 20mm water meter
 \$127.50 service activation fee
 \$150.00 trafficable box
\$4,031.00 water headworks
 \$5,447.50 total

Western Power will require the lodgement of an application for 'design and quote' prior to being able to provide an accurate costing for power headworks, and will incur an application fee to lodge, this can be undertaken in the event that Council has endorsed a building plan that informs the power requirements and can then accompany the application for fee estimate.

STRATEGIC IMPLICATIONS

As per Item 9.1.7 in the 18 May 2016 Council Agenda.

CONSULTATION

As per Item 9.1.7 in the 18 May 2016 Council Agenda.

RISK ASSESMENT

As per Item 9.1.7 in the 18 May 2016 Council Agenda.

VOTING REQUIREMENTS

One third of Members (agree to deal with revocation motion)

Absolute Majority required (revocation motion)

Simple Majority (motions thereafter)

ELECTED MEMBER'S MOTION 1

That Council agree to deal with a motion to revoke the decision of Council made at the 18 May 2016 meeting Minute Reference 05/16-12 regarding:

"That the question be adjourned until notification of all current grant applications have been received and brought back to Council for further consideration."

ELECTED MEMBER'S MOTION 2 (In the event that this above motion receives one-third of affirmative votes as required)

That Council revoke the decision made at the 18 May 2016 Ordinary Council Meeting (Minute Reference 05/16-12)

In the event Motion 1 & 2 are successful Council reintroduces the substantive motion below for continued debate and determination:

SUBSTANTIVE MOTION

“MOVED: CR MALUISH

SECONDED: CR WOOD

That Council:

- 1 Receive the minutes of the 27 April 2016 Bill Hemsley Park Management Committee meeting as provided as Attachment 9.1.7(a).*
- 2 Adopt the Bill Hemsley Park Community Building Plans included as Attachment 9.1.7(b) and request that Teakle & Lalor prepare the building drawings, and associated specifications, so that they may be utilised for tender purposes when required.*
- 3 Adopt the Bill Hemsley Park Nature Playground Plans included as Attachment 9.1.7(c), subject to the inclusion of 2 additional swings, and request that Ecoscape prepare the nature playground drawings, and associated specifications, so that they may be utilised for tender purposes when required.*
- 4 Items 2 and 3 subject to Council endorsed funding.”*

Bill Hemsley Park Community Building Timeline

- 16/9/09 Representatives of the Parkfalls Residents Association attended a meeting of Council seeking support to form a committee comprising representatives of Council, the Association, and the developer of the Parkfalls Estate relating to the developer's offer to subdivide 9 lots from Lot 9503 Eliza Shaw Drive, White Peak and gift the remaining land and funds. Council resolve to decline the offer and revisit its position in July 2010.
- 16/7/10 The developer of the Parkfalls Estate wrote to Council seeking support for the rezoning of the 13.25ha Lot 9503 Eliza Shaw Drive, White Peak to enable the subdivision of 9 x 4,000m² lots and the 9ha balance area be vested in the Shire as a Reserve for Recreation. The developer also proposed that *"The Parkfalls Syndicate will pay \$300,000 to the Shire in trust for the benefit of the Parkfalls Residents Association Inc. when all titles are issued."*
- 25/8/10 Council resolve to initiate Scheme Amendment No.49, this being the rezoning of Lot 9503 Eliza Shaw Drive, White Peak from the 'Special' zone to a 'Recreation' to enable the creation of a park and also the rezoning of an area as 'Low Density Residential R2.5' zone to create 9 lots. Council require the applicant to lodge a land offer legal agreement confirming their offer.
- 20/4/11 Council resolve to accept the land offer legal agreement between the developer and the Shire subject to modification, and commence advertising of Scheme Amendment No.49 upon signing and sealing of the legal agreement by both parties.
- 18/5/11 Council resolve to engage its solicitors to draft a management committee agreement between the Parkfalls Residents Association and Council.
- 25/8/11 The land offer legal agreement was finalised and signed by the developer and the Shire, thereby enabling advertising of the rezoning to commence. The land offer agreement included reference to a hall.
- 19/9/11 Advertising of Scheme Amendment No.49 commenced, and the documentation made available for comment included an indicative plan for the park that included a hall and separate toilet block building.
- 31/10/11 Advertising of Scheme Amendment No.49 concluded with 21 landowners (64%) in support of the proposal, 11 landowners (34%) in objection to the proposal (although a number of these objections concerned the type of facilities that might go on the future park rather than the creation of a park itself), and 9 submissions offering comment (with 5 of these being from government agencies and 4 from landowners).
- 14/12/11 Council resolve to adopt Scheme Amendment No.49.
- 4/5/12 Minister for Planning approves Scheme Amendment No.49 and the subsequent Government Gazette notice formally rezones the Bill Hemsley Park site from 'Special' zone to 'Recreation' zone.
- 17/4/13 Following opportunity for comment by all parties the management agreement is endorsed by Council and subsequently signed by the Shire, the Parkfalls Estate developer, and the Parkfalls Residents Association. The management agreement relates to the ongoing management of the park and the process by which expenditure of the trust funds must be made.
- 15/8/13 1st meeting of the Bill Hemsley Park Management Committee held. At the meeting the findings of a survey conducted by the Parkfalls Residents Association of 215 White Peak landowners were discussed. The survey was undertaken to ascertain what form of facilities the community wanted (and did not want) to see developed upon the park site. 62 surveys were returned (29%) and the survey listed a hall as an item for consideration but did not indicate a high level of support for a hall.
- 18/9/13 The minutes of the Management Committee meeting are presented to Council in the September Information Reports.
- 6/2/14 2nd meeting of the Bill Hemsley Park Management Committee held. At the meeting a concept plan prepared by the Parkfalls Residents association is tabled for discussion and the Management Committee recommend to Council the concept plan and its implementation in accordance with the priorities identified by the community survey.

Bill Hemsley Park Community Building Timeline

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|----------|--|
| 19/2/14 | Council resolve to deal with the outcomes of the minutes of the 2 nd meeting of the Bill Hemsley Park Management Committee, with the exception of the concept plan. |
| 16/4/14 | Bill Hemsley Park created as a Reserve 49641 with the purpose of Public Recreation and a management order issued to the Shire of Chapman Valley. |
| 25/6/14 | Council receive the minutes of the 3 rd meeting of the Bill Hemsley Park Management Committee, noting that the Management Committee acknowledge receipt of the Redcliffe Concourse landowner petition and give consideration to the comments raised in the further development of the concept plan. |
| 20/8/14 | Council receive the minutes of the 4 th meeting of the Bill Hemsley Park Management Committee. Council resolve to unanimously accept the concept plan (which includes all the preferences listed in the community survey, and a meeting room and public toilets to cater for expected demand). The Council accepted concept plan contains a community building, gazebo and viewing deck and the internal floor area includes a meeting room, kitchen area, storeroom and 2 unisex disabled toilets. Council also resolve to seek quotes and engage a firm to undertake drafting of the concept plan for later Management Committee and Council consideration. |
| 19/11/14 | Council receive the minutes of the 5 th Bill Hemsley Park Management Committee and note the Management Committee recommendation in relation to the selection of a consultant to undertake the drafting of the concept plan. |
| 18/3/15 | Council receive the minutes of the 6 th Bill Hemsley Park Management Committee and note the Management Committee's continuing work on the concept plan and that the plan will be returned to Council at a future meeting for its consideration and subsequent advertising to all landowners in the Parkfalls Estate inviting comment. |
| 15/4/15 | Council resolve to support in principle a commitment of \$100,00 towards a future grant application for the Bill Hemsley Park. |
| 20/5/16 | The minutes of the 7 th Management Committee meeting are presented to Council in the May 2016 Information Reports. |
| 17/6/15 | Council receive the minutes of the 8 th Bill Hemsley Park Management Committee. Council resolve to advertise the draft concept plan by means of direct mail-out of the concept plan to all landowners in the Parkfalls Estate (there are 222 lots in the Parkfalls Estate owned by 211 landowners); placement of the concept plan on the Shire website; placement of a notice in the Shire E-News; placement of a sign on-site; & placement of a notice on the Parkfalls Estate noticeboard. The advertised concept plan contains a community building, gazebo and viewing deck and the internal floor area includes a meeting room, kitchen area, storeroom and 2 unisex disabled toilets. |
| 24/7/15 | The advertising period for the concept plan concludes with 42 submissions received. 33 (79%) of the submissions support the concept plan, 5 (12%) of the submissions object to the concept plan, 1 (2%) submission objects to the community building but expresses support for the remainder of the plan, and 3 (7%) of the submissions express indifference to the concept plan. |
| 29/7/15 | Council adopts the 2015/2016 budget that lists an expenditure allocation of \$500,000 for the Bill Hemsley Park within Account 2834, to be drawn from a combination of the developer contribution (\$300,000), \$100,000 grant and/or community funds, and \$100,000 Shire resources. The Council budget notes that this capital expenditure is subject to the finalisation of the Bill Hemsley Park Concept Plan, and grant funding being received. |
| 2/9/15 | The Management Committee meet for the 9 th time and review the received submissions and resolve to endorse the concept plan and recommend it to Council. |
| 16/9/15 | Council receive the minutes of the 9 th Bill Hemsley Park Management Committee. Council unanimously adopt the concept plan and resolve to write to all parties who made a submission thanking them for their interest and advising of Council's decision to adopt the plan. The adopted |

Bill Hemsley Park Community Building Timeline

concept plan contains a community building, gazebo and viewing deck and the internal floor area includes a meeting room, kitchen area, storeroom and 2 unisex disabled toilets.

- 18/11/15 Council receive the minutes of the 10th Bill Hemsley Park Management Committee. Council receive the concept plan itemised estimated costs as an initial basis for future budgeting and making application for external funding. The itemised costs list a building cost of \$305,596.50 (comprising \$2,815 site preparation and mobilisation, \$75,000 viewing deck, \$200,000 meeting room and toilets with a 10% contingency figure for construction of \$27,781.50). Council endorse the Management Committee's recommendation on the items to be considered priorities for the development of the Bill Hemsley Park, this includes the Community Building/Pavilion/Viewing Decks (meeting room/toilets) (concept plan legend no.8, 9). Council endorse the Management Committee's recommendation that funds from the Bill Hemsley Park trust account be referenced as a matching contribution in any external funding or Shire financial contribution for the priority items. Council instruct Shire staff to seek external funding (matched from the Bill Hemsley Park trust account) for the development Bill Hemsley Park as per the priority items. Council endorse the Management Committee's suggestion that a budget allocation of \$20,000 be provided for the drafting of building plans for the meeting room/gazebo/Shire building (funded by \$10,000 from Bill Hemsley Park trust account, \$10,000 from 2015/2016 budget - account 2834), and that these plans be presented to the Management Committee for review and Council for endorsement.
- 16/12/15 The December 2015 Community Development Information Report provided information to Council relating to potential external funding sources.
- 17/2/16 Details provided to Council in the Forum Session on the 4 Bill Hemsley Park grant applications to be lodged relating to water supply, community native garden, nature playground and community building. The item included costings details (with the estimated cost for the community building being \$450,000) and proposed that the Shire financial contribution towards the grant application of \$150,000 only be drawn from the Bill Hemsley Park Trust Account (comprising \$287,274 donated by the developer). The item also noted that in addition to this amount Council still retained the ability to draw from its own budget allocation of \$100,000 within Account 2834 and/or \$534,273 held in the Shire Building Reserve. The February Community Development Information Report also provided further information to Council relating to the grant applications to be lodged. The February Planning Information Report present the minutes of the 11th Bill Hemsley Management Committee meeting to Council.
- 16/3/16 The March 2016 Community Development Information Report provided further information to Council relating to the grant applications to be lodged. The March Planning Information Report present the minutes of the 12th Bill Hemsley Management Committee meeting to Council, this included a preliminary draft of the site, floor and elevation plans of the community building, and further details relating to the grant applications to be lodged. The subsequent more detailed building design work led to a revised figure, with \$462,300 listed as the total project cost for the lodgement of the grant application.
- 20/4/16 The April 2016 Community Development Information Report provided further information to Council relating to the grant applications.
- 20/4/16 Council resolve to carry-over the unused amount of \$100,000 allocated in the 2015/2016 budget for the Bill Hemsley Park into the draft 2016/2017 budget, and list \$32,200 (to be drawn from the Building Reserve) in the draft 2016/2017 budget in the event an office is included in the community building.
- 27/4/16 The 13th meeting of the Bill Hemsley Park Management Committee is held. At the meeting the community building plans are endorsed and recommended to Council.
- 18/5/16 The community building plans are presented to Council for its consideration. Council resolve that this be adjourned until notification of all current grant applications have been received and brought back to Council for further consideration.

Yuna Community Centre Timeline

- 20/4/11 Council resolve as a matter of general business of an urgent nature to support in principle a resource centre to be established in Yuna, without committing financially, and accept the offer to be on the committee for the future planning of the centre.
- 18/5/11 The owner of the Yuna Tavern attends the meeting of Council and queries the plans for a resource centre.
Elected Member Reports references that a meeting held with the Yuna community to discuss a resource centre.
- 4/7/11 Community meeting held in Yuna attended by approximately 30 people and 4 Shire staff to discuss the type of building (and its location) the community is seeking. On-line survey is also undertaken to obtain further feedback.
- 14/7/11 Community meeting held in Yuna to discuss outcome of initial meeting.
- 4/8/11 Community meeting held in Yuna further discuss community building project.
- 18/8/11 Shire staff received a number of preliminary plans from community representatives at a meeting held in Yuna and these were then refined into 2 concept plan options. Council made an allowance of \$10,000 in the adopted 2011/2012 budget for planning works including drafting of designs etc. and this allocation was utilised to prepare the 2 concept options.
- 21/3/12 Community Development March 2012 Information Report noted that scaled plans have been sent to the working group and they have met and provided feedback. Once the draftsperson has made adjustments, a copy will be circulated and the community building can then be costed. Shire staff can then begin to research funding opportunities to present to Council along with the costing.
- 28/6/12 Creating a Better Yuna ('CABY') write to the Shire to advise that it has facilitated a community comment period during June 2012 and that the majority of the community endorse the community building draft plan.
- 18/7/12 Building Surveyor July 2012 Information Report advises the revised floor plan has been received from the draftsman and forwarded to stake holders for formal endorsement. On receipt of a written reply confirming that the plans are suitable for the intended use, the final plans will then be forwarded to an appropriate building company for assessment and cost estimation.
- 15/8/12 Building Surveyor August 2012 Information Report advises correspondence received from CABY confirming the suitability of the plans for the majority of community needs, and that the detailed working drawings will now be produced and sent to a suitably qualified builder for an estimated costing.
- 19/9/12 Building Surveyor September 2012 Information Report advises that cost estimation of \$750,000 received from Crothers Construction based on provided floor plan.
- 19/9/12 Council resolve as a matter of general business of an urgent nature to prepare a Business Plan with attached construction costings for the proposed Yuna Community Centre.
- 10/10/12 The transfer of Lot 10404 from Yuna Hall Social Recreation Committee Inc. of Yuna to the Shire completed (lot containing the Yuna Hall, tennis courts and clubhouse, grassed play area and toilet blocks and proposed community centre site).
- 20/3/13 Council resolve to endorse the Yuna Multipurpose Community Centre Business Plan (with estimated cost of building being \$750,000)
Council resolve to endorse the final floor plan of the building and permit Shire staff to obtain quotes and architect drawings using remaining funds allocated from budget.
Council resolve to approve Shire staff to apply for funding for the Yuna Community Centre, noting that should Council matching funds be required, the matter will be brought back to Council for further consideration.

Yuna Community Centre Timeline

- 15/5/13 Elected Member Reports references that meeting held with the Yuna Community.
- 10/6/13 Yuna Farm Improvement Group ('YFIG') write to the Shire advising that it would contribute \$100,000 towards the community centre project.
- 17/7/13 Council resolve to list an amount of \$100,000 in the draft 2013/2014 budget as its financial contribution towards the community building drawn from the Building Reserve Funds, and for this amount to be transferred into the Municipal Fund in the event that the applications for funding of the Yuna community building are successful. The report presented to Council noted an anticipated building cost of \$835,000.
- 15/10/13 Lotterywest advise Shire that it has been successful with the grant application for \$200,000 (*seven months after Council endorsed Building Floor Plan*).
- 16/10/13 Elected Member Reports references that community building meeting had been attended on 24/9/13.
- 11/12/13 Council resolve to budget an additional \$5,000 to cover community building design and energy efficiency certificate.
- 25/2/14 Department of Sport & Recreation advise Shire that it has been successful with the grant application for \$150,000 (*eleven months after Council endorsed Building Floor Plan*).
- 19/3/14 Dindiloa resident attends meeting of Council requesting that their letter be put into the Council minutes and submits 8 questions in relation to the community building, the minutes record the the answers provided by Councillors, staff and others in attendance.
- 16/4/14 Council endorse the revised location of the Yuna community building in principal and seek confirmation on the exact location. Once confirmed, and subject to there being no significant variations to the current site plan provided, revised drawings be prepared.
Council endorse that Shire staff meet with the Yuna Building Group to determine final location and the logistics associated with building at this location (e.g. retaining walls, drainage etc.).
Council endorse that demolition permits for the existing tennis club, ablution and shade shelter will not be issued by the Shire until the Chief Executive Officer is comfortable all funding agreements have been finalised, tender process has been completed and contract awarded.
- 16/5/14 Mid West Development Commission advise the Shire that it has been successful with the grant application for \$250,000 through the Royalties for Regions Mid West Infrastructure Plan (*fourteen months after Council endorsed Building Floor Plan*). .
- 16/7/14 Council resolve to adopt 2014/2015 budget with \$100,000 to be transferred from the Building Reserve Fund to the Municipal Account.
- 20/8/14 Council resolve to establish a Working Group to oversee and steer the Yuna community building project under the condition any major variation to the project are to be brought back to Council for consideration. The Working Group is to be comprised of 2 Councillors, Shire CEO, Shire Building Surveyor, Shire Community Development Officer, 2 representatives from CABY.
The report notes the funding sources for the \$832,500 project as being (\$150,000-Department of Sport & Recreation; \$200,000-Lotterywest; \$100,000-YFIG; \$100,000-Shire; \$250,000-R4R Mid West Infrastructure Plan, \$32,500-Shire and Community in-kind).
- 15/10/14 Council endorse the Evaluation Panel's & WALGA's Recommendation to accept the tender submitted by Geraldton Building Services & Cabinets Pty Ltd for the design and construction of the Yuna community building.
- 10/12/14 Council endorses the variation to the community building project budget for the installation of air-conditioning to the kitchen and umpires room.

Yuna Community Centre Timeline

The accompanying report notes that the tendered amount submitted by the contractor and endorsed by Council is \$753,080.00 with the total cash available being \$800,000. This provides a contingency amount of \$46,920 meaning the additional cost for the variation being requested can be easily accommodated within the contingency amount and still leave a healthy amount for any future items which may arise (e.g. contingency balance after variation approx. \$37,420).

- 15/4/15 Council resolves to allocate an amount of \$20,000 for furnishings and fittings in the community building (comprising \$10,000 Shire expenditure and \$10,000 external contribution).
- 20/5/15 Council resolve as a matter of urgent business to delegate authority to the CEO to authorise all variations for the community building project subject to the net cost to Council not exceeding the amount allocated in the 2014/2015 budget.
Council also advise YFIG it expects any additional funds required to cater for variations to the community building to be covered by the Yuna community and Council will only allocate funds from its resources as per the original budget for this project.
- 19/8/15 Council resolves to advise YFIG the following:
- 1 Any additional funds required to cater for variations to the Yuna community building to be covered by the Yuna community and Council will only allocate funds from its resources as per the original budget for this project and the net budget expenditure allocation in the 2015/2016 adopted budget for building fit-out;
 - 2 Additional funds required to upgrade electricity/power headworks to ensure the community building can operate at a satisfactory standard will be taken from the existing contingency surplus as a priority above all other future variations and the building fit-out;
 - 3 Agree to committing the following funds towards the building fit-out and not insist upon the Shire contribution being matched \$:\$ by YFIG i.e.
 - Shire 2015/2016 Budget contribution of \$10,000, plus (or minus) any surplus (or deficit) funds from the project budget after the project has been completed and all expenditure accounted for; plus
 - YFIG's contribution of \$8,577.60 being the balance of the \$20,000 additional contribution made by YFIG to the project; plus (or minus)
 - 4 Council recognises the in-kind contribution made by the Yuna community in addition to the cash contribution and congratulates the community for its strong commitment to the project.
- Council also resolves the CEO delegate authority to authorise all expenditure for this project subject to the net cost to Council not exceeding the amount allocated in the overall project budget and the 2015/2016 budget allocation for building fit-out.
Council also resolves to adopt and advertise the fees and charges for one-off the hire of the Yuna Multipurpose Community Centre, and exempt CABY, Yuna CWA, YFIG, Chapman Valley Playgroup, Yuna Tennis Club, Yuna Bushfire Brigade from one-off hire fees as this will be reviewed as part of the management licence.
- 11/9/15 Yuna Multipurpose Community Centre officially opened, and the project is delivered for a total cost of \$883,914 (calculated across whole of project from initial drafting and demolition works through to construction completion. \$840,445 Cash and \$43,459 In-Kind).

This is \$133,914 more than initial building estimate (i.e. \$750,000 - see 20/3/13) made up of \$90,455 Cash and \$43,459 in-kind not included in the initial costs).
- 16/9/15 Council lays the management licence on the table until the October meeting.
- 14/10/15 Council endorses the community building management licence.

AGENDA ITEM:	10.2
SUBJECT:	BUDGET VARIATION – BILL HEMSLEY PARK PROJECT
PROPONENT:	CR IAN MALUISH
SITE:	SHIRE OF CHAPMAN VALLEY
FILE REFERENCE:	R49641
PREVIOUS REFERENCE:	NIL
DATE:	2nd JUNE 2016
AUTHOR:	CR IAN MALUISH STAFF COMMENT (IN RED) - MAURICE BATTILANA, CHIEF EXECUTIVE OFFICER

DISCLOSURE OF INTEREST

Nil

BACKGROUND

Council's adopted budget at times will need variations made to reflect changes which occur after the budget has been adopted.

COMMENT

Due to delays, for various reasons, the Shire's financial commitment to this project will not be utilized this financial year. To reduce budget pressures in 2016/17 it is important to secure the \$100,000 into the Building Reserve in 2015/16.

These funds were to be spent in 2015 so moving them out of the Municipal Fund into Reserve will not affect the 2015/2016 Budget.

STATUTORY ENVIRONMENT

6.8. Expenditure from municipal fund not included in annual budget
Local Government Act (1995) – Section 6.8. - Expenditure from municipal fund not included in annual budget

(3) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure:

- (a) is incurred in a financial year before the adoption of the annual budget by the local government; or
- (b) is authorised in advance by resolution*; or
- (c) is authorised in advance by the mayor or president in an emergency.

* Absolute majority required.

(1a) In subsection (1):

additional purpose means a purpose for which no expenditure estimate is included in the local government's annual budget.

- (2) Where expenditure has been incurred by a local government —
 - (a) pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and
 - (b) pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the council.

POLICY IMPLICATIONS

No existing policy affected or relevant.

FINANCIAL IMPLICATIONS

Budget Variations are detailed below:

COA	COA Description	Original Budget \$	Proposed Revised Budget \$	Budget Impact \$	Comments
INCOME					
2803	Grants & Other Income Received Funding	\$400,000	\$4,100 Architect Design Expenditure reimbursed from Trust Funds	-\$395,900	Income comprised from \$300,000 PRA Funds held in Trust and \$100,000 Grants
EXPENDITURE					
2834	Land & Building – Capital Expenditure	\$500,000	\$4,100 (YTD Funds spent on Architect Design)	+495,900	Comprised from \$300,000 PRA Funds held in Trust; \$100,000 Grants and \$100,000 SoCV own resources.
New COA	Transfer to Building Reserve	0	\$100,000	-\$100,000	Obtained from SoCV own resources
Budget Impact				0.00	

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

No significant effect on the LTFP as the Bill Hemsley Park Project form part of this Plan.

STRATEGIC IMPLICATIONS

As previously reported, the Bill Hemsley Park project is contained within Council Integrated Strategic Pan, including the Long Term Financial Plan, Capital Building Works Program.

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

The Shire of Chapman Valley Strategic Community Plan was adopted by Council at its 19 June 2013 meeting, and reviewed and approved by Council at its 16 March 2016 meeting. The Plan lists developing community facilities to provide gathering places as a Community Strategy to achieve the outcome of stronger, inclusive communities across the Shire.

CONSULTATION

RISK ASSESSMENT

No risk associated with the proposal as this was budgeted to be spent in the 2015/2016 financial year.

VOTING REQUIREMENTS

Absolute Majority

ELECTED MEMBER RECOMMENDATION

Council endorse the following budget variation for 2015/2016:

COA	COA Description	Original Budget \$	Proposed Revised Budget \$	Budget Impact \$	Comments
INCOME					
2803	Grants & Other Income Received Funding	\$400,000	\$4,100 Architect Design Expenditure reimbursed from Trust Funds	-\$395,900	Income comprised from \$300,000 PRA Funds held in Trust and \$100,000 Grants
EXPENDITURE					
2834	Land & Building – Capital Expenditure	\$500,000	\$4,100 (YTD Funds spent on Architect Design)	+495,900	Comprised from \$300,000 PRA Funds held in Trust; \$100,000 Grants and \$100,000 SoCV own resources.
New COA	Transfer to Building Reserve	0	\$100,000	-\$100,000	Obtained from SoCV own resources
Budget Impact				0.00	

11.0 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

11.1 Elected Member Reports

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

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

14.0 CLOSURE