



SHIRE OF

Chapman Valley

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ORDINARY COUNCIL MEETING

Notice is hereby given that an Ordinary Meeting
of Council will be held on Wednesday 18 October 2017
at the Shire Chambers Nabawa, commencing at 9:00am.

Maurice Battilana
CHIEF EXECUTIVE OFFICER

CONFIRMED MINUTES

OCTOBER 2017

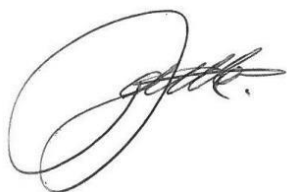
DISCLAIMER



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.



Maurice Battilana
CHIEF EXECUTIVE OFFICER

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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."*

Item No.	Member/Officers	Type of Interest	Nature of Interest

- 7.0 PETITIONS/DEPUTATIONS/PRESENTATIONS
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 - 7.2 PRESENTATIONS
 - 7.3 DEPUTATIONS

8.0 CONFIRMATION OF MINUTES FROM PREVIOUS MEETINGS

8.1 Ordinary Meeting of Council – 20 September 2017
(Previously provided under separate cover)

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10.3.2 Fees & Charges – Bill Hemsley Park Community Centre

10.3.3 Catalyst Community Arts Grant Application

11.0 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

12.0 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING

13.0 DELEGATES REPORTS

14.0 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

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

15.1 Tender 2 -17/18 – Supply One (1) Second-Hand Prime Mover

16.0 CLOSURE

ORDER OF BUSINESS:

1.0 DECLARATION OF OPENING/ANNOUNCEMENTS OF VISITORS

The Chairman, Cr Collingwood welcomed Elected Members and Staff and declared the meeting open at 9.00am

2.0 ANNOUNCEMENTS FROM THE PRESIDING MEMBER

Nil

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

3.1 Present

a. Councillors

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

b. Staff

Officer	Position
Mr Maurice Battilana	Chief Executive Officer
Simon Lancaster	Deputy Chief Executive Officer
Mrs Dianne Raymond	Manager of Finance & Corporate Services
Mrs Karen McKay	Executive Services Administrator (Minute Taker)
Mr Esky Kelly	Manager of Works & Services till 9.10am

c. Visitors

Name	
Peter Marshall	Item 10.1.1 till 9.12am

Apologies

Name	
Nil	

3.2 Previously Approved Leave of Absence

Name	
Nil	

4.0 PUBLIC QUESTION TIME

4.1 Response to Previous Public Questions On Notice

Nil

4.2 Public Question Time

Nil

5.0 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6.0 DISCLOSURE OF INTEREST

Item No.	Member/Officers	Type of Interest	Nature of Interest
10.3.2	Cr Maluish	Impartiality	Member of the Parkfalls Residents Association
10.3.3	Cr Maluish	Impartiality	Member of the Parkfalls Residents Association

7.0 PETITIONS/DEPUTATIONS/PRESENTATIONS

7.1 Petitions

Nil

7.2 Presentations

Nil

7.3 Deputations

Nil

8.0 CONFIRMATION OF MINUTES FROM PREVIOUS MEETINGS

COUNCIL RESOLUTION

MOVED: CR FARRELL

SECONDED: CR FORRESTER

8.1 Ordinary Meeting of Council held on Wednesday 20 September 2017

That the minutes of the Ordinary Meeting of Council held Wednesday 20 September 2017 be confirmed as a true and accurate record.

**Voting 7/0
CARRIED**

Minute Reference: 10/17-1

9.0 ITEMS TO BE DEALT WITH EN BLOC

Nil

10.0 OFFICERS REPORTS

Mr Marshall left the meeting at 9.04am

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

15.1 Tender 2 -17/18 – Supply One (1) Second-Hand Prime Mover

COUNCIL RESOLUTION

MOVED: CR FARRELL

SECONDED: CR HUMPHREY

That Item 15.1 be bought forward in the meeting and Council close the meeting to the public for the following Agenda Item(s) in accordance with the Local Government Act, 1995:

~ **15.1 – Tender 2 -17/18 – Supply One (1) Second-Hand Prime Mover**

- ~ Section 5.23(2)(c) - Item relates to contracts entered into, or which may be entered into, by the local government and which relates to matters to be discussed at the meeting; and
- ~ Section 5.23(2)(e) – Item relates to a matter that if disclosed, would reveal information that has a commercial value to a person or information about the business, commercial or financial affairs of a person

**Voting 7/0
CARRIED
Minute Reference: 10/17-2**

AGENDA ITEM:	15.1
SUBJECT:	TENDERS 2-17/18 - SUPPLY ONE (1) SECOND-HAND PRIME MOVER
PROPONENT:	CHIEF EXECUTIVE OFFICER
SITE:	SHIRE OF CHAPMAN VALLEY
FILE REFERENCE:	408.01.91
PREVIOUS REFERENCE:	Min Ref: 05/16-21
DATE:	15 th FEBRUARY 2017
AUTHOR:	MAURICE BATTILANA

COUNCIL RESOLUTION / STAFF RECOMMENDATION

MOVED: CR FARRELL

SECONDED: CR ROYCE

Council:

1. Awards Tender 2-17/18 to Purcher International for the supply of one (1) only second-hand 2013 Freightliner Coronado Prime Mover and accept their offer for the trade item of plant;
2. Allocate an amount of \$35,000 from additional surplus funds recognised at the end 2016/2017 Financial Year towards the costs required to acquire the second-hand 2013 Freightliner Coronado Prime Mover from Purcher International;
3. The acceptance of this offer is under the condition the supplier complies with all specification stipulated in the tender.

**Voting 7/0
CARRIED
Minute Reference: 10/17-3**

COUNCIL RESOLUTION

MOVED: CR FARRELL

SECONDED: CR HUMPHREY

That the meeting be reopened to the public.

**Voting 7/0
CARRIED
Minute Reference: 10/17-4**

Mr Marshall re-entered Chambers at 9.10am

Mr Kelly left Chambers at 9.10am

10.1 Manager of Planning October 2017

Contents

10.1 AGENDA ITEMS

10.1.1 Siting of Sea Container – 85 Westlake Place White Peak

AGENDA ITEM:	10.1.1
SUBJECT:	SITING OF SEA CONTAINER
PROPONENT:	P & W MARSHALL
SITE:	85 (LOT 326) WESTLAKE PLACE, WHITE PEAK
FILE REFERENCE:	A1832
PREVIOUS REFERENCE:	10/13-2
DATE:	10 OCTOBER 2017
AUTHOR:	SIMON LANCASTER

SUPPORTING DOCUMENT:

Ref	Title	Attached to Report	Under Separate Cover
10.1.1(a)	Submitted site, elevation and floor plans	√	
10.1.1(b)	Sea Containers Local Planning Policy	√	
10.1.1(c)	Building Envelopes Local Planning Policy	√	
10.1.1(d)	Received submissions	√	

DISCLOSURE OF INTEREST

Nil.

BACKGROUND

Council is in receipt of an application seeking the permanent siting of a sea container at 85 (Lot 326) Westlake Place, White Peak. The application has been placed before Council as it exceeds the delegation limits of the Shire’s ‘Sea Containers’ Local Planning Policy. The application has been advertised for comment and no objections were received. This report recommends approval of the application.

COMMENT

Lot 326 is a 7,262m² property located at the western end of Westlake Place in the Dolby Creek Estate. The property slopes downwards from the 69.2m contour in the north-eastern corner of the lot to the 62.4m contour in the south-western corner.

Figure 10.1.1(a) - Location Plan for 85 (Lot 326) Westlake Place, White Peak



Figure 10.1.1(b) – Aerial Photograph of 85 (Lot 326) Westlake Place, White Peak



The applicant is seeking to permanently site a '20 foot' (6.1m in length, 2.4m in width, and 2.6m in height) sea container upon Lot 326 for storage of household items. The sea container is already sited upon the property approximately 8m to the west of the residence, and is setback a distance of 5m from the front property boundary with Westlake Place. The applicant is proposing to erect a 2.4m x 6m lean-to on the southern side of the sea container and install a skillion roof over the sea container to create a 29.28m² outbuilding. The sea container has been painted and the applicant proposes to use matching materials for the lean-to and skillion roof. The lean-to extension to the sea container would create a setback distance of approximately 6m from the residence.

A copy of the applicant's supporting correspondence along with their submitted site, elevation and floor plans have been included as **Attachment 10.1.1(a)**.

The sea container is sited in existing cut and fill earthworks to achieve a comparable floor level to the residence.

The Shire 'Sea Containers' Local Planning Policy requires that a sea container is to be sited behind the front building line and must not impinge on any boundary setbacks as required by the Local Planning Scheme.

The front boundary setback set by the Local Planning Scheme for Lot 326 is 15m, and the proposed setback distance of 5m does not comply with this requirement and the application has therefore been presented to Council for its consideration.

Lots within the Dolby Creek Estate are also subject to building envelopes that were developed through the Subdivision Guide Plan. **Figure 10.1.1(c)** illustrates the building envelope relevant to Lot 326.

The primary purpose of the building envelopes within the Dolby Creek Estate was to ensure that built development was constructed at an appropriate distance from Dolby Creek and its potential secondary flood plain. The building envelopes were also intended to cluster development within a defined area so as to protect the visual amenity of a locality and also ameliorate noisy, pollutant or untidy practices by having all development in close proximity to the residence.

Council approved an application at its 16 October 2013 meeting to develop the residence upon Lot 326 at a reduced setback of 8.5m from the Westlake Place property boundary, this being less than the 15m front boundary setback set by the Scheme and the Dolby Creek Estate Building Envelopes.

Figure 10.1.1(c) – Dolby Creek Estate Building Envelope relevant to Lot 326 Westlake Place

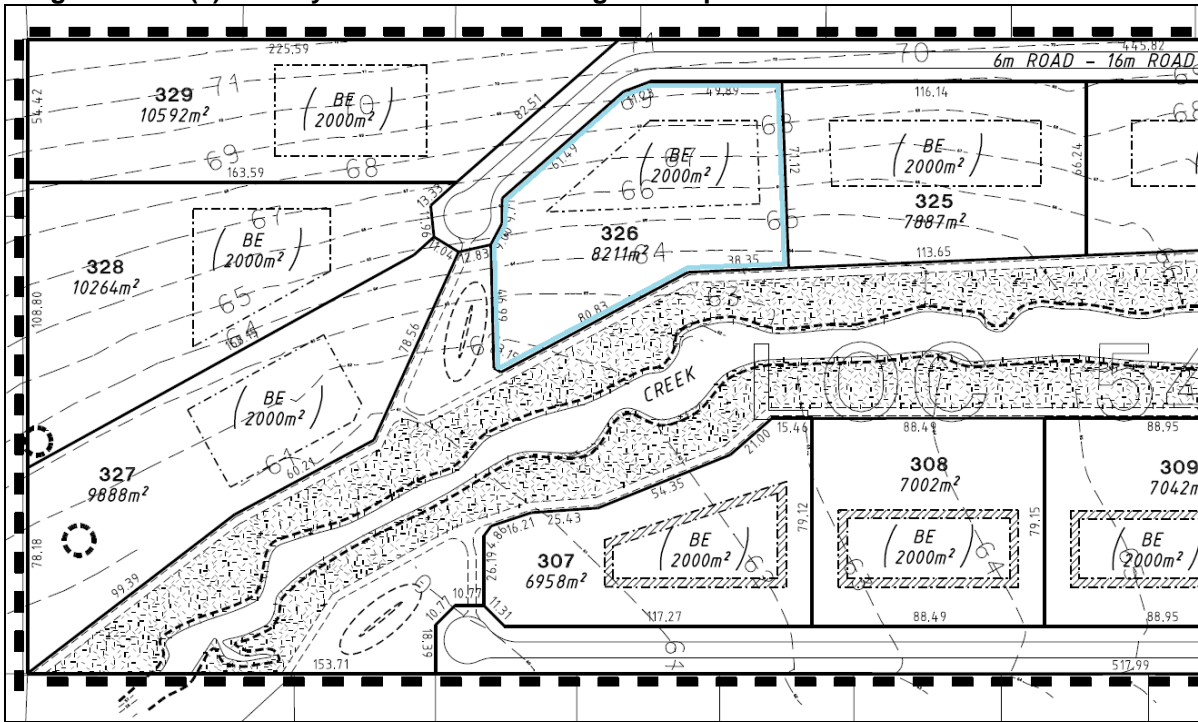


Figure 10.1.1(d) – View looking south-west towards Lot 326 Westlake Place



Figure 10.1.1(e) - View looking south at sea container upon Lot 326 Westlake Place



Figure 10.1.1(f) - View looking north-east towards Lot 326 Westlake Place



In support of the application it could be considered that:

- the steeply sloping nature of Lot 326 might be considered a mitigating factor in the proposal's reduced street setback, as the applicant is seeking to site the sea container in a location that achieves a comparable floor level to the residence to assist in ease of access;
- given the curving Westlake Place frontage to the property and the orientation of the residence it might be considered that the sea container is sited adjacent to a boundary that, whilst fronting a road, has some aspect more akin to a side boundary (for which the Scheme establishes a 5m minimum boundary setback) than a primary street setback;
- the applicant's suggested darker colour for the sea container and extensions, rather than the lighter colours used for the residence might be considered to reduce its visual impact;
- there is some ability through landscaping to reduce the sea container's impact from the road;
- the siting of the sea container in cut earthworks, that are lower than the immediate road level, particularly as viewed from the approach to the east might be considered to reduce its impact;
- the proposed location and scale of the sea container, when combined with the sloping nature of the surrounding land would not detrimentally affect the views and outlook from adjoining properties;

- the sea container and lean-to extension will appear clustered with the residence when viewed from adjoining properties and the street, particularly when the landowner's shade structure is complete;
- the application has been advertised for surrounding landowner comment and no objections were received indicating a level of acceptance for the proposal.

STATUTORY ENVIRONMENT

85 (Lot 326 Westlake Place, White Peak is zoned 'Rural Residential 1' under Shire of Chapman Valley Local Planning Scheme No.2 ('the Scheme').

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

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

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

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

The application has been brought before Council for its consideration as it exceeds the delegated authority of Shire staff in relation to the Scheme and Sea Container Local Planning Policy requirements pertaining to front boundary setback.

The applicant is seeking to site the sea container 5m from their Westlake Place/north-western boundary. Table 2 of the Scheme sets the requirement that the minimum front boundary setback for 'Rural Residential' zone should be 15m.

Section 5.5 of the Scheme establishes the manner in which Council may consider applications that propose variation to site and development standards and requirements as follows:

"5.5.1 Except for development in respect of which the Residential Design Codes apply, if a development is the subject of an application for planning approval and does not comply with a standard or requirement prescribed under the Scheme, the Local Government may, despite the non-compliance, approve the application unconditionally or subject to such conditions as the Local Government thinks fit.

5.5.2 In considering an application for planning approval under this clause, where, in the opinion of the Local Government, the variation is likely to affect any owners occupiers in the general locality or adjoining the site which is the subject of consideration for the variation, the Local Government is to:

- (a) consult the affected parties by following one or more of the provisions for advertising uses under clause 9.4; and*
- (b) have regard to any expressed views prior to making its determination to grant the variation.*

5.5.3 The power conferred by this clause may only be exercised if the Local Government is satisfied that:

- (a) approval of the proposed development would be appropriate having regard to the criteria set out in clause 10.2; and*
- (b) the non-compliance will not have an adverse effect upon the occupiers or users of the development, the inhabitants of the locality or the likely future development of the locality."*

Section 5.10 of the Scheme does allow for Council to deem, where a lot which has more than one street frontage, or is irregular in shape, that certain boundaries may be considered as side boundaries. Table 2 of the Scheme sets the requirement that the minimum side boundary setback for the 'Rural Residential' zone should be 5m.

“5.10 Except on land to which a Residential Density Coding applies on the Scheme Maps and where the provisions of the Residential Design Codes shall prevail, all corner lots, lots with more than one street frontage, or irregularly-shaped lots, the Local Government shall determine for the purposes of determining setback requirements which boundaries shall be considered front, side and rear boundaries.”

Section 5.8 of the Scheme states:

“5.8 Appearance of Land and Buildings

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

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

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

Section 10.2 of the Scheme lists the following relevant matters to be considered by Council in considering a development application:

- “(a) the aims and provisions of the Scheme ...*
- ...(f) any Local Planning Policy adopted by the Local Government under clause 2.4, any heritage policy statement for a designated heritage area adopted under clause 7.2.2, and any other plan or guideline adopted by the Local Government under the Scheme;...*
- ...(i) the compatibility of a use or development with its setting;...*
- ...(n) the preservation of the amenity of the locality;*
- (o) the relationship of the proposal to development on adjoining land or on other land in the locality including but not limited to, the likely effect of the height, bulk, scale, orientation, and appearance of the proposal;...*
- ... (v) whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;...*
- ...(y) any relevant submissions received on the application...*
- (za) any other planning consideration the Local Government considers relevant.”*

POLICY IMPLICATIONS

Section 2.2 of the Scheme provides for the Council to prepare a Local Planning Policy in respect of any matter related to the planning and development of the Scheme area.

The Shire ‘Sea Containers’ Local Planning Policy has been provided as **Attachment 10.1.1(b)**, and the Shire’s ‘Building Envelopes’ Local Planning Policy has been provided as **Attachment 10.1.1(c)**.

The Shire of Chapman Valley Local Planning Policy ‘Sea Containers’ has the following objectives:

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

The Shire of Chapman Valley Local Planning Policy ‘Building Envelopes’ has the following objectives:

- “3.1 To provide guidance with respect to the amendment of a building envelope (relocation, expansion) that will not lead to unacceptable impacts on surrounding properties.*

- 3.2 To provide criteria by which the amendment of a building envelope should be considered to assist in protecting the integrity of the application of building envelopes.
- 3.3 To provide guidance in relation to the information required to be submitted as part of an application for the amendment of a building envelope.”

A local planning policy does not bind the local government in respect of any application for planning approval but the local government is to have due regard to the provisions of the policy and the objectives which the policy is designed to achieve before making its determination.

In most circumstances the Council will adhere to the standards prescribed in a local planning policy, however, the Council is not bound by the policy provisions and has the right to vary the standards and approve development where it is satisfied that sufficient justification warrants a concession and the variation granted will not set an undesirable precedent for future development.

FINANCIAL IMPLICATIONS

- **Long Term Financial Plan:**

The Shire of Chapman Valley Long Term Financial Plan was endorsed by Council at its 19 July 2017 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:**

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

Section 4.1 of the ‘Building Envelopes’ Local Planning Policy and Section 5.5 of the Scheme states that when considering an application for planning approval, where, in the opinion of the local government, the variation is likely to affect any owners occupiers in the general locality or adjoining the site which is the subject of consideration for the variation, the local government may consult with the affected parties, and have regard to any expressed views prior to making its determination.

The Shire wrote to the 13 landowners surrounding Lot 326 on 25 August 2017 providing details of the application and inviting comment upon the proposal prior to 15 September 2017, a sign was also erected on-site to advise of the received application and the opportunity for comment. At the conclusion of the advertising period 2 submissions had been received, 1 in support of the application, 1 expressing indifference, no objections were received.

A copy of the received submissions have been included as **Attachment 10.1.1(d)**.

RISK ASSESMENT

Rating 1 (Insignificant) Measures of Consequence – Risk Assessment and Acceptance Criteria

VOTING REQUIREMENTS

Simple majority required.

COUNCIL RESOLUTION / STAFF RECOMMENDATION

MOVED: CR WARR

SECONDED: CR FORRESTER

That Council grant formal planning approval for the permanent placement of a sea container upon 85 (Lot 326) Westlake Place, White Peak subject to compliance with the following conditions:

- 1 Development shall be in accordance with the approved plans dated 18 October 2017 and subject to any modifications required as a consequence of any conditions of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the local government.

- 2 Any additions to or change of use of any part of the building or land (not the subject of this approval) requires further application and planning approval for that use/addition.
- 3 The sea container is required to be painted in a colour, and to a finish, to the approval of the local government.
- 4 The lean-to extension and skillion roof atop the sea container are required to use materials and colours to the approval of the local government.
- 5 The sea container is only to be used for general storage purposes associated with the predominant use of the land and shall not be used for habitation, commercial or industrial purposes.
- 6 Landscaping is required to be installed and maintained between the sea container and Westlake Place for the purpose of softening the visual impact of the development to the approval of the local government.
- 7 The works must be completed within 3 months of the date of this decision (i.e. prior to 18 January 2018).

Advice Note:

If the applicant is aggrieved by this determination there is a right pursuant to the *Planning and Development Act 2005* to have the decision reviewed by the State Administrative Tribunal. Such application must be lodged within 28 days from the date of determination.

**Voting 7/0
CARRIED
Minute Reference: 10/17-5**

Mr Marshall left Chambers at 9.12am

To The Shire Of Chapman Valley

Dear Sir/Madam,

Just a quick note to let you know of the proposed construction of the sea container with safari roof and lean to, I am applying for to put on our premise, lot 326, 85 Westlake Place, White Peak.

The container will be used for storage of my gardening tooling,(eg, ride on mower, spades, rakes, potting mix etc)as the small shed we do have is full and getting hard to move in.

The sea container is located on a flat area we had put in to use for a marquee for our wedding a couple of years ago, as the block is on a gradient, (sometimes makes it hard to work with).

The proposed sea container site will only be 5m from the boundary and not 8.5m as requested by the guidelines, hence the application and drawings, (I hope they are suffice).

I have already painted the container (jasper colour bond colour), to match in with our house and if approved will paint the roof sheeting the cream colour to also blend in with the house.

I cannot foresee us building a large shed anytime in the near future due to money restraints and believe the sea container would do us just fine for our needs at this stage.

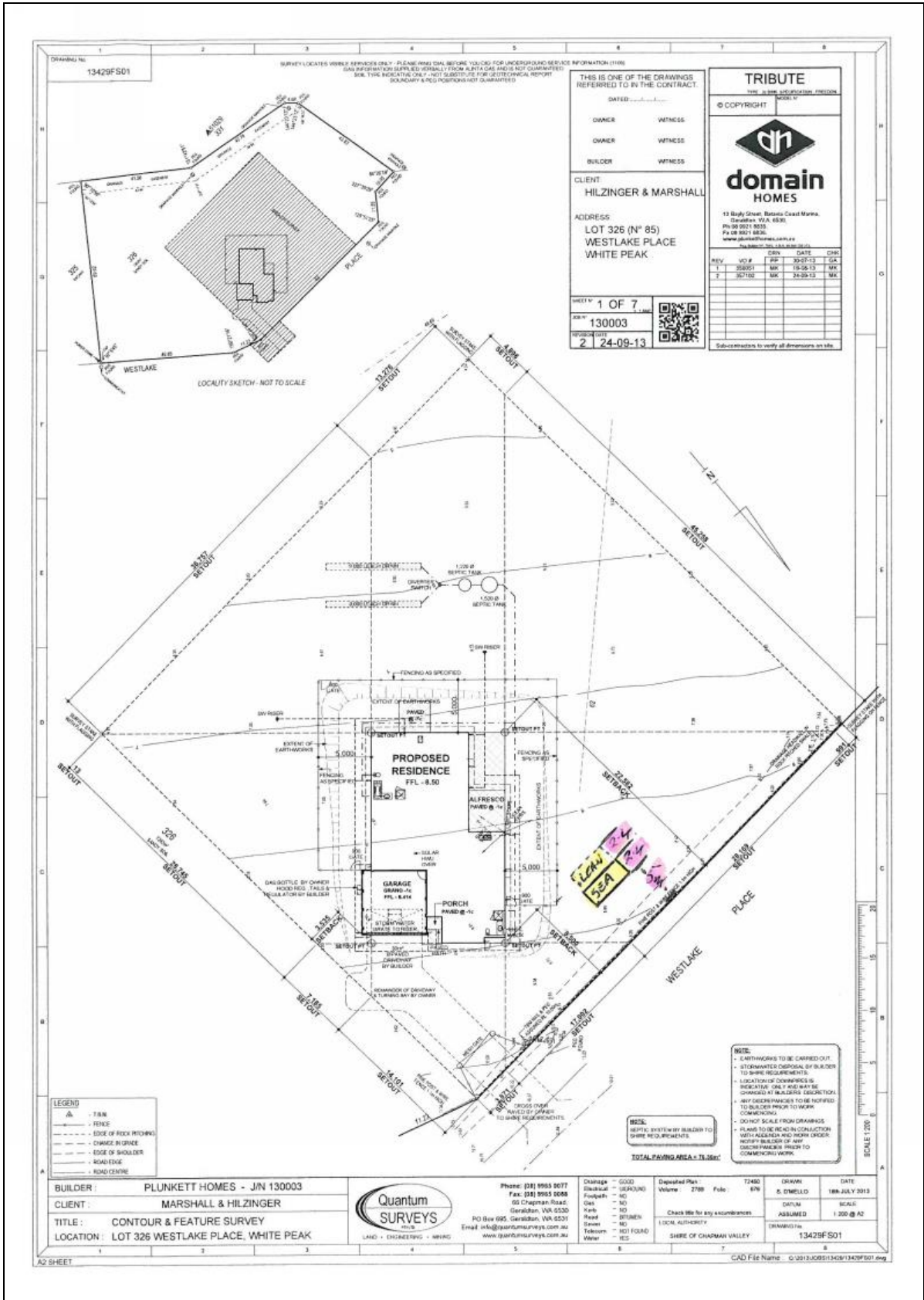
I do believe the site for the sea container will not hinder any other residents views, etc, as it is sunken down on the block and from the road you can see straight over the top of the container.

I am doing , and will do my best to work in with the shire and the neighbours so everything is above board and all our happy.

Thank you for your time and assistance

Regards,

Peter and Wendy Marshall



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

OWNER: WITNESS
OWNER: WITNESS
BUILDER: WITNESS

CLIENT: HILZINGER & MARSHALL

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

SHEET: 1 OF 7
JOB: 130003
ISSUE DATE: 24-09-13

TRIBUTE
THE SHIRE OF CHAPMAN VALLEY

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REV	NO	DATE	CHKD
1	388251	18-06-13	MK
2	387100	26-09-13	MK

Subcontractors to verify all dimensions on site.

BUILDER: PLUNKETT HOMES - J/N 130003
CLIENT: MARSHALL & HILZINGER
TITLE: CONTOUR & FEATURE SURVEY
LOCATION: LOT 326 WESTLAKE PLACE, WHITE PEAK

Quantum SURVEYS
LAND - ENGINEERING - SURVEY

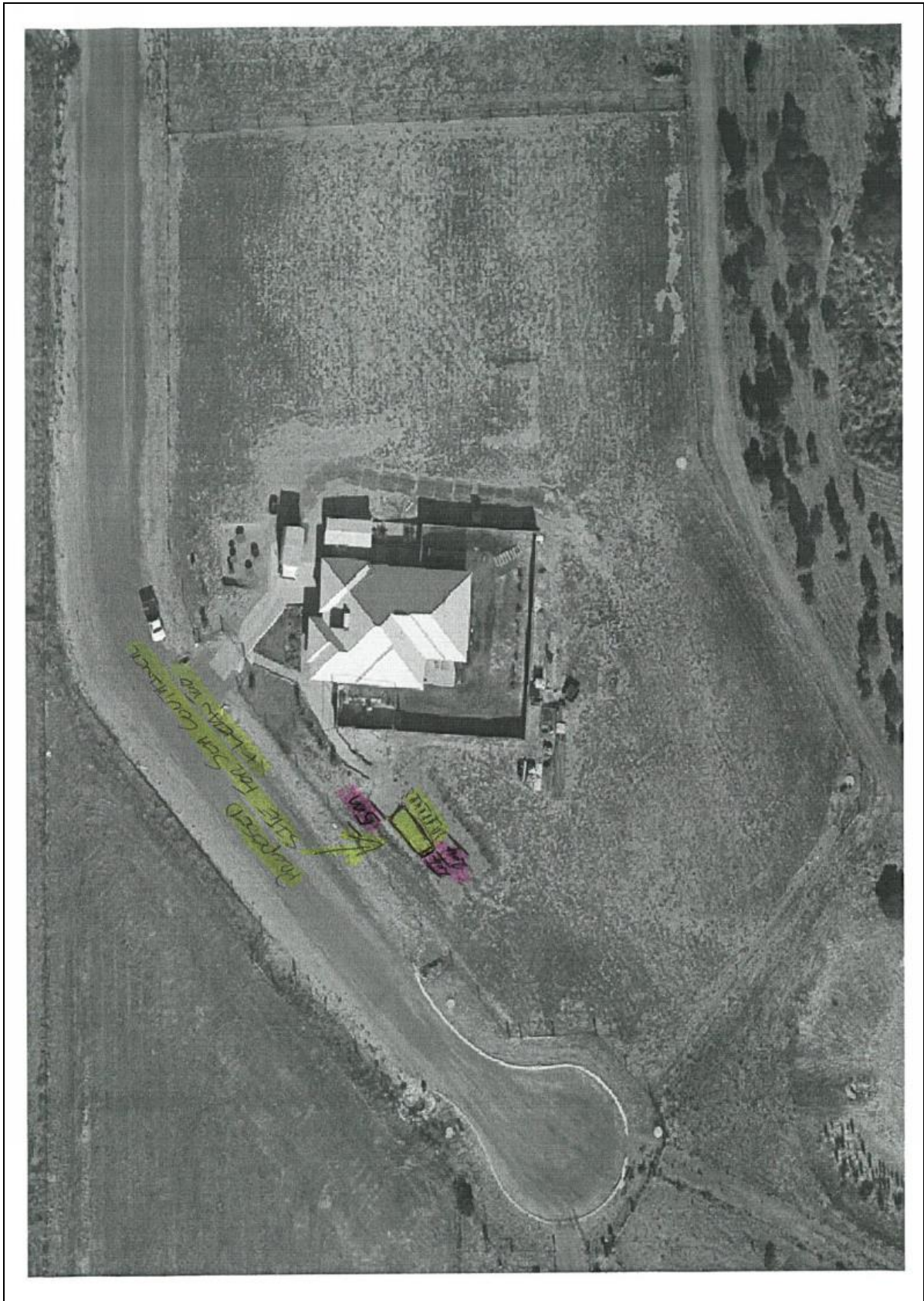
Phone: (08) 9555 9077
Fax: (08) 9555 0068
55 Chapman Road, Geraldton, WA 6530
PO Box 995, Geraldton, WA 6531
Email: hah@quantumsurveys.com.au
www.quantumsurveys.com.au

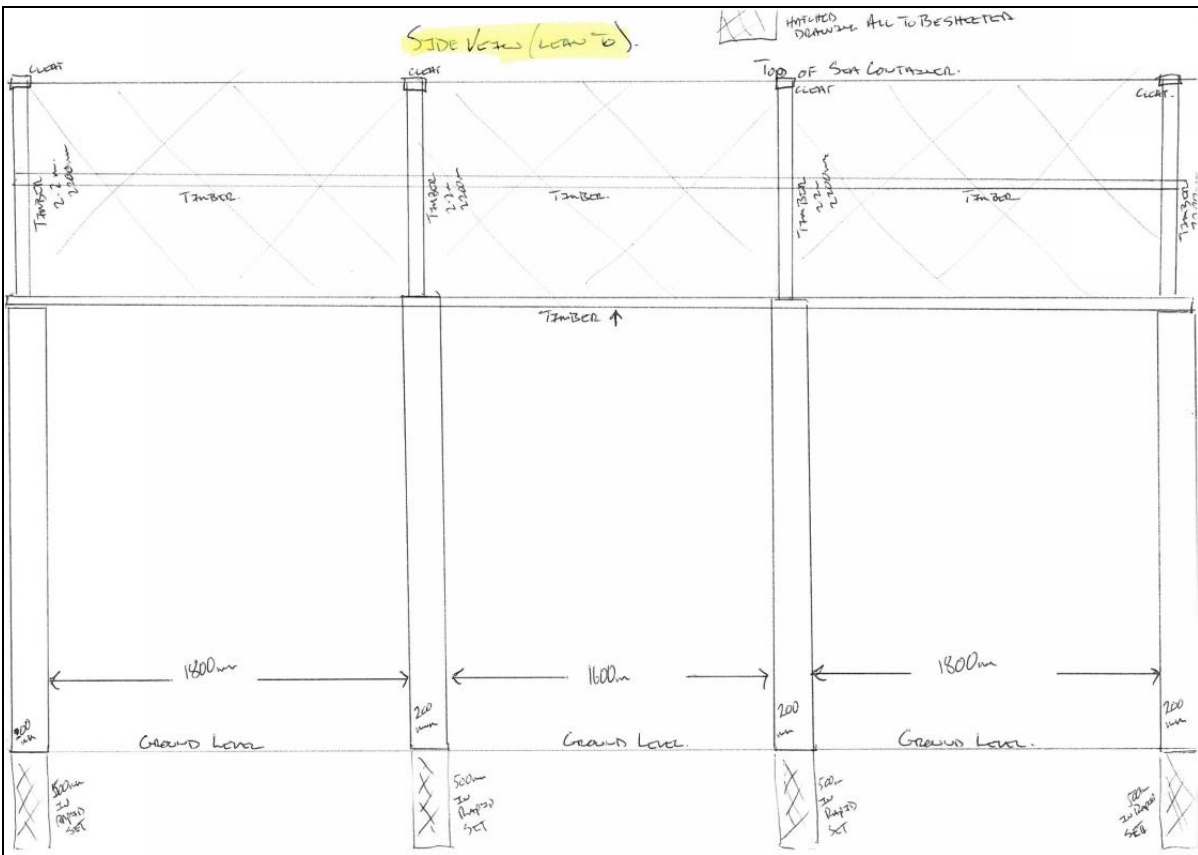
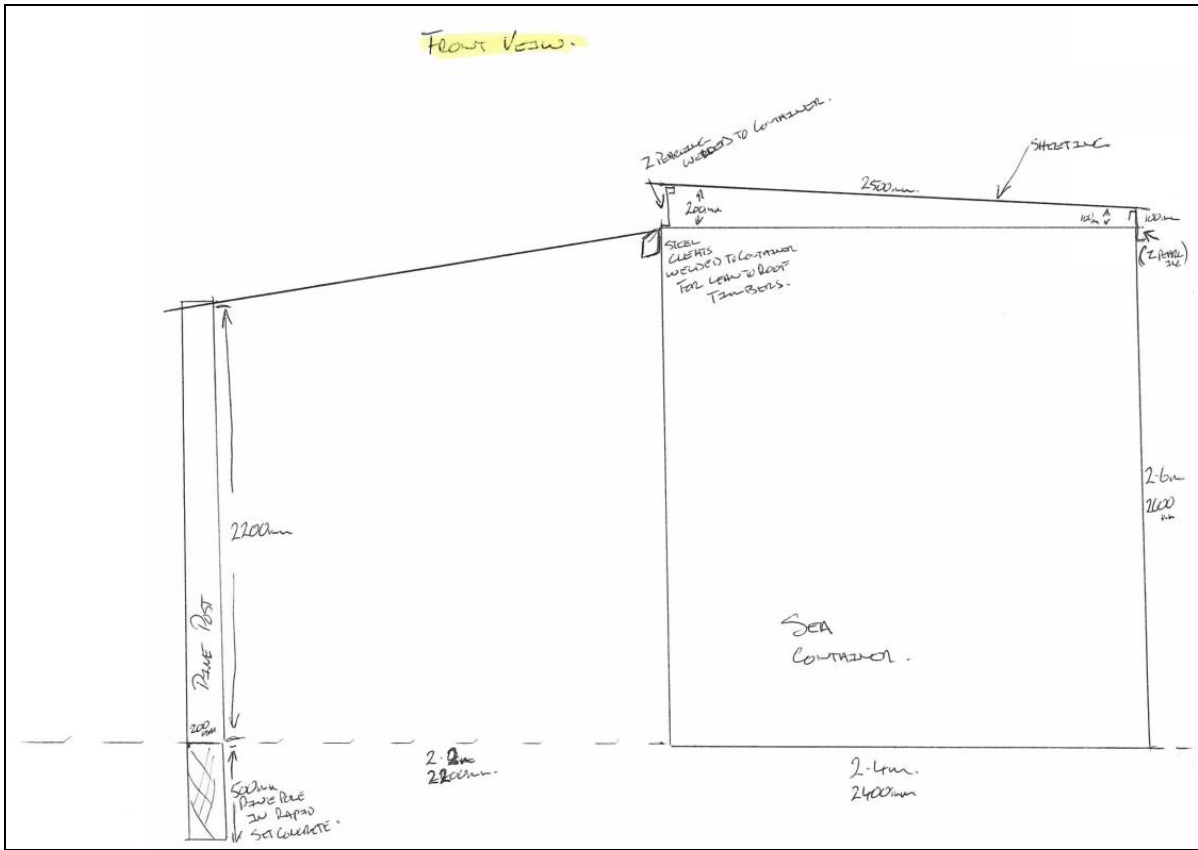
Change: GOOD
Checked: SHIRING
Footpath: MD
Curb: MD
X curb: MD
Road: DISMISN
Street: MD
Mains: MD FOUND
Water: YES

Deputed Plan: Volume 2788 File: T2400
DRAWN: S DAMELID
DATE: 18th JULY 2013
SCALE: 1:200 @ A2
ASSUMED
DRAWING No: 13429F501

Check file for any encumbrances
LOCAL AUTHORITY: SHIRE OF CHAPMAN VALLEY

CAD File Name: G:\2013\068113429F13429F501.dwg





SEA CONTAINERS

LOCAL PLANNING POLICY



1. PURPOSE

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

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

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

2. SCOPE

A Local Planning Policy is not part of the Scheme and does not bind the local government in respect of any application for planning approval but the local government is to have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its determination.

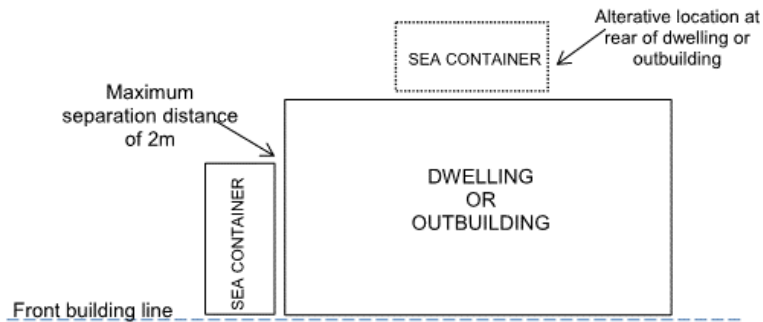
3. OBJECTIVE

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

4. POLICY STATEMENT

- 4.1 For the purposes of this Policy a sea container shall include a sea container (both '20 foot' (6.1m in length, 2.4m in width, and 2.6m in height) and '40 foot' (12.2m in length, 2.4m in width and 2.6m in height) in dimension) or any other re-locatable 'box type' storage container or unit. A sea container modified for the purpose of human habitation is NOT addressed in this Policy but subject to the separate necessary applications and approvals for a dwelling.
- 4.2 A sea container proposed to be permanently sited upon a property is required to comply with the following criteria:
 - (a) A maximum of one (1) sea container on a lot (excepting industrial or rural zoned land).

- (b) The sea container is to be sited behind the front building line of an existing or under construction built development upon the property and must not impinge on any boundary setbacks as required by the Local Planning Scheme.
- (c) The sea container is to be positioned at a maximum separation distance of 2m.
- (d) The sea container is to be used for general storage purposes only associated with the predominant use of the land and shall NOT be used for habitation, commercial or industrial purposes.
- (e) The sea container is required to be painted or clad in materials the same colour as the existing structure up against which the sea container is positioned.



- 4.3 A sea container proposed to be temporarily sited upon a property is only required to comply with Clauses 4.2(a), 4.2(b) and 4.2(d) (but not Clauses 4.2(c) and 4.2(e)) providing the sea container is removed within 12 months of its initial siting upon property and a current building permit has been issued for that property.
- 4.4 The permanent placement of a sea container or other similar relocatable storage unit will not be permitted on land zoned residential.
- 4.5 A sea container is considered in the calculation of the total aggregate outbuilding area as permitted under the Shire's 'Outbuildings' Local Planning Policy.
- 4.6 Should the sea container NOT meet the requirements of Clauses 4.2 & 4.3 of this policy a planning application is required to be lodged.

5. REFERENCES AND ADOPTION

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

Adopted for advertising at the 19 March 2009 meeting of Council.

Adopted at the 19 August 2009 meeting of Council.

Adopted for advertising and amended at the 19 February 2014 meeting of Council.

Adopted for advertising and amended at the 18 March 2015 meeting of Council.

BUILDING ENVELOPES

LOCAL PLANNING POLICY



1. PURPOSE

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

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

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

2. SCOPE

A Local Planning Policy is not part of the Scheme and does not bind the local government in respect of any application for planning approval but the local government is to have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its determination.

3. OBJECTIVE

- 3.1 To provide guidance with respect to the amendment of a building envelope (relocation, expansion) that will not lead to unacceptable impacts on surrounding properties.
- 3.2 To provide criteria by which the amendment of a building envelope should be considered to assist in protecting the integrity of the application of building envelopes.
- 3.3 To provide guidance in relation to the information required to be submitted as part of an application for the amendment of a building envelope.

4. POLICY STATEMENT

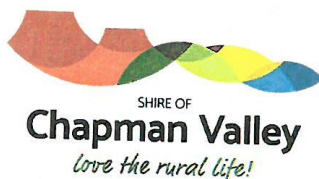
- 4.1 An application for the relocation, removal or expansion of a building envelope may be advertised to surrounding landowners prior to being placed before a meeting of Council for consideration.
- 4.2 In submitting an application for planning consent to amend, relocate or site development outside of a designated building envelope on a particular lot the proponent shall:

- a. Provide justification, relevant building plans (sketch floor plan and elevations, and schedule of materials and colours), and information addressing visual amenity, privacy and screening, vegetation loss, access, and proximity to natural features; and
 - b. Mark the revised/amended building area on-site to clearly delineate the change or new location for assessment purposes.
- 4.3 In considering an application to relax the development standards pursuant to Section 5.5 of Local Planning Scheme No.2, the Council will give particular consideration to:
- a. justification for the proposed amendment;
 - b. the secondary nature of the development should the application be to site a building/s outside of the envelope (ie horse stables);
 - c. unacceptable visual clutter, especially in elevated areas of high landscape quality or visually exposed locations, such as the edge of hill or mesa tops within prominent parts of the Moresby Range;
 - d. unnecessary clearing of remnant native vegetation;
 - e. visual obtrusiveness and/or impact on an adjoining property by way over looking, noise, odour or light spill;
 - f. suitability for landscape screening using effective screening vegetation and the availability of a proven water supply for this purpose;
 - g. use of materials and colours to assist in softening any perceived visual impact;
 - h. compliance with the land-use, setback, building height, development exclusion, vegetation protection, bushfire requirements and other pertinent provisions of the Local Planning Scheme and associated Planning Policies.
- 4.4 Building envelopes are generally imposed at the time of subdivision to provide an area in which buildings upon a property will be clustered and provides an understanding for surrounding landowners of the potential location of future built form. Whilst this Policy provides guidelines for an application to be submitted to amend a building envelope it should not be construed that approval will be granted with each application assessed on its individual merits.

5. REFERENCES AND ADOPTION

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

Adopted at the 19 February 2014 Ordinary Meeting of Council



RECEIVED
10 SEP 2017

SUBMISSION FORM

PROPOSED SITING OF SEA CONTAINER & UNDERTAKING OF EXTERNAL WORKS – 85 (LOT 326) WESTLAKE PLACE, WHITE PEAK

Shire File Ref: A1832

Name: JIM & SIM SONTAG
Postal Address: 70 PATTEN PLACE WHITE PEAK W.A.
Phone Number: 08 99522

SUBMISSION: Support Object Indifferent

Give in full your comments and any arguments supporting your comments (if insufficient space, please attach additional sheets) -

NEITHER OBJECT OR SUPPORT. CONDITIONS NEED TO BE MADE CONSISTENT FOR OTHER PROPERTY HOLDERS. SEA CONTAINERS CAN BE AN UGLY EYESORE IF NOT DONE PROPERLY. WE REALISE SEA CONTAINERS ARE AN AFFORDABLE OPTION BUT DONT WANT WHITE PEAK A SEA CONTAINER CITY. THAT BEING SAID THEY CAN BE MADE PRESENTABLE WITH A LITTLE EFFORT & MONEY.

Signature: [Signature] Date: 29/8/2017

Please return to: Chief Executive Officer
Shire of Chapman Valley
PO Box 1
NABAWA WA 6532
or ceo@chapmanvalley.wa.gov.au
or (fax) 9920 5155

NOTE: The local government in determining the application will take into account the submissions received but is not obliged to support those views.

Submissions Close: 4pm Friday 15 September 2017



SHIRE OF

Chapman Valley

love the rural life!

RECEIVED

12 SEP 2017

Record No A0172101

SUBMISSION FORM

PROPOSED SITING OF SEA CONTAINER & UNDERTAKING OF EXTERNAL WORKS – 85 (LOT 326) WESTLAKE PLACE, WHITE PEAK

Shire File Ref: A1832

Name: Andrew + Brooke Barndon

Postal Address: 25 Hardman Rd Rangeway

Phone Number: 0438 986 242 - Brooke

SUBMISSION: Support Object Indifferent

Give in full your comments and any arguments supporting your comments (if insufficient space, please attach additional sheets) -

Signature: *Barndon* Date: 7th Aug 17

Please return to: Chief Executive Officer or ceo@chapmanvalley.wa.gov.au
Shire of Chapman Valley or (fax) 9920 5155
PO Box 1
NABAWA WA 6532

NOTE: *The local government in determining the application will take into account the submissions received but is not obliged to support those views.*

Submissions Close: 4pm Friday 15 September 2017

10.2 Finance October 2017

Contents

10.2 AGENDA ITEMS

10.2.1 Financial Reports for September 2017

AGENDA ITEM:	10.2.1
SUBJECT:	FINANCIAL REPORTS FOR SEPTEMBER 2017
PROPONENT:	SHIRE OF CHAPMAN VALLEY
SITE:	SHIRE OF CHAPMAN VALLEY
FILE REFERENCE:	307.04
PREVIOUS REFERENCE:	N/A
DATE:	18 OCTOBER 2017
AUTHOR:	DIANNE RAYMOND, MANAGER FINANCE & CORPORATE SERVICES

SUPPORTING DOCUMENTS:

Ref	Title	Attached to Report	Under Separate Cover
10.2.1	Merged Financial Reports		√

DISCLOSURE OF INTEREST

Nil

BACKGROUND

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

COMMENT

The monthly financial statements for September 2017 have been provided as a **separate attachment** for Council's review.

STATUTORY ENVIRONMENT

Local Government Act 1995 Section 6.4

Local Government (Financial Management) Regulations 1996 Section 34

POLICY IMPLICATIONS

There are no policy implications

FINANCIAL IMPLICATIONS

As presented in September 2017 financial statements.

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

No significant effect 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. The Risk Rating is Level 1 Insignificant.

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Insignificant (1)	Negligible injuries	Less than \$1,000	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, low impact, low profile or 'no news' item	Inconsequential or no damage.	Contained, reversible impact managed by on site response

VOTING REQUIREMENTS

Simple Majority

COUNCIL RESOLUTION / STAFF RECOMMENDATION

MOVED: CR FORRESTER

SECONDED: CR FARRELL

That Council receives the financial report supplied under separate attachment for the month of September 2017 comprising the following:

- Statement of Financial Activities with notes
- Note 1 – Significant Accounting Policies
- Note 2 – Explanation of Material Variances
- Note 3 – Net Current Funding Position
- Note 4 – Cash & Investments
- Note 5 – Budget Amendments
- Note 6 – Receivables
- Note 7 – Cash Backed Reserves
- Note 8 – Capital Disposals
- Note 9 – Rating Information
- Note 10 – Information on Borrowings
- Note 11 – Grants & Contributions
- Note 12 – Trust
- Note 13 – Capital Acquisitions
- Appendix A – Budget by Program
- Summary of Payments
- Bank Reconciliation
- Credit Card Statement

**Voting 7/0
CARRIED
Minute Reference: 10/17-6**

10.3

Chief Executive Officer

October 2017

Contents

10.3 AGENDA ITEMS

- 10.3.1 Yuna Memorial Hall – Future
- 10.3.2 Fees & Charges – Bill Hemsley Park Community Centre
- 10.3.3 Catalyst Community Arts Grant Application

AGENDA ITEM:	10.3.1
SUBJECT:	YUNA MEMORIAL HALL - FUTURE
PROPONENT:	CHIEF EXECUTIVE OFFICER/COMMUNITY DEVELOPMENT OFFICER
SITE:	YUNA MEMORIAL HALL – LOT 10404 CHAPMAN VALLEY RD, YUNA
FILE REFERENCE:	A1796
PREVIOUS REFERENCE:	NA
DATE:	18th OCTOBER 2017
AUTHOR:	MAURICE BATTILANA, CHIEF EXECUTIVE OFFICER

SUPPORTING DOCUMENTS:

Ref	Title	Attached to Report	Under Separate Cover
10.3.1(a)	Yuna Memorial Hall Future Recommendations Report	√	
10.3.2(b)	Project Brief Yuna Memorial Hall Future Recommendations		√
10.3.2(c)	Newspaper Advertisement		√
10.3.2(d)	Yuna Memorial Hall Postcard		√
10.3.2(e)	Collated Community feedback		√
10.3.2(f)	Survey Monkey Report		√
10.3.2(g)	Yuna Primary School Responses		√
10.3.2(h)	Letter from Chapman Valley Historical Society		√
10.3.2(i)	Correspondence from Brenda Williamson		√
10.3.2(j)	Yuna Memorial hall Consultation Process		√
10.3.2(k)	Community consultation attendee list		√
10.3.2(l)	Comparative Use of Yuna Community Centre and Yuna Memorial Hall		

DISCLOSURE OF INTEREST

Nil

BACKGROUND

Council requested the Chief Executive Officer undertake a community consultation process seeking public feedback prior to Council determining the future of the Yuna Memorial Hall.

As stated in the “Yuna Memorial Hall Future Recommendations Report” (**Attachment 10.3.1(a)**):

“The Shire of Chapman Valley facilitated a community consultation process during July, August and September 2017 to gather information about the ideas, opinions, options and recommendations from the Shire of Chapman Valley community and key stakeholders about the future use, management and maintenance of the Yuna Memorial Hall.”

The Report also stated:

“The Community Development Officer advertised the online survey and community consultation meeting in the WA Newspaper on the 5/6 August Pg 111 and Midwest Times – 23 August Pg 32. See attachment 11.2 Advertisement.

500 postcards inviting people to complete the survey and attend the community consultation meeting where distributed to all residents via post, displayed at the Shire Office, Chapman Valley Primary School, Yuna

Primary School, Chapman Valley Museum, Geraldton Museum and Geraldton Library. Reminders to participate where regularly placed on the Shire of Chapman Valley Facebook page. Every community group within the Shire was emailed and phoned to contribute. The Community Development Officer attended a Chapman valley Historical Society meeting to explain the process and ask for support in communicating via networks the survey. The CV Historical Society communicated to all of its members about the community consultation process. Survey questions where designed and a survey monkey setup and opened on the 1st July 2017 and closed on the 7th September 2017.

A community consultation meeting was held on the 7th of September 2017 at the Yuna Memorial Hall. Share stories and photographs about the Yuna Memorial Hall via E-News, website and selected Facebook posts.
Give stories and photographs to the Chapman Valley Historical Society.”

COMMENT

The community consultation process was considered extensive in the process and the various types of opportunities/methods available to the public to respond.

Rather than repeat the content of the “Yuna Memorial Hall Future Recommendations Report” in this Agenda Report I refer Councillors to **(Attachment 10.3.1(a))**.

STATUTORY ENVIRONMENT

Not applicable.

POLICY/PROCEDURE IMPLICATIONS

No Policy or Procedure affected.

FINANCIAL IMPLICATIONS

The “Yuna Memorial Hall Future Recommendations Report” **(Attachment 10.3.1(a))** states the Operational and Capital Expenditure for the Yuna Memorial Hall since 2007 being as follows:

Year	Operating Expenses	Land & Building	Total Actual Expenditure last 10 years
	Job # LHL2	Capital Expense	
2017/2018 (Budget)	5,381.36	0	
2016/2017	8641.04	0	8641.04
2015/2016	12424.78	0	12424.78
2014/2015	8742.13	2002.16	10744.29
2013/2014	11839.87	31540.82	43380.69
2012/2013	9543.79	340.70	9884.49
2011/2012	5974.65	0	5974.65
2010/2011	4860.62	0	4860.62
2009/2010	6305.97	15603.14	21909.11
2008/2009	6540.95	200.00	6740.95
2007/2008	5835.95	505.91	6341.86
Totals	80709.75	50192.73	130902.48

The income received from hire of the Yuna Memorial Hall is minimal and would not cover the annual operating costs.

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

Retaining the operating expenditure for the Yuna Memorial Hall will have a minimal effect on the LTFP. However; the issue of undertaking any significant capital repair or upgrade works to the building will have an effect t on the LTFP as there is currently nothing listed in the LTFP for such expenditure(s).

STRATEGIC IMPLICATIONS

It is obvious from the community feedback there is a strong feeling the Yuna Memorial Hall should be retained for future community use. However; it could also be surmised from the feedback there is limited additional usage ideas for the building identified, which could not be catered for at the Yuna Multipurpose Community Centre.

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

Objective	Strategy
Transparent decision- making is important to us	Active engagement with the community to inform decision-making

Objective	Strategy
We need good services to support our development as a Shire	Maintain and improve existing services and facilities and look at what additional services the community require

Objective	Strategy
We want inclusive communities	Ensure planning and procedures are in place to promote develop community facilities to provide gathering places, including community centre, swimming pools.

CONSULTATION

As previously mentioned and stated in the “Yuna Memorial Hall Future Recommendations Report” (**Attachment 10.3.1(a)**):

“The Community Development Officer advertised the online survey and community consultation meeting in the WA Newspaper on the 5/6 August Pg 111 and Midwest Times – 23 August Pg 32. See attachment 11.2 Advertisement.

500 postcards inviting people to complete the survey and attend the community consultation meeting where distributed to all residents via post, displayed at the Shire Office, Chapman Valley Primary School, Yuna Primary School, Chapman Valley Museum, Geraldton Museum and Geraldton Library. Reminders to participate where regularly placed on the Shire of Chapman Valley Facebook page. Every community group within the Shire was emailed and phoned to contribute. The Community Development Officer attended a Chapman valley Historical Society meeting to explain the process and ask for support in communicating via networks the survey. The CV Historical Society communicated to all of its members about the community consultation process. Survey questions where designed and a survey monkey setup and opened on the 1st July 2017 and closed on the 7th September 2017.

A community consultation meeting was held on the 7th of September 2017 at the Yuna Memorial Hall. Share stories and photographs about the Yuna Memorial Hall via E-News, website and selected Facebook posts.

Give stories and photographs to the Chapman Valley Historical Society.”

RISK ASSESSMENT

Though the financial impact is **Minor** (i.e. operating cost below \$10,000 per annum) any decision to remove the Yuna Memorial Hall would have a **Major** impact i.e.

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Minor (2)	First aid injuries	\$1,001 - \$10,000	Short term temporary interruption – backlog cleared < 1 day	Some temporary non compliances	Substantiated, low impact, low news item	Localised damage rectified by routine internal procedures	Contained, reversible impact managed by internal response
Major (4)	Lost time injury	\$50,001 - \$150,000	Prolonged interruption of services – additional resources; performance affected < 1 month	Non-compliance results in termination of services or imposed penalties	Substantiated, public embarrassment, high impact, high news profile, third party actions	Significant damage requiring internal & external resources to rectify	Uncontained, reversible impact managed by a coordinated response from external agencies

VOTING REQUIREMENTS

Simple Majority

COUNCIL RESOLUTION / STAFF RECOMMENDATION

MOVED: CR FORRESTER

SECONDED: CR WARR

Council maintain the Yuna Memorial Hall in its current condition, maintain current use and add future uses identified with the community and approved by Council.

AMENDMENT

MOVED: CR HUMPHREY

SECONDED: CR ROYCE

Add the following:

The matter be reviewed in two (2) years during which time Council work with the community and CABY to consider future use and development of the hall.

**Voting 7/0
CARRIED
Minute Reference: 10/17-7**

The Amendment then became the Substantive Motion i.e.

Council:

1. Maintain the Yuna Memorial Hall in its current condition, maintain current use and add future uses identified with the community and approved by Council; and
2. The matter be reviewed in two (2) years during which time Council work with the community and CABY to consider future use and development of the hall.

**Voting 7/0
CARRIED
Minute Reference: 10/17-8**



Yuna Memorial Hall Future Recommendations Report

1.0 EXECUTIVE SUMMARY

The Shire of Chapman Valley facilitated a community consultation process during July, August and September 2017 to gather information about the ideas, opinions, options and recommendations from the Shire of Chapman Valley community and key stakeholders about the future use, management and maintenance of the Yuna Memorial Hall.

From 61 respondents, representing 4.35% of the Shire of Chapman Valley 81% valued the Yuna Memorial Hall highly with 77% recommending the Yuna Memorial Hall be maintained in its current condition, retained for its current use and future uses explored with the community and approved by Council.

2.0 PURPOSE

The purpose of this report is to outlined in attachment 11.1

3.0 Background

In 2015 the Yuna Multipurpose Community Centre was opened and now is the active venue for the Yuna community to meet, have events, workshops and come together. This raises the issue of the future utilisation, management and maintenance of the exiting Yuna Memorial Hall.

The Yuna Memorial Hall is still used for the annual Yuna Primary School end of year concert as it has a stage and the lesser hall is utilised for the local library which is open on Wednesday from 12.30pm until 2.00pm.

Past and present residents of Yuna have a strong connection to the Yuna Memorial Hall and need to be consulted as to the future of the building which was constructed through the efforts of the local community. The hall has been part of Yuna’s history as described below.

4.0 History

After World War II an unused Air Force building was purchased by the local community and shifted into the town and became the Yuna Hall in 1947.

This building was used as the local school until 1950 and lots of social occasions, including dances that were held on the first of every month.

This building was then unfortunately blown down in a cyclone on the 27th March 1960. A committee was then formed to oversee the building of a new hall and funds were raised through grain and cash donations. The building cost £11,750 (pounds) and was built by W. Macrolina.

The Yuna Memorial Hall was officially opened on the 21st October 1961 by the Premier David Brand.



Photo: Premier David Brand and John Batten at opening

Extensions to the lesser hall and library were added to the hall later in the 1960's. The Yuna Hall and Social and Recreational Committee was formed to oversee the hall and all sporting bodies that used the hall and the surrounding area. The Hall has been the centre for many Yuna social events including dances in the 1960's and 1970's, Christmas celebrations, balls, fundraising events for community clubs, badminton and even movie screenings. Today the Hall is maintained by the Shire of Chapman Valley with the local Yuna community.



Yuna Memorial Hall 1960's



Yuna Memorial Hall photo by Greg Davies

5.0 COMMUNITY CONSULTATION PROCESS

The Community Development Officer advertised the online survey and community consultation meeting in the WA Newspaper on the 5/6 August Pg 111 and Midwest Times – 23 August Pg 32. See attachment 11.2 Advertisement

500 postcards (see attachment 11.3) inviting people to complete the survey and attend the community consultation meeting where distributed to all residents via post, displayed at the Shire Office, Chapman Valley Primary School, Yuna Primary School, Chapman Valley Museum, Geraldton Museum and Geraldton Library. Reminders to participate were regularly placed on the Shire of Chapman Valley Facebook page. Every community group within the Shire was emailed and phoned to contribute. The Community Development Officer attended a Chapman valley Historical Society meeting to explain the process and ask for support in communicating via networks the survey. The CV Historical Society communicated to all of its members about the community consultation process.

Survey questions were designed and a survey monkey setup and opened on the 1st July 2017 and closed on the 7th September 2017.

A community consultation meeting was held on the 7th of September 2017 at the Yuna Memorial Hall and was facilitated using the attached process Attachment x

Share stories and photographs about the Yuna Memorial Hall via E-News, website and selected Facebook posts.
 Give stories and photographs to the Chapman Valley Historical Society

6.0 Budget

The budget for the community consultation process was \$2500 as itemised below.

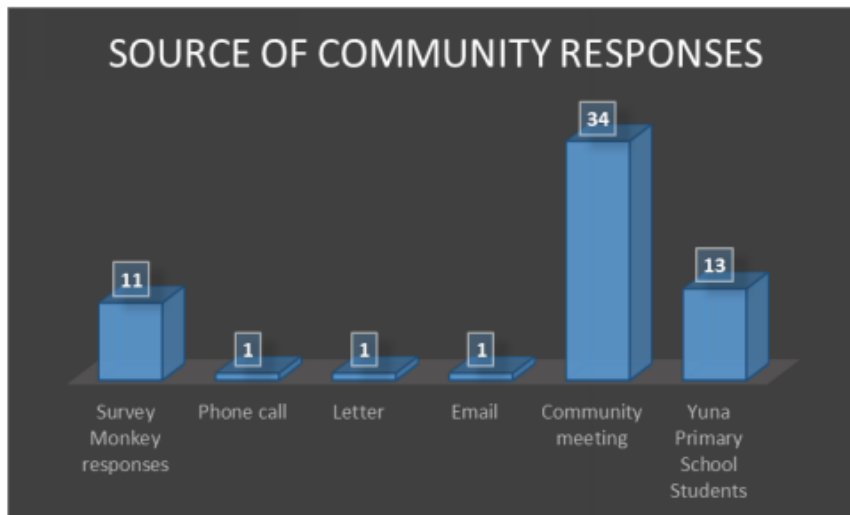
- Postcard design and printing \$250
- Postcard Mail out \$100
- Newspaper Notices \$800
- Catering for community meeting approximately 60 pax. \$600
- Community Development Officer facilitates meeting_(\$750 additional hours if required).

The expenditure for the project was \$1924.55 as outlined below:

Yuna Memorial Hall Community Consultation Budget 2017/2018		
Item	Cost	Expenditure
Postcard design and printing	\$ 250.00	\$ 250.00
Postcard Mail out	\$ 100.00	\$ -
Newspaper Notices	\$ 800.00	\$ 975.55
Catering	\$ 600.00	\$ 600.00
Additional staff hours	\$ 750.00	\$ 99.00
	\$ 2,500.00	\$ 1,924.55

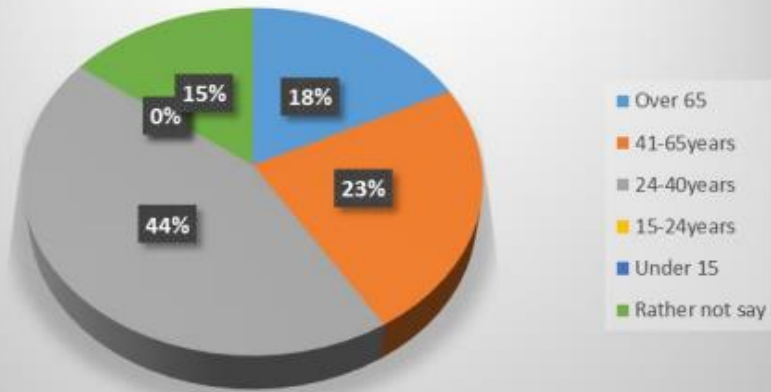
7.0 Survey Responses

There were 61 respondents to the community consultation process. The majority attended the community consultation meeting in Yuna, see below graph for breakdown of the sources of responses.

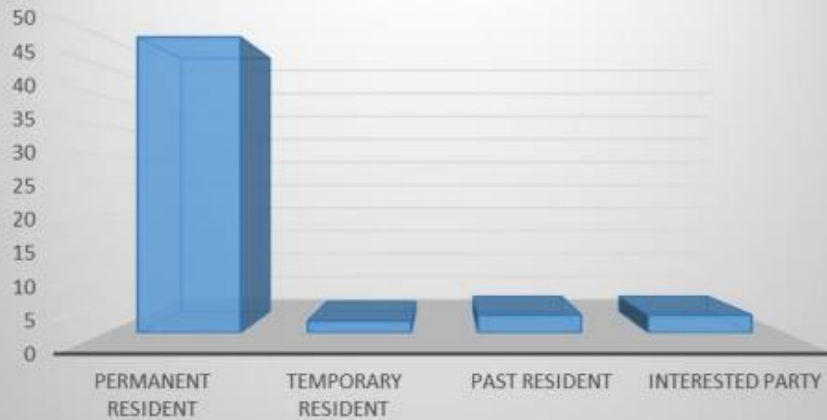


Of the respondents there was a broad cross-section of age groups and the majority were permanent residents of the Shire.

Representation of age groups

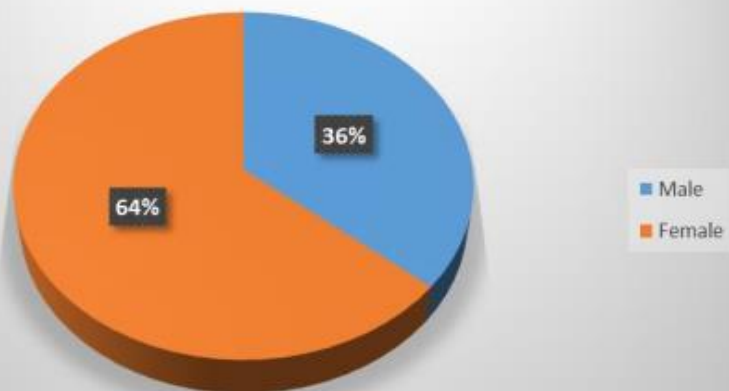


Community Representation



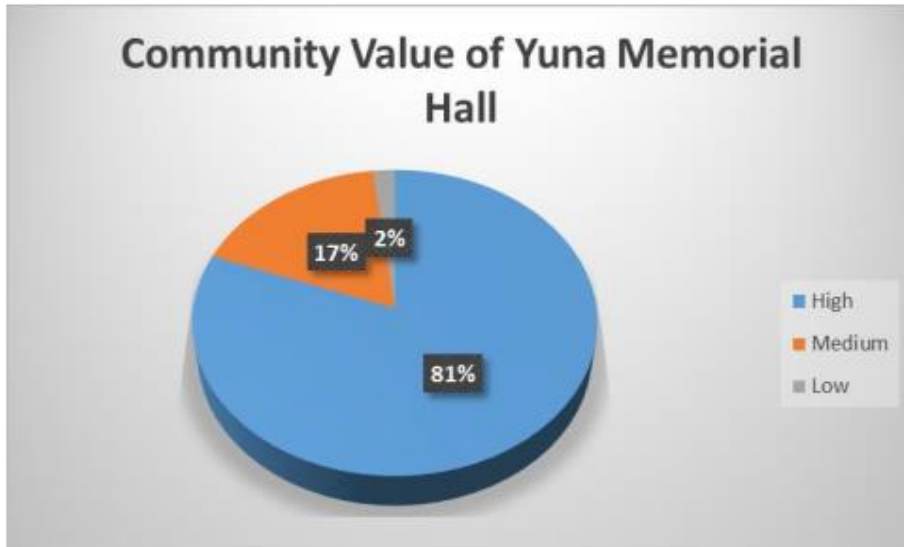
Female representation was higher than male.

Male/Female Representation



7.1 Community value of the Yuna Memorial Hall

All respondents valued the Yuna Memorial Hall for a variety of reasons from its local history especially it being a Memorial hall for recognising pioneering families of the district and being the last of its type in the Shire, the end of year school concert, its architecture, library, memories, past activities like Badminton, its larger capacity than the Yuna Community Centre, the stage and potential future uses.



For detailed responses please read the Attachment 11.4

7.2 Current and Future use and ideas

The community were asked what the current and future use of the Yuna Memorial Hall were and any ideas for its future. The below list is a summary:

- School Concert
- Library every fortnight
- Xmas Tree
- Art & Craft Days
- Badminton
- Big meetings
- Talent Shows
- Disco's
- Quiz Nights
- CBH meetings

Cabaret
 Private Functions
 Rave Parties
 Movie Nights
 School graduation
 Bands/parties 21st, 50ths
 Melbourne Cup Day
 Yoga
 Camp/Caravan kitchen (user pays potential)
 Dancing
 Stage/better acoustics
 Concerts
 Weddings
 Tourism
 Maps of areas of district with owners, previous owners on outside of buildings.
 Race/Gambling night
 2000 year celebration 2050
 School events- interschool
 Free camping, pay for water, pay for camping, honesty donation, and fire pit
 Casino
 Pop up shop day
 Historical events
 Tell districts history on digital film on windows
 Movies/projector room
 Non-alcoholic venue (Could be)
 The piano (music lessons)
 Drama lessons
 Artists in residence
 Roller Derby
 Yuna Heritage Centre
 City kids camp base
 Caretaker base
 Seating capacity large
 Community Storage Space (current & historic groups)
 Cafe as a tourist attraction or brewery.
 Camp kitchen for caravans
 The new community centre was supposed to replace it.
 Badminton again
 Karate lessons
 Fundraising
 Games night
 Dad's Night
 Mum's Night
 Daughters Night
 Family Night
 Drama lessons
 Sleepovers
 Club meetings
 Sport
 Restore for future generations - historical building with many years of memories
 The Shire Library is hardly ever open, so the Shire needs to look into the effectiveness of keeping it open, or making it more available.
 Hand it back to the community to maintain. All ratepayers shouldn't be paying for its upkeep.
 Tourist sign, Art Drive, Wildflower walk, outdoor camp kitchen-shade-fireplaces (controlled), memorable stopover/place of interest for tourism.
 Orchestra
 Playgroup could be in there and CWA. It could also be a place for tourists to cook their food in there.

8.0 Recommendations

The community offered 13 recommendations for the future of the Yuna Memorial Hall. Six of these supported the recommendation 'Maintain building in current condition, maintain current use and add future uses when approved by Council' but added community and more details of the type of future use. The respondents were able to make their own recommendations or amend the four following recommendations.

- Maintain Building in current condition and maintain current use.
- Maintain building in current condition, maintain current use and add future uses when approved by Council.
- Maintain building in current condition and discontinue current use, moving library facilities to Yuna Community Centre.
- Remove building.

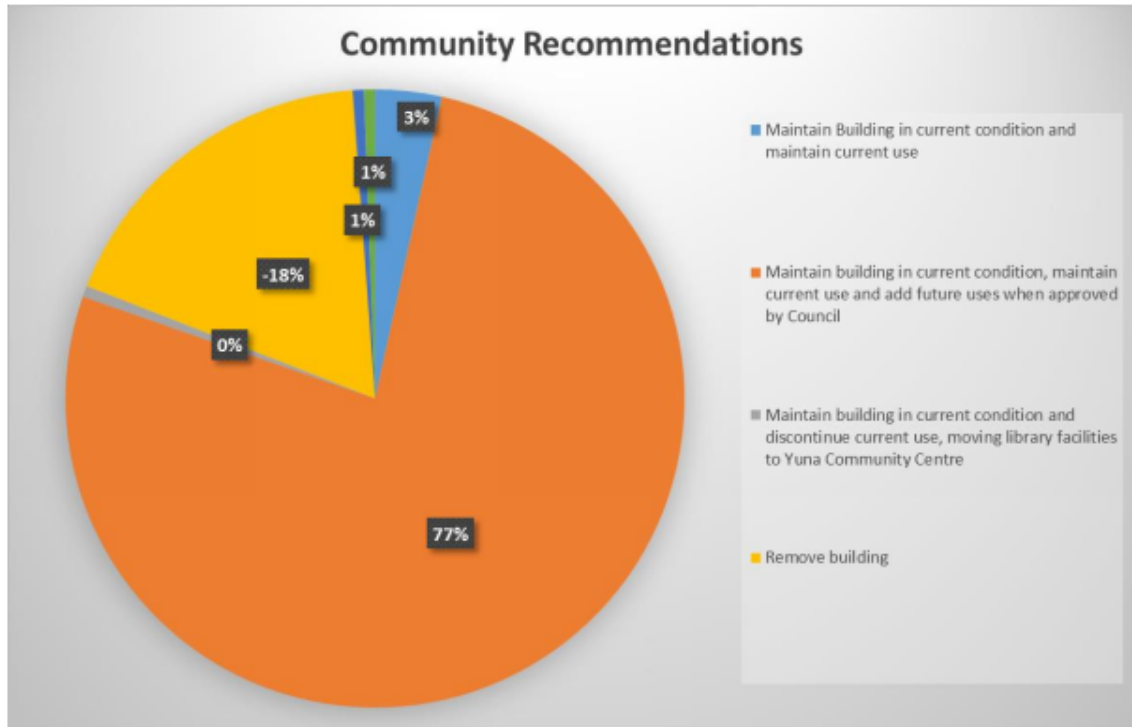
At the community meeting attendees could vote for the recommendations below.

Recommendations	Votes	No Votes
Maintain Building in current condition and maintain current use	6	
Maintain building in current condition, maintain current use and add future uses when approved by Council	19	
Maintain building in current condition and discontinue current use, moving library facilities to Yuna Community Centre	1	
Remove building	0	31
Maintain building in current condition, maintain current use and add future uses when approved by Council and community	23	
Maintain building in current condition, maintain current use and add future uses when approved by community and Council.	20	
Maintain building in current condition, maintain current use and add future uses when approved by Council/community	19	
Maintain building in current condition, maintain current use and add future uses when approved by Council. Maintain the building and library in current condition. Current and future uses maintained as accepted by community with Council approval. Building to remain as a memorial to the farming pioneers and families of the Yuna District. It is the only memorial building in Yuna and of Shire. Heritage listing may be necessary when maintenance etc. becomes too much of a burden. Progressive trips through the Valley lunch or P.M teas Museum, horeves (snacks) at Naraling Hall, dinner , carbaret at Yuna.	15	
Maintain building in current condition, maintain current use and add future uses when approved by Council. 1 & 2 are effectively the same option. Any future use would need a council submission and approval. Depends on council representation.....Thankyou for listening.	17	

Maintain building in current condition, maintain current use and add future uses when approved by Council' had additional wording attached: Tourist sign, Art Drive, Wildflower walk, outdoor camp kitchen-shade-fireplaces (controled), memorable stopover/place of interest for tourism.	15	
Another recommendation Maintain building in current condition and maintain current use had the additional wording encourage more use, caravans and campers.	5	
Hand the building back to the community to maintain if they want it to stay. Move Library to new community centre. R4R funding for new building was granted because the old building was past its use by date. Unfortunately Yuna has a declining population and funds from ratepayers are needed elsewhere where the population is growing.	1	
Maybe the school could make use of it for some of their activities	1	



If you amalgamate the recommendations that support 'Maintain building in current condition, maintain current use and add future uses when approved by Council' there is strong community feedback to retain the Yuna Memorial Hall and look for future uses.



9.0 Suggested Recommendation

The Community Development Officer has analysed the data from the surveys and below recommendation is suggested for consideration by the Council

Maintain the Yuna Memorial Hall in its current condition, maintain current use and add future uses identified with the community and approved by Council.

10.0 Expenditure

Below is the expenditure for the maintenance of the Yuna Memorial hall since 2007.

	Operating Expenses	Land & Building	Total Expenditure last 10 years
	Job # LHL2	Capital Expense	
YTD 2016/2017	8641.04	0	8641.04
2015/2016	12424.78	0	12424.78
2014/2015	8742.13	2002.16	10744.29
2013/2014	11839.87	31540.82	43380.69
2012/2013	9543.79	340.70	9884.49
2011/2012	5974.65	0	5974.65
2010/2011	4860.62	0	4860.62
2009/2010	6305.97	15603.14	21909.11
2008/2009	6540.95	200.00	6740.95
2007/2008	5835.95	505.91	6341.86
Totals	80709.75	50192.73	130902.48

11.0 ATTACHMENTS

- 11.1 Project Brief Yuna Memorial Hall Future Recommendations
- 11.2 Newspaper Advertisement
- 11.3 Yuna Memorial Hall Postcard
- 11.4 Collated Community feedback
- 11.5 Survey Monkey Report
- 11.6 Yuna Primary School Responses
- 11.7 Letter from Chapman Valley Historical Society
- 11.8 Correspondence from Brenda Williamson
- 11.9 Yuna Memorial hall Consultation Process
- 11.10 Community consultation attendee list
- 11.11 Comparative Use of Yuna Community Centre and Yuna Memorial Hall

Cr Maluish declared an Impartiality Interest in this item.

AGENDA ITEM:	10.3.2
SUBJECT:	FEES & CHARGES – BILL HEMSLEY PARK COMMUNITY CENTRE
PROPONENT:	CHIEF EXECUTIVE OFFICER
SITE:	BILL HEMSLEY PARK COMMUNITY CENTRE, LOT 302 REDCLIFFE CONCOURSE, WHITE PEAK
FILE REFERENCE:	A2040
PREVIOUS REFERENCE:	NA
DATE:	18th OCTOBER 2017
AUTHOR:	MAURICE BATTILANA, CHIEF EXECUTIVE OFFICER

SUPPORTING DOCUMENTS:

Ref	Title	Attached to Report	Under Separate Cover
	NIL		

DISCLOSURE OF INTEREST

Nil

BACKGROUND

The Bill Hemsley Park Community Centre (BHPCC) will hopefully be completed in early 2018 and it will be necessary for Council to adopt hire fees and charges relevant for the public use of the Centre.

COMMENT

At the time the 2017/2019 Budget Fees & Charges the BHPCC was still in its early stage of building and at the time it wasn't sure if a Management Licence for the use of the facilities would be established with an affiliation of user groups (similar to the Management Licence arrangement for the Yuna Multipurpose Community Centre) or if the building would simple be hired out on an ass needs basis (similar to the Nabawa Community Centre). Irrespective of the possible establishment of a Management Agreement for the BHPCC with an appropriate Group(s) it will still be necessary to establish venue hire fees and charges for individual use of the facility.

I believe a Management Licence (if considered necessary) will not have progressed enough to be finalised prior to the completing of the BHPCC and requests for use of the facility are being made. Therefore the establishment of appropriate fees and charges need to be established prior to the completion of the building.

I am presenting this item to Council recommending fees and charges for the BHPCC until the Management Licence (if considered necessary) has been endorsed by Council.

STATUTORY ENVIRONMENT

Below are the sections of Local Government Act 1995 that requires fees and charges to be reviewed and adopted i.e.

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.

As the recommended introduction of fees and charges for the BHPCC is to be introduced after the adoption of the Annual Budget these fees and charges must be advertised separately as per Section 6.19(b) of the LG Act.

POLICY IMPLICATIONS

Corporate Management Procedures CMP-010 "Building & Facility Hire Conditions" refers to the conditions imposed upon users of Shire owned/controlled buildings and facilities. Unless there is anything specific or unique in regards to the use of the BHPCC I would suggest this Procedure should be the basis upon which the facility is hire out. It will be noted in the Procedure there are condition relevant to specific building/facilities only. At this stage I cannot think of anything which would be specific to the BHPCC only. However; as the use progresses and items arise the Management Procedure can be brought back to Council for amendment.

MANAGEMENT PROCEDURE No.	CMP-010
MANAGEMENT PROCEDURE	BUILDING & FACILITY HIRE CONDITIONS
RESPONSIBLE DIRECTORATE	LAND & BUILDINGS
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY No.	4.40
RELEVANT DELEGATIONS	

OBJECTIVES:

Clarify the responsibilities of the various clubs & organisation and the Shire of Chapman Valley in regards to the use of Shire owned/controlled buildings and facilities.

MANAGEMENT PROCEDURE STATEMENT/S:

1. All hire charges must be paid at the Shire Office before keys will be issued.
2. Keys issued under the Non-Cut Key System to Clubs or community organisations will require a bond to be paid prior to issue. Bond will be an amount equivalent to the cost to replace/adjust locks and cut new key(s) in the event of loss. If a key(s) is lost, the relevant lock(s) will have to be renewed and the actual cost of this replacement will be the responsibility of the hirer.
Keys issued to Clubs or community organisations must be returned to the Shire Office at the end of their season.
3. It is the responsibility of the hirer to ensure the conduct of the persons present at the time of their function is orderly.
4. It is illegal to consume liquor on any part of the building and grounds without the prior written approval of the Shire. An additional licence must be obtained from the appropriate authority (e.g. Police, Dept. Racing & Gaming) for the sale of liquor.
5. The cleaning of all facilities used is the responsibility of the hirer, however if the premises have been left in an untidy state and Shire is required to clean them, costs involved in such cleaning will be payable by the hirer.
If any items used (e.g.: barbecues, etc.) are left in an unsatisfactory condition, the Hirer will be requested to carry out the necessary cleaning or repairs to such items to the satisfaction of the Chief Executive Officer.
If in the event that any specific Hirer refuses to undertake the necessary cleaning and/or repairs required as specified, then Shire Staff will carry out this work and an appropriate charge specified by the Chief Executive Officer will be forwarded to the Hirer.
Any future use of such items by the specific Hirer will require a bond to be deposited with the Shire prior to use.
This bond will be set by Shire at the time fees and charges are set annually and will not be refunded until the items have been returned in a satisfactory condition.
6. Ensure all lights, including lights on the oval, are turned off after function. Penalty may be imposed if lights left on.
7. No spiked shoes or boots or the like to be worn in any part of the building except the two main change rooms and public toilets.
8. Crockery and Cutlery Hire
Breakages and losses - the cost of all replacements is the responsibility of the hirer.
9. Furniture
Tables or chairs are not to be removed from the building unless with the prior approval of the Shire CEO. All tables and chairs must be stacked in an orderly manner and not left out after the event.

- Furniture must not be dragged across floors.
10. The building must be left locked up and with all lights switched off.
 11. Exemption to hall hire charge
The Chapman Valley Parents and Citizens Association is exempt from paying hall hire charges at the Nabawa Community Centre for the following events: -
 - Annual Christmas Tree
 - Annual quiz night
 - School Presentation night.
 Footnote – Community Newspaper Group “Valley Vibes” are exempt from paying hire charges for the “clinic” room at the Community Centre.
 12. When alcohol is to be consumed on the premises, a refundable bond, in accordance with that set annually by Council, is to be collected from hirers of this facility. The Shire Chief Executive Officer has the authority to impose or waiver this charge on any hirer, regardless of whether alcohol is consumed or not.

FINANCIAL IMPLICATIONS

The fees and charges listed in the *Staff Recommendation* below are based on those set in the 2017/2018 Budget for the Nabawa Community Centre and Yuna Multipurpose Community Centre. This ensures some consistency in fees for like facilities.

The Nabawa Community Centre and Yuna Multipurpose Community Centre and Hall fees and charges adopted by Council in the 2017/2018 Budget are as follows:

Nabawa Community Centre

Whole Facility - Main & Lesser Halls, Kitchen & Toilets	\$ 132.00	per use	Inc GST
Main Hall only	\$ 88.00	per use	Inc GST
Kitchen	\$ 55.00	per use	Inc GST
Lesser Hall	\$ 33.00	per use	Inc GST
Main or Lesser Hall Block Bookings (payable in advance only)			
10-20 bookings per annum	20% Discount	Of Normal Hire Charge	Inc GST
20-40 bookings per annum	25% Discount	Of Normal Hire Charge	Inc GST
40-60 bookings per annum	30% Discount	Of Normal Hire Charge	Inc GST
>60 bookings per annum	35% Discount	Of Normal Hire Charge	Inc GST

Yuna Multipurpose Community Centre

Whole Facility - Main & Lesser Halls, Kitchen & Toilets	\$ 132.00	per use	Inc GST
Main Hall only	\$ 88.00	per use	Inc GST
Kitchen	\$ 55.00	per use	Inc GST
Crèche/Small Room	\$ 44.00	per use	Inc GST

Yuna Hall

Main & Lesser Halls, Kitchen & Toilets (All Groups)	\$ 88.00	per use	Inc GST
Main & Lesser Halls, Kitchen & Toilets (Local Community Member)	\$ 46.50	per use	Inc GST
Badminton Club	\$ 8.80	per use	Inc GST

Venue Bonds

All Venue Bond - Events <u>without</u> Liquor License	\$ 530.00	To be placed into Trust Account. Bonds to be imposed at CEOs discretion	GST N/A
All Venue Bond - Events <u>with</u> Liquor License	\$ 700.00	To be placed into Trust Account. Bonds to be imposed at CEOs discretion	GST N/A

All Venue Bond – Long Term Key Bond	\$ 50.00	To be placed into Trust Account until key returned.	GST N/A
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Annual Booking Fee

Annual Booking Fee – Community Centres & Halls (Up to 2 uses per week only). Exemptions – Chapman Valley & Yuna P&C's – Venue Hire Use	\$ 586.00	per annum	Inc GST
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- **Long Term Financial Plan (LTFP):**

No effect on the Shire's LTFP.

STRATEGIC IMPLICATIONS

It is appropriate to establish appropriate fees, charges and controls over the use of Council owned/controlled facilities.

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

We need good services to support our development as a Shire	Maintain existing services and facilities	Provide and maintain community buildings and facilities, including roads
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CONSULTATION

At this stage no consultation of discussion has occurred between the Shire and any group or organisation in regards to establishing a Management Licence for the use of the BHPCC. The only organisation which may be interested in the Parkfalls Progress Association. An approach will be made to this Association to gauge an interest if Council consider this appropriate.

RISK ASSESSMENT

There is a definite high risk of Council owned/controlled buildings and facilities being abused or misused if appropriate controls are not in place to ensure these assets are controlled and roles and responsibilities of the Shire and the users are clearly stated. However; in this instance I believe the risk is **insignificant** i.e.

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Insignificant (1)	Negligible injuries	Less than \$1,000	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated , low impact, low profile or 'no news' item	Inconsequential or no damage.	Contained, reversible impact managed by on site response

VOTING REQUIREMENTS

Absolute Majority

STAFF RECOMMENDATION

1. Council adopt and advertise the following fees and charges for one-off the hire of the Bill Hemsley Park Community Centre (BHPCC):

Whole Facility	\$ 132.00	per use	Ex GST
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Existing adopted *Venue Bonds* and *Annual Booking Fee* will be relevant to the use of the BHPCC.

2. Council request the Chief Executive Officer approach the Parkfalls Residents Association (PRA) to determine if they have an interest in establishing a Management Licence for their use of the BHPCC.

In the event PRA is interested in being part of a Management Licence for the BHPCC the adopted fees and charges will be imposed until the Licence has been finalised and endorsed by Council with the understanding Council reserves the right to review these fees and charges at the time the Management Licences for the Yuna Multipurpose Community Centre is being considered.

COUNCIL RESOLUTION

MOVED: CR MALUISH

SECONDED: CR ROYCE

1. Council adopt and advertise the following fees and charges for the one-off hire of the Bill Hemsley Park Community Centre. (BHPCC)

Whole facility	\$88.00 per use
Local Community member	46.50 per use
Annual booking fee	\$586.00 (conditions and exemptions to be part of the Management Agreement with PRA)
Adopt existing Venue Bonds	

2. Council request the CEO approach the Parkfalls Residents Association Inc. to establish a Management Licence for their use of the BHPCC.
3. The adopted Fees and Charges will be imposed until the Licence has been finalised and endorsed by Council with the understanding the Council reserves the right to review these Fees and Charges annually when all Fees and Charges are reviewed.

AMENDMENT

MOVED: CR WARR

SECONDED: CR FARRELL

To remove the wording "(conditions and exemptions to be part of the Management Agreement with PRA)"

**Voting 7/0
CARRIED**

Minute Reference: 10/17-9

The Amendment then became the Substantive Motion i.e.

1. Council adopt and advertise the following fees and charges for the one-off hire of the Bill Hemsley Park Community Centre. (BHPCC)

Whole facility	\$88.00 per use
Local Community member	\$46.50 per use
Annual booking fee	\$586.00
Adopt existing Venue Bonds	

2. Council request the CEO approach the Parkfalls Residents Association Inc. to establish a Management Licence for their use of the BHPCC.

3. The adopted Fees and Charges will be imposed until the Licence has been finalised and endorsed by Council with the understanding the Council reserves the right to review these Fees and Charges annually when all Fees and Charges are reviewed.

AMENDMENT

MOVED: CR HUMPHREY

SECONDED: -

Whole facility

\$132.00 per use

AMENDMENT LOST DUE TO NO SECONDER

PROCEDURAL MOTION

MOVED: CR ROYCE

That debate on this matter be adjourned until the February 2018 Ordinary Council Meeting.

Voting 7/0

CARRIED

Minute Reference: 10/17-10

Debate on the Substantive Motion was therefore adjourned.

Cr Maluish declared an Impartiality Interest in this item.

AGENDA ITEM:	10.3.3
SUBJECT:	CATALYST COMMUNITY ARTS GRANT APPLICATION
PROPONENT:	PARKFALLS RESIDENTS ASSOCIATION
SITE:	BILL HEMSLEY PARK, PARKFALLS ESTATE
FILE REFERENCE:	205.02.09
PREVIOUS REFERENCE:	NIL
DATE:	18th OCTOBER 2017
AUTHOR:	MAURICE BATTILANA, CHIEF EXECUTIVE OFFICER

SUPPORTING DOCUMENTS:

Ref	Title	Attached to Report	Under Separate Cover
10.3.3(a)	Grant Application		√
10.3.3(b)	Letter of Support	√	

DISCLOSURE OF INTEREST

Nil

BACKGROUND

The Parkfalls Residents Association (PRA) has approached Shire staff seeking support for a grant application under the Catalyst Community Arts program to undertake art work on the Half Court Wall at the Bill Hemsley Park Community Centre development. The objectives of the projects (as stated in the application – see **Attachment 10.3.1(a)** provided under separate cover) are:

1. To produce a 'Mosaic Wall Art' at Bill Hemsley Park depicting children's and community members impressions of their community;
2. To provide opportunity for youth to develop leadership skills and an interest in decision making in their community;
3. To promote connectedness to, involvement in, and ownership of the community centre and playgrounds; and
4. Facilitate community connections to each other and the Bill Hemsley Park building the foundations for future creative and cultural projects.

COMMENT

The purpose of this Agenda Item is to:

1. Seek Council's support for the project (as per correspondence – see **Attachment 10.3.1(b)**); and
2. Endorse the waiver of the fees and charges for the use of the Bill Hemsley Park Community Centre (BHPCC) as the Shire's in-kind contribution towards the project (as identified in the application).

At the time of writing the report the fees and charges associated with the new BHPCC had not been set by Council so the amount shown in the application is calculated using the fees & charges set for the Yuna Multipurpose Community Centre (YMCC). A separate Agenda Report is being presented to the October 2017 OCM to establish hire fees and charges for the BHPCC.

It is also intended to investigate the establishment of a Management Licence (if considered necessary) with a group/organisation (e.g. PRA) not dissimilar to the Management Licence put in place for the YMCC. If the PRA do not wish to be part of a Management Licence for the BHPCC and would rather hire the facilities on an as-needs basis then this can also be accommodated.

STATUTORY ENVIRONMENT

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

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

which is owed to the local government.

* Absolute majority required.

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

POLICY/PROCEDURE IMPLICATIONS

Management Procedure CMP-066 deals with *Waiver of Fees and Charges* i.e.

MANAGEMENT PROCEDURE No.	CMP-066
MANAGEMENT PROCEDURE	WAIVER OF FEES & CHARGES
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY No.	NA
SECTOR	ADMINISTRATION
RELEVANT DELEGATIONS	

OBJECTIVES:

These procedures provide prospective applicants with information about financial assistance from the Shire of Chapman Valley by way of a Waiver of Fees and Charges.

Please read these procedures carefully before submitting an application. You may refer to the **Completing your Application** section for Shire Officer contact information.

MANAGEMENT PROCEDURE STATEMENT/S:

Restrictions on Funding

All fees and charges must be paid upfront and if a “Waiver of Fees and Charges” is granted, a reimbursement for the approved amount will be forwarded to the successful applicant.

The approval of a Waiver for a Fee and Charge is governed by Delegation, and specifically Delegation 3008

Write Off Debts.

The exercise of powers and the discharge of duties under section 6.12 of the Local Government Act 1995 to waive or grant concessions (excluding rate concessions) and to write off debts not exceeding \$1,000. In cases where the request for Fee Waivers exceed \$1,000 a report needs to be submitted to an Ordinary Council Meeting for Council’s consideration and approval.

Where a Fee and/or Charge is due to the Shire under another Act, regulatory body or Australian Law in respect of a service, then the Shire will not consider any application to waive that Fee and/or Charge.

A maximum of 50% of the Fee and Charge will be considered for waiver as listed in the annual Schedule of Fees and Charges adopted by Council.

The Shire may at its own discretion determine an individual application on its merits and give consideration to natural disasters.

The activity, event, competition, project or celebration must be offered within the Shire of Chapman Valley local government boundaries.

The Community Organisation is not to have already received funding from the Shire by way of a Sponsorship, Donation, Community Development Grant or Council Contribution or received financial assistance from the Shire under any existing written agreement during the current financial year.

Where an activity, event, competition, project or celebration occurs on a regular basis within a financial year July to June, then application for financial assistance shall be based on the full financial year.

One application per financial year (July to June) may be submitted at any time during the year for Financial Assistance.

Reimbursement for utility charges such as water and electricity will not be considered for waivers.

Recurrent annual or seasonal fees for sporting groups such as the Sporting Club Levy, court hire and line marking will not be considered for waivers.

Applications are to be lodged on the Shire's official application form and retrospective applications will not be considered where they are submitted after the activity, event, competition, project or celebration.

Once the Delegated Shire Officer has determined that the application for financial assistance be approved, a request for payment for the approved percentage of the fee waiver will be submitted to the Creditors Officer for payment.

If circumstances surrounding a successful applicant change during the financial year the Shire reserves the right to review and cancel any or all of the approved financial assistance.

Eligibility - Who can apply?

To be eligible for a Waiver of Fees and Charges the applicant must meet all of the following criteria:

- Operate in the Shire of Chapman Valley;
- Community Organisation which is an Incorporated body;
- Not-for-profit organisation;
- Educational Institution.

Waiver of Fees and Charges

Fee Waivers will be considered for:

- Shire Fees and Charges that are not due to the Shire as an Australian Tax under Australian law in respect of a service;
- Events that occur as a result of natural disasters;

Fee Waivers will not be considered for or provided to:

- Individual persons*;
- State or Federal Government bodies;
- Commercial Organisations or Businesses;
- Fees and Charges levied and collected by the Shire under any written law;
- Support for organisational or general operating costs;
- Activities that will financially benefit the Community Organisation (i.e. entry charge);
- Activities that are already covered by an existing service agreement with the Shire of Chapman Valley;
- Community Organisations that receive funding from the Shire of Chapman Valley by way of Donation, Community Development Grant or Council Contribution in the current financial year.

*Individual persons may seek the assistance of an Advocacy Agent to submit an application on their behalf.
Note: Applications submitted by an Advocacy Agent will not impact the agent's ability to apply for financial assistance within that financial year.

Application Timeframes

Community Organisations may make application for a Fee Waiver from the Shire of Chapman Valley at any time during the year.

Completing and Lodging your application

Once you have completed all sections of the form and signed the declaration, please take a copy for your records. The Shire requires the original signed Application Form be submitted by either of the following methods:

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

In Person: Shire of Chapman Valley Administration Centre
Lot 7 Chapman Valley Rd, Nabawa, WA 6532
Office Hours: 9.00am – 4.00pm

What happens when your application is received?

- Your application will be reviewed by the Shire and we will notify you in writing of the outcome of our assessment.

Acknowledging the Shire's support

Successful applicants will be required to liaise with the Shire's Community Development Officer and provide for marketing and media opportunities during the Project or Event.

ADDITIONAL EXPLANATORY NOTES:

APPLICANT DETAILS	
Name of Organisation:	
Contact Person:	
Postal Address for organisation/correspondence:	
Phone Number:	
Email address:	
Website address:	
ABN Number:	
Is your organisation registered for GST?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Type of Organisation:	<input type="checkbox"/> Community Organisation <input type="checkbox"/> Charitable Body <input type="checkbox"/> Not-for-profit <input type="checkbox"/> Educational Institution

ACTIVITY / EVENT DETAILS	
Type of Activity or Event:	
Name of Activity or Event:	
Location and Venue:	
Date of Activity or Event:	
Will income be generated as a result of the Activity or Event?	<input type="checkbox"/> Yes \$ <input type="checkbox"/> No Expected Amount
Are all workers associated with the Activity or Event working in a voluntary capacity?	<input type="checkbox"/> Yes <input type="checkbox"/> No % of volunteers:
What is the Shire Fee and Charge that is requested to be waived in line with Policy	
Reason for request:	

BANK DETAILS	
Account Name:	BSB Number:
Bank & Branch:	Account Number:
Account Holders Signature:	

DECLARATION

I, _____ confirm that all of the information contained within the request form is true and correct and submit it to the Shire of Chapman Valley for consideration.

Signed: _____

Name: _____

Position: _____

Date: _____

SHIRE OFFICE USE ONLY

Total of the Fees and Charges:

Receipt Number:

Authorised Officer from the Instrument of Delegation No 3008

Do I require the application to be reviewed by the Management?

Yes* complete below

No

Is 50% of the Fee and Charge paid over \$1,000?

Yes - Council approval required

No

Ordinary Council Meeting Date:

Outcome of the Council Recommendation:

Approved

Declined Reason:

Amount of Tax Invoice \$

Income Budget COA/Job:

Stamp of Authorised Officer

Signature

Date

*** Management to complete if required**

On review of the application I provide reasons for the determination as below:

Approved

Declined

Authorise Officer

Signature

Date

The Management Procedure does stipulate some specific conditions, which I am recommending Council not impose in this instance as the project for which the grant application is being applied for is designed to improve the BHPCC development. This is allowed for under the Procedure where Council can base each application on its merits (i.e. "The Shire may at its own discretion determine an individual application on its merits and give consideration to natural disasters."). Therefore, the following conditions are being recommended not to be imposed in this instance:

- ~ All fees and charges must be paid upfront and if a "Waiver of Fees and Charges" is granted, a reimbursement for the approved amount will be forwarded to the successful applicant;
- ~ A maximum of 50% of the Fee and Charge will be considered for waiver as listed in the annual Schedule of Fees and Charges adopted by Council;
- ~ The Community Organisation is not to have already received funding from the Shire by way of a Sponsorship, Donation, Community Development Grant or Council Contribution or received financial assistance from the Shire under any existing written agreement during the current financial year;
- ~ Applications are to be lodged on the Shire's official application form and retrospective applications will not be considered where they are submitted after the activity, event, competition, project or celebration

FINANCIAL IMPLICATIONS

The estimated revenue stated in the Grant Application for Venue Hire is \$2,380, which is approximately 18 hire dates for the BHPCC to complete the project.

The application also includes an in-kind contribution of \$3,460 being the Community Development Officer's time to assist with coordinating the project with the PRA. This keeps the Shire involved as the auspicing body for the application and project delivery.

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

Nil no effect on the Shire's LTFP .

STRATEGIC IMPLICATIONS

Community projects undertaken by community groups, with the Shire being the auspicing body is a trend most funding bodies are implementing, rather than directly funding the individual groups.

The BHPCC Community Art Wall Project is a commendable way of bringing the community together, whilst enhancing the BHPCC development at the same time.

The Project is fully supported by staff.

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

Objective	Strategy	Outcome
We want inclusive communities	Ensure planning and procedures are in place to promote develop community facilities to provide gathering places, including community centre, swimming pools.	Stronger, inclusive communities across the Shire

CONSULTATION

The Community Development Officer (in collaboration with the CEO) has been in consultation and working with the PRA in developing the grant application.

RISK ASSESSMENT

In this instance I believe the risk, based on the revenue only, is *minor* i.e.

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Minor (2)	First aid injuries	\$1,001 - \$10,000	Short term temporary interruption – backlog cleared < 1 day	Some temporary non compliances	Substantiated, low impact, low news item	Localised damage rectified by routine internal procedures	Contained, reversible impact managed by internal response

VOTING REQUIREMENTS

Absolute Majority

COUNCIL RESOLUTION / STAFF RECOMMENDATION

MOVED: CR MALUISH

SECONDED: CR ROYCE

1. Council endorse the support already offered for the Bill Hemsley Park Community Art Wall Project and agree to:
 - a) Act as the auspicing body for the project;
 - b) Waiver venue bonds, fees and charges for the hire/use of the Bill Hemsley Park Community Centre precinct for the duration of the project;
2. The condition of approval and support for the Bill Hemsley Park Community Art Wall Project is a draft of the proposed artwork is to be presented to the Chief Executive Officer for endorsement prior to the work being placed on the Half Court Wall.

COUNCIL RESOLUTION

MOVED: CR HUMPHREY

SECONDED: CR FARRELL

That Standing Orders be suspended.

**Voting 7/0
CARRIED
Minute Reference: 10/17-11**

Open dialogue and discussion on the mater took place.

COUNCIL RESOLUTION

MOVED: CR FARRELL

SECONDED: CR ROYCE

That Standing Orders be reinstated.

**Voting 7/0
CARRIED
Minute Reference: 10/17-12**

The Substantive Motion was then put.

**Voting 7/0
CARRIED
Minute Reference: 10/17-13**



Shire of
Chapman Valley
Love the Rural Life

Our Ref: 803.00
Enquiries:

18th September 2017

Funding Manager
CAN
PO Box 7514
Cloisters Square
PERTH WA 6850

Dear Funding Manager,

RE: Letter of Support for Parkfalls Residence Association Inc. Catalyst Grant Application

The Shire of Chapman Valley has been working with the Parkfalls Residents Association Inc. (PRA) to consult and engage with the Parkfalls community about the design, use and final concept for the Bill Hemsley Park over the past 4 years. This has resulted in the construction of a nature playground and a new community centre with gardens, pathways and a youth outdoor recreation area to be completed by the end of the 2017.

We strongly support the PRA's funding application to create a community art wall at the Bill Hemsley Park. This project will bring the community together on the first creative project for the park and is exactly the type of project envisioned when planning the community centre as a hub for the community. This projects focus on youth is important as we want to provide the opportunity for young people to connect to this new place and to be able to express how they see the place they live.

We will be constructing the wall as part of the youth recreation area this year and believe the final artwork will enhance and build ownership of the park. We are committed to supporting the project with staff time from our Community Development Officer, waived fees for use of the community centre for the planned art workshops, leadership training and meetings as well as hire of our PA system for the community day. Our in-kind contribution is valued at \$3280 and we will promote the project on our Facebook page and through our networks.

If you have any queries relating to this matter please do not hesitate to contact this office on (08) 9920 5011.

Yours faithfully,

Maurice Battilana
CHIEF EXECUTIVE OFFICER



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

11.0 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

12.0 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING

Nil

13.0 DELEGATES REPORTS

Cr Forrester and Cr Collingwood attended the recent pre-season fire brief with the Shire Bushfire Control Officers.

Cr Forrester recently attended a meeting with Anthea Kalazich to discuss the Nabawa Rail Siding.

Cr Forrester recently meet with Chapman Valley Tennis Club to discuss recent new fence.

Cr Forrester provided a book presented to the Shire by CBH Ltd.

Cr Collingwood and the CEO attended the Mid West Regional Road Group meeting in Geraldton yesterday.

Cr Maluish advised that Darren Cole had recently started a bush fire cadet program with the Waggrakine Bush Fire Brigade.

14.0 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Cr Collingwood thanked Cr Warr and Cr Maluish for their time as Elected Members and wished them all the best at the forthcoming Local Government Elections. Cr Collingwood also read the following to the meeting:

"I would like to thank all Councillors that I have had the pleasure of working with over the past 22 ½ years as a Councillors and President for 16 ½ years.

That period has been very interesting with three attacks on our sovereignty, which have successfully been rebuffed. Never underestimate the power of the press used well and building relationships with Politicians of all colours.

We as a Shire have had many wins and challenges and I believe we can hold our heads up with the best of local governments in a growing shire.

A couple of things stand out as the most challenging: Oakajee – 2 attempts at building a port, firstly Kingstream and then OPR. Time was not right for either but Council with its reputation for getting things done made for positive support of the projects.

In the 20 odd years community has come to the fore and with shire support backing projects has with the help of funding agencies really backed our people.

I can't finish without giving great credit to the positive CEO's that have passed through the shire (about 9 from memory) have given us all sorts of challenges. Present CEO, Maurice and all the professional staff who have been excellent in supporting my role as President and indeed the collective partnership of Councillors and Staff.

I wish all the candidates in this election the best of luck and Thank you."

Cr Farrell responded by expressing the sincere appreciation of Councillors and staff for his time as a Councillor and President and presented Cr Collingwood with a pens set gift on behalf of Council & the community.

16.0 CLOSURE

The Chairman thanked the Elected Members and Staff for their attendance and closed the meeting at 10.45am.