

# ORDINARY COUNCIL MEETING

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## AGENDA

**9:00am Wednesday  
21/04/2021  
Nabawa Chambers**

**April 2021**

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**SHIRE OF CHAPMAN VALLEY**  
*Maurice Battilana*  
**CHIEF EXECUTIVE OFFICER**

*"A thriving  
community.  
making the  
most of our  
coastline.  
ranges and  
rural  
settings to  
support us  
to grow and  
prosper"*



SHIRE OF  
**Chapman Valley**  
*Love the rural life!*

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# DISCLAIMER



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

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

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

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

**Maurice Battilana**  
**CHIEF EXECUTIVE OFFICER**

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## Table of Contents

1.0	DECLARATION OF OPENING/ANNOUNCEMENTS OF VISITORS .....	5
2.0	ANNOUNCEMENTS FROM THE PRESIDING MEMBER .....	5
3.0	RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE (PREVIOUSLY APPROVED).....	5
3.1	Attendees .....	5
3.2	Apologies .....	5
3.3	Previously Approved Leave of Absence (By Resolution of Council) .....	5
4.0	PUBLIC QUESTION TIME.....	5
4.1	Response to Previous Public Questions on Notice.....	5
4.2	Public Question Time.....	5
5.0	APPLICATIONS FOR LEAVE OF ABSENCE (by Resolution of Council) .....	5
6.0	DISCLOSURE OF INTEREST .....	5
7.0	PETITIONS/DEPUTATIONS/PRESENTATIONS.....	6
7.1	Petitions .....	6
7.2	Presentations.....	6
7.3	Deputations.....	6
8.0	CONFIRMATION OF MINUTES FROM PREVIOUS MEETINGS.....	6
8.1	Ordinary Meeting of Council held on Wednesday 17 <sup>th</sup> March 2021 .....	6
9.0	ITEMS TO BE DEALT WITH EN BLOC .....	6
10.0	OFFICERS REPORTS.....	6
10.1	Deputy Chief Executive Officer .....	7
10.1.1	Proposed Residence, Café, Art Gallery & Home Store.....	8
10.1.2	Proposed Shed Extension.....	20
10.1.3	Lot 11895 disposal & Murphy-Yetna Road formalisation.....	26
10.2	Manager of Finance & Corporate Services .....	33
10.2.1	Community Growth Fund Applications .....	34
10.3	Chief Executive Officer .....	38
10.3.1	Chapman Valley Bushfire Brigades Advisory Group .....	39
10.3.2	Elected Members – Corporate Clothing Procedure .....	43
10.3.3	Disability Access & Inclusion Plan.....	47
10.3.4	Nabawa Oval Naming Request.....	51
11.0	ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN.....	56
12.0	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING.....	56
13.0	DELEGATES REPORTS .....	56

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14.0	ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION.....	56
15.0	MATTERS FOR WHICH MEETING TO BE CLOSED TO MEMBERS OF THE PUBLIC .....	56
16.0	CLOSURE .....	56



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## **ORDER OF BUSINESS**

### **1.0 DECLARATION OF OPENING/ANNOUNCEMENTS OF VISITORS**

### **2.0 ANNOUNCEMENTS FROM THE PRESIDING MEMBER**

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

#### **3.1 Attendees**

#### **3.2 Apologies**

#### **3.3 Previously Approved Leave of Absence (By Resolution of Council)** Nil

### **4.0 PUBLIC QUESTION TIME**

#### **4.1 Response to Previous Public Questions on Notice** Nil

#### **4.2 Public Question Time**

##### **4.2.1 Amanda Bourne (Emailed 18/03/2021)**

“Will the Shire consider including an Acknowledgement of Country in the minutes of future Ordinary Council meetings?”

### **5.0 APPLICATIONS FOR LEAVE OF ABSENCE (by Resolution of Council)**

### **6.0 DISCLOSURE OF INTEREST**

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

Section 5.60A:

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

Section 5.60B:

“a person has a proximity interest in a matter if the matter concerns –

- (a) a proposed change to a planning scheme affecting land that adjoins the person’s land; or
- (b) a proposed change to the zoning or use of land that adjoins the person’s land; or
- (c) a proposed development (as defined in section 5.63(5)) of land that adjoins the person’s land.”

Regulation 34C (Impartiality):

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“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**

### **7.1 Petitions**

Nil

### **7.2 Presentations**

Nil

### **7.3 Deputations**

Nil

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

### **8.1 Ordinary Meeting of Council held on Wednesday 17<sup>th</sup> March 2021**

That the Minutes of the Ordinary Meeting of Council held Wednesday 17<sup>th</sup> March 2021 be confirmed as true and accurate.

## **9.0 ITEMS TO BE DEALT WITH EN BLOC**

## **10.0 OFFICERS REPORTS**

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# **10.1**

## **Deputy Chief Executive Officer**

### **10.1 AGENDA ITEMS**

**10.1.1 Proposed Residence, Café, Art Gallery & Home Store**

**10.1.2 Proposed Shed Extension**

**10.1.3 Lot 11895 disposal & Murphy-Yetna Road formalisation**

### 10.1.1 Proposed Residence, Café, Art Gallery & Home Store

PROPONENT:	E & J Dixon
SITE:	70 (Lot 31) Baston Close, Nanson
FILE REFERENCE:	A2064
PREVIOUS REFERENCE:	11/00-10, 05/02-08, 10/02-02 & 06/14-4
DATE:	12 April 2021
AUTHOR:	Simon Lancaster, Deputy CEO & Kathryn Jackson, Consulting Town Planner

#### SUPPORTING DOCUMENTS:

Ref	Title	Attached to Report	Under Separate Cover
10.1.1(a)	Application		✓
10.1.1(b)	Received submissions		✓
10.1.1(c)	Applicant's response to issues raised during submission period		✓

#### DISCLOSURE OF INTEREST

Nil

#### BACKGROUND

Council is in receipt of an application seeking to site a transportable building upon 70 (Lot 31) Baston Close, Nanson (the site of Baston Olive Grove) to serve as a residence, café, art gallery and home store. The application has been advertised for comment and submissions both in support and objection were received. This report recommends conditional approval.

**Figure 10.1.1(a) – Location Plan for 70 (Lot 31) Baston Close, Nanson**



#### COMMENT

Lot 31 is a 59.8507ha property located at the northern end of the 700m long unsealed cul-de-sac Baston Close.

Lot 31 contains the Baston Olive Grove (formerly known as Eagle Vale Olive Grove) and olive processing and packing sheds that occupy an approximately 10ha area towards the south-western corner. Approximately 20ha of Lot 31 is hilltops containing remnant vegetation, with the remaining approximately 30ha eastern area used for grazing purposes.

**Figure 10.1.1(b) – Aerial photograph of 70 (Lot 31) Baston Close, Nanson**



The recent development history for the property is as follows:

20 February 1997	Shire approved an application to plant 1,500 olive trees, create a dam and construct an outbuilding upon then Lot 12 Baston Close.
23 November 2000	Council approved an application to house an oil processing and packaging plant, cool rooms and automated picking machinery within the existing outbuilding upon Lot 12 Baston Close.
21 May 2002	Council resolved to initiate Scheme Amendment No.35 that proposed to allow for later development of a café/gallery/reception centre and 3 short stay chalets, with the existing house being amended to a manager's residence upon Lot 20 Murphy-Yetna Road, and 6 short stay chalets upon Lot 12 Baston Close.
15 October 2002	Council adopted Scheme Amendment No.35 following advertising.
27 October 2003	Minister for Planning approved Scheme Amendment No.35 listing Eating House, Restaurant and Reception Centre as Additional Uses for Lot 20 Murphy-Yetna Road, and Holiday and Tourist Accommodation/Chalets as Additional Uses for Lot 12 Baston Close.
31 January 2005	Shire approved an application for a second outbuilding upon Lot 12 Baston Close to accommodate the processing, packaging and storage of olives.
30 April 2010	Certificate of Registration of a Food Business issued to Eagle Vale Olives under the <i>Food Act 2008</i> .
24 June 2014	Council supported an application to realign the boundary of Lot 20 Murphy-Yetna Road and Lot 12 Baston Close so that 2 dams were contained within Lot 12.
1 December 2015	Conveyancing associated with DP404997 that created Lot 31 Baston Close (formerly Lot 12) finalised.
9 September 2018	Application received to re-register premises under the <i>Food Act 2008</i> as Baston Olive Grove (previously Eagle Vale Olives).
7 December 2020	Application for 10 bay nature based campground and caretaker's residence upon Lot 31 received.
19 January – 3 February 2021	Application for nature based campground and caretaker's residence advertised for comment to surrounding landowners and government agencies. At conclusion of



advertising period 5 submissions had been received, 1 from DFES requesting further information, 2 from government agencies offering technical comment, and 2 from landowners in objection.

11 February 2021

Shire wrote to surrounding landowners and government agencies advising that the landowner of Lot 31 had withdrawn their application for a nature based campground and caretaker's residence.

7 March 2021

Application received for residence, café, art gallery and home store.

**Figure 10.1.1(c) – Aerial photograph of 70 (Lot 31) Baston Close, Nanson (middle dam since removed)**



The applicant is seeking to site a transportable building approximately 40m north of the olive processing buildings, in the location of the now removed central dam as shown in **Figure 10.1.1(c)**.

The 128m<sup>2</sup> western section of the building would serve as a 2 bedroom/1 bathroom residence, and the 135m<sup>2</sup> eastern section of the building would serve as a gallery/café/retail/office area with 2 unisex toilets (1 of them being disabled access). The commercial side of the building will be used to showcase the olive products, offer olive and olive oil tastings, and serve as a starting point for olive grove and processing plant tours. The applicant also intends to use the retail area for the exhibition and sale of local arts, crafts and food, in a not dissimilar manner to that offered by the Lavender Valley Farm on Chapman Valley Road.

The development would be serviced by the existing 1,000kL dam, bore and 96kL tank, and the applicant also intends to install a 25kL rainwater tank alongside the building.

A copy of the application has been provided as **separate Attachment 10.1.1(a)** which includes site, elevation and floor plans, photograph of the site, and photographs of the transportable building in its current location.

It is considered that the application can be supported on the following basis:

- the transportable building is of a suitably high standard and would not detract from the visual amenity and rural landscape nature of the property;
- the building would be setback 750m from Murphy-Yetna Road and clustered with the existing olive processing sheds upon the property;
- the building would be set against the slope rather than on top of the skyline;



- the building would be sited 330m from the closest third-party residence and given existing cadastre and zoning there is not the ability for further residences to be sited closer than this;
- the inclusion of a residence component within the same building as the commercial component will introduce a level of self-policing in regards to visitor activity;
- there is the ability for Council to impose conditions in relation to management of the operations that will assist in addressing any concerns that may be raised;
- the development is in an area that already contains other tourism related commercial operation such as the Burnt Barrel restaurant, micro-brewery, reception centre and honey farm 1.3km to the east, and the Nukara events business 1.6km to the south-east;
- whilst additional traffic would be generated on Murphy-Yetna Road & Baston Close arising from the development it would not be heavy haulage vehicles and Council can require of the applicant that they contribute towards any maintenance works required as a result of the development's associated traffic movements;
- the development would build upon the activities already conducted at Baston Grove whereby visitors can pick their own olives and be shown the olive processing operations;
- the approval of the development would be in keeping with the Council's strategic vision of developing the Chapman Valley as a destination for events and tourism.

**Figure 10.1.1(d) – (left) View along Murphy-Yetna Road looking east towards Baston Close intersection  
(right) View looking north along Baston Close**



## STATUTORY ENVIRONMENT

70 (Lot 31) Baston Close, Nanson is zoned 'Rural Smallholding 1' under Shire of Chapman Valley Local Planning Scheme No.3 ('the Scheme') the objectives for which are listed in Table 1 as being:

- *To provide for lot sizes in the range of 4 ha to 40 ha.*
- *To provide for a limited range of rural land uses where those activities will be consistent with the amenity of the locality and the conservation and landscape attributes of the land.*
- *To set aside areas for the retention of vegetation and landform or other features which distinguish the land."*

The proposed development would meet with the following Scheme definitions:

*"repurposed dwelling means a building or structure not previously used as a single house, which has been repurposed for use as a dwelling."*

*"restaurant/cafe means premises primarily used for the preparation, sale and serving of food and drinks for consumption on the premises by customers for whom seating is provided, including premises that are licenced under the Liquor Control Act 1988."*

*"home store means a shop attached to a dwelling that –*  
(a) *has a net lettable area not exceeding 100sq.m; and*

(b) is operated by a person residing in the dwelling.”

“art gallery means premises –

(a) that are open to the public; and

(b) where artworks are displayed for viewing or sale.”

Repurposed Dwelling, Restaurant/Café and Home Store are all listed as ‘A’ uses in the ‘Rural Smallholding’ zone, that is uses that must be advertised for comment prior to determination

Art Gallery is listed as a ‘D’ use in the ‘Rural Smallholding’ zone, that is a discretionary use.

Lot 31 also falls within the ‘Additional Use 3’ zone for which the Scheme notes:

Additional Use	Conditions
As an 'A' use: Holiday Accommodation; Chalets.	<ol style="list-style-type: none"><li>1. The local government may require that a local development plan be prepared to its satisfaction prior to approving development in accordance with Part 6 of the deemed provisions.</li><li>2. Following the preparation of a local development plan to the satisfaction of the local government, development is to be in accordance with the local development plan.</li><li>3. All buildings shall be sympathetic in design and construction, and complementary in colour and materials to the existing landform and landscape elements, to the satisfaction of the local government.</li><li>4. The use of zincalume and/or coloured roof and wall materials, which in the opinion of the local government prejudices the landscape amenity of the surrounding landform, is not permitted.</li><li>5. All habitable buildings shall be serviced by:<ol style="list-style-type: none"><li>a) A potable water supply with a minimum storage capacity of 100,000L sourced from rain water catchment or an alternative on-site supply approved by the local government in consultation with the WA Department of Health.</li><li>b) An approved on-site effluent disposal system set back a minimum distance of 100 metres from any water course or wetland area and a minimum of 30 metres from any bore, well or dam, with a minimum of 2 metres vertical separation from the base of the apparatus and the highest known ground water level or bedrock.</li></ol></li><li>6. All supply of potable water shall comply with the drinking water standards for public buildings as prescribed under the Australian Drinking Water Guidelines [NHMRC] 1996.</li><li>7. At least one chalet building shall include disabled access and ablution facilities in accordance with the standards prescribed in the Building Code of Australia.</li><li>8. Car parking shall to be calculated at a minimum of 1 bay for every 2 bedrooms of accommodation provided (based on 2 persons per bedroom).</li><li>9. All car parking, manoeuvring areas and access driveways shall be constructed, as a minimum, to compacted gravel, drained and delineated standard to the local government’s specifications.</li><li>10. The clearing of remnant vegetation on the property other than for fire management and/or driveway access purposes is not permitted, unless otherwise determined by the local government.</li><li>11. All stormwater resulting from impervious surfaces and buildings shall be retained on the site. Stormwater shall not be disposed of into natural drainage lines resulting in erosion or cause environmental harm (contamination).</li><li>12. A landscaping plan shall be submitted as part of a development application clearly showing the planting of native trees and shrubs around all proposed buildings on the property, to the satisfaction of the local government.</li><li>13. Vegetation buffers shall be established on the property where, in the opinion of the local government, a potential conflict issue may arise with an adjoining land use.</li><li>14. The specific siting of buildings on the property shall be determined by the local government at the development application stage taking into account visual amenity, conflict issues between neighbouring uses, vehicular access, provision of adequate servicing, and removal of vegetation and extent of site works involved.</li></ol>

	<p>15. Prior to the commencement of development of an Additional Use permitted within this Zone, the developer shall provide and implement a fire management plan to the satisfaction of the Department of Fire and Emergency Services and the local government. The fire management plan shall address:</p> <ul style="list-style-type: none"> <li>a) water supplies for firefighting;</li> <li>b) egress for residents and access for firefighting units;</li> <li>c) strategic and alternative fire breaks;</li> <li>d) location of building envelopes; and</li> <li>e) adequacy of firefighting equipment.</li> </ul> <p>The fire management plan is to be prepared in accordance with State Planning Policy No.3.7 – Planning in Bushfire Prone Areas and the Guidelines for Planning in Bushfire Prone Areas.</p>
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Clause 67 of the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* lists the following relevant matters in considering a development application:

- “(a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;...*
- ...(fa) any local planning strategy policy for this Scheme endorsed by the Commission;*
- (g) any local planning policy for the Scheme area;...*
- ...(m) the compatibility of the development with its setting including:*
  - (i) the compatibility of the development with the desired future character of its setting; and*
  - (ii) relationship of the development 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 development;*
- (n) the amenity of the locality including the following —*
  - (i) environmental impacts of the development;*
  - (ii) the character of the locality;*
  - (iii) social impacts of the development;*
- (o) the likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource;*
- (p) 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;*
- (q) the suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bush fire, soil erosion, land degradation or any other risk;...*
- (s) the adequacy of —*
  - (i) the proposed means of access to and egress from the site; and*
  - (ii) arrangements for the loading, unloading, manoeuvring and parking of vehicles;*
- (t) the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;...*
- ...(w) the history of the site where the development is to be located;*
- (x) the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;*
- (y) any submissions received on the application...*
- ...(zb) any other planning consideration the local government considers appropriate.”*

#### **POLICY/PROCEDURE IMPLICATIONS**

Schedule 2 Part 2 Division 2 Clauses 3-6 of the *Planning and Development (Local Planning Schemes) Regulations 2015* provides for Council to prepare a Local Planning Policy in respect of any matter related to the planning and development of the Scheme area.

The Shire of Chapman Valley Local Planning Policy 2.3 – Rural Tourism contains the following objectives:

- “3.1 To provide for a range of low impact accommodation and other low impact tourist related uses in the rural and rural lifestyle areas of the Shire in a manner that is complementary and sensitive to the agricultural and environmental fabric of the municipality.*

- 3.2 To set out the circumstances under which the Local Government may approve low impact tourist development in the rural and rural lifestyle areas of the municipality as provided in the Scheme.

Policy 2.3 also sets the following Policy Statement:

- “6.1 Applications for Rural Tourism will only be supported where the Local Government is satisfied that the proposal will not result in unacceptable environmental or amenity impacts as a result of noise, dust, light spill, odour, vibration, traffic movement, visual intrusion or contamination on the nearby residents or environment and that the quality of the development will present a positive image of the locality.
- 6.2 Depending on the nature of the proposed Rural Tourism, local wind, topography and vegetation conditions, setback distances from site boundaries and existing watercourse or bodies may need to be increased. When determining such setbacks the Local Government shall consider existing and potential land-uses on adjoining and nearby properties.
- 6.3 The Local Government may require the preservation and/or planting of a vegetated buffer strip ensuring that the Rural Tourism activities are adequately screened from the road and adjoining properties.
- 6.4 Where Rural Tourism has direct access to a sealed road and the projected number of vehicle movements from the site would justify such a requirement (as determined by the Local Government), the Local Government may require crossover and vehicle access areas within 50m of the road to be constructed with a stable, impervious surface, with stormwater runoff being controlled. In this regard the construction of a crossover shall be in accordance with the Local Government’s existing Crossover Policy.
- 6.5 Where Rural Tourism is being developed with or without direct access to a sealed road, the Local Government may require assistance to upgrade and maintain the road/s that will be affected by vehicle movements associated with the Rural Tourism development. Such upgrading contributions may be financial or in-kind and shall be calculated on a case-by-case basis.
- 6.6 The Local Government will not be bound to accept any request for additional maintenance or upgrading of roads directly resulting from increases in traffic volumes from an approved Rural Tourism development, unless a financial contribution for such works has been agreed to and received from the respective business owner/proprietor.
- 6.7 With the exception of Bed and Breakfast and Holiday House, all other forms of tourist/holiday accommodation will only be approved subject to the landowner entering into a legal agreement, which shall bind the owner, their heirs and successors in title, requiring that the tourist accommodation will only be used for Short Stay Accommodation purposes.
- 6.8 Subdivision and/or strata subdivision of rural land on which tourism development is proposed or existing will generally not be supported by the Local Government. Such proposal are not considered appropriate because they create circumstances where tourist activities can be operated independently of the principal agricultural or rural use of the land, thereby fragmenting rural land and leading to an increased likelihood of land use incompatibilities.
- 6.9 All signage associated with the uses specified in this policy is to be the subject of a separate application (unless specifically referenced within the application and conditions of approval).
- 6.10 Larger scaled developments and land uses will not be approved under this policy and will require, if found to be justified, an amendment to the Scheme to incorporate specific zoning for the development proposed.
- 6.11 Rural Tourism will generally be approved where the Local Government is satisfied that the following minimum criteria and standards can be achieved:

Use	Criteria	Standard
Art Gallery	<ol style="list-style-type: none"> <li>Public Road Access</li> <li>Potable Water Supply</li> <li>Ablutions</li> <li>Car Parking</li> <li>Lot size</li> <li>Setback</li> </ol>	<ol style="list-style-type: none"> <li>Type 3 – 12m form/8m gravel paved</li> <li>46,000 litres storage (10,000 gals)</li> <li>As per Health Act 1911, including provision for disabled</li> <li>1 car bay for every 3m<sup>2</sup> of public area – gravel std/Local Government specs.</li> <li>10ha</li> </ol>

Use	Criteria	Standard
	7. Siting 8. Clearing 9. Screening 10. Design & Materials 11. Management	6. 30m from the front boundary and 75m from water features with all other boundaries to comply with Local Planning Scheme requirements unless otherwise determined by the Local Government. 7. Away from sand dunes, ridge lines and side slope/breakaway areas 8. No removal of remnant vegetation 9. Well screened from view of neighbouring properties 10. Complementary with landscape – earth tones – no reflection 11. On site managers residence
Restaurant / Café	1. Location 2. Public Road Access 3. Potable Water Supply 4. Ablutions 5. Car Parking 6. Lot size 7. Setback 8. Siting 9. Clearing 10. Screening 11. Design & Materials 12. Management	1. With an established intensive agriculture/rural pursuit and/or rural holiday resort. 2. Type 3 – 12m form/8m gravel paved 3. 92,000 litres storage (20,000 gals) 4. As per Health Act 1911, including provision for disabled 5. 1 bay per 4 seats – gravel standard 6. 15ha 7. 30m from the front boundary and 75m from water features with all other boundaries to comply with Local Planning Scheme requirements unless otherwise determined by the Local Government. 8. Away from sand dunes, ridge lines and side slope/breakaway areas 9. No removal of remnant vegetation 10. Well screened from view of neighbouring properties 11. Complementary with landscape – earth tones – no reflection 12. On site managers residence

The Western Australian Planning Commission's 'Planning Bulletin 83 - Planning for Tourism' (2013) sets out the policy position to guide decision making by the WAPC and local government for rezoning, subdivision and development proposals for tourism purposes. The Bulletin emphasises the importance of strategic planning for tourism and that this should be addressed through the local government's Local Planning Strategy identifying tourism sites and determine their strategic value and importance to tourism development.

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

*“Accessibility*

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

*Uniqueness*

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

*Setting*

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

*Tourism activities and amenities*

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

*Supply of land*

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

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

*Suitability in a land use context*

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

*Capability*

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

*Size*

*The size of the site should be adequate to accommodate a sustainable tourism facility with respect to its design, operation and function, and its site specific and wider impacts and consideration of future growth/expansion. This will require a site to be able to be developed without compromising the sustainable use of natural and cultural resources or existing social structures. Development of the site should also contribute to the delivery of diversified and balanced tourism opportunities.*

*Function*

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

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

## **FINANCIAL IMPLICATIONS**

Nil

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

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 would have impact in relation to the Long Term Financial Plan.

## **STRATEGIC IMPLICATIONS**

The Shire of Chapman Valley Local Planning Strategy identifies Lot 31 Baston Close as being located within Precinct No.3- Chapman Valley. The stated Vision for Planning Precinct 3 is:

*"A diverse range of rural pursuits and incidental tourist developments that complement the sustainable use of agricultural resources."*

The Local Planning Strategy lists the following relevant objectives for Planning Precinct No.3:

### *"Economic Objectives*

- 3.2.1 Facilitate agricultural diversification in appropriate areas where there will be no detrimental impact to the surrounding land.*
- 3.2.2 Encourage the experimentation and growth of newer crops and animal varieties through farm diversification and support value adding to this diversified farm produce. This could include links to tourism in accordance with Council Policy.*
- 3.2.3 Promote opportunities for processing and value adding to agricultural produce.*
- 3.2.4 Ensure that rural residential development maximises the use of existing services and infrastructure.*

### *Environmental Objectives*

- 3.3.1 Encourage revegetation and retention of existing vegetation in order to minimise soil erosion and salinity levels.*
- 3.3.2 Protect and enhance existing catchments, botanical linkages and vegetation/wildlife corridors, with particular emphasis on the Chapman River.*



- 3.3.3 Ensure development does not adversely impact on river systems, associated catchment areas and groundwater resources through the provision/submission of detailed/supporting research, information and analysis.
- 3.3.4 Ensure that land use conflicts (i.e. noise, dust, odour, spray drift, vermin etc.) are avoided through appropriate environmental and planning controls.
- 3.3.5 Protect the rural amenity and character of the area from incompatible land use/ development, again through the implementation of appropriate environmental and planning controls.
- 3.3.6 Ensure fire prevention measures are implemented and maintained in accordance with statutory requirements as a minimum.
- 3.3.7 Encourage conservation of biodiversity and farm sustainability based on natural resource management practices.

#### *Infrastructure Objectives*

- 3.4.1 Enhance the standards of servicing and infrastructure around the Nanson and Nabawa townsites.
- 3.4.2 Ensure adequate levels of servicing and infrastructure, as determined by Council, exist or will be provided when supporting proposals for a change in land use, rezoning, development or subdivision, to avoid burden (financial or otherwise) on the Council's resources.
- 3.4.3 Identify, support and facilitate the efficient and coordinated use of existing road linkages."

The Strategy identifies that 'Tourism (low-key & incidental)', 'Intensive Agriculture' and 'Cottage Industry' are all land uses considered appropriate within Precinct No.3 subject to compliance with the provisions of the Scheme and specific policies of Council.

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

The Shire of Chapman Valley Strategic Community Plan was endorsed by Council at its 15 November 2017 meeting and it is considered that the development accords with the following:

Ref	Objective	Strategy	Action
Economic Development and Business Attraction			
2.1	Build population and business activity through targeted strategies	Support business development	Ensure Planning is in place to encourage business development
2.2	Provide support for business development and local employment	Research mixed land use opportunities	Investigate possible planning improvements
		Consider business start- up incentives	Investigate possible planning improvements
2.3	Welcome local tourism and participation in regional strategy	Research and develop local tourism plan	Encourage Tourism Operators to establish an Alliance for them to develop and implement a Local Tourism Plan. This must be industry driven, not Shire driven.
		Explore support needed by local tourism industries	Encourage Tourism Operators to establish an Alliance for them to research support required. This must be industry driven, not Shire driven.
		Welcome and participate in regional tourism development	Encourage the establishment of a local Tourism Alliance made up of Tourism Operators
2.4	Ensure town planning complements economic development activities	Town Planning Review/Initiatives	Ensure Planning is in place to encourage economic development activities

#### **CONSULTATION**

The Shire wrote to the 13 landowners within 1km of Lot 31 on 8 March 2021 providing details of the application and inviting comment upon the proposal prior to 26 March 2021. The Shire also write to the Department of Primary Industries &

Regional Development, Department of Water & Environmental Regulation, Department of Health, Department of Fire & Emergency Services and Western Power inviting comment, and placed a copy of the application on the Shire website.

At the conclusion of the advertising period 5 submissions had been received, 2 from landowners expressing support for the application, 2 from government agencies offering technical comment upon the application, and 1 in objection from a neighboring landowner. Copies of the received submissions have been provided as **separate Attachment 10.1.1(b)**.

The issues raised in objection to the proposed development concerned the following issues:

- fire risk;
- waste management;
- visitors trespassing onto neighbouring properties;
- increased road maintenance arising from increased traffic.

The applicant was provided with the opportunity to respond to the issues raised during the advertising period and a copy of their response has been provided as **separate Attachment 10.1.1(c)**.

## RISK ASSESSMENT

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 required

## STAFF RECOMMENDATION

That Council grant planning approval for a residence, café, art gallery and home store upon 70 (Lot 31) Baston Close, Nanson subject to compliance with the following conditions:

- 1 Development shall be in accordance with the approved plans as contained in Attachment 10.1.1(a) 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 buildings or land (not the subject of this consent/approval) considered by the Shire Chief Executive Officer to represent significant variation from the approved development plan requires further application and planning approval for that use/addition.
- 3 The applicant is to prepare, submit and adhere to a Management Plan to the approval of the local government.
- 4 The applicant is to implement and maintain reporting mechanisms for complaints concerning the operation of the development. In the event of a substantiated complaint being received the applicant is required to demonstrate mitigation response(s) to the approval of the local government. Such response(s) will be treated as conditions of approval/required modifications to the Management Plan.
- 5 The applicant is to ensure that the location, design and construction of the access point from the development site onto Baston Close is appropriate for the approved development to the approval of the local government.
- 6 The applicant shall make payment to the local government for the repair, reinstatement or replacement of any road infrastructure that is damaged, becomes unsafe or fails to meet appropriate engineering standards where the damage to the road network is caused by reason of use of the road in connection with the approved development.

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- 7 The applicant is responsible to ensure that no parking of vehicles associated with the development occurs within a public carriageway, including the road verge.
  - 8 The internal road network and vehicle manoeuvring and parking areas shall be constructed and maintained to an all-weather compacted gravel standard to the approval of the local government.
  - 9 The installation and subsequent maintenance of any signage shall be to the approval of the local government.
  - 10 The development is required to use colours and materials complementary to the natural landscape features, and be to a (non-reflective) finish, to the approval of the local government.
  - 11 Landscaping is required to be installed and maintained between the development and the western boundary (facing towards Lots 30 & 32) for the purpose of softening/screening the visual impact of the development to the approval of the local government.
  - 12 The development shall be serviced by toilets, connected to an on-site wastewater and effluent disposal system, that are sufficient in regards to their number, access standards, location, design and operation to the requirements of the Department of Health.
  - 13 All lighting devices shall be installed and shaded in such a way as to not cause undue light spill to passing motorists or neighbouring residences to the approval of the local government.
  - 14 The approved development shall be substantially commenced within a period of 2 years from the date of this approval and if the development is not substantially commenced the approval shall lapse and be of no further effect. Where an approval has so lapsed, no development shall be carried out without the further approval of the responsible authority having first been sought and obtained.

Advice Note:

- (a) The applicant is advised that this planning approval does not negate the requirement for any additional approvals which may be required under separate legislation including but not limited to the, *Building Code of Australia, Building Act 2011, Building Regulations 2012, Food Act 2008, Food Regulations 2009, Health (Miscellaneous Provisions) Act 1911, Environmental Protection (Noise) Regulations 1997* and the *Liquor Control Act 1988*. It is the applicant's responsibility to obtain any additional approvals required before the development/use lawfully commences.
- (b) In relation to condition 3 the Management Plan is to include sections relating to Fire Management, Emergency Response Plan and Waste Management prepared to the approval of the local government.
- (c) If an applicant is aggrieved by this determination there is a right pursuant to the *Planning and Development Act 2005* to have the decision reviewed by the State Administrative Tribunal. Such application must be lodged within 28 days from the date of determination.

### 10.1.2 Proposed Shed Extension

PROPONENT:	Bentley's Highline for S.Forth
SITE:	1737 (Lot 154) North West Coastal Highway, Buller
FILE REFERENCE:	A2083
PREVIOUS REFERENCE:	05/19-4 & 09/19-2
DATE:	12 April 2021
AUTHOR:	Simon Lancaster, Deputy CEO & Kathryn Jackson, Consulting Town Planner

#### SUPPORTING DOCUMENTS:

Ref	Title	Attached to Report	Under Separate Cover
10.1.2(a)	Application		✓
10.1.2(b)	Received submissions		✓

#### DISCLOSURE OF INTEREST

Nil

#### BACKGROUND

Council is in receipt of an application seeking to extend an existing outbuilding upon 1737 (Lot 154) North West Coastal Highway, Buller. The application has been advertised for comment and no objections were received. This report recommends conditional approval.

**Figure 10.1.2(a) – Location Plan for 1737 (Lot 154) North West Coastal Highway, Buller**



#### COMMENT

Lot 154 North West Coastal Highway, Buller is a largely cleared 13.948ha property located on the western side of the highway immediately south of the Buller River. The southern 4ha portion of the property is a slightly sloping plateau situated at the 45-40m contour, the mid 7ha section then slopes down significantly from the 40m to the 20m contour and the northern 3ha portion is a relatively flat triangular area adjoining the Buller River.

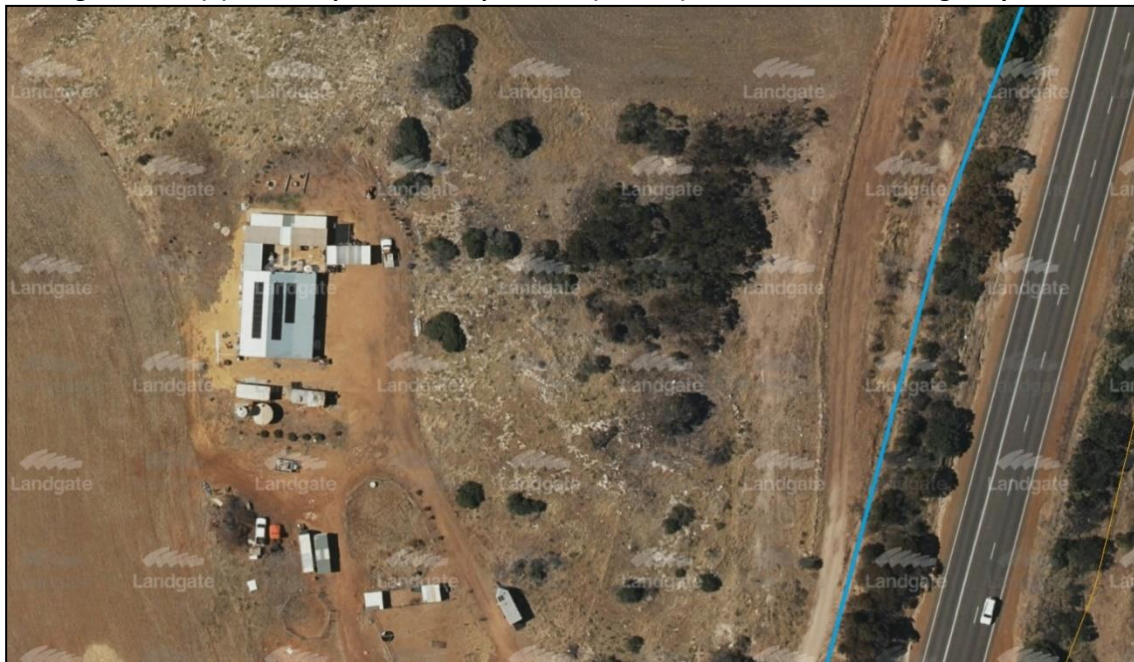
Lot 154 contains an existing 192m<sup>2</sup> zincalume clad outbuilding and the applicant seeks to construct a 67.5m<sup>2</sup> zincalume extension to the south of the existing shed that would increase the total outbuilding area upon Lot 154 to 259.2m<sup>2</sup>.

Lot 154 is zoned 'Urban Development' and falls within the area addressed by the Buller Structure Plan which assigns a base density residential code of Low Density Residential R5. The Shire of Chapman Valley Outbuildings Local Planning Policy requires that outbuildings upon R5 lots should have a maximum area of 180m<sup>2</sup>.

The Outbuildings policy also requires that uncoated metal sheeting (i.e. zincalume or corrugated iron) is only permitted upon land zoned 'Rural Smallholdings' or 'Rural' and the application is therefore unable to be determined by Shire staff under delegated authority and is required to be placed before a meeting of Council for its determination.

A copy of the applicant's supporting correspondence and submitted site, floor and elevation plans have been included as **separate Attachment 10.1.2(a)** to this report.

**Figure 10.1.2(b) – Development area upon 1737 (Lot 154) North West Coastal Highway, Buller**



The recent development history for the property is as follows:

- 15 May 2019 Council approved an application for a 192m<sup>2</sup> (135m<sup>2</sup> enclosed and 57m<sup>2</sup> unenclosed) zincalume clad outbuilding upon Lot 154.
- 18 September 2019 Council approved an application to site 3 transportable buildings to the north of the outbuilding upon Lot 154 and the undertaking of additional works to repurpose them into a dwelling (with intention that this would later be reclassified as an ancillary dwelling when the main residence is constructed).

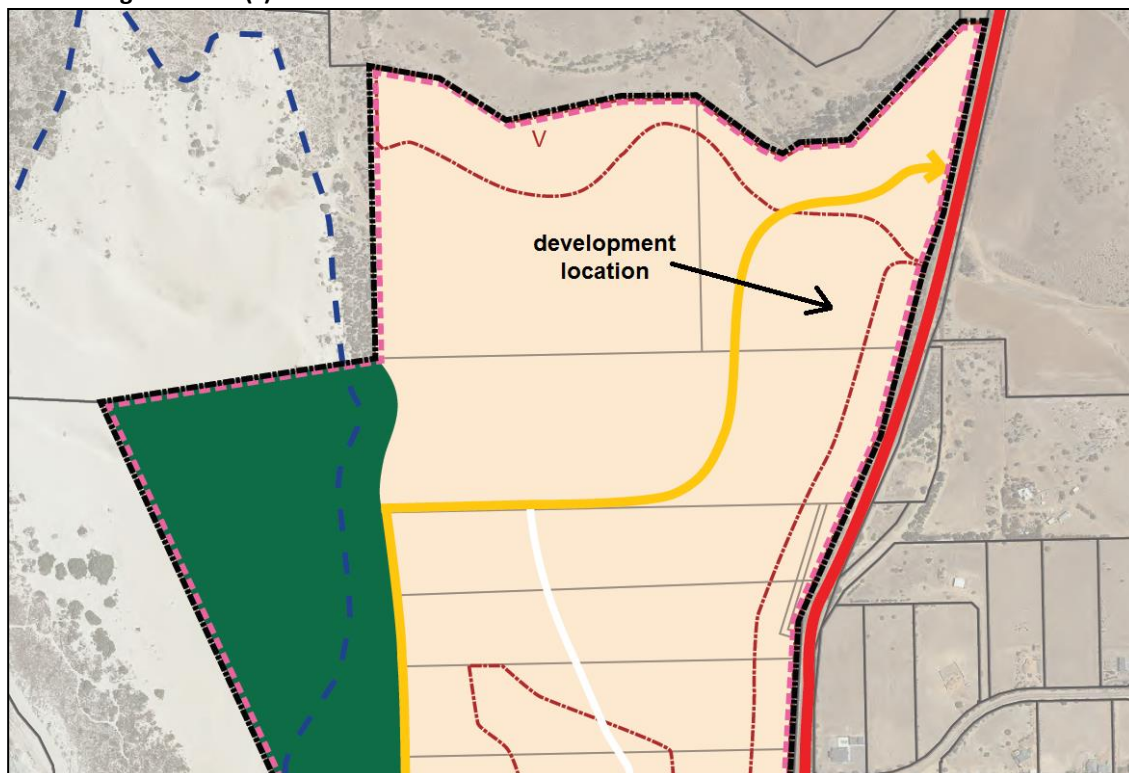
The recommendation for approval for the shed extension is based upon the following:

- the outbuilding's 3.2m wall height and 3.994m overall height meets with Council's 4m wall height and 5m total height requirements as specified in its Outbuildings Local Planning Policy;
- the outbuilding is setback 110m from the front (eastern) property boundary and 125m from the North West Coastal Highway carriageway itself and 95m from the nearest (southern) side property boundary;
- the use of zincalume for the extension would match the existing outbuilding cladding;
- the subject property is 13.948ha in area and the development of a shed of this size might be considered acceptable on a lot of this scale;
- whilst the Residential R5 outbuilding policy requirements apply to this property it might be considered that given the 13.948ha size of Lot 154 that a slightly larger outbuilding would not appear unduly excessive;
- the requested variation of 75.9m<sup>2</sup> to the 180m<sup>2</sup> maximum outbuilding area requirement is relatively minor when considered against the size of the property;



- the applicant has commenced landscaping consisting of planting native trees and shrubs around the development site that will assist in screening it from the highway and surrounding properties;
- the Buller 'Development' zone realistically has a long-term timeframe for subdivision due to servicing issues and costs and presently low-demand, meaning that in all likelihood Lot 154 will remain unsubdivided for several decades, and the topography of Lot 154 makes it unlikely that the property will be subdivided down to a standard R5/2,000m<sup>2</sup> subdivision layout;
- the construction of an outbuilding would enable the landowner to store their personal items securely and out of the weather rather than have them in the open, which may be considered to improve visual appearance, security and amenity;
- the acceptance of the proposed outbuilding as being within the character of the surrounding area could be considered to have been demonstrated through no objections being received, and 2 submissions being received in support of the application.
- the outbuilding would be sited so that it does not conflict with the future subdivisional road network as identified in the Buller Structure Plan as illustrated in **Figure 10.1.2(c)** and the subdivision can be designed to allow for a larger lot to contain the existing built form and screening landscaping.

**Figure 10.1.2(c) – Buller Structure Plan extract with shed extension location indicated**



#### **STATUTORY ENVIRONMENT**

Lot 154 North West Coastal Highway, Buller is zoned 'Urban Development' under the Shire of Chapman Valley Local Planning Scheme No.3 ('the Scheme') the objectives for which are listed in Table 1 as being:

- *To provide an intention of future land use and a basis for more detailed structure planning in accordance with the provisions of this Scheme.*
- *To provide for a range of residential densities to encourage a variety of residential accommodation.*
- *To provide for the progressive and planned development of future urban areas for residential purposes and for commercial and other uses normally associated with residential development."*

The Buller Structure Plan was adopted by Council at its 17 June 2015 meeting and subsequently given final approval by the Western Australian Planning Commission on 1 February 2016. Section 5.2.1 of the structure plan document assigns a base density code of R5 for lots within the structure plan area.



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Clause 67 of the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* lists the following relevant matters in considering a development application:

- “(a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;...*
- ...(fa) any local planning strategy policy for this Scheme endorsed by the Commission;*
- (g) any local planning policy for the Scheme area;*
- (h) any structure plan or local development plan that relates to the development;...*
- ...(m) the compatibility of the development with its setting including:*
  - (i) the compatibility of the development with the desired future character of its setting; and*
  - (ii) relationship of the development 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 development;*
- (n) the amenity of the locality including the following —*
  - (i) environmental impacts of the development;*
  - (ii) the character of the locality;*
  - (iii) social impacts of the development;...*
- ...(p) 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;...*
- ...(w) the history of the site where the development is to be located;*
- (x) the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;*
- (y) any submissions received on the application...*
- ...(zb) any other planning consideration the local government considers appropriate.”*

#### **POLICY/PROCEDURE IMPLICATIONS**

Part 2 of the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* 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.

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.

The Shire of Chapman Valley Outbuildings Local Planning Policy has the following objectives:

- “3.1 To allow for a regional variation to Section 5.4.3 of State Planning Policy 3.1 - Residential Design Codes.*
- 3.2 To provide a clear definition of what constitutes an “outbuilding”.*
- 3.3 To ensure that outbuildings are not used for habitation, commercial or industrial purposes by controlling building size and location.*
- 3.4 To limit the visual impact of outbuildings.*
- 3.5 To encourage the use of outbuilding materials and colours that complement the landscape and amenity of the surrounding areas.*
- 3.6 To ensure that the outbuilding remains an ancillary use to the main dwelling or the principle land use on the property.”*

Section 6.2 of Council’s Outbuildings Policy sets the maximum total aggregate outbuilding area for Lot 154 as being 180m<sup>2</sup>.

Lot 154 currently has a total aggregate outbuilding area of 192m<sup>2</sup>, and the proposed shed extension would take the total aggregate outbuilding area for the property to 259.2m<sup>2</sup>.

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The application also proposes variation to Section 6.8 of the Outbuildings policy which states that:

*“6.8.a The use of uncoated metal sheeting (i.e. zincalume or corrugated iron) is only supported upon land zoned ‘Rural Smallholdings’ or ‘Rural’.*

*6.8.b The use of uncoated metal sheeting may be considered in the ‘Townsite’ zone or where existing buildings have been constructed with the use of uncoated metal sheeting or similar upon a property or another property located in close proximity.”*

#### **FINANCIAL IMPLICATIONS**

Nil

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

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 would have impact in relation to the Long Term Financial Plan.

#### **STRATEGIC IMPLICATIONS**

Lot 154 North West Coastal Highway, Buller is contained within Planning Precinct No.7 – South West in the Shire of Chapman Valley Local Planning Strategy (2008). The Vision for this Precinct is as follows:

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

The Strategy also identifies the following objectives relevant to this application:

*“7.1.1 Support the planned expansion of urban with potable reticulated scheme water as identified on the Greater Geraldton Structure Plan 1999 with due regard to land capability/suitability, demand and servicing.”*

*“7.2.1 Accommodate urban growth sympathetic to rural lifestyle based on appropriate structure planning.”*

*“7.3.2 Protect and enhance the visual amenity in areas of visual prominence.”*

Lot 154 and the Buller ‘Development’ zone is identified in the Greater Geraldton Structure Plan (2011) prepared by the WAPC as being ‘Future Urban’ with Section 3.1.1 of the accompanying report noting that:

*“An area of approximately 1,700ha is identified as ‘future urban’ in the Greater Geraldton Structure Plan 2011 to guide the direction of long-term urban expansion. The bulk of this area identified is located at Buller and around Cape Burney, which are at the extremities of the northern and southern coastal corridors respectively.”*

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

The Shire of Chapman Valley Strategic Community Plan was endorsed by Council at its 15 November 2017 meeting. It is not considered that determination of this application would have impact in relation to the Strategic Community Plan.

#### **CONSULTATION**

Section 7.2 of the Shire’s Outbuildings Local Planning Policy notes that applications seeking variation require consultation by means of the Shire writing directly to the surrounding landowners inviting comment.

The Shire wrote to the 7 surrounding landowners within 350m of the development site on 12 March 2021 providing details of the application and inviting comment upon the proposal prior to 9 April 2021.

At the conclusion of the advertising period, 2 submissions had been received, both expressing support for the proposed shed extension and a copy of these has been provided as **separate Attachment 10.1.2(b)**.

#### **RISK ASSESSMENT**

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 required

## STAFF RECOMMENDATION

That Council grant formal planning approval for an outbuilding extension upon 1737 (Lot 154) North West Coastal Highway, Buller subject to the following conditions:

- 1 Development shall be in accordance with the approved plans as contained within Attachment 10.1.2(a) and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the local government.
- 2 Any additions to or change of use of any part of the building or land (not the subject of this consent/approval) requires further application and planning approval for that use/addition.
- 3 The outbuilding is only to be used for general storage purposes associated with the predominant use of the land and must not be used for habitation, commercial or industrial purposes.
- 4 The outbuilding extension shall utilise materials and colours that are complementary to the existing outbuilding (to which it will be connected) to the approval of the local government.
- 5 Maintenance of landscaping about the development for the purposes of screening to the approval of the local government.
- 6 Any lighting devices must be positioned so as to not cause glare to neighbouring properties or vehicles on the North West Coastal Highway to the approval of the local government.
- 7 The applicant shall remove the sea container from the property upon completion of the shed extension or 12 months from the date of this decision (whichever is the sooner).
- 8 If the development/land use, the subject of this approval, is not substantially commenced within a period of two years after the date of determination, the approval shall lapse and be of no further effect.

Notes:

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

### 10.1.3

### Lot 11895 disposal & Murphy-Yetna Road formalisation

PROPONENT:	Department of Planning, Lands & Heritage & Ardlui Holdings Pty Ltd
SITE:	Lot 11895 Murphy-Yetna Road, Yetna
FILE REFERENCE:	A3 & 1001.800
PREVIOUS REFERENCE:	9/99-9, 04/16-19 & 07/06-9
DATE:	30 March 2021
AUTHOR:	Simon Lancaster, Deputy Chief Executive Officer

#### SUPPORTING DOCUMENTS:

Ref	Title	Attached to Report	Under Separate Cover
10.1.3(a)	Previous Council Minutes relating to Lot 11895		✓
10.1.3(b)	Map of Lot 11895	✓	
10.1.3(c)	Map illustrating section of Murphy-Yetna Road within Lot 11895	✓	

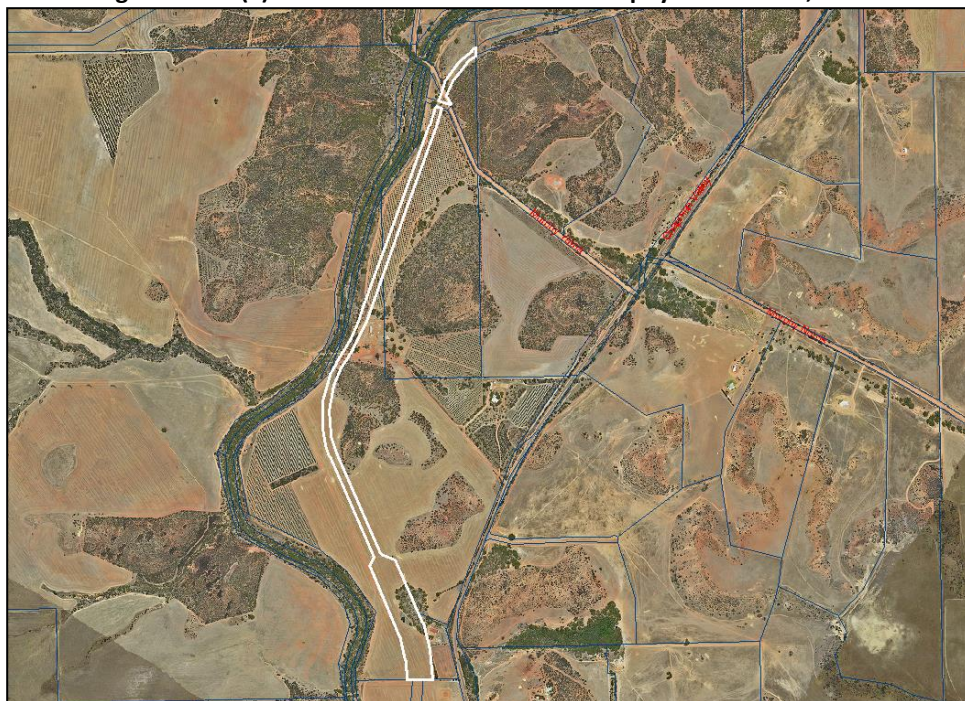
#### DISCLOSURE OF INTEREST

Nil

#### BACKGROUND

The Department of Planning, Lands & Heritage (DPLH) are seeking the Shire's comment regarding an approach to purchase Lot 11895 it has received from the surrounding landowner (Ardlui Holdings Pty Ltd) who is also the lessee of Lot 11895. This report recommends that Council advise DPLH that it has no objection to the disposal of Lot 11895, subject to an equivalent land area being provided by the landowner along the Chapman River foreshore, this being consistent with Council's previous 20 April 2006 resolution. This report also recommends that the small portion of Lot 11895 that contains the on-ground alignment of Murphy-Yetna Road be excised and created as road reserve prior to disposal.

**Figure 10.1.3(a) – Aerial Photo of Lot 11895 Murphy-Yetna Road, Yetna**



#### COMMENT

Lot 11895 is a 10.4688ha property that formed part of the Geraldton-Yuna railway line and it has been leased to the surrounding landowner since the closure of the railway in 1956, with the following recent history:

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13 April 1956	DPLH leased Lot 11895 to Edward Murphy.
28 April 1961	DPLH transferred lease to Edward Hollins.
9 April 1975	DPLH transferred lease to Ruth, John & Vernon Norris.
20 April 1988	DPLH transferred lease to Ardlui Holdings Pty Ltd.
27 August 1999	Ardlui Holdings Pty Ltd wrote to Shire seeking support for the purchase of Lot 11895 as they were intending to transition from cropping/grazing to a more intensive and costly land of use olive production and were seeking certainty of tenure.
21 September 1999	Council resolved to advise DPLH of its support for the closure of the disused section of rail reserve (Lot 11895).
31 January 2000	DPLH advised that it would not dispose of Lot 11895 as it may be required for a trail but would continue to lease it.
22 March 2006	DPLH wrote to the Shire enquiring whether it would support a land exchange whereby Lot 11895 was disposed of to the surrounding landowner and they provided an equivalent land area trail alignment alongside/east of the Chapman River.
20 April 2006	Council resolved to advise DPLH that it supported this land swap proposal. Relevant extracts from the 21/9/99, 20/4/06 & 19/7/06 Council Minutes have been provided as <b>separate Attachment 10.1.3(a)</b> .
19 July 2006	Council approved an application from Ardlui Holding Pty Ltd to operate a 40ha olive grove upon their property, portion of which ran across Lot 11895. An aerial photograph that illustrates the olive grove plantation in relation to Lot 11895 has been included as <b>Attachment 10.1.3(b)</b> .
13 December 2017	Council approved an application from Ardlui Holdings Pty Ltd to operate an olive press upon the property adjoining Lot 11895.

**Figure 10.1.3(b) – View looking south at olive plantation upon Lot 11895**



A small section of the on-ground alignment of Murphy-Yetna Road is contained within Lot 11895 and this area is required to be amalgamated into the road reserve prior to any disposal of Lot 11895 into private ownership. A map illustrating the approximately 1,175m<sup>2</sup> portion of Lot 11895 that forms part of the Murphy-Yetna Road alignment has been included as **Attachment 10.1.3(c)**.



**Figure 10.1.3(c) – View looking west of section of Murphy-Yetna Road contained within Lot 11895**



Council is required to make resolution relevant to the dedication and indemnification of the land required for the road reserve in order for this matter to be progressed with the DPLH.

#### **STATUTORY ENVIRONMENT**

The section of Lot 11895 south of Murphy-Yetna Road is zoned 'Rural', and the section north is zoned 'Rural Smallholdings' under Shire of Chapman Valley Local Planning Scheme No.3.

Section 56 of the *Land Administration Act 1997* allows for the dedication of land for road purposes.

Council has previously been required to make road dedication and indemnification resolutions when undertaking road realignments such as the one relating to the Yuna Road South widening at its 17 February 2016 meeting, the 4 realigned bends on East Nabawa Road at its 16 March 2016 meeting, and the realigned Mount Erin-Nabawa Road at its 18 December 2019 meeting.

#### **POLICY/PROCEDURE IMPLICATIONS**

Nil

#### **FINANCIAL IMPLICATIONS**

Surveying and other costs that may be incurred through the road dedication process can be addressed within Account 7052-Surveying & Land Expenses.

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

The Shire of Chapman Valley Long Term Financial Plan was endorsed by Council at its 19 June 2019 meeting. It is not considered that determination of this application would have impact in relation to the Long Term Financial Plan.

#### **STRATEGIC IMPLICATIONS**

In 1995 the Mid West Trails Group (which comprised representatives from the City of Geraldton, Shire of Greenough, Shire of Chapman Valley and Shire of Northampton) were successful in obtaining funding from Trailswest to undertake a Feasibility Study into the creation of trails along the former Geraldton-Northampton and Geraldton-Yuna rail alignments. The Feasibility Study was completed in 1999 and tabled at the 23 March 1999 Council meeting.



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The rail trail project has been viewed as a longer term strategic aspiration (a project status similar to that given to the completion on-ground of White Peak Road to better link the coastal and valley communities, or the creation of a recreation node at Buller Rivermouth) rather than a project that has been identified for funding, or given a specific timeframe to pursue its development.

The creation of a walking and riding trail along the former Geraldton-Yuna railway alignment would be a recreational and tourism asset for the Shire of Chapman Valley, that could be showcased through promotional material and events e.g. mountain bike race, competitive marathon, hike for charity etc. Landowners along the trail might be encouraged to develop farm stay chalet or nature based camping that might cater for hikers/riders along the trail (with it passing in vicinity to several potential tourism nodes at Nukara, Nanson, the Naaguja Farm, Nabawa, Naraling, Whelarra & Yuna) along with other tourism related ventures e.g. galleries, eating places, function facilities, experiential uses, Monsignor Hawes Trail, wildflower trails, cultural centre at Naaguja Farm, look-outs, geocaching points, stagazing etc.

The identification of this project as a long-term strategic goal recognises that, whilst the former Geraldton-Yuna railway alignment is already under public ownership as Crown Reserve, it would take a significant capital cost to fence and construct the track and an ongoing maintenance cost.

It is also recognised that during the planning stage there will be a significant level of landowner consultation required as much of the alignment appears on-ground to form part of farmers' paddocks and has been farmed as such for many years. This would require not only the alignment to be re-surveyed for certain sections, but extensive consultation work to be done to allay landowners' fears about what issues the trail may present to them in terms of fire risk, litter, theft, invasive species etc. brought about by the creation and use of the trail.

It is also noted that some sections of the former alignment are in close proximity to farmer's residences and sheds and to address concerns over security, privacy and amenity it may be reasonable to consider realigning the trail to provide improved separation.

The project, being such a large undertaking, would not be achievable without external funding assistance (e.g. Department of Local Government, Sport & Cultural Industries, Lotterywest, Mid West Development Commission etc.) and through other potential sources if interpretive signage forms part of the trail (e.g. Aboriginal heritage, European heritage, railway heritage, flora, fauna, geotourism).

Given that an 800m section of the total 2.6km length of Lot 11895 contains an established olive plantation it is unlikely that this section of the former rail corridor would be developed as a trail. In the event that a walking/riding trail were developed it might also be considered that an alignment to the east of the river bank, rather than along the former rail alignment would also offer a more scenic and pleasant experience for this particular section.

On this basis Council may wish to resolve, consistent with its previous 20 April 2006 resolution, that it supports the disposal of Lot 11895 (the former rail alignment) and its amalgamation into the surrounding property (owned by Ardlui Holdings Pty Ltd) in exchange for the landowner providing an equivalent area of land along the eastern edge of the existing Chapman River reserve. This should also be subject to the prior excision from Lot 11895 of the approximately 1,175m<sup>2</sup> portion that forms part of the on-ground Murphy-Yetna Road alignment.

The Murphy-Yetna Road is located within Precinct No.3-Chapman Valley of the Shire of Chapman Valley Local Planning Strategy, and the road dedication action is in accordance with the following precinct infrastructure objective:

*"Identify, support & facilitate the efficient and coordinated use of existing road linkages."*

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

The Shire of Chapman Valley Strategic Community Plan was endorsed by Council at its 15 November 2017 meeting.

The Strategic Community Plan notes in the community feedback appendix that development of a walking and riding trail continues to be a priority and aspiration for further review.

The formalisation of the section of the Murphy-Yetna Road alignment not currently contained within a road reserve meets with the following objectives of the Strategic Community Plan:

“1.3 Maintain and enhance safety and security for the community.”

“4.2 Manage and maintain roads, drainage and other essential infrastructure.”

## CONSULTATION

The DPLH are seeking the Shire’s comment on this matter.

Council may wish advise DPLH of any of the following:

- it supports the disposal of Lot 11895 to the surrounding landowner/lessee; or
- it supports the disposal of Lot 11895 to the surrounding landowner/lessee in exchange for the landowner providing an equivalent area of land along the eastern edge of the existing Chapman River reserve; or
- it objects to the disposal of Lot 11895.

Whichever option Council wishes to pursue it is recommended that it also advise DPLH that it is subject to the excision from Lot 11895 of the approximately 1,175m<sup>2</sup> portion that forms part of the on-ground Murphy-Yetna Road alignment.

## RISK ASSESSMENT

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

Simple majority required

## STAFF RECOMMENDATION

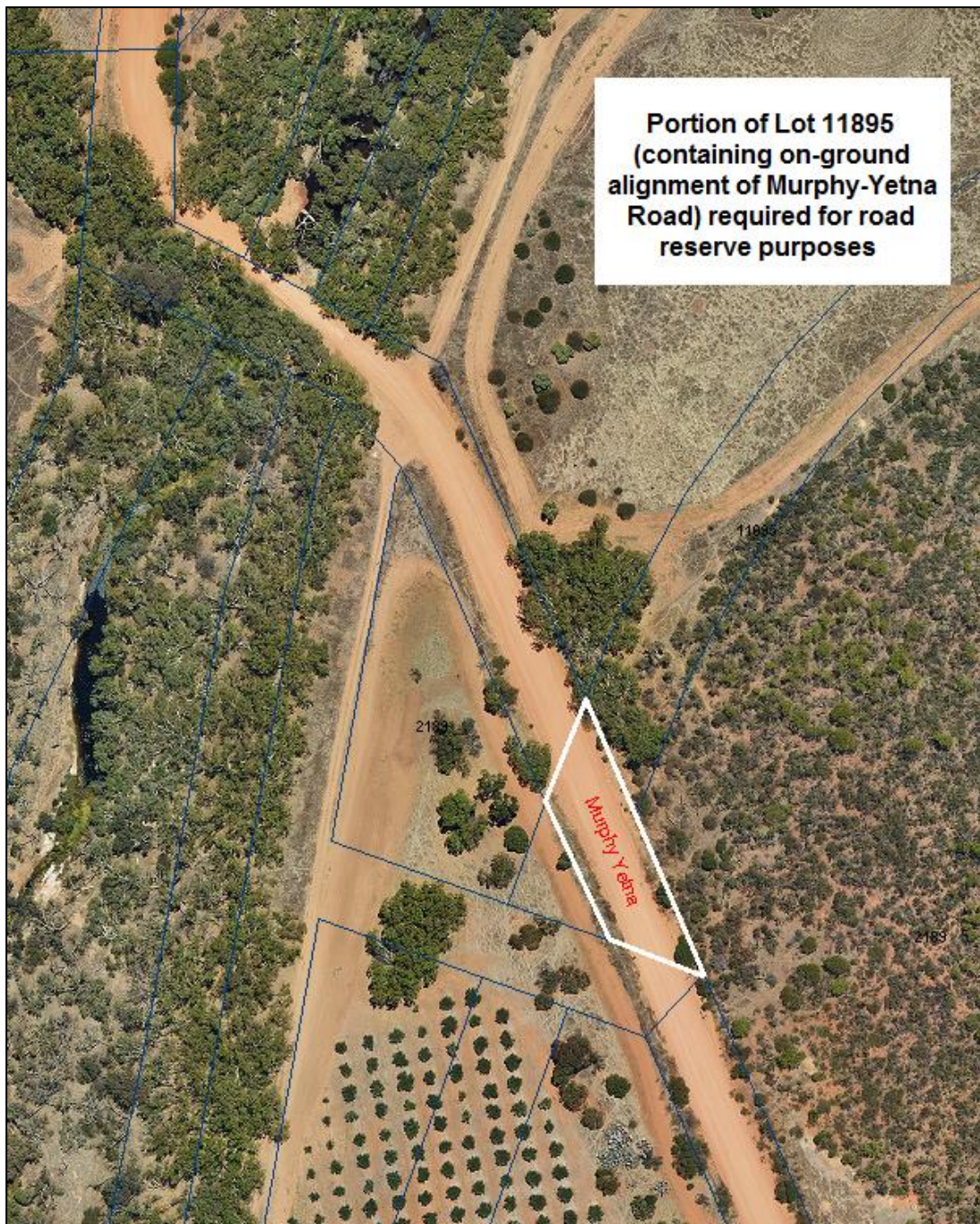
That Council resolve to:

- 1 Advise the Department of Planning, Lands & Heritage that it supports the disposal of Lot 11895 (excluding the approximately 1,175m<sup>2</sup> portion of Lot 11895 that forms section of the on-ground Murphy-Yetna Road alignment) and its amalgamation into the surrounding property (owned by Ardlui Holdings Pty Ltd) in exchange for the landowner providing an equivalent area of land along the eastern edge of the existing Chapman River reserve.
- 2 Request the Hon. Minister for Lands to dedicate as public road the approximately 1,175m<sup>2</sup> portion of Lot 11895 that forms section of the Murphy-Yetna Road alignment, as generally shown upon Attachment 10.1.3(c), pursuant to Section 56 of the *Land Administration Act 1997*.
- 3 Indemnify and keep indemnified the State of Western Australia, the Department of Planning, Lands and Heritage and the Minister for Lands and hold them harmless from and against all liabilities, obligations, costs, expenses or disbursements of any kind including, without limitation, compensation payable to any party under the *Native Title Act 1993* (Commonwealth) which may be imposed on, or incurred by the Indemnified Parties relating to or arising directly or indirectly from the approximately 1,175m<sup>2</sup> portion of Lot 11895 that forms section of the Murphy-Yetna Road alignment as generally shown upon Attachment 10.1.3(c).

# ATTACHMENT 10.1.3(b)







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# **10.2**

## **Manager of Finance & Corporate Services**

### **10.2 AGENDA ITEMS**

#### **10.2.1 Community Growth Fund Application**



## 10.2.1

### Community Growth Fund Applications

<b>PROPONENT:</b>	<b>Various Applications</b>
<b>SITE:</b>	<b>Shire of Chapman Valley</b>
<b>FILE REFERENCE:</b>	<b>403.10</b>
<b>PREVIOUS REFERENCE:</b>	<b>Not Applicable</b>
<b>DATE:</b>	<b>21 April 2021</b>
<b>AUTHOR:</b>	<b>Dianne Raymond, Manager of Finance &amp; Corporate Services</b>

#### SUPPORTING DOCUMENTS:

Ref	Title	Attached to Report	Under Separate Cover
10.2.1 (a)	Unconfirmed Minutes Community Growth Fund Advisory Group		✓
10.2.1 (b)	Community Growth Fund Operational Procedure		✓

#### DISCLOSURE OF INTEREST

Nil

#### BACKGROUND

Council has included in previous budgets an amount of \$30,000 for a Community Growth Fund (CGF) with any unused portion to be transferred to a reserve fund. Applications opened 8 February 2021 and closed 19 March 2021 with the Community Growth Fund Advisory Group meeting held on 31 March 2021 for evaluation of all applications in readiness for Council determination.

#### COMMENT

The Shire of Chapman Valley Community Growth Fund (CGF) Advisory Group comprises of the following Council appointed representatives:

Cr Anthony Farrell (Presiding Member)  
Cr Kirrilee Warr  
Cr Bev Davidson  
Chief Executive Officer  
Manager Finance & Corporate Services  
Community Development Officer

The purpose of the Advisory Group is as follows:

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

A copy of the Unconfirmed Minutes of the CGF Advisory Group held on the 19 March 2021 is provided at Attachment 10.2.1(a).

- Total of all Submissions received - \$22,000

#### STATUTORY ENVIRONMENT

Nil

#### POLICY/PROCEDURE IMPLICATIONS

Council has approved the CGF Operational Procedures (see Attachment 10.2.2(b)) and this was the basis upon which the Group evaluated the 2019/2020 applications received.

## FINANCIAL IMPLICATIONS

The CGF Advisory Group recommendations will affect the 2021/2022 Draft Budget; however, will have similar impact to the financial position as previous years.

### Long Term Financial Plan (LTFP):

No affect envisaged on Council's LTFP

## STRATEGIC IMPLICATIONS

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

### Strategic Community Plan/Corporate Business Plan:

Ref	Objective	Strategy	Action
1.1	Nurture the sense of community	Determine a whole of Shire community integration approach	Advocate a sense of community when opportunity arises

## CONSULTATION

The Community Development Officer has had regular dialogue with the groups and individuals within the community to explain the CGF Operational Procedures and will continue to do this.

## RISK ASSESSMENT

Low impact, minor risk rating as below:

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

Simple Majority

## STAFF RECOMMENDATION

1. Minute Ref: CGF 03/21-2 – Community Growth Fund Allocations

Council endorses the following funding allocation under the Shire of Chapman Valley's Community Growth Funds for 2021/2022 budget consideration:

2021-22 Community Growth Fund Application Matrix														
1	<u>Applicants</u>	<u>Contact</u>	<u>Project title</u>	<u>Project description</u>	<u>Project location</u>	<u>Project dates</u>	<u>Budget: details</u>		<u>Budget: Other sources of funding</u>		<u>Budget: In-kind</u>		<u>Budget: Expenditure</u>	
							Total cost of project	How much funding are you applying for	Source	Amount	In-kind	Amount (volunteer time @\$30 per hour)	Source	Cost
2	Chapman Valley Western Riding Club	John Glynn	Nanson Showgrounds arena lighting	Lighting to Arenas	Nanson Show Grounds	October 2021- March 2022	\$85,056	<b>\$10,000</b>	CVWRC	\$10,000	Included on project budget	\$8,320	Multiple components	\$10,000
5	Chapman Valley Historical Society	Pamela Batten	Carport Type Display Structure & Volunteer Workshop	We wish to build and then move old machinery from the open front shed to a carport type structure on the eastern side of the Heritage Centre.	Nanson	2021-22	\$15,800	<b>\$3,000</b>	MLC Laurie Graham CVHS	\$10,000 \$1000	60 volunteer hours x CVHS	\$1,800	Footings & Kit of the carport type structure	\$3,000.00
6	Chapman Valley Agricultural Society	Liz Elliott-Lockhart	Poultry Upgrade of Facilities	Broad upgrade to poultry area	Nanson Showgrounds	Prior to 2021 CV Show	\$5,000	<b>\$5,000</b>	CVAS, will cover any additional costings.	—	15 hours	\$450	subject to quotes	
8	Chapman Valley Primary School P&C	Megan O'Grady	Mother's Day Moring Tea	Include a key speaker at this event	Nabawa Community Centre	May-22	\$5,000	<b>\$2,000</b>	CVPS P&C	\$3,000	6 P&C members x 90 hours	\$2,700	Key speaker, catering, equipment hire	\$2,000.00
11	For a Better Chapman Valley (FABCV)	Megan O'Grady	2022 Rainmakers Event	sponsorship towards lower ticket sales	Nabawa Community Centre	Mar-22	\$15,000	<b>\$2,000</b>	Yes	\$15,000	100 hours	\$3,000	\$2000 will go directly into reducing ticket prices to attract more people. This will be achieved by the <b>\$2000 covering equipment hire.</b>	\$2,000.00
	Totals							<b>\$22,000</b>						

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2. Minute Ref: CGF 03/21-03 – Review Community Growth Fund Corporate Management Procedure

Review the Corporate Management Procedure and application with the aim to improve visual acknowledgement of shire contribution/sponsorship towards the event, activity or project.

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# **10.3**

## **Chief Executive Officer**

### **10.3 AGENDA ITEMS**

- 10.3.1 Chapman Valley Bushfire Brigades Advisory Group**
- 10.3.2 Elected Members – Corporate Clothing Procedure**
- 10.3.3 Disability Access & Inclusion Plan**
- 10.3.4 Nabawa Oval Naming Request**



### 10.3.1 Chapman Valley Bushfire Brigades Advisory Group

PROPONENT:	Shire Of Chapman Valley
SITE:	Shire Of Chapman Valley
FILE REFERENCE:	601.08
PREVIOUS REFERENCE:	NA
DATE:	21 <sup>st</sup> April 2021
AUTHOR:	Maurice Battilana, Chief Executive Officer

#### SUPPORTING DOCUMENTS:

Ref	Title	Attached to Report	Under Separate Cover
10.3.1(a)	Chapman Valley Bushfire Brigades Group Management Advisory Committee Minutes – 8 <sup>th</sup> April 2021		✓

#### DISCLOSURE OF INTEREST

Nil

#### BACKGROUND

The Chapman Valley Bushfire Brigades Group Management Advisory Committee met at the Shire of on the 8<sup>th</sup> April 2021.

#### COMMENT

Rather than repeat in formation I refer Councillors to the Minutes at **Attachment 10.3.1(a)**

#### STATUTORY IMPLICATIONS / REQUIREMENTS

- *Local Government Act 1995 & associated Regulations;*
- *Bushfire Act, 1954*

#### POLICY IMPLICATIONS

Council's Management Procedure EMP-005 provides guidelines and procedures for the appointment of Bush Fire Control Officers i.e.

<b>MANAGEMENT PROCEDURE No.</b>	EMP-005
<b>MANAGEMENT PROCEDURE</b>	FIRE CONTROL OFFICER APPOINTMENTS
<b>RESPONSIBLE DIRECTORATE</b>	ADMINISTRATION
<b>RESPONSIBLE OFFICER</b>	CHIEF EXECUTIVE OFFICER
<b>PREVIOUS POLICY No.</b>	3.90
<b>RELEVANT DELEGATIONS</b>	

#### **OBJECTIVES:**

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*This Operational Procedure provides the eligibility criteria for a person to be appointed as a Bush Fire Control Officer with the following objectives:*

- 1. To ensure that a person has the relevant qualifications necessary to hold the position of Bush Fire Control Officer (BFCO); and*
- 2. To ensure that these qualifications are maintained by the appointed Bush Fire Control Officer (BFCO).*

**MANAGEMENT PROCEDURE STATEMENT/S:**

- 1. To be eligible for appointment as a Bush Fire Control Officer, a person must have completed the Bush Fire Control Officer Training Program not more than ten (10) years prior to appointment.*
- 2. Notwithstanding Item 1 above, a person will be eligible for appointment as a Bush Fire Control Officer if they complete the Bush Fire Control Officer Training within six (6) months of appointment.*
- 3. For a person to continue as a Bush Fire Control Officer, they must complete the Bush Fire Control Officer's Course or a refresher course at intervals of no more than every ten (10) years.*
- 4. Nominations from Brigades shall be submitted to a Bush Fire Brigades Group Management Advisory Committee for recommendation to Council by 1 October, where applicable.*
- 5. An appointment shall be for a period of one (1) year, unless revoked by Council. Bush Fire Control*
- 6. Officers will be eligible for reappointment unless their appointment was revoked by Council.*

**FINANCIAL IMPLICATIONS**

No foreseen effect on Council's general finances.

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

No foreseen effect on Council Long Term Financial Plan.

**STRATEGIC IMPLICATIONS**

Having an ongoing structured arrangement for bushfire control and prevention is essential.

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

Ref	Objective	Strategy	Action
5.1	Ensure governance and administration systems, policies and processes are current and relevant	Review policy categories and set ongoing accountability for review processes	Review current Council and Management policies and formalise update process and timelines.

## CONSULTATION

The Chapman Valley Bushfire Brigades Group Management Advisory Committee comprises of the following:

### President (Presiding Member) and 2 x Councillors

Cr Farrell (President)  
 Cr Royce  
 Cr Humphrey  
 CBFCO  
 DCBFCO  
 All Brigade FCOs  
 Chief Executive Officer  
 Senior Ranger

### Observers

1 x DFES Rep.  
 1 x DBCA Rep.

The consultation process is ongoing throughout the year by way of emails, telephone discussions, etc. as well as the pre-season meeting and the annual Bush Fire Brigades Group Management Advisory Committee meeting.

## RISK ASSESSMENT

Based on the compliance alone I believe the risk in this instance **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

Simple Majority

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**STAFF RECOMMENDATION (Simple Majority Required)**

Council endorse:

**1. BFB 4/21-02 - Election of Officers – All One Year Terms**

6.1	Chief Bushfire Fire Control Officer	Current Position Holder	A Vlahov
6.2	Deputy Chief Bushfire Control Officer	Current Position Holder	N Kupsch
6.3	Fire Prevention Officer	Current Position Holder	E O'Donnell
6.4	Group Training Officer	Current Position Holder	E O'Donnell
6.5	Group Administrative Officer	Current Position Holder	Chief Executive Officer
6.6	Noxious Weed & Clover Permit Officer	Current Position Holder	A Vlahov
6.7	Fire Weather Officer	Current Position Holder	A Vlahov
6.8	Deputy Fire Weather Officer	Current Position Holder	N Kupsch

*(Note: All terms of office will commence upon endorsement by Council and subject to condition stated in Corporate Management Procedure EMP-005.)*

**2. BFB 4/21-03 - Appointments of Bushfire Control Officers**

- Darryl Burton – Durawah/Valentine Brigade
- Calvin Royce – Howatharra Brigade
- Neil Kupsch – Nabawa Brigade
- Craig Mincherton – Naraling Brigade
- Jason Stokes – Yetna Brigade
- Shaun Earl – Yuna Brigade

*(Note: All terms of office will commence upon endorsement by Council and subject to condition stated in Corporate Management Procedure EMP-005.)*

**3. BFB 4/21-04 - Fire Break Notice**

The existing Bush Fire Notice as presented with annual date changes made.

**4. BFB 4/21-05 - Annual Inspections**

The Annual Fire Break Inspection procedures remain the same.

### 10.3.2

### Elected Members – Corporate Clothing Procedure

PROPONENT:	Chief Executive Officer
SITE:	Shire of Chapman Valley
FILE REFERENCE:	401.00
PREVIOUS REFERENCE:	NA
DATE:	21 <sup>st</sup> April 2021
AUTHOR:	Maurice Battilana, Chief Executive Officer

#### SUPPORTING DOCUMENTS:

Ref	Title	Attached to Report	Under Separate Cover
	Nil		

#### DISCLOSURE OF INTEREST

Not applicable

#### BACKGROUND

The Shire President raised the issue of formalizing the process for the supply of corporate clothing to Elected Members as part of the recent review of the Shire's Policy & Procedures.

#### COMMENT

There is a requirement in accordance with the *Local Government (Administration) Regulations* for a local government authority to approved any expenses and reimbursements incurred by an Elected Members in performing their functions on behalf of the local government authority.

It is clear under the legislation (which has been supported by enquiries made with WALGA & the Department of Local Government) the Elected Members is required to incur the expenditure in the first instance for the supply of the corporate clothing and then seek reimbursement from the local government authority. Therefore, the local government authority cannot simply incur the expenditure on behalf of the Elected Member.

#### STATUTORY ENVIRONMENT

Local Government (Administration) Regulations, 1996 i.e.

32. Expenses that may be approved for reimbursement (Act s. 5.98(2)(b) and (3))

- (1) For the purposes of section 5.98(2)(b), the kinds of expenses that may be approved by any local government for reimbursement by the local government are —
- (a) *an expense incurred by a council member in performing a function under the express authority of the local government; and*
  - (b) *an expense incurred by a council member to whom paragraph (a) applies by reason of the council member being accompanied by not more than one other person while performing the function if, having regard to the nature of the function, the local government considers that it is appropriate for the council member to be accompanied by that other person; and*



- (c) an expense incurred by a council member in performing a function in his or her capacity as a council member.

## POLICY/PROCEDURE IMPLICATIONS

Below is a Draft Corporate Management Procedure presented for Council consideration and adoption:

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### CMP-015 Elected Members - Corporate Clothing

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MANAGEMENT PROCEDURE No.	CMP-015
MANAGEMENT PROCEDURE	ELECTED MEMBERS - CORPORATE CLOTHING
RESPONSIBLE OFFICER	MANAGER FINANCE & CORPORATE SERVICES
PREVIOUS POLICY No.	NA
RELEVANT DELEGATIONS	NA
LEGISLATIVE RELEVANCE	LOCAL GOVERNMENT ACT & ADMINISTRATION REGULATIONS 1996

## OBJECTIVES:

To stipulate the level and conditions of providing Elected Member corporate clothing levels and payment arrangements.

## MANAGEMENT PROCEDURE STATEMENT/S:

The Shire's annual allocation to Elected Members corporate clothing in accordance with Clause 32 of the Local Government (Administration) Regulations, 1996 i.e.

32. Expenses that may be approved for reimbursement (Act s. 5.98(2)(b) and (3))
- (1) For the purposes of section 5.98(2)(b), the kinds of expenses that may be approved by any local government for reimbursement by the local government are —
- (a) an expense incurred by a council member in performing a function under the express authority of the local government; and
  - (b) an expense incurred by a council member to whom paragraph (a) applies by reason of the council member being accompanied by not more than one other person while performing the function if, having regard to the nature of the function, the local government considers that it is appropriate for the council member to be accompanied by that other person; and
  - (c) an expense incurred by a council member in performing a function in his or her capacity as a council member.

As stipulated under legislation, the Elected Member is to incur the expense in the first instance and seek reimbursement from the Shire for the cost of the following items of clothing with the Shire of Chapman Valley logo embroidered on the clothing with colour and supplier as stipulated by the Chief Executive Officer:

- Two (2) Polo Shirts per annum; or
- Two Corporate/Business Shirts per annum.

## FINANCIAL IMPLICATIONS

The costs associated with the supply of the Polo or Corporate/Business Shirts is currently being incorporated within the operational expenses of the Shire, therefore there will be no additional costs associated with the introduction of the proposed Corporate Management Procedure.

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

No effect on LTFP.

### **STRATEGIC IMPLICATIONS**

It is good practice to promote the Shire at every opportunity and the Elected Members wearing corporate clothing displaying the Shire Logo is considered an appropriate opportunity to do this.

Ref	Objective	Strategy	Action
1.1	Nurture the sense of community	Development of plans relevant to population needs	Review existing plans and develop new plans as required

### **CONSULTATION**

The Chief executive Officer has discussed the matter with both the WALGA and the Department of Local Government.

### **RISK ASSESSMENT**

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

### **STAFF RECOMMENDATION**

Council adopt the following Corporate Management Procedure:

*CMP-015 Elected Members - Corporate Clothing*

MANAGEMENT PROCEDURE No.	CMP-015
MANAGEMENT PROCEDURE	ELECTED MEMBERS - CORPORATE CLOTHING

RESPONSIBLE OFFICER	MANAGER FINANCE & CORPORATE SERVICES
PREVIOUS POLICY No.	NA
RELEVANT DELEGATIONS	NA
LEGISLATIVE RELEVANCE	LOCAL GOVERNMENT ACT & ADMINISTRATION REGULATIONS 1996

#### **OBJECTIVES:**

*To stipulate the level and conditions of providing Elected Member corporate clothing levels and payment arrangements.*

#### **MANAGEMENT PROCEDURE STATEMENT/S:**

*The Shire's annual allocation to Elected Members corporate clothing in accordance with Clause 32 of the Local Government (Administration) Regulations, 1996 i.e.*

#### **32. Expenses that may be approved for reimbursement (Act s. 5.98(2)(b) and (3))**

- (1) *For the purposes of section 5.98(2)(b), the kinds of expenses that may be approved by any local government for reimbursement by the local government are —*
- (a) an expense incurred by a council member in performing a function under the express authority of the local government; and*
  - (b) an expense incurred by a council member to whom paragraph (a) applies by reason of the council member being accompanied by not more than one other person while performing the function if, having regard to the nature of the function, the local government considers that it is appropriate for the council member to be accompanied by that other person; and*
  - (c) an expense incurred by a council member in performing a function in his or her capacity as a council member.*

*As stipulated under legislation, the Elected Member is to incur the expense in the first instance and seek reimbursement from the Shire for the cost of the following items of clothing with the Shire of Chapman Valley logo embroidered on the clothing with colour and supplier as stipulated by the Chief Executive Officer:*

- Two (2) Polo Shirts per annum; or*
- Two Corporate/Business Shirts per annum.*

### 10.3.3 Disability Access & Inclusion Plan

PROPONENT:	Chief Executive Officer
SITE:	Shire of Chapman Valley
FILE REFERENCE:	1101.01
PREVIOUS REFERENCE:	Minute Reference: 03/21-11
DATE:	21 <sup>st</sup> April 2021
AUTHOR:	Maurice Battilana, Chief Executive Officer

#### SUPPORTING DOCUMENTS:

Ref	Title	Attached to Report	Under Separate Cover
10.3.3(a)	Revised Disability Access & Inclusion Plan		✓

#### DISCLOSURE OF INTEREST

Nil

#### BACKGROUND

A review of the Shire's Disability Access Inclusion Plan (DAIP) forms part of the annual Building & Disability Services Committee (Committee) agenda for consideration and recommendation to Council.

The Committee had the DAIP listed as part of the Meeting Agenda held in March 2021 with the following Committee Recommendation being endorsed by Council at the March 2021 OCM:

Minute Reference: BDSC 02/21-5

*Council request staff undertake an in-house, desk-top review of the Plan and if necessary, recommending any amendments to Council for consideration.*

#### COMMENT

In accordance with Section 28(7) of the *Disability Services Act (1993)* a full review of the DAIP must occur at least every 5 years i.e.

#### 28. Disability access and inclusion plans

- (5) *A public authority may review its disability access and inclusion plan at any time.*
- (6) *After reviewing its disability access and inclusion plan, a public authority must lodge a report of the review with the Commission in accordance with subsection (7).*
- (7) ***Not more than 5 years is to elapse —***
  - (a) *between the day on which a public authority first lodges its disability access and inclusion plan with the Commission and the day it lodges a report of a review of the plan with the Commission;*  
*or*

- 
- (b) *between the lodgment of the report of one review of a plan and the lodgment of the report of another review of the plan.*

Council undertook a full review of the DAIP, consulting the community in the process, in both 2017 and 2018, with a desktop, internal review being considered appropriate in 2019, 2020 and 2021.

The CEO and Senior Staff have undertaken a desktop review of the existing DAIP and there are only minor amendments suggested. These are tracked in **Attachment 10.3.3(a)**

## **STATUTORY ENVIRONMENT**

### Disability Services Act (1993).

#### 28. *Disability access and inclusion plans*

- (1) *Each public authority must have a disability access and inclusion plan to ensure that in so far as its functions involve dealings with the general public, the performance of those functions furthers the principles in Schedule 1 and meets the objectives in Schedule 2.*
- (2) *A disability access and inclusion plan must meet any prescribed standards.*
- (3) *A public authority must lodge its disability access and inclusion plan with the Commission —*
  - (a) *if the authority was established before the commencement of the Disability Services Amendment Act 2004, without delay;*
  - (b) *if the authority is established after the commencement of the Disability Services Amendment Act 2004, within 12 months after the day on which it is established.*
- (4) *A public authority may amend its disability access and inclusion plan at any time.*
- (5) *A public authority may review its disability access and inclusion plan at any time.*
- (6) *After reviewing its disability access and inclusion plan, a public authority must lodge a report of the review with the Commission in accordance with subsection (7).*
- (7) *Not more than 5 years is to elapse —*
  - (a) *between the day on which a public authority first lodges its disability access and inclusion plan with the Commission and the day it lodges a report of a review of the plan with the Commission;*  
*or*
  - (b) *between the lodgment of the report of one review of a plan and the lodgment of the report of another review of the plan.*
- (8) *After reviewing its disability access and inclusion plan, a public authority may amend the plan or prepare a new plan.*
- (9) *If at any time a public authority amends its disability access and inclusion plan or prepares a new plan, whether after a review or not, it must lodge the amended or new plan with the Commission as soon as practicable after doing so.*
- (10) *A public authority must undertake public consultation in accordance with the procedure specified in the regulations when preparing, reviewing or amending a disability access and inclusion plan.*



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#### Disability Services Regulation 2004

##### 10. Procedure for public consultation by authorities (s. 28)

- (1) For the purposes of section 28(10) of the Act, a public authority is to undertake consultation in relation to its disability access and inclusion plan by calling for submissions either generally or specifically —
  - (a) by notice in a newspaper circulating throughout the State or, in the case of a local government, the district of that local government under the Local Government Act 1995; and
  - (b) on any website maintained by or on behalf of the public authority.
- (2) Nothing in subregulation (1) prevents a public authority from also undertaking any other consultation.

#### **POLICY/PROCEDURE IMPLICATIONS**

The DAIP is a statutory policy required by Council in accordance with the Disability Services Act (1993) which is reported on annually (i.e. included in the Shires Annual Report).

#### **FINANCIAL IMPLICATIONS**

No significant financial implications are anticipated.

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

No significant implications anticipated on the LTFP.

#### **STRATEGIC IMPLICATIONS**

It is sound and appropriate to ensure people with disabilities are given every opportunity to gain access to Council facilities and be included in Council and community activities.

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

Ref	Objective	Strategy	Action
1.1	Nurture the sense of community	Development of plans relevant to population needs	Review existing plans and develop new plans as required

#### **CONSULTATION**

There is a consultation process Council need to adhere to in accordance with the Disability Services Act (1993) which will be implemented as part of the DAIP full review process. As this was only any internal, desktop review process all consultation has remained in-house.

#### **RISK ASSESSMENT**

There is a high risk of excluding a sector of the community if the DAIP is not reviewed and improved on a regular basis. However, I believe the risk in this instance is **insignificant** i.e.

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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

#### **STAFF RECOMMENDATION**

Council endorse the revised Disability Access and Inclusion Plan as presented.

### 10.3.4 Nabawa Oval Naming Request

PROPONENT:	Chapman Valley Football Club
SITE:	Nabawa Oval
FILE REFERENCE:	803.01
PREVIOUS REFERENCE:	Minute Reference: 06/17-13
DATE:	21 April 2021
AUTHOR:	Maurice Battilana, Chief Executive Officer

#### SUPPORTING DOCUMENTS:

Ref	Title	Attached to Report	Under Separate Cover
	Nil		

#### DISCLOSURE OF INTEREST

Nil

#### BACKGROUND

Council resolved the following at the July 2017 OCM:

*Council:*

1. *Endorses the “Management Licence for the use of Portion of Lot 3/3320; Lot 29 & Lot 21 Chapman Valley Road, Nabawa” between the Shire of Chapman Valley and the Chapman Valley Football Club as presented and authorise the Chief Executive Officer to finalise the Licence and implement the conditions immediately;*
2. *Endorse the deletion of the following Management Procedures as these are specific to the Chapman Valley Football Club and will now be incorporated in the Management Licence:*
  - a) *CMP-011 – Nabawa Oval Arena Fence; and*
  - b) *CMP-013 - Change Rooms & Associated Areas – Chapman Valley Football Club*
3. *Council amend Management Procedure CMP-014 to read:*

*“The area defined for the sports oval be used solely for the purpose of pedestrian team sports unless otherwise determined by the Shire.”*
4. *The naming rights of the oval to be included as a clause in the management licence to be endorsed by Council.*

Correspondence has been received from the CVFC requesting Council permission to rename the Nabawa Oval to “Mazzuchelli Oval” i.e.

#### “MAZZUCHELLI OVAL PROPOSAL.

*The name Mazzuchelli is synonymous with the Chapman Valley Football Club and the Great Northern Football League. Generations and various branches and members of the Mazzuchelli family have played for CVFC and have*

---

*been part of the GNFL for the best part of both the club's and the league's sixty year history, which is celebrated this year (2021).*

*Chapman Valley was one of the founding members of the GNFL.*

*In recognition of the Mazzuchelli's on field contributions and off field support Chapman Valley Football Club would like the Shire of Chapman Valley to consider naming its oval at Nabawa - Mazzuchelli Oval.*

*We believe by doing so it would honour a family who are tremendously significant in the fabric of the club and the wider CV community. It would also preserve and provide a permanent reminder to visitors and future generations of our history.*

*Our proposal is not without precedent. There are many ovals across regional Australia that bear the name of important individuals and families who have helped build those communities.*

Grant Woodhams, President CVFC

The oval is currently named "Burando Hill Oval" i.e.



## COMMENT

Council doesn't have the Nabawa Oval (or any building, facility, Precinct, etc.) naming listed under any Policy or Management Procedure to be presented to Council for determination, which perhaps needs to be addressed.

The Management Licence Council has with the users of the Nabawa Sporting Precinct with the CVFC does state quite clearly the CVFC must seek approval from the Council for any naming of the Oval i.e.

### 3.15 Precinct Naming Condition

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*The Club is not to introduce naming or branding rights for any part of the precinct, including, yet not limited to, the Licensed Areas, Common Areas and Other Areas, without obtaining prior approval from the Shire Council.*

*The Club may request the Shire Council to consider naming or branding rights to the precinct areas, which the Shire Council may approve or reject without appeal.*

The same clause is also in place for the Management Licence the Shire currently has with the Chapman Valley/Northampton Cricket Club.

It is being recommended and new Corporate Management Procedure be introduced stating the condition to seek Council approval is relevant to anyone requesting a branding/naming of any building, facility, precinct, etc. under the ownership, management or control of the Shire of Chapman Valley, with the users under a current Management Licence having priority on naming or branding rights/requests at these locations.

#### **STATUTORY ENVIRONMENT**

The Management Licence is a legally binding document, which both parties are required to adhere to.

The Management Licence also cover the Shire's legal obligation under the Local Government Act for the disposition of property, which includes lease, licence and sale of property under the control/ownership of the local government authority.

#### **POLICY/PROCEDURE IMPLICATIONS**

No current Policy/Procedure in place. However, the Staff Recommendation advocates the introduction of a new Corporate Management Procedure to extend the requirement for Council approval of all naming/branding requests for all buildings, facilities, precincts, etc. under the ownership, management or control of the Shire of Chapman Valley, with the users under a current Management Licence having priority for such naming or branding requests.

#### **FINANCIAL IMPLICATIONS**

No financial implication envisaged.

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

No effect on the LTFP envisaged.

#### **STRATEGIC IMPLICATIONS**

The current Strategic Community Plan refers to a "sense of community" and naming/branding of building, facility, precinct, etc. under the ownership, management or control of the Shire of Chapman Valley could accommodate this sense.

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

Ref	Objective	Strategy	Action
1.1	Nurture the sense of community	Development of plans relevant to population needs	Review existing plans and develop new plans as required



		Determine a whole of Shire community integration approach	Advocate a sense of community when opportunity arises.
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## CONSULTATION

Other than email contact with the President of the CVFC no other dialogue or consultation has occurred or considered necessary in this instance.

## RISK ASSESSMENT

The risk is considered *insignificant* in this instance.

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

## STAFF RECOMMENDATION

Council:

1. Endorse the Chapman Valley Football Club's request to rename the Nabawa Oval to "**Mazzuchelli Oval**" under the maintenance and controls stipulated in the current Management Licence the Shire has with the Club.
2. Endorse the introduction of the following new Corporate Management Procedure to be included as part of the Building & Projects Manual:

<b>MANAGEMENT PROCEDURE No.</b>	CMP-015
<b>MANAGEMENT PROCEDURE</b>	NAMING/BRANDING OF BUILDING, FACILITY, PRECINCT, ETC.
<b>RESPONSIBLE OFFICER</b>	CHIEF EXECUTIVE OFFICER
<b>PREVIOUS POLICY No.</b>	NA
<b>RELEVANT DELEGATIONS</b>	NA

## OBJECTIVES:

Control the naming and/or branding of building, facility, precinct, etc. under the ownership, management or control of the Shire of Chapman Valley.

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**MANAGEMENT PROCEDURE STATEMENT/S:**

All requests for the naming or branding of any part of a building, facility, precinct, etc. under the ownership, management or control of the Shire of Chapman Valley must be presented to Council for endorsement prior to the naming taking effect.

Council will give priority to those with a current Management Licence for the use of Shire owned, managed and controlled buildings, facilities, precincts, etc. relevant to the specific Management Licence for naming and branding rights.

*(Note: Refer to relevant Management Licence conditions associated with any naming/branding requests)*

- 
- 11.0 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**
  - 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**
  - 16.0 CLOSURE**



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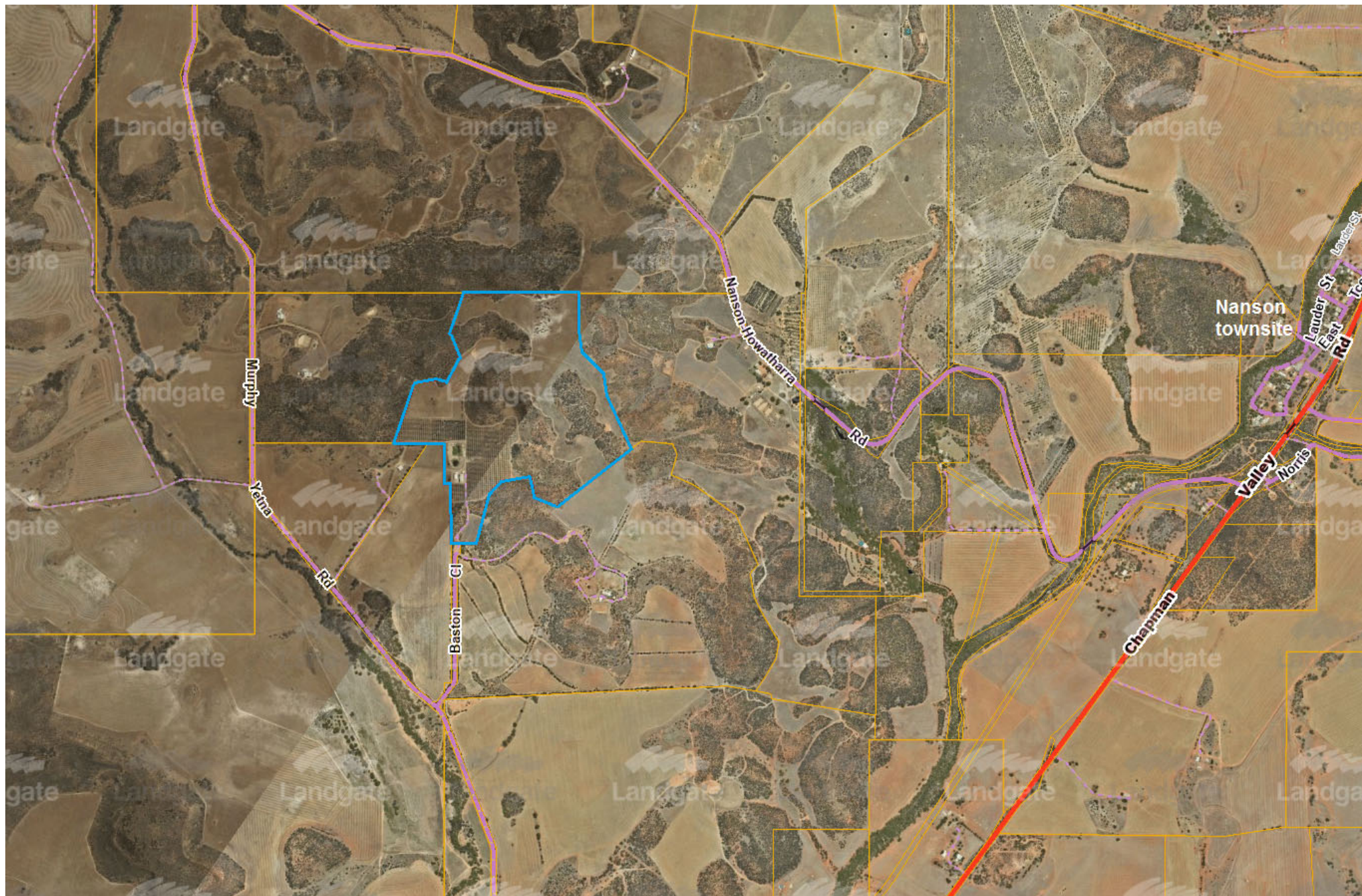
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## SOURCE DOCUMENTATION

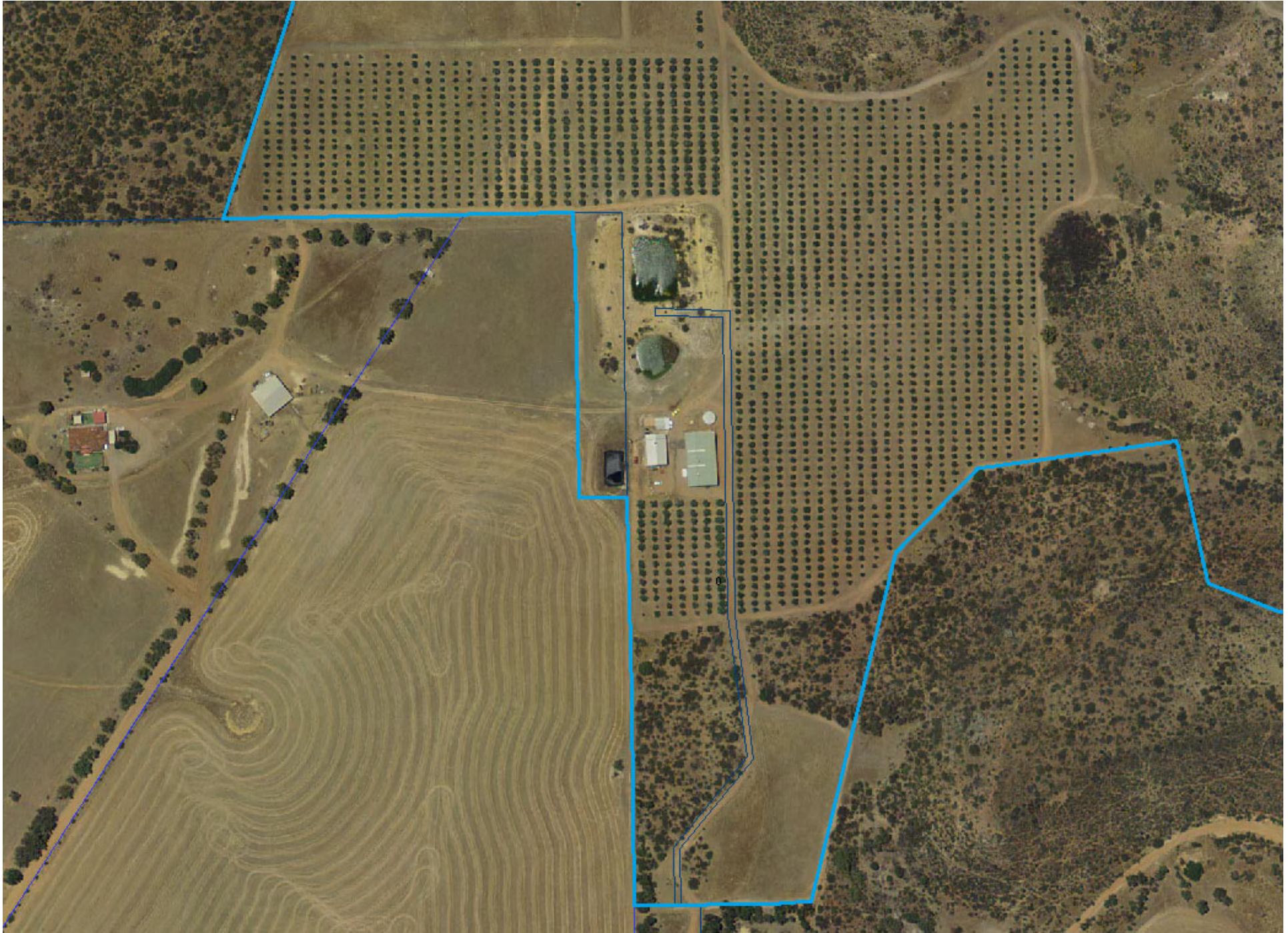
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2	19/2/2021	REMOVE CAMPGROUND, ADD CAFE / RESIDENCE
1	26/10/2020	PRELIMINARY PLANS
Rev	Date	Revisions

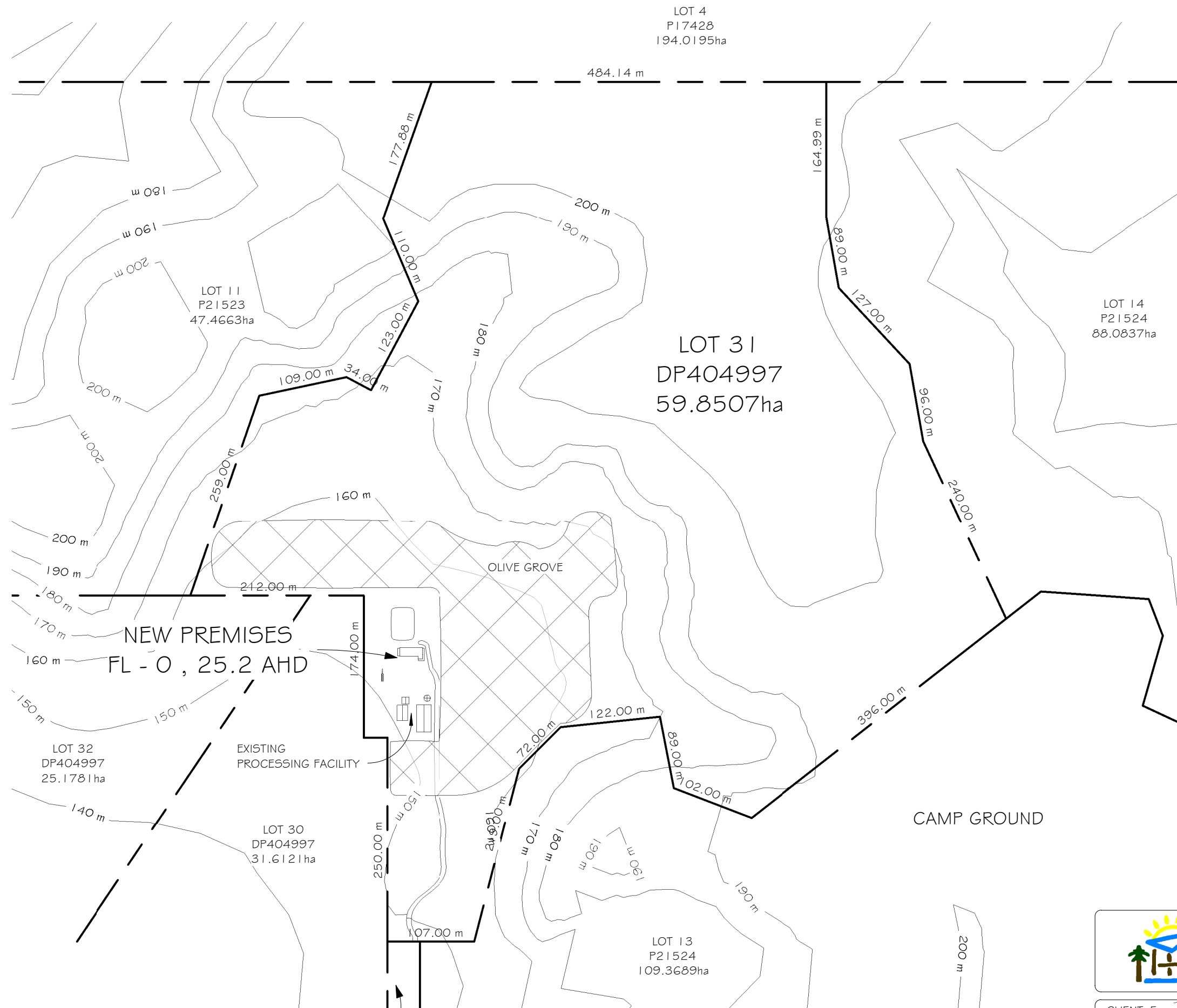


**PETER GOODE**  
Eco Building & Design  
GERALDTON W.A.

CLIENT: Eric & Jill Dixon - CAFE & RESIDENCE  
Lot 31, 70 BASTON CLOSE  
NANSON, CHAPMAN VALLEY

TITLE: NEW PREMISES  
DRAWING No A301 PROPOSAL

REV 2  
19/2/2021



Site  
1 : 5000

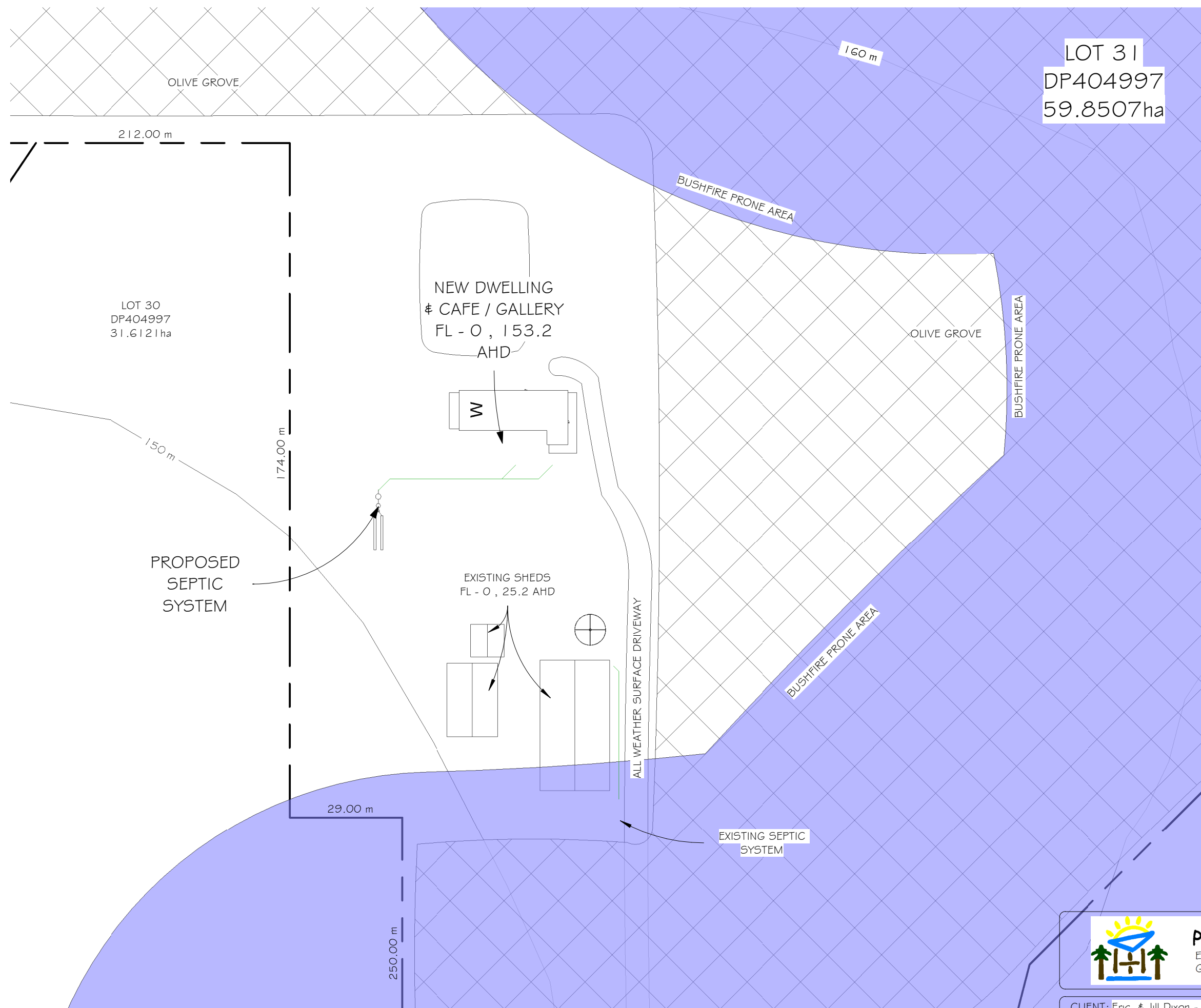
2	19/2/2021	REMOVE CAMPGROUND, ADD CAFE / RESIDENCE
1	26/10/2020	PRELIMINARY PLANS
Rev	Date	Revisions



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

CLIENT: Eric & Jill Dixon - CAFE & RESIDENCE  
Lot 31, 70 BASTON CLOSE  
NANSON, CHAPMAN VALLEY

TITLE: NEW PREMISES  
DRAWING No A302 SITE PLAN  
REV 2  
19/2/2021



1 LOCATION PLAN  
1 : 1000

2	19/2/2021	REMOVE CAMPGROUND, ADD CAFE / RESIDENCE
1	26/10/2020	PRELIMINARY PLANS
Rev	Date	Revisions

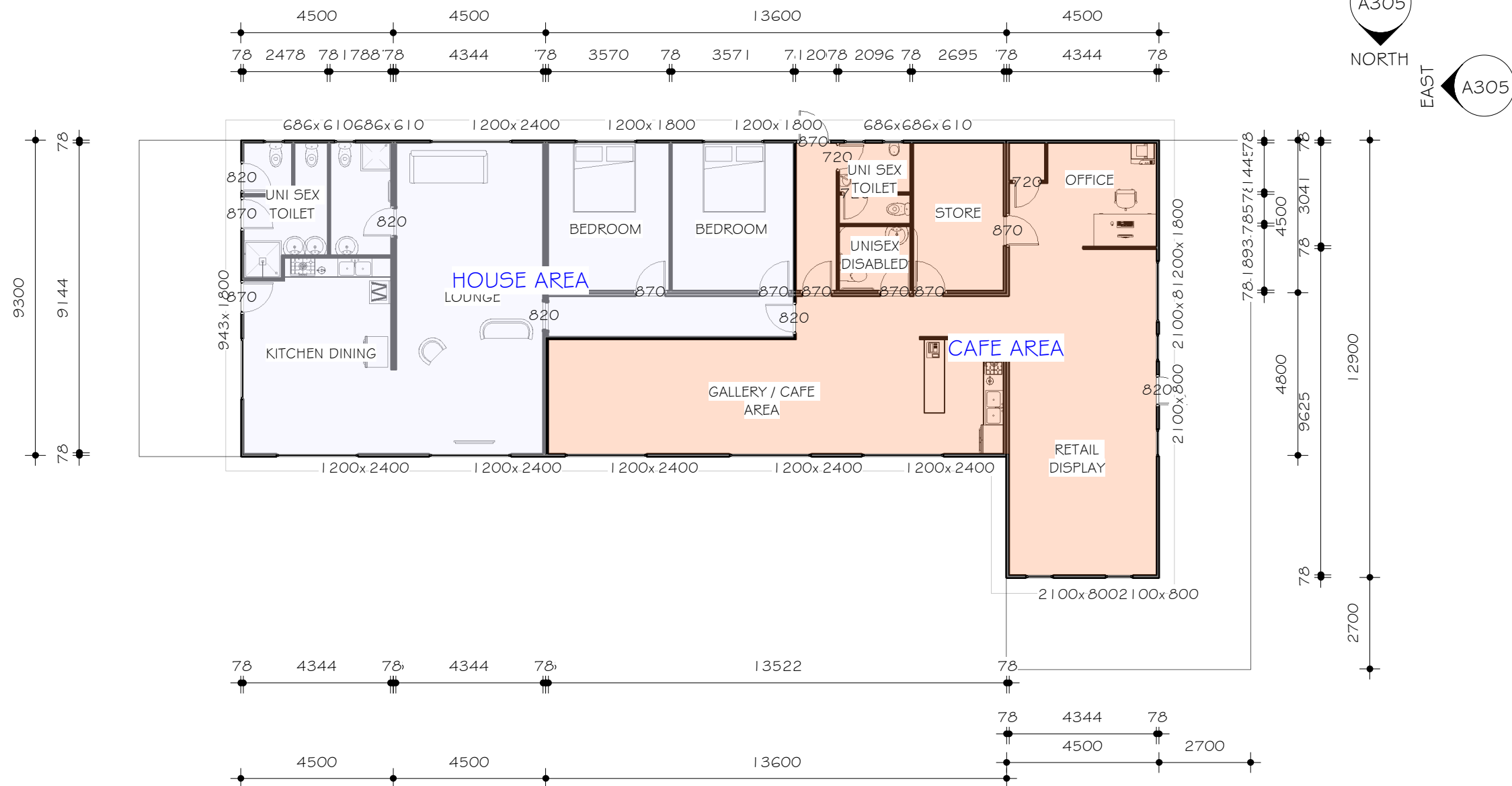


**PETER GOODE**  
Eco Building & Design  
GERALDTON W.A.

CLIENT: Eric & Jill Dixon - CAFE & RESIDENCE  
Lot 31, 70 BASTON CLOSE  
NANSON, CHAPMAN VALLEY

TITLE: NEW PREMISES REV 2

DRAWING No A303 LOCATION PLAN 19/2/2021



A305

WEST


A305

SOUTH

FL

1 : 150

2	19/2/2021	REMOVE CAMPGROUND, ADD CAFE / RESIDENCE
1	26/10/2020	PRELIMINARY PLANS
Rev	Date	Revisions



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

CLIENT: Eric & Jill Dixon - CAFE & RESIDENCE  
Lot 31, 70 BASTON CLOSE  
NANSON, CHAPMAN VALLEY

TITLE: NEW PREMISES

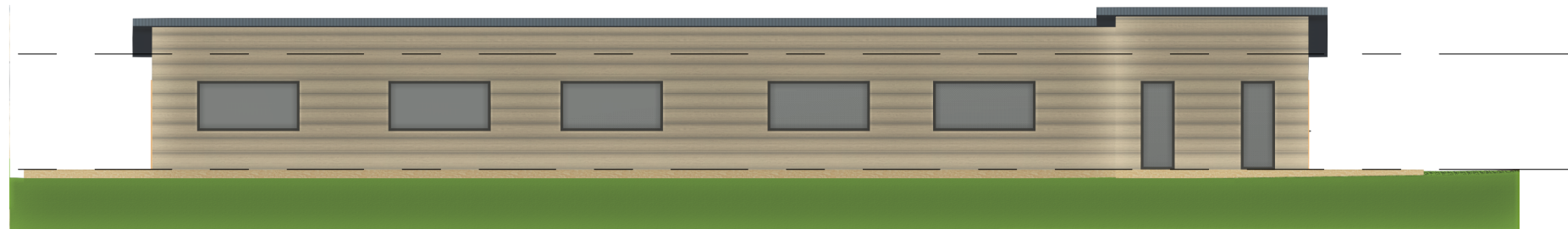
REV 2

DRAWING No A304 FLOOR PLAN

19/2/2021

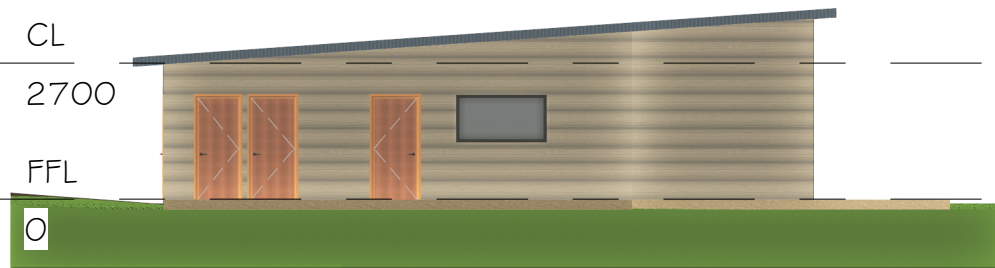


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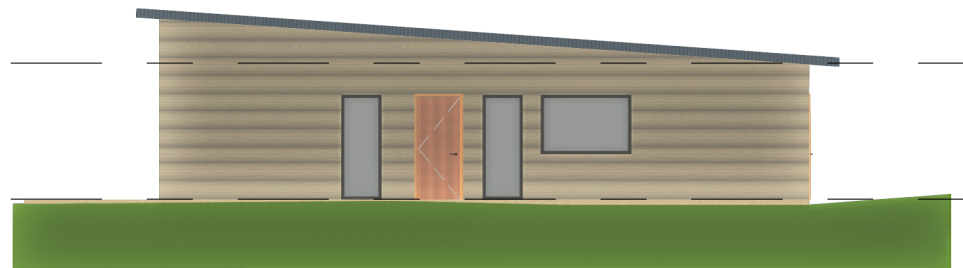
3 SOUTH  
1 : 150

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4 WEST  
1 : 150

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1 EAST  
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FFL  
0



2 NORTH  
1 : 150

2	19/2/2021	REMOVE CAMPGROUND, ADD CAFE / RESIDENCE
1	26/10/2020	PRELIMINARY PLANS
Rev	Date	Revisions



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

CLIENT: Eric & Jill Dixon - CAFE & RESIDENCE  
Lot 31, 70 BASTON CLOSE  
NANSON, CHAPMAN VALLEY

TITLE: NEW PREMISES  
DRAWING No A305 ELEVATIONS  
REV 2  
19/2/2021



Please see the building site/pad preparation photo attached.

The new building will be about 50% residence and 50% Shop, Gallery and Café. We will use it as a base for our existing Olive Processing Business showcasing our olive products, doing olive and olive oil tastings plus grove and processing plant tours.

We also intend to invite local arts and crafts and food producers to exhibit and sell their produce. We believe that the more options we give visitors to Chapman Valley the better chance we all have of growing our businesses and the local economy.

In addition to the existing 1mil litre dam (approx.) used for irrigation purposes we also have a domestic bore and a 96000 litre rainwater tank, in addition to this we will install a 25000 litre tank to capture the rainwater from the new building with the overflow discharged into the existing dam.











# Submission 1



DATE	19/3/21
Shire File Reference:	A2064
FILE	A2064
RECORD	CR 21/7624

## DEVELOPMENT APPLICATION SUBMISSION FORM

**Proposed Residence, Café, Art Gallery & Home Store**  
**70 (Lot 31) Baston Close, Nanson**

Name: PHILIP BLAKEWAY

Postal Address: 115 HOWATNARRA ROAD

Phone Number: [REDACTED]

SUBMISSION: ☒ Support ☐ Object ☐ Indifferent

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

*help tourism within the shire,  
will provide a attraction for our  
nature based caravan park, both  
businesses complement one another*

Signature: Philip Blakeway Date: 19/3/21

Please return to: Chief Executive Officer  
Shire of Chapman Valley  
PO Box 1  
NABAWA WA 6532  
or [ceo@chapmanvalley.wa.gov.au](mailto: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.  
This proposal is available for inspection in order to provide opportunity for public comment and it should not be construed that final approval will be granted.

Submissions Close: 4:00pm Friday 26<sup>th</sup> March 2021



# Submission 2

Shire File Reference: A2064



FILE	A2064
RECORD	PA212784

## DEVELOPMENT APPLICATION SUBMISSION FORM

**Proposed Residence, Café, Art Gallery & Home Store  
70 (Lot 31) Baston Close, Nanson**

Name: FREDA BLAKEWAY

Postal Address: 115 NANSON HOWATHARRA RD.

Phone Number: [REDACTED]

SUBMISSION: ☒ Support ☐ Object ☐ Indifferent

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

I think this proposal would provide a great asset in the area.  
There more there is to see and do, the more people will come to the Valley.  
Covid restrictions have certainly made West Australians more aware of recreational facilities within the State.  
I am sorry I missed the boat on supporting the proposed Nature Park. Great to introduce tourists and locals to the workings of a Rural industry.

Signature: Freda Blakeway Date: 19-3-2021

Please return to: Chief Executive Officer  
Shire of Chapman Valley  
PO Box 1  
NABAWA WA 6532  
or [cso@chapmanvalley.wa.gov.au](mailto:cso@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.  
This proposal is available for inspection in order to provide opportunity for public comment and it should not be construed that final approval will be granted.

Submissions Close: 4:00pm Friday 26<sup>th</sup> March 2021



# Submission 3



Government of Western Australia  
Department of Health

Your Ref: A2064  
Our Ref: F-AA-09433/4 D-AA-21/106708  
Contact: Vic Andrich 9222 2000

DATE	16 MAR 2021
FILE	A2064
RECORD	PA212769

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

Via email: [csa@chapmanvalley.wa.gov.au](mailto:csa@chapmanvalley.wa.gov.au)

Dear Mr Lancaster

## PROPOSED RESIDENCE, CAFÉ, ART GALLERY AND HOME STORE – LOT 31 (#70) BASTON CLOSE, NANSON

Thank you for your letter of 8 March 2021 requesting comments from the Department of Health (DOH) on the above proposal.

The DOH provides the following comment:

### 1. **Water Supply and Wastewater Disposal**

The development is required to be in accordance with *the Government Sewerage Policy 2019*.

For non-scheme water connected areas, the development is to have access to a sufficient supply of potable water that is of the quality specified under the *Australian Drinking Water Quality Guidelines 2011*.

The necessary requirements may be referenced and downloaded from:

[http://ww2.health.wa.gov.au/Articles/A\\_E/Drinking-water-quality-management](http://ww2.health.wa.gov.au/Articles/A_E/Drinking-water-quality-management)

[http://ww2.health.wa.gov.au/Articles/A\\_E/Drinking-water-guidelines-and-standards](http://ww2.health.wa.gov.au/Articles/A_E/Drinking-water-guidelines-and-standards)

Suitable provision for an adequate onsite effluent disposal area is to be accommodated in any planning approval. For on-site wastewater disposal systems to be approved, the site capability needs to be demonstrated via a winter 'site-and-soil evaluation' (SSE) in accordance with Australian Standard 1547 (AS/NZS 1547).

Documents link: [https://ww2.health.wa.gov.au/Articles/S\\_T/Site-and-soil-evaluation-for-onsite-wastewater-management](https://ww2.health.wa.gov.au/Articles/S_T/Site-and-soil-evaluation-for-onsite-wastewater-management)

**2. Food Act Requirements**

All food related areas (cafe, preparation areas, etc.) to comply with the provisions of the *Food Act 2008* and related code, regulations and guidelines. Private kitchen to be separate from all food preparation related to café and foods for sale. Details available for download from: [http://ww2.health.wa.gov.au/Articles/F\\_1/Food-regulation-in-WA](http://ww2.health.wa.gov.au/Articles/F_1/Food-regulation-in-WA)

**3. Health (Miscellaneous Provisions) Act Requirements**

All public access areas (dining areas, gallery, etc.) are to comply with the provisions of the *Health (Miscellaneous Provisions) Act 1911*, related regulations and guidelines and in particular Part VI – Public Buildings.

Should you have any queries or require further information please contact Vic Andrich on 9222 2000 or [ehinfo@health.wa.gov.au](mailto:ehinfo@health.wa.gov.au)

Yours sincerely



Matthew Lester  
**A/EXECUTIVE DIRECTOR  
ENVIRONMENTAL HEALTH DIRECTORATE**

15 March 2021

# Submission 4

FILE	A2064
RECORD	PA212770

**From:** Mid West Gascoyne <midwestgascoyne@dwer.wa.gov.au>

**Sent:** Monday, 15 March 2021 7:26 PM

**To:** Simon Lancaster <dceo@chapmanvalley.wa.gov.au>

**Subject:** DWER Advice- Proposed Residence, Café, Art Gallery & Home Store DWER Ref: PA40811 Your Ref: A2064

Hi Simon

The Department of Water and Environmental Regulation (DWER) has no objections to the proposed Nature Based Park and offers the following advice/comments

## Water Licensing

The property has an existing groundwater licence but the proposed activity is not an Authorised activity under this licence.

Any groundwater abstraction in this proclaimed area is subject to licensing by the department, other than supply from the shallow water table (superficial aquifer) for domestic and non-intensive stock watering purposes.

The proponents should contact the Mid West Gascoyne Water Licensing Team via 99657400

[midwestgascoyne@dwer.wa.gov.au](mailto:midwestgascoyne@dwer.wa.gov.au) to discuss amendments to the licence.

## Potable Water

Potable Water Requirements have not been specified.

The proponent has indicated a new 25,000 L Rainwater tank will be installed but not that it will be used for visitors or cafe.

As per previous proposal rainwater/bore water are not considered potable water. Potable water is water safe for drinking.

Rainwater or bore water should not be used for drinking, bathing, watering edible plants, food preparation or cooking unless it has been properly tested and treated to make it suitable for the intended use.

See attached.

## Sewage

Aerial imagery suggests there is a water body (dam/pond) between the proposed new building and existing sheds (see image below).

This would site the proposed septic system next to the water body.

Consideration should be given for this siting and the potential to impact on existing dams that are used for processing olives.



Mark Canny

Program Manager Planning Advice

Mid West Gascoyne Region

Department of Water and Environmental Regulation

20 Gregory St Geraldton

PO Box 73 WA 6531

M: 0428 617 205

E: [mark.canny@dwer.wa.gov.au](mailto:mark.canny@dwer.wa.gov.au) | [www.dwer.wa.gov.au](http://www.dwer.wa.gov.au)

Twitter: [@DWER\\_WA](https://twitter.com/DWER_WA)

Disclaimer: This e-mail is confidential to the addressee and is the view of the writer, not necessarily that of the Department of Water and Environmental Regulation, which accepts no responsibility for the contents. If you are not the addressee, please notify the Department by return e-mail and delete the message from your system; you must not disclose or use the information contained in this email in any way. No warranty is made that this material is free from computer viruses.





# Urban rainwater collection

Rainwater from your roof can be a valuable resource as it can contribute to your yearly water needs and help conserve drinking water reserves. However, a reticulated scheme drinking water supply remains the most reliable source of drinking water in the urban environment.

The Department of Health supports the use of rainwater tanks in urban areas for all non-drinking uses, such as garden watering, flushing toilets, in washing machines and car washing. Using rainwater in this way will not pose a risk to your health.

If you live in an urban area and you would like to drink rainwater, you should be aware that there might be an increased risk of pollution by airborne chemical and microbiological contamination. Also poorly maintained rainwater tanks can breed mosquitoes that can cause severe nuisance or carry human disease to you and your neighbours.

Follow the information in this guide to minimise the risk of contamination and disease to you and your family if you intend to drink your rainwater.

## Is rainwater always safe to drink?

Unless adequately treated, rainwater is not reliably safe to drink. It is almost impossible to completely protect rainwater from:

- bird droppings and other debris containing microorganisms
- air pollution caused by:

- light industries such as spray painters and fibreglass fabricators
- heavy industries such as kilns, quarries, chemical plants
- emission from motor cars associated with freeways and main roads. industry.

The level of contamination in your rainwater will depend upon the amount of debris collected in your gutters and on your roof and your proximity to heavy traffic

## What is on the roof?

Rainwater can be collected from most types of roofs, including asbestos, Colourbond™ and galvanized. It is important to find out if your roofing material or the paint used on your roof or in your gutters etc. could contaminate rainwater. For example, tar based coatings can bind other harmful organic chemicals to the roof or gutter and be difficult to clean.

Rainwater should not be collected from parts of the roof that incorporate:

- a chimney from a wood burner
- discharge pipes from roof mounted appliances such as evaporative air conditioners or hot water systems
- chemically treated timbers
- lead based paints or flashings.

Speak to your rainwater tank supplier about identifying materials on the roof that could contaminate your rainwater.



## How do I maintain my rainwater system?

Regular maintenance is the key to good water quality. Installing screens, filters and first flush devices will reduce contamination. Likely sources of micro-organisms and chemical contaminants that you can control are:

- Overhanging branches.
- Soil and leaf litter accumulated in gutters particularly if kept damp for long periods due to poor drainage.
- Faecal matter deposited by birds (resting on wires and TV antennas), lizards, mice, rats, etc
- Dead animals and insects either in gutters or in the tank itself.

It is important that roofs, gutters, screens and first flush devices be inspected and cleared of leaves and other debris every three to four months.

The pipe to the tank should be disconnected when carrying out maintenance on solar hot water systems on roofs. Solar hot water systems contain heat transfer fluids that can contaminate the rainwater supply in an event of a spill or leakage. Reconnect the pipe when you are certain that there is no leakage after maintenance.

The first flush runoff from a roof will wash contaminants such as dust, bird droppings, leaves and other airborne contaminants into your tank.

First flush devices prevent the first portion of roof runoff from entering the tank.

## Are mosquitoes a problem?

Rainwater tanks can become breeding sites for mosquitoes that can cause severe nuisance and carry serious diseases. In WA the most common mosquito found to breed

in poorly maintained rainwater tanks is a proven carrier of Ross River virus.

To prevent mosquito breeding, rust and metal contamination the guttering and pipework should be self-draining or fitted with drainage points. Water should not be allowed to pool under the overflow outlet or tap as these can become mosquito breeding sites.

The tank should be a sealed unit with the lid preventing sunlight from reaching the water as sunlight encourages the growth of algae that will taint the water. Holes and spaces will allow mosquitoes to enter.

The inlet should incorporate a mesh cover and a strainer to keep leaves and to prevent the access of mosquitoes and other insects. The overflow should also be covered with an insect proof cover such as plastic insect mesh wired around the pipe. Insect mesh should be no coarser than 12 x 12 meshes/25mm<sup>2</sup>.

To stop mosquito breeding add a teaspoon of food grade paraffin oil (in small tanks up to 1000 litres) to the water. The amount needed will vary depending upon the surface area of the water. A sufficient quantity to produce a thin film over the water surface is all that is required.

## Should I test rainwater?

When used for non-drinking purposes, routine testing of rainwater is not necessary. However, if you intend to drink the rainwater, it can be tested. If tested, the results should be compared with the values contained in the 2004 Australian Drinking Water Guidelines. Refer to the Environmental Health Directorate publication: 'Standard Drinking Water Test' for a list of NATA accredited laboratories in WA.



## Should I treat rainwater?

If rainwater is to be drunk or used in cooking for any reason, eg where a reticulated scheme drinking water supply is not available, it should first be disinfected either by bringing to a rolling boil for one minute or by chlorination. Additional information on water disinfection is contained within the Environmental Health Guide, 'Emergency Treatment of Drinking Water Supplies'.

## Can I top up my tank?

It is important to protect our reticulated scheme drinking water supply from any risk of contamination through backflow from rainwater tanks. Rainwater tanks connected to the scheme must be fitted with an approved backflow prevention device installed by a licensed plumber.

## Do I need building approval?

Before purchasing and installing a rainwater tank check with your local government for local building regulations that apply in your area.

## What should I look for?

Your rainwater system should incorporate:

- A first flush device.
- Gutter guards or screen mesh to reduce the amount of debris entering the tank.
- Rainwater tank outlet points that reduce or eliminate the build up of sludge.
- Insect screens on overflow pipes and insect proof lids and inspection ports.
- Australian Standards approval marks on materials that will come into contact with rainwater such as:
  - AS 2070, Plastic materials for food contact use.

- AS/NZS 2179 –1994 Specifications for rainwater goods, accessories and fasteners
- AS 2180 – 1986 Metal rainwater goods – selection and installation
- AS 3500.1 – 1992 National plumbing and drainage code. Part 1: Water supply.
- AS 3855 – 1994 Suitability of plumbing and water distribution systems products for contact with potable water
- AS 4020 Products for use in contact with water intended for human consumption with regard to their effect on the quality of water.

## Summary

- Unless adequately treated, rainwater is not reliably safe to drink.
- In urban areas connected to scheme drinking water use rainwater for non-potable uses, such as garden watering, flushing toilets, washing machines and car washing.
- If rainwater is consumed for any reason, first disinfect by boiling or chlorination.
- Do not allow the first rainwater to enter the tank.
- Keep gutters and roofs clean, dry and in good repair.
- Ensure that the tank is sealed and the inlet and overflow screened against insects/animals.
- Cover and seal the tank to prevent the entry of sunlight, dust, insects and animals.
- Check for the appropriate Australian Standards Mark.
- Rainwater tanks connected to the scheme must be fitted with an approved



backflow prevention device installed by  
a licensed plumber.

## **Other water quality guides available**

- Is the Water in your Rainwater Tank  
Safe to Drink?
- Emergency Treatment of Drinking  
Water Supplies
- Water Filters
- Giardia Infection
- Cryptosporidiosis
- Standard Drinking Water Test

## **More information:**

### **Water Unit**

Environmental Health Directorate  
Department of Health  
PO Box 8172  
PERTH BUSINESS CENTRE WA 6849

Telephone: 08 9388 4999

Facsimile: 08 9388 4910

**This document is available in alternative  
formats on request for a person with a  
disability.**

## Submission 5



Shire File Reference: A2064	
DATE	25 MAR 2021
FILE	A 2064
RECORD	CR2117646

### DEVELOPMENT APPLICATION SUBMISSION FORM

#### Proposed Residence, Café, Art Gallery & Home Store 70 (Lot 31) Baston Close, Nanson

Name: [REDACTED]

Postal Address: [REDACTED]

Phone Number: [REDACTED]

SUBMISSION:

☐

Support

☒

Object

☐

Indifferent

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

*We strongly object to the above proposal on the following grounds.*  
*① We don't feel that there is enough information in the short paragraph with the application. There has been no information provided to us in regards to ① FIRE MANAGEMENT PLAN - there is a real risk to the possibility of fires being started when members of the public have free access on farming land. There has not been mention of any fire fighting equipment for fires that potentially could be started. There are no fire extinguishers shown on the plans or exit signs, should this have been included in order to be compliant with regulations.*

Signature: [REDACTED]

Date:

25/3/21

*Please see additional sheet*

Please return to:

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

or

[ceo@chapmanvalley.wa.gov.au](mailto: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. This proposal is available for inspection in order to provide opportunity for public comment and it should not be construed that final approval will be granted.

Submissions Close: 4:00pm Friday 26<sup>th</sup> March 2021

## **Objection to submission from 70 Baston Close for proposed Residence, Café, Art Gallery & home store**

**Location: 70 Baston Close, Nanson**

We [REDACTED] of [REDACTED] hereby **strongly object** to the proposed submission for Residence, Café, Art Gallery & home store.

We feel there should have been a requirement for the proposal to have a more comprehensive application as was required for the previous application for the Nature Park submission. This would mean we could see that there was compliance with the regulations pertaining to running a Café, for example, and the compliance in regard to Fire management/ risk management, Waste management and disposal, environmental impact, traffic management, opening hours and days of operation.

We are concerned that this has the same Reference number as the Nature Park proposal and that this may be a way of still applying for the Nature Park after they have set up the café. Can we have an assurance that this is not the case?

Objections Cont... from page one of our objection submission.

**Fire** cont... There is a large area that is break away country, a fire would spread extremely quickly in these areas. What facility and equipment has the owner in place that would be able to control, or keep a fire confined. Access to the breakaway country is extremely difficult.

Our property is at risk as we have our West boundary adjoining 70 Baston Close. Some of this breakaway country is within our boundary.

### **Café and environmental impact**

Reading the plan which shows the kitchen of the café it does not look like a commercial kitchen, does it comply with the regulations in regards to operating a café? What has been put in place to protect the water ways in regards to grease waste management.

### **Environmental impact on Breakaway country**

As this does not look like a controlled area we are concerned there will be members of the public wondering around and trespassing onto adjoining properties We have concerns that there could still be degradation of the breakaway country with visitors to the café walking around the property and walking through the bushland. ( and the high risk of fires).

### **Quiet enjoyment**

We purchased our property in 1996 for the quiet enjoyment of being in a farming area in the beautiful Chapman Valley.

There is a very high risk that we will have trespassing onto our property and there is a very high risk of theft of our property, and dog attacks on our livestock and our pets. This risk also extends to a fire risk if people are walking (trespassing) on our property and are smokers that do not discard their cigarettes correctly.

We already experience trespassers entering our property from the North East side of our property. People walk through and over fences without any consideration that they may be entering and trespassing on someone's land.

### **Waste management**

How is the Café going to dispose of the grease from cooking? There is the possibility of this being discharged into our ground water.

### **Waste disposal**

There is not mention of what control is in place for waste management/ rubbish from the café. If there are full bins this will bring more flies and vermin to the area.

### **Traffic management**

Baston Close and Murphy Yetna Road struggle to be in good order year round, with the current traffic. As rate payers we feel we could be disadvantaged as our roads will be worse than they are now. Baston Close is not a decent two way traffic road, this would need to be addressed.

The additional traffic could have a negative impact on these roadways, is the Shire going to increase road maintenance to keep the road in good order? Will Baston Grove be covering the extra cost of maintenance for the road ways?

Baston Grove would need to upgrade their driveway to comply with the requirements of the Shire in regards to their needing to be 6 metres and safe access to the property.

The Shire would need to upgrade Baston Close to cater for the proposed traffic as there may be issues of us trying to exit our property with the gooseneck loaded with horses and not be able to turn onto Baston Close if there is traffic blocking Baston Close as cars are attempting to enter the Olive Grove at the end of Baston Close.

### **Risk Management**

If there is not 24 hour supervision to man the fire fighting equipment, there are concerns for the safety of our property and our livestock.

As this is open country Fires are our greatest fear, even with what is proposed smokers can still wander through the countryside and drop cigarettes, causing fires.

Re: 70 (lot31) Baston close Nanson.

Response to submissions.

#### Submission 3 dept of Health.

The comments recommendations from the Health dept. are noted and it is our intention to comply with them.

#### Submission 4 Dept of Water.

The existing licensed bore is used for irrigation in the olive grove, garden and stock watering.

We already have a 96000 lt rainwater tank, this supplies treated water to our commercial kitchen and is more than adequate for our needs including the new development. The new 25000lt tank is to capture rainwater from the new building and could be used to supplement the new buildings non- potable water requirements.

Sewage. The aerial map is out of date and the building sketch inaccurate, the septic system will be the prescribed distance from the dam. In any event no dam water is ever used in the processing of our olives.

#### Submission 5 Objection.

1. Information. All the relevant information was provided in the first application including the fire management and waste disposal, all we have done is withdraw the nature park proposal.
2. The fire exit signage and extinguishers are detailed on the drawings submitted with this application.
3. We have withdrawn the application for the Nature based park at this time, clearly a new application could be made at any time in the future.
4. Environmental impact on the breakaway. Maybe the complainant hasn't noticed the 40 mt high near vertical breakaway with a barbed wire fence at the base, highly unlikely a casual visitor is going to tackle that!!
5. Traffic management. I reject the assertion that the road in Baston Close is unsuitable it is a good wide road in good condition with a large turnaround at the top, traffic congestion will not be an issue. As far as the condition of the

gravel roads in the area is concerned we would all love them to be bitumen-maybe one day!

6. Quiet Enjoyment. We also purchased our property in 1996 and planted the olive grove soon after. In the past we have hosted many meetings and grove open days on behalf of the Midwest Olive Association (MWA) the west Australian olive council (WAOC) and the National Olive Association, bus tours, school groups and during harvest dozens of customers bringing olives to be processed into oil. It is strange that in all that time we never received any complaints about noise, traffic congestion, disturbance of the peace or anything else, perhaps its because the complainants shed is almost a Kilometer away behind a 40 mt high hill and had no idea it was happening! In contrast Chapman Valley Wines opened around 1996 (line of sight from the complainants property) and has been in almost continuous use ever since and that doesn't seem to be a problem.

#### Opening Times.

As stated in our proposal we will only open between Easter and October the low fire risk period, there will never be a situation where visitors are on the property unsupervised, to suggest we have a manned fire unit on standby 24/7 is ludicrous, what do the complainants do when they are both at work all day?

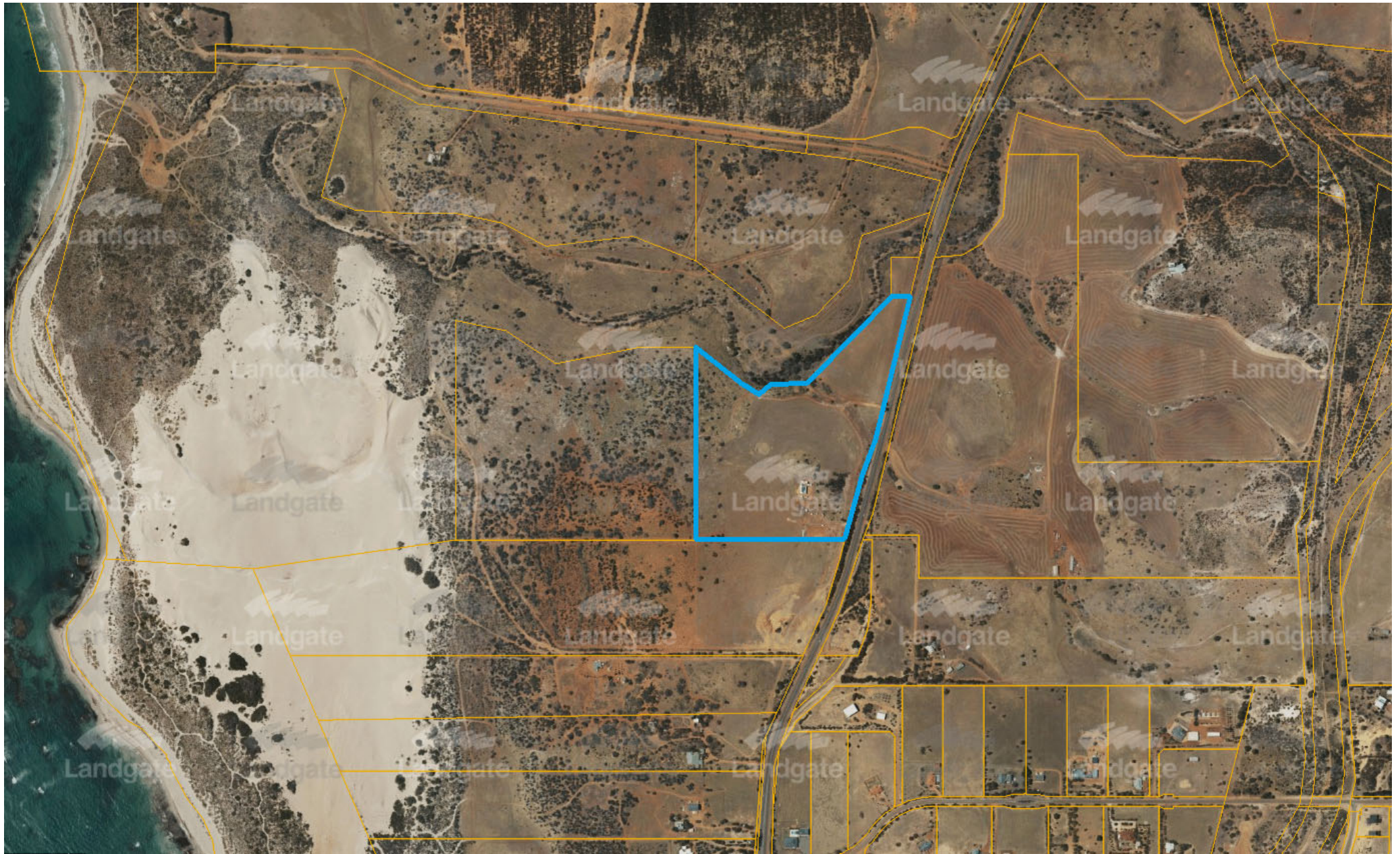
#### Letters of support.

We appreciate the support from other business in the area, the more variety we offer potential visitors the better chance we have of developing a viable tourist industry in the region, I hope we can all work together to achieve that goal.

Eric and Jill Dixon

Baston Grove Olives.





To whom it may concern

1. Ranbuild shed from Geraldton sheds to be constructed by them.
2. Trees planted  
75 red flowering gums 45 native small bush over and around the property to date ,  
will be planting more to reduce wind, and increase bird life.
3. Reason for the extra shed space  
Remove machinery from out of the weather, require extra height roller door to be  
able to store tailers ,tractor and van. This will also enable us to remove sea container  
as well, will give use the space to empty them.
4. This will then clean the area of items just sitting in the paddock.

Kind regards  
Shain forth





PAGE 05

ph: 0400 279 470 BRN: 102541

CAMPBELL HOMES



aaron@campbellhomes.com.au



Kerry Micka Designs  
kerry.micka@gmail.com  
0426 185 063

REVISION: 02

02 retained on site 29-07-19

01 working draw complete 26-07-19

00 ORIGINAL ISSUE 17-07-19

REVISION

ADDRESS

Lot 154 #1737  
NWCH  
Buller

CLIENT

FORTH

JOB No. KMBFOR-19-02CS

SCALE: @ A3

DATE: 30/07/2019

DRAWING TITLE

OVERALL SITE PLAN

NOTE:  
THIS DRAWING IS THE PROPERTY OF THE  
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REPRODUCED IN ANY FORM OR BY ANY MEANS  
WITHOUT WRITTEN  
CONSENT.  
DO NOT SCALE FROM DRAWINGS

CLIENT SIGNATURE

DATE

DRAWING No.

04 of 5



ph: 0400 279 470 BRN: 102541

**CAMPBELL HOMES**



aaron@campbellhomes.com.au



**Kerry Micke Designs**  
kerry.micke@gmail.com  
0429 985 953

REVISION: 02

02	Notated on site	29-07-19
01	working diag complete	26-07-19
00	ORIGINAL ISSUE	17-07-19
REVISION		

ADDRESS

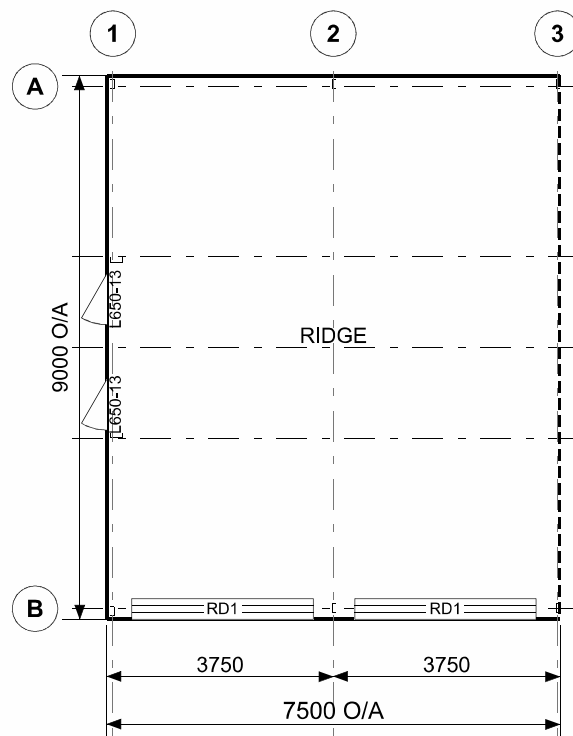
Lot 154 #1737  
NWCH  
Buller

CLIENT

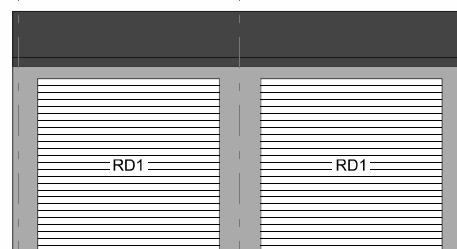
**FORTH**

JOB No.	KMDFOR-19-02CS
SCALE:	@ A3
DATE:	30/07/2019
DRAWING TITLE	SITE PLAN

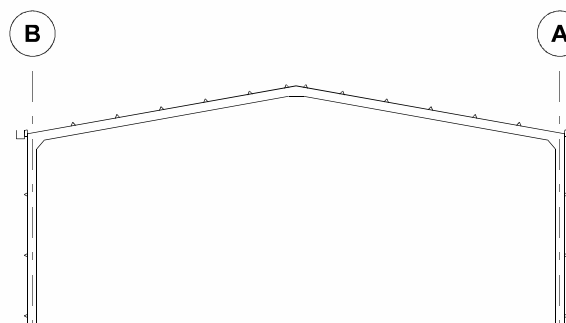
NOTE: THIS DRAWING AND ITS CONTENTS OR THE GRAPHIC ELEMENTS, LOGOS, TEXT AND NOT BE REPRODUCED IN ANY FORM OR MANNER WITHOUT WRITTEN CONSENT DO NOT SCALE FROM DRAWINGS	
CLIENT SIGNATURE	
DATE	DRAWING No. <b>05</b> of 5



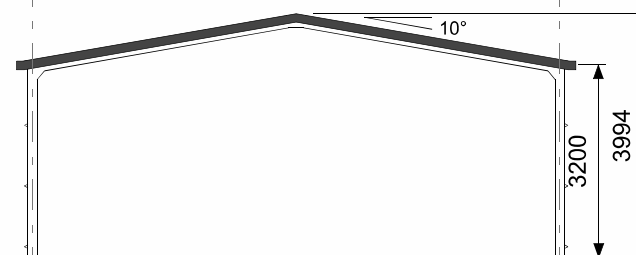
**FRAME ROOF PLAN**



**ELEVATION GRID B**



**SECTION GRID 2**



**ELEVATION GRID 3**

### CLADDING

ITEM	PROFILE (min)	FINISH	COLOUR
ROOF	TRIMDEK 0.42 BMT	ZL	ZL
WALLS	TRIMDEK 0.35 BMT	ZL	ZL
CORNERS	-	ZL	ZL
BARGE	-	ZL	ZL
GUTTER	SHEERLINE	ZL	ZL
DOWNPIPE	100x50	ZL	ZL

0.35bmt=0.40tct; 0.42bmt=0.47tct; 0.48bmt=0.53tct

### ACCESSORY SCHEDULE & LEGEND

QTY	MARK	DESCRIPTION
2	RD1	B&D, Firmadoor, R.D, Residential "R1F", 2800 high x 3000 wide Clear Opening Z/L
2	L650-13	Lysaght PA Door & Pre-Hung Frame 180 Deg Std. 2040 x 820 Z/Lume (BDS)

ARCHITECTURAL DRAWING ONLY, NOT FOR CONSTRUCTION USE

### WIND DESIGN

IMPORTANCE LEVEL	REGION	TERRAIN	Ms
2	B	2	1.0

CLIENT  
**Shain Forth**

SITE  
**Lot 154 Buller River  
NANSON WA 6532**

BUILDING  
**SUNDOWN DELUXE  
9000 SPAN x 3200 EAVE x 7500 LONG**

TITLE  
**GENERAL ARRANGEMENT**

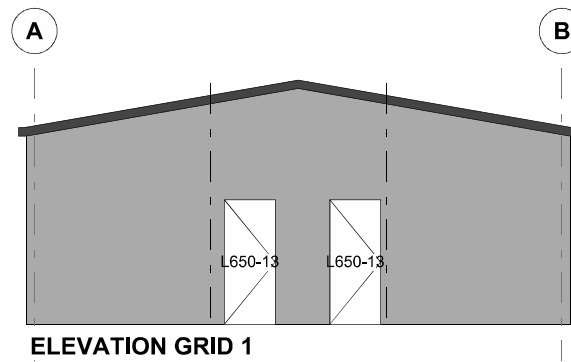
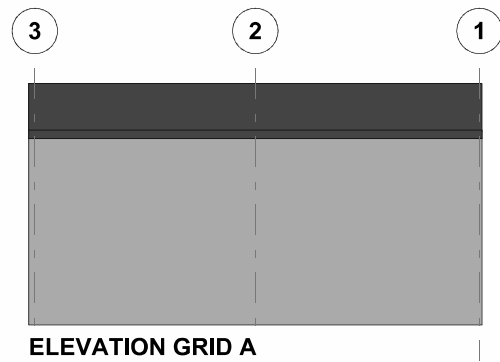
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A4 SHEET 1:125

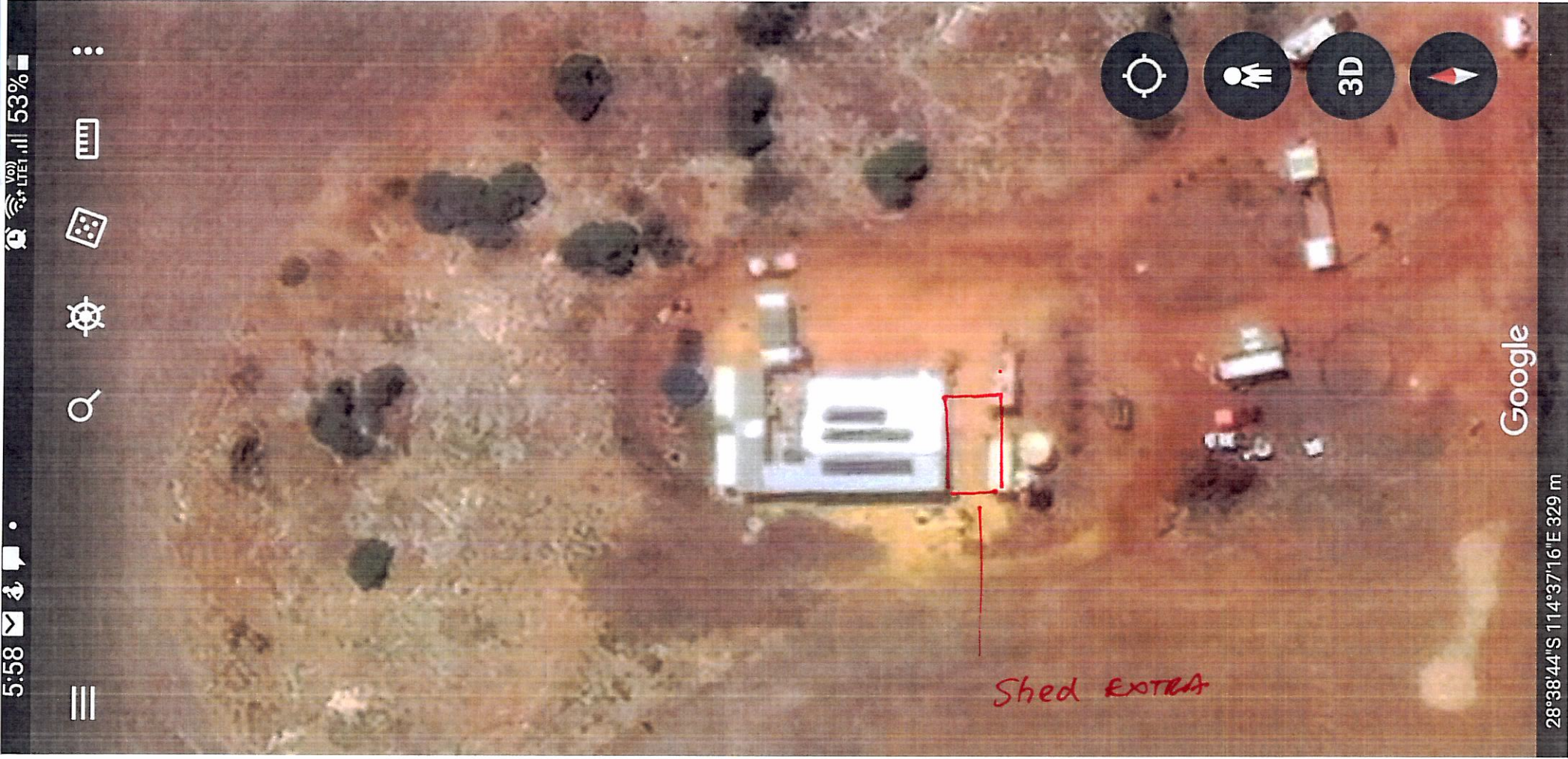
DRAWING NUMBER  
**GRLD02-1872**

REV  
**A**

PAGE  
**1/2**







Shed EXTRA

Google

28°38'44"S 114°37'16"E 329 m



*\* New Small & Large trees.*



# Submission 1



DATE	29/3/21
FILE	A2083
RECORD	CR2117659

## DEVELOPMENT APPLICATION SUBMISSION FORM

Shire Reference: A2083

### PROPOSED OUTBUILDING EXTENSION 1737 (LOT 154) NORTH WEST COASTAL HIGHWAY, BULLER

Name: Simon Thomson - Development WA

Postal Address: Level 2-40 The Esplanade, Perth WA 6000

Phone Number: 08 9482 7499

SUBMISSION: ☐ Support ☐ Object ☒ Indifferent

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

No objection

Signature: SThomas Date: 23/3/21

Please return to: Chief Executive Officer or [ceo@chapmanvalley.wa.gov.au](mailto: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: 4:00pm Friday 9 April 2021

## Submission 2

**From:** David Morgan <[David.Morgan@watercorporation.com.au](mailto:David.Morgan@watercorporation.com.au)>  
**Sent:** Tuesday, 23 March 2021 1:55 PM  
**To:** Customer Service <[cs@chapmanvalley.wa.gov.au](mailto:cs@chapmanvalley.wa.gov.au)>  
**Subject:** A2803 - 1737 North West Coastal Hwy, Buller - DA Comment

DATE	23 / 3 / 21
FILE	A2083
RECORD	CL2117660 -

ATT: Simon Lancaster

The Water Corporation has no objection relating to the attached Development Application, provided the shed is only used for domestic/farming purposes.

However, please note that the subsequent Building Application will be subject to standard Water Corporation assessment and referral requirements.

Kind Regards

**David Morgan**  
Senior Planner – Property Portfolio  
PROCUREMENT & PROPERTY

*I may be working remotely at times, but can always be contacted on the number below.*

E [david.morgan@watercorporation.com.au](mailto:david.morgan@watercorporation.com.au)

T (08) 9420 2640

[watercorporation.com.au](http://watercorporation.com.au)

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**Moved Cr R Calder, seconded Cr Fraser**

That the second committee recommendation, as printed above, be adopted by Council.

**CARRIED**

Voting 8/0

Minute Reference 9/99-8

*Cr Bell returned to the meeting at 9.56 am.*

**9.3.4 SUBJECT: Request for closure and amalgamation of disused railway reserve (Yetna Siding)**  
**PROPERTY: Victoria Locations 2189 and 2745 Chapman Valley Road, Yetna**  
**APPLICANT: R (Russell) Lewis**  
**OWNER: R (Russell) Lewis**  
**ZONING: General Farming**  
**FILE: R6/3**  
**AUTHOR: L Kosova**

**STAFF RECOMMENDATION**

1. That the proposal to close a disused section of railway reserve through Locations 2189 and 2745 Chapman Valley Road, Yetna and amalgamate it with the said properties, be referred to the Department of Land Administration for consideration.
2. That the Department of Land Administration be advised that Council does not support the proposed closure of the disused section of railway reserve through Locations 2189 and 2745 for the following reasons:-
  - a) The railway reserve through Locations 2189 and 2745 is not visually evident and does not pose any physical constraint to farming operations on the property;
  - b) The Yetna Siding is a historic reminder of the railway line which once serviced the region, and should be preserved accordingly;
  - c) At present an uninterrupted railway reserve extends from Wokatherra to Nanson. Closure of the section of railway reserve through Locations 2189 and 2745 would interrupt the continuity of the Wokatherra-Nanson railway reserve, thereby reducing the prospect of ever being able to utilise the reserve for public purposes in future, and creating a precedent for closing the reserve through other adjoining properties, until the reserve has been extinguished altogether;
  - d) Many landowners may be opposed to the prospect of a walk trail along the disused rail reserve and Council is yet to adopt the concept. However, it is considered appropriate to at least retain the reserve in order to preserve options for it's use in future, rather than to delete the reserve outright.
3. The applicant be advised of Council's decision.

**COMMITTEE RECOMMENDATION**

Moved Cr Cole, seconded Cr Williamson that the following amended staff recommendation be adopted by Council:-

1. That the proposal to close a disused section of railway reserve through Locations 2189 and 2745 Chapman Valley Road, Yetna and amalgamate it with the said properties, be referred to the Department of Land Administration for consideration.

2. That the Department of Land Administration be advised that Council does support the proposed closure of the disused section of railway reserve through Locations 2189 and 2745.
3. The applicant be advised of Council's decision.

*The reason stipulated by the Committee for amending the staff recommendation was that it was considered appropriate to close and amalgamate the disused rail reserve into the properties from which it was originally extracted.*

**Moved Cr Cole, seconded Cr Collingwood**

That the committee recommendation, as printed above, be adopted by Council.

**CARRIED**

**Voting 6/3**

Minute Reference 9/99-9

9.3.5      **PROPOSAL:**      Proposed Subdivision  
              **PROPERTY:**      Pt Lot 1 and 21 North West Coastal Highway, White Peak  
              **APPLICANT:**      Morris Heyhoe & Richards  
              **OWNER:**      GM, AD, DG & RL Forth  
              **ZONING:**      General Farming & Place of Heritage Value  
              **FILE:**      S111560  
              **AUTHOR:**      L Kosova

## STAFF RECOMMENDATION

That the Western Australian Planning Commission be advised that Council supports the proposal to subdivide Pt Lot 1 and Lot 21 North West Coastal Highway, White Peak, as depicted on the plans submitted (Plan No. 99243PF1), subject to the following conditions:

1. An easement being reflected on the Title of Pt. Lot 1 from the existing access of that property on the North West Coastal Highway to proposed Lot 101, granting a Right of Carriageway to Lot 101;
2. The proposed Reserve shown on the subdivision plan being shown on the Diagram of Survey as a "Reserve for Public Recreation" and vested in the Crown under Section 20A of the Town Planning and Development Act;
3. The proposed Reserve referred to in 2. above being fenced at full cost to the subdivider to prevent grazing by stock, to the specification and satisfaction of Council.

## COMMITTEE RECOMMENDATION

Moved Cr Cole, seconded Cr Fraser that the staff recommendation, as printed above, be adopted by Council.

**Moved Cr Cole, seconded Cr Fraser**

That the committee recommendation, as printed above, be adopted by Council.

CARRIED

Voting 9/0

Minute Reference 9/99-10

9.3.6      **SUBJECT:**      Town Planning Scheme No. 1 - Amendment No. 27  
                               (Proposed “Anti-Nuclear” Textual Amendment)  
                  **FILE:**            R27  
                  **AUTHOR:**      L Kosova

*The Principal Planner tabled a letter received from the Minister for Planning, dated 13 September, 1999 in respect of the Amendment.*

## POLICY IMPLICATIONS

Nil

## FINANCIAL IMPLICATIONS

The cost associated with advertising Local Planning Policies is budgeted for under Account Code 2252 – Town Planning Advertising. It is expected this will be in the order of \$300 - \$350.

## STRATEGIC IMPLICATIONS

Nil

## VOTING REQUIREMENTS

Simple majority of Council is required.

## REFER TO NCZ/WALGA

Not applicable

## STAFF RECOMMENDATION

That Council resolve to endorse the draft Local Planning Policy 16.20 as presented as Attachment 2 to this report, and proceed to advertise the draft Policy pursuant to Clause 3.2.2 of Town Planning SchemeNo.1.

## COUNCIL RESOLUTION

**Amendment to Staff Recommendation**

**Moved Cr P Batten seconded Cr P Cole**

Minimum water storage tank be amended to 100,000 litres in all relevant policies.

**CARRIED**

Voting 6/0

Minute Reference 04/06-17

**Moved Cr P Forrester seconded Cr B Davidson**

That Council resolve to endorse the draft Local Planning Policy 16.20 as presented as Attachment 2 to this report, and proceed to advertise the draft Policy pursuant to Clause 3.2.2 of Town Planning SchemeNo.1 with minimum storage tank being amended to 100,000 litres in all relevant policies.

**CARRIED**

Voting 6/0

Minute Reference 04/06-18

<b>9.2.2</b>	<b>AGENDA ITEM:</b>	<b>9.2.1.2</b>
	<b>SUBJECT:</b>	<b>REQUEST FOR LAND SWAP</b>
	<b>PROPOSER:</b>	<b>ARLDUI HOLDINGS PTY LTD &amp; DEPARTMENT FOR</b>
	<b>SITE:</b>	<b>PLANNING AND INFRASTRUCTURE</b>
	<b>FILE REFERENCE:</b>	<b>LOC 2745, 2189 &amp; OLD RAILWAY RESERVE LOT</b>
	<b>PREVIOUS REFERENCE:</b>	<b>11895 CHAPMAN VALLEY ROAD YETNA</b>
	<b>AUTHOR:</b>	<b>A3</b>
		<b>N/A</b>
		<b>IAN D'ARCY</b>

## DISCLOSURE OF INTEREST

Nil

## BACKGROUND

Correspondence has been received from the Department for Planning and Infrastructure - Land Asset Management Services (DPI - LAMS) seeking the Council's support for a land exchange as proposed by the owner of Victoria Location 2745 and 2189 – refer to Attachment 1.

As noted in Attachment 1 the proposed land exchange involves the relocation of the old railway reserve (10.46 hectares) to follow the alignment of the eastern boundary of Chapman River foreshore. All of the land in question is zoned 'General Farming' under the Shire's Town Planning Scheme No.1. The reason given for the land swap is to allow for expansion of an existing olive grove located on western side of the railway reserve on Location 2745 – refer to Figure 1 attached to agenda.

Reference is also provided in the DPI correspondence with regard to the old railway reserve being used for a "trails" program. It is understood that the Mid West Trails Group have for some time been keen to establish a trail around and through the Moresby Ranges, and hope to address the Batavia Regional Organisation of Council's (BROC) on their proposal in the near future.

## COMMENT

In consideration of this proposal there is essentially three matters to be considered, the first being the literal exchange of land as proposed, the second relating to existing olive grove on Location 2745, and the third relating to the long term establishment of a trail network associated with the Moresby Ranges:

1. Regarding the land swap there is no perceived reason why the Council should oppose the proposed exchange of land given:
  - it is highly unlikely the old railway reserve would be used for the establishment of a future rail service, mainly due to societal issues;
  - the railway reserve, if used for a different purpose in the future (such as a walk trail), could become an impost on current and future agricultural activities for the owner of Location 2745 and 2189;
  - Re-alignment of the railway reserve along the river foreshore is a logical move to providing for future use of this land and improved access to the River in the long term.

Therefore it is recommended the Council advise DPI (LAMS) it does not raise any objection to the land swap as proposed and sees merits in re-aligning the old railway reserve to follow the eastern boundary of the Chapman River foreshore for future recreational use.

2. On the matter of the olive grove, Council's records do not reflect approval for the intensive agricultural pursuit, although this matter has been raised with the owner of Location 2745 and 2189 with an application for planning consent expected to be lodged prior to Easter. Should this not occur a formal letter will be forwarded to the owner advising that an offence has been committed and requesting an application be lodged within 28 days pursuant to clause 5.5.3 of the Town Planning Scheme.
3. With reference to the trails network, the Mid West Trails Group has for some time been keen to progress the establishment of a walk trail around the Moresby Ranges utilizing the old rail way reserve. Initially the Council held representation on this Group, though over time the Group's structure and direction has waned through a lack of resources and change in members. However, notwithstanding the Groups lack of structure, limited resources and overall ineffectiveness, the long term vision of a trail network using the old railway reserve can only be seen as a plus for tourism in the Mid West and value add to the diversification and development of this portion of the Shire. With that said, a project of this nature should be considered on a strategic level over a long term to be implemented through a staged process. Further, such a project at best should be driven by BROC with assistance/co-operation from the Mid West Development Commission, Tourism WA, Department for Sport and Recreation. Landcorp, Department for Planning and Infrastructure, Regional Partnerships and the Community, including affected landowners. Whilst the current Group is enthusiastic and passionate, it is viewed the success of a walk trail is more likely to be realized through a holistic Government approach.



## STATUTORY ENVIRONMENT

Whilst there is no statutory obligation on Council in relation to the proposed land exchange, as briefly mentioned above, failure to formalise the existing intensive agricultural pursuit will render the activity an offence under clause 5.5.2 the Town Planning Scheme. In this regard the Council is obliged to enforce the provisions of the Town Planning Scheme as stated below;

### Clause 5.5.2

- (a) *A person shall not erect, alter or add to or commence to erect, alter or add to a building or use or **change the use of any land**, building or part of a building for any purpose:*
  - (i) *otherwise than in accordance with the provisions of the Scheme;*
  - (ii) ***unless all consents required by the Scheme have been granted and issued;***
  - (iii) *unless all conditions imposed upon the grant and issue of any consent required by the Scheme have been and continue to be complied with;*
  - (iv) *unless all standards laid down and all requirements prescribed by the Scheme or determined by the Council Pursuant to the Scheme with respect to that building or that use of that part have been or continue to be complied with.*
- (b) ***A person who fails to comply with any of the provisions of the Scheme is guilty of an offence and without prejudice to any other remedy given herein is liable to the penalties prescribed by the Act.***

### Clause 5.5.3

- (a) *Twenty eight (28) days written notice is hereby prescribed as the notice to be given pursuant to section 10 of the Act.*
- (b) *The Council may recover expenses under section 10(2) of the Act in a court of competent Jurisdiction.*

## POLICY IMPLICATIONS

Nil

## FINANCIAL IMPLICATIONS

There are no financial implications associated with this matter, unless the Council resolves to take further action against the landowner in relation to non compliance with the existing intensive agricultural use.

## STRATEGIC IMPLICATIONS

There are no adverse strategic implications in relation to this proposal, although as mention in the comment section of this report, the future use of the old railway reserve as part of a long 'term rails to trails' project through and around the Moresby ranges carries considerable merit for both the Shire and Mid West Region.

## VOTING REQUIREMENTS

Simple majority of Council

## REFER TO NCZ/WALGA

Not applicable

## COUNCIL RESOLUTION/STAFF RECOMMENDATION

### Moved Cr P Forrester seconded Cr B Davidson

That Council resolve to advise DPI (LAMS) it does not raise any objection to the proposed land swap as detailed in its correspondence dated 22 March 2006 (Ref: 01407-1991-01 Job 030938) and sees considerable merit in re-aligning the old railway reserve to follow the eastern boundary of the Chapman River foreshore for future recreational use.

**CARRIED**

**Voting 6/0**

**Minute Reference 04/06-19**

#### 9.2.3 AGENDA ITEM:

SUBJECT: PROPONENT:

SITE:

FILE REFERENCE:

PREVIOUS REFERENCE:

AUTHOR:

#### 9.2.1.3

REQUEST TO WAIVE PLANNING APPLICATION

FEE – WHELARRA REGATTA

CABY

RESERVE 16472 CHAPMAN VALLEY ROAD YUNA

R16472

N/A

IAN D'ARCY

#### DISCLOSURE OF INTEREST

Nil

#### BACKGROUND

With a recent approach from CABY to hold the Whelarra Regatta Shire staff informed CABY that formal planning consent was now required from the Council to hold a public/community event, such as the Regatta.

In accepting this advice CABY prepared and lodged a planning application for the Whelarra Regatta to be held on Saturday 8<sup>th</sup> April 2006, and in lodging the application has requested the \$50.00 planning application fee be waived in the interest of community fund raising. A copy of CABY's application letter is attached for the Council information

The application was in turn assessed under the "Parks, Recreation Grounds, Golf Links, Botanical Gardens, Playing Fields, not used at night" (interpreted as public recreation) use within the Recreation Zoning and Development Table of the Town Planning Scheme. Conditional planning consent was then granted under delegation on the 28<sup>th</sup> March 2006 – refer to Information Item 9.2.2.1 of this report.

#### COMMENT

Although this type of activity is a 'P' (permitted) use in 'Recreation' zone, it is still a requirement for planning consent to be obtained from the Council pursuant to clause 2.3.1 of the Town Planning Scheme No.1, which states;

*2.3.1 Except as otherwise provided in this Clause, a person shall not carry out any development on land within the Recreation Zone, other than the erection of a boundary fence, without first applying for and obtaining the written approval of the Council.*

However, notwithstanding the above, it is not unusual for a community group in lodging a planning application to request the planning fee be waived when the event is about raising funds for other community projects and activities, as is the case with the Whelarra Regatta.

Therefore, on this understanding it is recommended the Council waive the planning fee of \$50.00 for this event.

#### STATUTORY ENVIRONMENT

The Council's Schedule of Planning Fees are based on those recommended in *Planning Regulations, 1997* and adopted through the municipal budget process under the *Local Government Act, 1995*. The Fees are also consistent with the fees charged by the other four members of BROCC.

Presiding Member.....

## STRATEGIC IMPLICATIONS

As reported in May it is apparent from the decision of the SAT that the strategic planning direction for this section of the Shire is acknowledged, as evident from the limited 5 year approval being personal to the applicant and non-transferable.

Furthermore, given the strong interest expressed by developers to acquired land in close proximity to the subject property it is clear that an extended approval of the dog kennel use beyond the five years will be detrimental to the strategic urban growth of this area.

## VOTING REQUIREMENTS

Simple majority of Council is required.

## REFER TO NCZ/WALGA

Not applicable

## COUNCIL RESOLUTION/STAFF RECOMMENDATION

### Moved Cr P Cole seconded Cr P Batten

That Council resolve to:

- (a) Endorse the 'without prejudice' draft conditions to be applied to the approved dog kennel use on Lot 8 North West Coastal Highway, Buller as provided in Attachment 1 to this report, with condition 16 a) amended to read:

*16 a) The landowners must provide to the local government a Management Policy for approval that adequately covers the day to day operations of the dog kennels inclusive of many of the other conditions of approval (ie operating times, access, use of collars) as well as specific procedures and information relating to hygiene, welfare, safety, security, conflict etc. including level of interaction/restraint between dogs and horse activities on the property. The use shall not commence until the Management Policy has been approved by the local government.*

- (b) Forward the draft set of conditions (as provided in recommendation 1 above) to the State Administrative Tribunal via McLeods Solicitors and Barristers.

**CARRIED**

Voting 6/1

Minute Reference 07/06-8

*Cr A Bell and Cr D Bell returned to the meeting 2.50pm*

### 9.2.1.2 AGENDA ITEM:

#### SUBJECT:

#### PROPOSER:

#### SITE:

#### FILE REFERENCE:

#### PREVIOUS REFERENCE:

#### AUTHOR:

### 9.2.1.2

#### PROPOSED INTENSIVE AGRICULTURAL

#### PURSUIT – OLIVE GROVE

#### ARLDUI HOLDINGS PTY LTD

#### LOCATION 2559, 2745, 2189 CHAPMAN VALLEY

#### ROAD YETNA

#### A3

#### N/A

#### IAN D'ARCY

## DISCLOSURE OF INTEREST

Cr P Cole left meeting at 2.50pm declared a proximity interest as an adjoining property.

## BACKGROUND

As flagged with the Council when considering a proposed land exchange involving the disused railway reserve on the above-mentioned properties at the April 2006 ordinary meeting, the landowner was encouraged by Shire staff to submit a planning application in order to formalize the existing olive on the property. Immediately prior to the April meeting an application for planning consent was lodged seeking approval for both the existing and extension to olive grove.

The application indicates three distinct areas of planting, with the two largest located adjacent to and on the eastern side of the Chapman River and the third area bordering the western river bank on Location 2559 (refer to Attachment 1 and Figure 2 below). In total the area of planting is proposed to be 40 hectares, of which 12.8 hectares is already established. In discussion with the landowner following additional information has subsequently been provided:

- The existing olive trees are setback some 8 metres from the property boundary bordering the River;
- The proposal will not affect the historic Yetna Railway Siding by way of removal or clearing of the mature trees;
- A current 'Licence to Take Water' with an approved allocation of 95,000 kl of ground water has been issued by the Department of Water

With regard to the status of the property (includes all three Locations) the following information is offered:

Property size	640 hectares
Zoning	'General Farming' – Town Planning Scheme No.1
Permissibility	- Intensive Agriculture is an 'PS' use (discretionary use of Council)
LRS Planning Precinct	No.3 Chapman Valley - listed as an appropriate land use subject to no detrimental impact of surrounding land and the Chapman River
Planning Policy/s	No.16.70 – Intensive Agriculture – refer to assessment below
Existing Development	Residence, GP Sheds associated with farming practices, and existing olive grove.
Existing Services	Reticulated power and telecommunications, water from existing on farm supplies
Vehicular Access	Bitumen 7.0m seal from Chapman Valley Road and gravel paved via Murphy Yetna Road in good standard
Topography	Overall farming property presents a mix of arable land and mesa areas of varying undulation. Chapman River traverses the farming property in a north south direction
Vegetation	Property consists of areas of cleared pasture with prominent areas of remnant vegetation along Chapman River, disused railway Reserve and mesa hills.
Soil Type/s	Variable mix of alluvial soils with some areas of gravel & sand
Surrounding Land	The adjoining and surrounding land is zoned 'General Farming' where a range of predominantly broad-acre farming activity occurs, with an emergence of intensive agriculture and rural lifestyle uses.
Other	The historic Yetna Railway Siding located at the southern end of Location 2745 is distinguishable as a mound amongst some tall gum trees and a mature pepper tree. The disused railway reserve also traverses the property in north – south direction located between Chapman Valley and River, with a proposal currently being considered by DPI (LAMS) to relocate the reserve to align with the River through an agreed land exchange supported by Council in April 2006.

Upon receiving the application (refer to Attachment 1) notice of the proposal was referred to nearby landowners, the Department of Agriculture and Food, and Department of Environment for comment under clause 5.2 of Town Planning Scheme No.1. In response a total of four submissions were received, two from neighbouring landowners with a further one each from the government agencies.

Of the landowner submissions strong objection has been expressed from one, whilst the other conveyed a level of indifference, yet raised a number of questions regarding the proposal. In this regard the issues of concern and questions raised are summarized as follows:

#### Comments/Concerns

Presiding Member.....



- The amount of water required to support the existing and proposed olive grove would be 9760 kilolitres per hectare or the equivalent amount to service 27 households based on data obtained from Department of Agriculture and Food, and Water Corporation;
- The water table in Chapman Valley has dropped steadily as a result of recent drier than average years;
- A report issued by the Department of Agriculture and Food outlined the fractured nature of bedrock through out the Northampton Block and emphasizes the sporadic availability of water in pockets with evidence that areas in the 1990's are now dry;
- The level of our own well has dropped two metres in the past twelve months, with other nearby landowners expressing similar reduction in ground water availability;
- The Water and Rivers Commission stipulate that applicants are to demonstrate area of cultivation, volume available and amount of ground water required, effect of draw down on surrounding aquifers and long term sustainability of water extraction and usage;
- The subject application fails to address all of the above-mentioned issues/requirements and therefore can not be supported due inadequate information.
- The application also fails to provide any reference to the historic Yetna Railway Siding;
- This application must be considered in conjunction with the proposed land exchange currently being entertained by the Department for Planning and Infrastructure and the applicant (as mentioned in Background Section above), however there is no reference to this proposal in the Olive Grove application;
- We were not consulted over the proposed land exchange, and the minutes of the April meeting were not published on the Shire website until complaint had been lodged;
- The area being given up by the applicant as part of the land exchange is the firebreak and therefore is of little commercial value;
- It would appear part of the historic siding will be cleared to make way for the olive grove with many of the old trees being removed;
- Trees can not be cleared without CALM approval and this area of vegetation is significant local landmark;
- We do not oppose the planting of olives or farm diversification, however this proposal lacks sufficient information and detail.

#### Questions

- Will this proposal result in the enforcement of restrictions on spraying chemicals (to control weeds, insects etc) for uses/activities in close proximity to the olive grove?
- What water sources are going to be used to support the olive grove and will this proposal affect the water table?
- Is there a clear demand of olives?
- Would this proposal have an impact of water supplies to Geraldton?

With regard to the response from government agencies the Department of Agriculture and Food has provided the following information (refer to Attachment 2):

- due to the fractured nature of the bedrock through the Northampton Block groundwater is limited within the Chapman Valley affording niche opportunities for intensive agricultural pursuits;
- since 2000 the water tables have typically declined by 2 – 4 metres in the Chapman Valley area;
- as a general guide olives will require 6 – 8 megalitres of water per hectare per year;
- the proponent will require a licence to extract groundwater with an allocation to be granted by the Department of Water;
- the use of chemicals is regulated by the Australia Pesticides and Veterinary Medicines Authority (APVMA) and if not registered can not be used;
- the local authority is not required to manage the issue chemicals, and in general terms the statutory responsibility or 'duty of care' sits with the person applying the chemicals to not harm themselves or any other person or their property;
- there are no specific laws that apply to application of chemicals for olives, though it is recommended the use of buffers or windbreaks be applied to any approval to minimize spray draft;
- the potential impact of chemicals on a neighbouring land use can only be assessed on a case by case basis;

- the Department of Agriculture and Food supports agricultural diversification and continually seeks to assist in developing opportunities.

The comments provided by the Department of Water are also listed as follows (refer to Attachment 3):

- the proponent holds a current ground water licence GWL 15983 (2) for 95,000 kl of water which is in force until 2010 at which stage a renewal will be assessed;
- an application for an increased allocation has been received and is in draft status GWL 153983 (3);
- the subject area is based on fractured rock, and with considerable demand on ground water in this area, the Department of Water is very interested in working with the community (landowners) to better understand and manage this resource;
- The further allocation of water to the proponent will be granted on a staged basis pursuant to the Department of Waters Staged Development Policy.

A copy of each landowner submission can be provided to Councillors upon request.

## COMMENT

Although the subject property falls with Planning Precinct No.3 – Chapman Valley of the Council's Local Rural Strategy, which promotes farm diversification and identifies intensive agriculture as an acceptable land use, it is important that the Council is satisfied the proposal will not result in land use conflict nor have an adverse impact on the natural environment.

To assist in this regard the Council's Planning Policy 16.70 – Intensive Agriculture specifies minimum criteria to be met (such as lot size, setback distances, buffer) for a horticultural pursuit to be supported. However, this criteria does not address the specific requirements of groundwater availability/quality/entitlement nor use/application of chemical sprays. Instead the Policy effectively places an emphasis on receiving guided advice from government agencies responsible for these matters. Therefore, it is important the Council works with these agencies to ensure best outcome is achieved.

With respect to the issue of water, the advice received from the Department of Agriculture and Food supports many of the statements raised by the neighbours on the sporadic availability and reduction of the water table in the area over recent years, largely attributed to climatic conditions and reduced rainfall. However, the Department has not raised specific concerns over the proposed olive grove, yet has provided generic advice on the amount of water required to support one hectare of olives on an annual basis, being 6 - 8 megalitres. Effectively, this equates to between 240 to 320 megalitres of water based on the proposed 40 hectares of olives. In consideration of this amount the current 'Licence to Take Water' only supports the irrigation of existing 12 hectares of olive trees. In discussion with the Department of Water it is understood the proponent has met all of his current licence conditions and is working with the Department on ground water monitoring to demonstrate the adequacy of this resource. The Department has indicated future allocation of water (to 335,000 kilolitres as applied for) will only be granted at staged intervals based on the results of the monitoring program. This is done to ensure the groundwater table does not drop below an 'un-sustainable' level.

Regarding the use and application of chemicals it is apparent from the advice received that the proposed olive grove is unlikely to have an adverse impact on neighbour activities or the environment provided the use is operated in accordance with statutory requirements and buffer or windbreaks are established. This position is supported given the undulating nature of the property and the areas of planting are adequately setback from productive arable land on neighbouring properties, and the river is well vegetated.

In consideration of the historic Yetna Railway Siding, including the mature trees, the neighbours comments and concerns in protecting this important area due to its cultural and heritage significance is also supported. However, with the landowner having confirmed the olive grove will not affect the Yetna Siding, and the ability for Council to apply specific conditions on a planning consent to protect this heritage area (should it choose to approve the olive grove proposal in part or as a whole), it is suggested this issue is not a matter of real concern.

With regard to the comments made in relation to relocation of the disused railway reserve that currently traverses Locations 2189 and 2745 the following additional comments are offered:

- The responsibility and decision to engage in a land exchange ultimately rests with the Department for Planning and Infrastructure (Land Asset Management Services) and landowner;
- The Council's support for this proposal, as determined at the April 2006 meeting, was based on sound rationale that:
  - it is highly unlikely the old railway reserve will be used for the establishment of a future rail service, mainly due to societal issues;
  - the railway reserve, if used for a different purpose in the future (such as a walk trail), could become a impost on current and future agricultural activities for the owner of Location 2745 and 2189;
  - Re-alignment of the railway reserve along the river foreshore is a logical move to providing for future use of this land and improved access to the River in the longer term.
- The proposal to relocate the old railway reserve was dealt with independent of the olive grove application where comment was sought and provided to DPI (LAMS);
- The suggestion that Council should have consulted with neighbouring landowners over the land exchange proposal is misguided as the Council is elected to represent the community of these matters;
- Irrespective of the proposed land exchange and relocation of the old railway reserve the historic stature and presence of the Yetna Siding can remain and be preserved, either by agreement with the landowner and/or by conditions placed on an approval for the existing and proposed olive grove.

On the questions of demand for olives and impact on Geraldton's water supplies it is not the role of Council to determine market demand nor economic viability, and in any event Geraldton's water is supplied from the Allanooka Bore field which is some what removed and independent of any farm supply linked to this proposal.

## STATUTORY ENVIRONMENT

As reported to Council in April 2006 the existing olive grove has not received Council approval and therefore is technically deemed to be unlawful pursuant to clause 5.5.2 of Town Planning Scheme No.1. However, given the Council determined to accept an application for planning consent in lieu of engaging in enforcement action at the April meeting, the proposal can be considered pursuant to clause 1.7 of the Scheme.

Conversely, should the application in its entirety be refused by Council, the existing olive grove would need to be removed pursuant clause 5.5.2 of the Town Planning Scheme, unless the proponents exercised their right of appeal under the provisions of the *Planning and Development Act, 2005*, which is likely given the level of investment already undertaken.

## POLICY IMPLICATIONS

As mentioned above, this application is to be assessed in accordance with the minimum criteria set under Planning Policy 16.70 – Intensive Agriculture, as listed below:

Intensive Agricultural Use	Min. Lot Size	Min. Setback from Boundaries	Min. Setback from Neighbouring Residence	Min. Setback from a Watercourse or Dam	Min. Vegetation Screening & Buffers
Horticulture	20 ha	40 metres	200 metres	100 metres	5 metres

Furthermore Planning Statement 1(b) states:

- (b) *an acceptable water supply, endorsed/licenced by the Water and Rivers Commission, exists on the property with confirmation to this effect being submitted in writing at the time of application for planning consent.*

Notably the existing olive grove does not meet the required setback distance of 100 metres from the River. However, with the olive trees having been established for some time without complaint or concern being raised, particularly by the Department of Environment, it is recommended this requirement be waived.

On the provision of an acceptable water supply it is apparent the existing olive grove of 12.8 hectares can legitimately be approved with the current water allocation already in place that is routinely monitored by the Department of Water. However, based on the advice from the Department that further allocation of water will only be issued in stages with a direct link to monitoring, approval for planting of the additional olive trees totaling 23.2 hectares should also be tied to the allocation of water. In this regard the approval would support the total 40 hectares of planting with the following condition being imposed:

*The existing and further planting of 23.2 hectares of olive trees shall directly be linked to the approved allocation of groundwater issued by the Department of Water based on the required 6 – 8 megalitres of water per hectare per year. The planting of these trees shall not commence until written proof of water allocation has been provided to the Local Government.*

## **FINANCIAL IMPLICATIONS**

There are no apparent financial implications for Council. However, should the Council refuse the application it is anticipated the proponents will exercise their right of appeal which in turn may result in a cost to Council to defend its decision.

## **STRATEGIC IMPLICATIONS**

The subject property falls within Planning Precinct No.3 of the Local Rural Strategy that broadly promotes and encourages intensive agricultural pursuits through out the Chapman Valley area.

The stated vision for this Precinct is to provide:

*“A diverse range of rural pursuits and incidental tourist developments that compliment the sustainable use of agricultural resources”*

In this regard ‘Intensive Agriculture’ is listed as an acceptable land use providing the Council is satisfied the proposal will not result in land use conflict nor have an adverse impact on the natural environment. In assessment of this application, including comments provided by neighbours and government agencies, it is apparent the proposal warrants favourable consideration based on a staged approach linked to ongoing monitoring and subsequent allocation of water by the Department of Water.

## **VOTING REQUIREMENTS**

Simple majority of Council is required.

## **REFER TO NCZ/WALGA**

Not applicable

## **COUNCIL RESOLUTION/STAFF RECOMMENDATION**

### **Moved Cr P Forrester seconded Cr P Batten**

That Council resolve to grant Planning Consent for the proposed intensive agricultural pursuit (olives grove) on Victoria Location 2559, 2745 and 2189 Chapman Valley Road Yetna, subject to the following conditions and advice:

#### Conditions

- a) This approval applies to the planting of a total of 40 hectares of olive trees (12.8 hectares established and 23.2 hectares proposed) to be undertaken in accordance with the approved site plan dated 19<sup>th</sup> July 2006 that forms part of this approval. Any further planting beyond this area is not permitted, unless otherwise approved by local government.
- b) The existing and further planting of 23.2 hectares of olive trees is directly linked to the approved allocation of groundwater issued by the Department of Water based on the required 6 – 8 megalitres of water per hectare per year. The planting of these trees shall not commence until written proof of water allocation has been provided to the local government.

- c) A 5.0 metre wide tree planting program, consisting of appropriate 'wind break' trees capable of growing to a minimum height of 5.0 metres, shall be established around the 40 hectare olive grove within 12 months from the date of this approval to the satisfaction of the local government.
- d) Any polluted/waste waters arising from the horticultural activities shall not be discharged into the Chapman River or any existing soaks/dams on the property.
- e) The disposal/dumping of wastes arising from the horticultural activities shall be to the specifications and requirements of the Council's Environmental Health Services and the Health Department of WA.
- f) The on-site processing and/or retailing of produce from the property is not permitted, unless otherwise approved by Council.
- g) Any noise generated from the horticultural activities on the property, including machinery motors, vehicles and bird scaring devices shall not exceed the levels set under the Environmental Protection Act and Regulations.
- h) The planting of olive trees and activities associated with the olive grove shall not in any interfere with the heritage values of the disused Yetna Railway Siding on Location 2745, which includes the clearing of the site and removal of any of the mature trees associated with this site.

Advice

- The proponents are advised that the use of chemicals is regulated by the Australia Pesticides and Veterinary Medicines Authority (APVMA). In this regard reference should be made to the 'Code of Practice for the use of agricultural and veterinary chemicals in Western Australia', February 2005 issued by the Department for Agriculture and Food.
- 1. This approval is specifically linked to the approved allocation of groundwater granted by the Department of Water. If the proposed planting of tree has not commenced within a 2 year period from the date of this approval, a new approval must be obtained before commencing or continuing development/activity.
- The applicant is advised that a right of appeal against Council's decision exists in accordance with the provisions of the *Planning and Development Act, 2005*. In this regard contact should be made with the State Administrative Tribunal on 9219 3111 or via website [www.sat.justice.wa.gov.au](http://www.sat.justice.wa.gov.au)

**CARRIED**

**Voting 7/1**

**Minute Reference 07/06-9**

9.2.1.3 AGENDA ITEM:  
  
SUBJECT: PROPONENT:  
  
SITE:  
FILE REFERENCE:  
PREVIOUS REFERENCE:  
AUTHOR:

9.2.1.3  
PROPOSED INTENSIVE AGRICULTURAL PURSUIT  
- LAVENDER  
P & L ELIOTT-LOCKHART  
LOT 2 OF LOCATION 6987 CHAPMAN VALLEY  
ROAD YETNA  
A323  
N/A  
IAN D'ARCY

**DISCLOSURE OF INTEREST**

Cr P Cole declared a proximity interest in this Item and remained outside of the meeting.

**BACKGROUND**

The Council is in receipt of an application (refer to attachment 1) to established 1.8 hectares (5 acres) of lavender on lot 2 of location 6987 Chapman Valley Road Yetna, supported by a 120 m<sup>2</sup> shed and 2 x rainwater tanks with a collective water storage capacity of 63,500 gallons of water.

Presiding Member.....





SHIRE OF  
**Chapman Valley**  
*love the rural life!*

# AGENDA

## COMMUNITY GROWTH FUND ADVISORY GROUP

**31st MARCH 2021  
9:00 AM  
COUNCIL CHAMBERS  
NABAWA**

<b>Community Growth Fund Advisory Group</b>	<p>Purpose: Evaluate application received for funding under the Shire of Chapman Valley Community Growth Fund program in accordance with guideline, policies and procedures set by Council and make recommendations to Council to allocate funds</p> <p><b>Delegation – Nil</b></p>	<p><u>President (Presiding Member) &amp; 3 x Councillors (Members)</u></p> <ul style="list-style-type: none"><li>• Cr Farrell (President)</li><li>• Cr Warr</li><li>• Cr Davidson</li></ul> <p>~ Chief Executive Officer</p> <p>~ Manager Finance &amp; Corp Services</p> <p>~ Community Development Officer</p>
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## DISCLAIMER



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

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

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

A handwritten signature in black ink, appearing to read 'M. Battilana', is positioned above the name and title of the signatory.

Maurice Battilana  
**CHIEF EXECUTIVE OFFICER**

**COMMUNITY GROWTH FUND ADVISORY GROUP MEETING  
9.00AM – 31st MARCH 2021 COUNCIL CHAMBERS, NABAWA**

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

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**ORDER OF BUSINESS**

**1.0 Declaration of Opening / Announcements of Visitors**

**2.0 Record of Attendance**

**2.1 Present**

Committee Member	
Cr Anthony Farrell (President)	
Cr Beverley Davidson	

Officer	Position
Maurice Battilana	Chief Executive Officer
Dianne Raymond	Manager of Finance & Corporate Services
Solataire Cameron	Community Development Officer
Simon Lancaster	Deputy CEO (Observer)

**2.2 Apologies**

Committee Member
Cr Kirrilee Warr

**3.0 Disclosure of Interest**

**Cr Davidson declared an Impartiality Interest as a member of the Chapman Valley Historical Society.**

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."*

**4.0 Petitions / Deputations / Presentations**

**Nil**

## 5.0 Agenda Items

### 5.1 Confirmation of the previous Community Growth Fund Advisory Group notes from 2020/2021.

**MOVED: Cr Farrell**

**SECONDED: Cr Davidson**

The meeting notes from the 2020/2021 Community Growth Advisory Group of the Shire of Chapman Valley be confirmed as a true and accurate record of proceedings. (*Supplied under separate cover*)

**CARRIED**

**Voting F5/A0**

**Minute Reference: CGF 03/21-1**

### 5.2 Consideration of Applications Received and Recommendation to Council

- A copy of the Council approved "Community Growth Fund Operational Procedures – CMP-067" under separate cover for Advisory Group guidance in evaluating applications. (*see Attachment A*)
- Copies of all applications are supplied under separate cover for Advisory Group consideration. (*see Attachment B*)
- Matrix Summary of all applications are supplied under separate cover. (*see Attachment C*)

## ADVISORY GROUP RECOMMENDATION 1

**MOVED: CR Davidson**

**SECONDED: CR Farrell**

Council endorses the following funding allocation under the Shire of Chapman Valley's Community Growth Funds for 2021/2022 budget consideration.

**CARRIED**

**Voting F5/A0**

**Minute Reference: CGF 03/21-2**

2021-22 Community Growth Fund Application Matrix

	Applicants	Contact	Project title	Project description	Project location	Project dates	Budget: details		Budget: Other sources of funding		Budget: In-kind		Budget: Expenditure	
							Total cost of project	How much funding are you applying for	Source	Amount	In-kind	Amount (volunteer time @\$30 per hour)	Source	Cost
2	Chapman Valley Western Riding Club	John Glynn	Nanson Showgrounds arena lighting	Lighting to Arenas	Nanson Show Grounds	October 2021- March 2022	\$85,056	\$10,000	CVWRC	\$10,000	Included on project budget	\$8,320	Multiple components	\$10,000
5	Chapman Valley Historical Society	Pamela Batten	Carport Type Display Structure & Volunteer Workshop	We wish to build and then move old machinery from the open front shed to a carport type structure on the eastern side of the Heritage Centre.	Nanson	2021-22	\$15,800	\$3,000	MLC Laurie Graham CVHS	\$10,000 \$1000	60 volunteer hours x CVHS	\$1,800	Footings & Kit of the carport type structure	\$3,000.00
6	Chapman Valley Agricultural Society	Liz Elliott-Lockhart	Poultry Upgrade of Facilities	Broad upgrade to poultry area	Nanson Showgrounds	Prior to 2021 CV Show	\$5,000	\$5,000	CVAS, will cover any additional costings.	–	15 hours	\$450	subject to quotes being formalised and provided	
8	Chapman Valley Primary School P&C	Megan O'Grady	Mother's Day Moring Tea	Include a key speaker at this event	Nabawa Community Centre	May-22	\$5,000	\$2,000	CVPS P&C	\$3,000	6 P&C members x 90 hours	\$2,700	Key speaker, catering, equipment hire	\$2,000.00
11	For a Better Chapman Valley (FABCV)	Megan O'Grady	2022 Rainmakers Event	sponsorship towards lower ticket sales	Nabawa Community Centre	Mar-22	\$15,000	\$2,000	Yes	\$15,000	100 hours	\$3,000	\$2000 will go directly into reducing ticket prices to attract more people. This will be achieved by the \$2000 covering equipment hire.	\$2,000.00
	Totals							\$22,000						



## **ADVISORY GROUP RECOMMENDATION 2**

**MOVED: CR Davidson**

**SECONDED: CR Farrell**

Review the Corporate Management Procedure and application form with the aim to improve visual acknowledgement of shire contribution/sponsorship towards the event, activity, or project.

**CARRIED**

**Voting F5/A0**

**Minute Reference: CGF 03/21-3**

**7.0 General Business**  
Nil

**8.0 Meeting closure**  
The Presiding Member thanked the Advisory Group members for their attendance and declared the meeting closed at 10.05am.

## CMP-067 Community Growth Fund – Operational

MANAGEMENT PROCEDURE No.	CMP-067
MANAGEMENT PROCEDURE	COMMUNITY GROWTH FUND – OPERATIONAL
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY No.	5.20
RELEVANT DELEGATIONS	

### OBJECTIVES:

### INTRODUCTION

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

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

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

### AIM

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

### 1. OBJECTIVES

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

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

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

### MANAGEMENT PROCEDURE STATEMENT/S:

### 2. RESPONSIBILITY

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

It is the responsibility of the project contact person in the submission to ensure their community project is completed on time, within budget and reporting documents completed.

### 3. CRITERIA

- Arts, culture & entertainment
- Disability Services
- Youth & family services
- Seniors
- Event management & sponsorship
- Natural environment & cultural heritage
- Tourism & promotion
- Sport and recreation
- Health
- Crime prevention & community safety
- Monuments & projects to commemorate
- Events or people
- Upgrading community facilities
- Skill & capacity building

### 4. ESSENTIAL ELIGIBILITY CRITERIA

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

- Council shall consider requests for donations on their individual merit however, generally will decline appeals for applications:
  - ~ of a State or National nature, or
  - ~ if they are not concerned or connected with the Chapman Valley area.
- Be a non-profit organisation and, depending on amount of grant requested, be able to supply audited accounts and annual reports.
- Demonstrate a substantial degree of community support and representation
- Undertake to give due recognition to the Shire of Chapman Valley for its contribution to their activities
- Reflect the objectives and strategy of the larger association (Local, Regional, State or National). E.g. Tennis West ...and Shire of Chapman Valley Strategic Community Plan <http://www.chapmanvalley.wa.gov.au>
- Agree to complete a specified evaluation/project completion report including an invoice for agreed project grant amount. *Failure to do so may render the applicant ineligible for future funding.*
- As a general principle, funds for any project may only be considered where maximum Government (State and Federal) funding has been obtained, the Club, or Organisation, is ineligible for Government funding, or Government funding has been refused (in whole or part).
- The Shire will be seeking evidence of procurement of, or attempted procurement of, Government grant monies.
- It must be demonstrated the Shire funding is necessary to the success of the project.
- Detailed project financial information including budget estimates, quotes etc. accompanied by project drawings and specifications, to a satisfactory standard, must be provided.
- Detailed financial information about the Club or Organisation will also need to be provided. Such information will need to include financial statements.

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

- Achieve or demonstrate recognition in their field of endeavour at a State, National or International level. Recognition at a regional level may be considered in special circumstances.
- Demonstrate a substantial degree of community support.
- Provide a letter of support from the Association or Organisation relevant to their field of endeavour
- Provide the names and contact details of two referees.
- Undertake to give due recognition to the Shire of Chapman Valley for its contribution to their activities.

- Agree to complete a specified evaluation report. *Failure to do so may render the person ineligible for future funding.*
- Funding application requests for individuals will only be to a maximum of \$1000.00.

## **5. APPLICATIONS**

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

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

## **6. FUNDING REQUIREMENTS**

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

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

- amount requested;
- grant purpose;

Other documents we may require are:

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

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

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

Some applications for grants in excess of \$10,000 may be deemed inappropriate under the Community Growth Fund guidelines and redirected to other funding avenues, such as the Ministry of Sport and Recreation 'Community Sporting and Recreation Facilities Fund' (CSRFF), or Lotterywest. Please discuss grant applications for major capital works (e.g. clubroom renovations/upgrades, new facilities) with the Community Development Officer.

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

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

Please discuss your event plans with the Community Development Officer.

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

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

## **7. ASSESSMENT AND APPROVAL PROCESS**

### **ACKNOWLEDGMENT OF APPLICATIONS**

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

### **ASSESSMENT PROCESS**

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

### **ASSESSMENT CRITERIA**

- All applications will be assessed against the following criteria at a minimum: Ability to achieve tangible and/or measurable outcomes for the benefit of the Shire of Chapman Valley community;
- Effort for cooperative and partnership arrangements with others;
- Relevance to the current issues and status of the community;
- Evidence of consultations with relevant others in and out of Chapman Valley;
- Levels of volunteer participation and wider community participation;
- Funding history and profile, and capacity to make a significant financial or in-kind contribution to the project;
- Other state/ federal funding available to the applicant;
- Alignment and/or linkages with Local, Regional, State or National Strategic Plans or Objectives of associated organisations.

Additional criteria including the following may be assessed:

- Quotes as relevant to the project being provided or not provided;
- Asset ownership and ongoing whole of life maintenance and replacement responsibility;
- Applicants ability to fund a project upfront through a reimbursement process once project completion is achieved or if the Shire is required to auspice the process on the applicant's behalf;

### **NOTIFICATION OF OUTCOME**

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

### **PUBLICITY**



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

## **FREEDOM OF INFORMATION**

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

## **8. DISBURSEMENT OF GRANTS**

Where Council considers the information provided by the applicant in accordance with these guidelines to be satisfactory, the provision of any funds will be in accordance with the following;

- At the time of approving the grant, Council may elect to act as an auspicing body for the grant recipient. All expenditure for grant funding is to be discussed with the administration prior to any transactions being undertaken.
- If not auspicing for the grant recipient, payment will only be made at the conclusion of the project, subject to supply of final report and tax invoice, in strict accordance with the determination as to amount and conditions set by Council; unless otherwise agreed upon.

Council reserves the right to approve/decline any application irrespective of previous decisions of a similar nature and no prior decision in any way or manner can be construed as setting a precedent.

## **9. GRANT CONDITIONS**

### **PERIOD OF FUNDING**

Community Growth Fund grants will follow an annual timeline as outlined below:

- a) February – Applications open;
- b) March - Applications close;
- c) March/April - Advisory Group determination & recommendation to Council;
- d) April – Council determination on projects to be placed into draft budget;
- e) July – Council endorsement of Draft budget and confirmation of successful CGF submissions;
- f) July/August – Successful & Unsuccessful applicant formally advised.

Grant funding confirmed in the Shire budget in the July must be expended by 20<sup>th</sup> June the following year, unless agreed otherwise at the outset OR a written request for an extension and carry-over of funds is made to, and approved by, the Chapman Valley Shire Council.

If Council endorse the carry-over of grant funds into the next financial year these funds will be transferred to a Reserve Fund under the conditions:

- a) Funds must be spent and acquitted in the next financial year (i.e. funds will not be carried over again beyond this year);
- b) Any unspent funds after the initial carry-over into the next financial year are to be placed back into the Municipal Fund before the end of that year; and
- c) the grant recipient will not be eligible to receive any further CGF grants until the current allocated funds have been fully acquitted.

### **PURPOSE OF GRANT**

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

## UNSPENT FUNDS

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

## ABN/GST REGISTERED

Incorporated applicants must have an ABN. GST registration is not essential; however, the Shire is obliged to meet all relevant GST legislative requirements. Please ensure your budget figures included in your application are **GST EXCLUSIVE**.

## MANAGEMENT LICENCE OR SIMILAR ARRANGEMENT

Any application made which is subject to a Management Licence or similar arrangement will only be approved subject to the condition the applicant endorses any amendments required to the Management Licence or similar arrangement relevant to the application and project.

## STATUTORY PERMITS/APPROVALS

All projects subject to statutory permits/approvals (e.g. planning, building, environmental, heritage, events applications, etc.) will only be approved upon the condition all such approvals are in place before project is to commence.

## 10. EVALUATION AND ACQUITTAL

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

Information to be provided will include:

### FINANCIAL REPORT

- A statement of actual and budgeted expenditure in relation to the grant. For grants of \$10,000 and over an independent audit may be required as determined by the Chief Executive Officer.
- Copies of supporting documentation such as of receipts, invoices, accounts and financial statements

## GRANT EVALUATION/COMPLETION REPORT

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

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

- Demonstrated the Shire funding is necessary to the success of the project

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

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

#### APPLICATION FORM – COMMUNITY GROWTH FUND

Contact Details	
Name of Organisation:	Click here to enter text.
Contact Person:	Click here to enter text.
Contact number/s:	Click here to enter text.
Address:	Click here to enter text.
Postal Address:	Click here to enter text.
Website:	Click here to enter text.
Email:	Click here to enter text.

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

Banking Details	
ABN:	Click here to enter text.
Name of Account:	Click here to enter text.
Name of Bank:	Click here to enter text.
BSB:	Click here to enter text.
Account Number:	Click here to enter text.
Branch Name:	Click here to enter text.
Account Holders Signature:	Click here to enter text.

Please provide a brief description of your organisation:

[Click here to enter text.](#)

## Project Summary

Project Title:	Click here to enter text.
Proposed Start Date:	Click here to enter text.
Proposed Finish Date: ( <b>must be prior to 20<sup>th</sup> June</b> )	Click here to enter text.
Location/Venue:	Click here to enter text.
Is the project being undertaken on private land or Shire of Chapman Valley owned property?	
Please provide a brief description of the project that you require funding assistance for and its objectives (attach extra sheet if you need more space):	
Click here to enter text.	

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

Click here to enter text.

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

Click here to enter text.

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

Click here to enter text.

## Acknowledgement

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

Click here to enter text.

## Financial Information

Does your organisation have the ability to fund this project upfront and receive grant funding through a reimbursement process? Y/N

Does your organisation require the Shire of Chapman Valley to act as an auspicing body for your grant funds? Y/N

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

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



Income		
Funding Source	\$ (EX. GST)	Confirmed Y/N
Amount Requested from the Shire of Chapman Valley	\$	N/A
Amount Contributed by your Organisation (Cash)	\$	\$
Amount Contributed by other Grants or Sponsorships:	\$	\$
•	\$	\$
•	\$	\$
•	\$	\$
In-Kind Contribution (e.g.: volunteer time @ \$30 hour)	\$	\$
•	\$	\$
•	\$	\$
<b>*TOTAL</b>	\$	\$
Expenditure (please specifically outline how Shire funds will be used)		
Project Costs	\$ (EX. GST)	Confirmed Y/N
In-Kind Contribution (Matched to income above)	\$	\$
Shire funding (please itemise below):	\$	\$
•	\$	\$
•	\$	\$
•	\$	\$
Other (please list below):	\$	\$
•	\$	\$
•	\$	\$
•	\$	\$
<b>*TOTAL</b>	\$	\$

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

### Authorisation by President/Secretary

I [Click here to enter text.](#) (President/Secretary) authorise this application for a Community Growth Fund Grant to be considered for approval.

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

I also authorise to being contacted by the Shire's and consent for the Shire using images of me and quotes provided by me for promotional purposes, including but not limited to news reports, articles, media releases and the Shire website.  
[Click here to enter text.](#) Day/Month/Year

Signature

Date



**Before you send your application – please ensure that you have completed the following.  
Please answer each item when it has been completed or attached.**

- ☐ Completed all questions in the application form, including a detailed Budget that indicates where Shire funds will be spent.
  - ☐ Application has been signed by President/Secretary. Where an application is being submitted by a non-incorporated organisation that has a sponsoring organisation, please ensure the sponsoring organisation signs the Declaration.
  - ☐ Support letters or testimonials (optional).
  - ☐ A copy of this application has been retained for your records.
  - ☐ Proof of Incorporation (or letter from sponsoring organisation).
  - ☐ Public Liability Insurance (Certificate of Currency).
  - ☐ Quotes
- Y/N Is Project subject to an existing Management Licence or similar arrangement
- Y/N Is Project subject to a Statutory Permit/Approval (e.g. Building, Planning; Event; etc.)
- Y/N Is Project to be undertaken on Shire of Chapman Valley owned property?

**For any assistance, please contact:**

Shire of Chapman Valley's Community Development Officer

Phone: (08) 99 205011

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

**Application submission**

*By post:*

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

*Email:*

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

*Hand delivery:*

Shire Offices - Reception  
3270 Chapman Valley Road, Nabawa, WA 6532  
9.00am – 4.00pm

**Closing date**

All applications must be received by \_\_\_\_\_ 201

**SHIRE OFFICE USE ONLY**

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

☐ Approved for receipt of Community Growth Fund Grant

☐ Declined for receipt of Community Growth Fund Grant

**Amount of Funds released \$**

**FILE No.:**

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

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

\_\_\_\_\_  
Date

**ADDITIONAL EXPLANATORY NOTES:****ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:**

**Adopted – Council Resolution:**

**Reviewed/Amended – Council Resolution:**

**03/21-10**



**ANNUAL GENERAL MEETING OF THE CHAPMAN VALLEY BUSHFIRE  
BRIGADES GROUP MANAGEMENT ADVISORY COMMITTEE  
TO BE HELD IN THE COUNCIL CHAMBERS, NABAWA  
MONDAY 8<sup>th</sup> APRIL 2021  
COMMENCING AT 5. 12PM**

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## UNCONFIRMED MINUTES

### 1.0 ATTENDANCE & APOLOGIES

*(Note: Brigades are invited to bring other representative along to the meeting. However, such representatives will have "Observer" status only).*

#### ATTENDANCE

Cr Anthony Farrell	President/Presiding Member
Cr Trevor Royce	Council Representative
Andrew Vlahov	Chief Bush Fire Control Officer
Neil Kupsch	Deputy CBFCO/Nabawa Brigade
Jason Batten	FCO Yetna Brigade
Darryl Burton	FCO Durawah/Valentine Brigade
Shaun Earl	FCO Yuna Brigade
Maurice Battilana	Chief Executive Officer
Earl O'Donnell	Ranger/Fire Prevention Officer

#### OBSERVERS

Nil	
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#### APOLOGIES

Calvin Royce	FCO Howatharra Brigade
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### 2.0 OPENING ADDRESS

The President, Cr Farrell welcomed Members and Observers and declared the meeting open at 5:12pm.

### 3.0 DECLARATION OF INTEREST

Nil

#### **4.0 CONFIRMATION OF MINUTES**

**MOVED: A VLAHOV**

**SECONDED: E O'DONNELL**

- 4.1 Confirmation of Minutes of the Annual General Meeting of the Chapman Valley Bushfire Brigades Group Management Advisory Committee held Tuesday 2<sup>nd</sup> April 2019.

**CARRIED**  
**Voting 9/0**  
**Minute Ref: BFB 4/21-01**

- 4.2 Business Arising from Minutes.

Nil

#### **5.0 CORRESPONDENCE**

Nil

#### **6.0 ELECTION OF OFFICERS FOR COUNCIL APPROVAL – ALL ONE YEAR TERMS**

**MOVED: E O'DONNELL**

**SECONDED: A VLAHOV**

- |     |                                       |                         |                         |
|-----|---------------------------------------|-------------------------|-------------------------|
| 6.1 | Chief Fire Control Officer            | Current Position Holder | A Vlahov                |
| 6.2 | Deputy Chief Bushfire Control Officer | Current Position Holder | N Kupsch                |
| 6.3 | Fire Prevention Officer               | Current Position Holder | E O'Donnell             |
| 6.4 | Group Training Officer                | Current Position Holder | E O'Donnell             |
| 6.5 | Group Administrative Officer          | Current Position Holder | Chief Executive Officer |
| 6.6 | Noxious Weed & Clover Permit Officer  | Current Position Holder | A Vlahov                |
| 6.7 | Fire Weather Officer                  | Current Position Holder | A Vlahov                |
|     | Deputy Fire Weather Officer           | Current Position Holder | N Kupsch                |

(Note: All terms of office will commence upon endorsement by Council and subject to condition stated in Corporate Management Procedure EMP-005.)

**CARRIED**  
**Voting 9/0**  
**Minute Ref: BFB 4/21-02**

#### **7.0 ENDORSEMENT OF APPOINTMENTS OF BUSHFIRE CONTROL OFFICERS**

**MOVED: E O'DONNELL**

**SECONDED: N KUPSCH**

The following be recommended as appointed Bushfire Control Officers:

- Darryl Burton – Durawah/Valentine Brigade
- Calvin Royce – Howatharra Brigade
- Neil Kupsch – Nabawa Brigade
- Craig Mincherton – Naraling Brigade
- Jason Stokes – Yetna Brigade
- Shaun Earl – Yuna Brigade



(Note: All terms of office will commence upon endorsement by Council and subject to condition stated in Corporate Management Procedure EMP-005.)

**CARRIED**  
**Voting 9/0**  
**Minute Ref: BFB 4/21-03**

## **8.0 FIRE BREAK NOTICE/ANNUAL INSPECTIONS**

### **8.1 Firebreak Notice**

**MOVED: A VLAHOV                      SECONDED: N KUPSCH**

The Committee recommend Council endorse the existing Bush Fire Notice as presented.

**CARRIED**  
**Voting 9/0**  
**Minute Ref: BFB 4/21-04**

### **8.2 Annual Inspections**

**MOVED: A VLAHOV                      SECONDED: J STOKES**

It is recommended to Council the Annual Inspection procedures remain the same.

**CARRIED**  
**Voting 9/0**  
**Minute Ref: BFB 4/21-05**

## **9.0 ANNUAL REPORTS**

### **9.1 Chief Bush Fire Control Officer – A Vlahov**

- Thanks the Shire, staff, volunteers and all FCO's and brigade members for their assistance over the past year.
- Highlighted the Brad Smith & Northern Gully fires and the two major events in the past twelve months.
- There were several other smaller fires during the year.

### **9.2 Department of Fire and Emergency Services**

Not in attendance – No Report provided.

### **9.3 Fire Prevention Officer – E O'Donnell**

#### **Vehicles**

During the past two years since the last report, all the Shire light tankers and 4.4 were serviced every 12 months by the Shire mechanic. New batteries fitted where needed.

Trickle charges were provided for all DFES provided vehicles with three being used.

Each month the vehicles have the A.V.L tests carried out and all radios and tracking devices are working as required.

All fire extinguishers are serviced regularly.

### **Training**

A small course on basic firefighting was attended by all Shire outside workers and some farmworkers approx.. 14 persons attended.

A first aid course including the use of the defibrillator is planned for this year after the fire season.

FCO Training Course has been set for the 7<sup>th</sup> July 2021

#### 9.4 Other Reports

Nil

**MOVED: J STOKES**

**SECONDED: N KUPSCH**

All reports be received with no further action necessary.

**CARRIED**  
**Voting 9/0**  
**Minute Ref: BFB 4/21-06**

## **10.0 MAINTENANCE & CAPITAL REPLACEMENT PROGRAMMES**

### 10.1 Chief Executive Officer

A copy of the 2021/2022 Bushfire Capital and Operating budget was presented to the Committee for information only.

#### Action

CEO is to Contact be made with DFES to ascertain if an additional Fast Attach unit could be located at Howatharra.

## **11.0 FUTURE CONTROL BURNING OF RESERVES**

### 11.1 Department of Biosecurity, Conservation & Attractions (DBCA)

Not in attendance – No Report provided.

## **12.0 GENERAL BUSINESS**

### 12.1 New Work Health & Safety legislation & Industrial Manslaughter Issue

This matter was discussed at length and the CEO advised the four coastal LGAs are looking into this issues and will be presenting this for further discussion with their Councils and the Brigades.

No further action required at this stage.

12.2 FCO Identification Cards/Vehicle ID Stickers

CEO to arrange to reissue FCO ID Cards and seek new Vehicle ID Stickers if these are still required.

**13.0 NOMINATIONS FOR PRESENTATION OF LONG SERVICE MEDALS**

Nil

**14.0 CLOSURE**

The President thanked Members for their attendance and declared the meeting closed at 6.11pm

## BUSH FIRE CONTROL OFFICERS

**Chief Bush Fire Control Officer & Fire Weather Officer**  
 Andrew Vlahov Ph: 9920 5144  
 UHF: 5 Mob: 0427 205 144

**Nabawa Brigade, Deputy Chief Bush Fire Control Officer & Deputy Fire Weather Officer**

**Local Bush Fire Control Officer:**  
 Neil Kupsch Ph: 9920 5050  
 UHF: 4 Mob: 0429 108 289

(in the absence of the Chief Bush Fire Control Officer/Fire Weather Officer, the Deputy becomes the Acting Chief Bush Fire Control Officer/Fire Weather Officer)

### Naraling Brigade

**Local Bush Fire Control Officer:**  
 Craig Mincherton Ph: 9920 3033  
 UHF: 33 Mob: 0417 957 075

### Howatharra Brigade

**Local Bush Fire Control Officer:**  
 Calvin Royce Ph: 9925 1010  
 UHF: 29 Mob: 0427 251 016

### Yetna Brigade

**Local Bush Fire Control Officer:**  
 Jason Stokes Ph: 9920 5555  
 Mob: 0407 388 511

### Yuna Brigade

**Local Bush Fire Control Officer:**  
 Shaun Earl Mob: 0429 108 425  
 UHF: 20

### Durawah/Valentine Brigade

**Local Bush Fire Control Officer:**  
 Darryl Burton Mob: 0428 241 191  
 UHF: 26

### Shire and Emergency Two-way Radio Channel

UHF: 11 Senior Ranger: 0428 948 073

**Bush Fire Services  
FESA**

**Ph: 9956 0000**



## CONTRACTORS

Morgan Mowing	0439 242 993
Central Earthmoving	0459 301 851
Graham Hancock	0408 230 421
Midwest Mulching & Mowing	0429 341 306
Aussie Tree Services	office (08) 9964 2200
<b>(Tree Removal / Pruning only)</b>	0428 382 800
Ivey Contracting <b>(Grading only)</b>	0428 840 935

### Tree plantations of more than 3.0Ha but less than 10.0Ha

Construct a 10m wide mineral earth firebreak with a 4m high vertical clearance; clear of all inflammable material immediately surrounding the plantation (adjacent areas of the same property subject to provisions as for rural land).

### Plantations larger than 10Ha

Must comply with the Code of Practice for Timber Plantations in the Western Australia Guideline for Plantation Fire Protection Shire of Chapman Valley Local Planning Policy 'Agroforestry'.

## PENALTIES

Failure to maintain a firebreak as per firebreak order	<b>\$250</b>
Offence relating to lighting a fire in the open air	<b>\$250</b>
Setting fire to bush during prohibited burning period	<b>\$250</b>
Failure of Occupier to extinguish a bushfire	<b>\$250</b>
Refusal to state name and abode or stating a false name and abode	<b>\$100</b>
Failure to produce permit to burn	<b>\$100</b>

Fire Control Officers are not obliged to issue permits. Permits cannot be issued over the phone and should a Fire Control Officer refuse to issue a permit, it's a breach of the Bush Fire Act 1954 to request a permit from another Fire Control Officer. You MUST have a copy of the permit on you during the burn.



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## FIRST AND FINAL Fire Break Notice 2020/21 Period

### SECTION 33 BUSH FIRE ACT

### PROHIBITED BURNING PERIOD

#### YUNA (Zone 2)

15 October to 14 February  
**All OTHER AREAS (Zone 4)**  
 15 October to 14 February  
**STRICTLY NO BURNING**

### RESTRICTED BURNING PERIOD

#### YUNA (Zone 2)

1 September to 14 October  
 15 February to 7 April  
**All OTHER AREAS (Zone 4)**  
 1 September to 14 October  
 15 February to 7 April  
**PERMITS ARE REQUIRED**

### COMPULSARY FIREBREAKS

#### (Zone 4)

**Nabawa / Yetna / Howatharra Brigades**  
 15 October to 7 April

### FIRST AND FINAL NOTICE IS HEREBY SERVED TO ALL RESIDENTS AND RATEPAYERS

Failure to install and maintain firebreaks in accordance with this notice may result in a \$5,000 fine.



## HARVESTING OPERATIONS

1. No harvesting operations are permitted on **Christmas Day, Boxing Day and New Years Day**. A separate fire fighting fire appliance is required to be present in any paddock being harvested, churning, raking stubble, straw baling and associated allied activities during restricted and prohibited periods. The fire fighting unit must be in a state of readiness and have a minimum capacity of 400L of water, a powered pump and hose. The farm fire fighting unit should be parked on bare ground in or near the harvesting or working area.
2. A Harvesting and Movement Ban and Use of Internal Combustion Engines (except for the watering and movement of stock) will be imposed when the actual weather conditions reach a Fire Danger rating of thirty five (35) on the maximum wind speed at the weather stations of two (2) bush fire brigades. All such bans are at the discretion of the Chief Bush Fire Control Officer or a duly appointed person.

If a ban has been imposed, all persons registered will be sent a text message advising of details. All bans will still be broadcast on radio:

**ABC State wide AM  
98.1 FM & 96.5 FM**

**NOTE:** Attention of landowners is drawn to the fact that this order allows for provision of firebreaks in situations other than immediately with property boundaries subject to approval. The Chief Bush Fire Control Officer and appointed Fire Control Officers have been authorised to act for Council in this matter.

**FAILURE TO INSTALL AND MAINTAIN  
FIREBREAKS IN ACCORDANCE WITH  
THIS NOTICE MAY RESULT IN A  
\$5,000 PENALTY**

## BUSH FIRES ACT 1954 AS AMENDED

Notice is hereby given to all land owners in areas requiring compulsory firebreaks that these must be installed by 15 October and maintained free of flammable material as required under the Bush Fire Act 1954 and in accordance with this Notice, approved fire management plans or approved variations to this Notice.

### PROPERTIES WILL BE INSPECTED TO ENSURE COMPLIANCE WITH COUNCILS REQUIREMENTS

#### SMALL LOTS RESIDENTIAL & SPECIAL RURAL / RURAL RESIDENTIAL / RURAL SMALL HOLDINGS UP TO 3.0HA

Mowed, slashed to a maximum height of 7.5cm. Mineral earth (bare earth) firebreaks not permitted.

All structures and buildings must have a minimum 2m clearance of all flammable material. All dead trees, shrubs must be removed from block unless application is made to retain dead trees, shrubs prior to 15 October and approved. Exemptions will only be considered if presented in writing by 15 October.

#### RESIDENTIAL & SPECIAL RURAL / RURAL RESIDENTIAL / RURAL SMALL HOLDINGS 3.0HA PLUS

Fire breaks must be mineral earth (bare earth) a minimum 3m wide and have minimum overhead clearance 4m or have flammable material graded, mowed or slashed to a maximum height of 7.5cm over the entire property (excluding managed vegetation such as ornamental trees, distinct islands of vegetation remote from boundaries and assets).

All structures and buildings must have a minimum 3m clearance of all flammable material. All dead trees, shrubs must be removed from block unless application is made to retain dead trees, shrubs prior to 15 October and approved. Exemptions will only be considered if presented in writing by 15 October.

If it is considered for any reason to be impracticable to clear firebreaks as required by this notice, or if you consider natural features render firebreaks unnecessary, you may make your case in writing to the Shire.

#### FUEL PUMPS (FUEL DEPOTS)

On or before the 15 October all grass and similar material is to be cleared from such places where drum ramps are located and where drums, empty or full, are stored and such areas to be maintained cleared of grass and similar flammable material until 7 April.

#### FIRE MANAGEMENT PLANS

If your property has an approved fire management plan in place then you are to comply with the requirements of that plan in full.

#### FARM BUILDINGS AND UNATTENDED ELECTRIC MOTORS AND HAY STACKS

Fire breaks at least 2m in width completely surrounding and not more than 20m from the perimeter of any building, group of buildings or haystacks. All flammable material must be removed from an area 3m in width immediately surrounding the building. All flammable material must be removed from an area 3m in width immediately surrounding an unattended electric motor site.

#### UNATTENDED FUEL OPERATED MOTORS

All flammable material must be removed from an area 2m in width immediately surrounding an unattended fuel operated motor whether the motor is intended to be used or not.

#### RURAL LAND

Firebreaks must be provided not less than 2m in width inside and along the whole of the external boundaries of the properties owned or occupied; where this is not practicable the firebreaks must be provided as near as possible to, and within, such boundaries.

#### BARBEQUES AND INCINERATORS

Gas and electric barbeques are permitted any time. Solid fuel barbeques and incinerators are **PROHIBITED** on days of VERY HIGH FIRE DANGER or above.

#### PENALTY

The penalty for failing to comply with this notice is a fine of up to \$250 and a person in default is also liable, whether prosecuted or not, to pay the cost of performing the work in this notice. If it is not carried out by the owner or occupier by the date required by this notice.





## HARVESTING OPERATIONS

1. No harvesting operations are permitted on Christmas Day, Boxing Day and New Years Day. A separate fire fighting fire appliance is required to be present in any paddock being harvested, churning, raking stubble, straw baling and associated allied activities during restricted and prohibited periods. The fire fighting unit must be in a state of readiness and have a minimum capacity of 400L of water, a powered pump and hose. The farm fire fighting unit should be parked on bare ground in or near the harvesting or working area.
2. A Harvesting and Movement Ban and Use of Internal Combustion Engines (except for the watering and movement of stock) will be imposed when the actual weather conditions reach a Fire Danger rating of thirty five (35) on the maximum wind speed at the weather stations of two (2) bush fire brigades. All such bans are at the discretion of the Chief Bush Fire Control Officer or a duly appointed person.

If a ban has been imposed, all persons registered will be sent a text message advising of details. All bans will still be broadcast on radio:

**ABC State wide AM  
98.1 FM & 96.5 FM**

**NOTE:** Attention of landowners is drawn to the fact that this order allows for provision of firebreaks in situations other than immediately with property boundaries subject to approval. The Chief Bush Fire Control Officer and appointed Fire Control Officers have been authorised to act for Council in this matter.

**FAILURE TO INSTALL AND MAINTAIN  
FIREBREAKS IN ACCORDANCE WITH  
THIS NOTICE MAY RESULT IN A  
\$5,000 PENALTY**

## BUSH FIRES ACT 1954 AS AMENDED

Notice is hereby given to all landowners/occupiers within the Shire of Chapman Valley that fire-breaks must be installed for Zone 2 by 1 October and Zone 4 by 21 October and maintained of flammable material as per requirements

in relation to Section 33 of the above, in accordance with this notice, approved fire management plan or approved variation to this notice.

### PROPERTIES WILL BE INSPECTED TO ENSURE COMPLIANCE WITH COUNCILS REQUIREMENTS

#### SMALL LOTS RESIDENTIAL & SPECIAL RURAL / RURAL RESIDENTIAL / RURAL SMALL HOLDINGS UP TO 3.0HA

Mowed, slashed to a maximum height of 7.5cm. Mineral earth (bare earth) firebreaks not permitted.

All structures and buildings must have a minimum 2m clearance of all flammable material. All dead trees, shrubs must be removed from block unless application is made to retain dead trees, shrubs prior to 21 October and approved. Exemptions will only be considered if presented in writing by 21 October.

#### RESIDENTIAL & SPECIAL RURAL / RURAL RESIDENTIAL / RURAL SMALL HOLDINGS 3.0HA PLUS

Fire breaks must be mineral earth (bare earth) a minimum 3m wide and have minimum overhead clearance 4m or have flammable material graded, mowed or slashed to a maximum height of 7.5cm over the entire property (excluding managed vegetation such as ornamental trees, distinct islands of vegetation remote from boundaries and assets).

All structures and buildings must have a minimum 3m clearance of all flammable material. All dead trees, shrubs must be removed from block unless application is made to retain dead trees, shrubs prior to 21 October and approved. Exemptions will only be considered if presented in writing by 21 October.

If it is considered for any reason to be impracticable to clear firebreaks as required by this notice, or if you consider natural features render firebreaks unnecessary, you may make your case in writing to the Shire.

#### FUEL PUMPS (FUEL DEPOTS)

On or before the 21 October all grass and similar material is to be cleared from such places where drum ramps are located and where drums, empty or full, are stored and such areas to be maintained cleared of grass and similar flammable material until 15 March.

#### FIRE MANAGEMENT PLANS

If your property has an approved fire management plan in place then you are to comply with the requirements of that plan in full.

#### FARM BUILDINGS AND UNATTENDED ELECTRIC MOTORS AND HAY STACKS

Fire breaks at least 2m in width completely surrounding and not more than 20m from the perimeter of any building, group of buildings or haystacks. All flammable material must be removed from an area 3m in width immediately surrounding the building. All flammable material must be removed from an area 3m in width immediately surrounding an unattended electric motor site.

#### UNATTENDED FUEL OPERATED MOTORS

All flammable material must be removed from an area 2m in width immediately surrounding an unattended fuel operated motor whether the motor is intended to be used or not.

#### RURAL LAND

Firebreaks must be provided not less than 2m in width inside and along the whole of the external boundaries of the properties owned or occupied; where this is not practicable the firebreaks must be provided as near as possible to, and within, such boundaries.

#### BARBEQUES AND INCINERATORS

Gas and electric barbeques are permitted any time. Solid fuel barbeques and incinerators are **PROHIBITED** on days of VERY HIGH FIRE DANGER or above.

#### PENALTY

The penalty for failing to comply with this notice is a fine of up to \$250 and a person in default is also liable, whether prosecuted or not, to pay the cost of performing the work in this notice. If it is not carried out by the owner or occupier by the date required by this notice.



## EMP-005 Fire Control Officer Appointments

MANAGEMENT PROCEDURE No.	EMP-005
MANAGEMENT PROCEDURE	FIRE CONTROL OFFICER APPOINTMENTS
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY/PROCEDURE No.	3.90
RELEVANT DELEGATIONS	

**OBJECTIVES:**

This Operational Procedure provides the eligibility criteria for a person to be appointed as a Bush Fire Control Officer with the following objectives:

1. To ensure that a person has the relevant qualifications necessary to hold the position of Bush Fire Control Officer (BFCO); and
2. To ensure that these qualifications are maintained by the appointed Bush Fire Control Officer (BFCO).

**MANAGEMENT PROCEDURE STATEMENT/S:**

1. To be eligible for appointment as a Bush Fire Control Officer, a person must have completed the Bush Fire Control Officer Training Program not more than ten (10) years prior to appointment.
2. Notwithstanding Item 1 above, a person will be eligible for appointment as a Bush Fire Control Officer if they complete the Bush Fire Control Officer Training within six (6) months of appointment.
3. For a person to continue as a Bush Fire Control Officer, they must complete the Bush Fire Control Officer's Course or a refresher course at intervals of no more than every ten (10) years.
4. Nominations from Brigades shall be submitted to a Bush Fire Brigades Group Management Advisory Committee for recommendation to Council by 1 October, where applicable.
5. An appointment shall be for a period of one (1) year, unless revoked by Council. Bush Fire Control Officers will be eligible for reappointment unless their appointment was revoked by Council.

**ADDITIONAL EXPLANATORY NOTES:****ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:**

Adopted – Council Resolution:	10/01-10
Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32; 09/16-5







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# **Disability Access & Inclusion Plan**

***2021-2025***

Full Reviewed 21 March 2018 (Minute Reference: 03/18-4)  
Desktop Internal Review – April 2019, March 2020, March 2021

# Contents

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- 1.0 Responsibility for the Disability Access and Inclusion Plan
- 2.0 Background
  - 2.1 The Shire of Chapman Valley
  - 2.2 Functions, facilities and services provided by the Shire of Chapman Valley
  - 2.3 People with disability in the Shire of Chapman Valley
  - 2.4 Planning for better access
  - 2.5 Progress since 1995
- 3.0 Access and Inclusion Policy Statement
- 4.0 Strategies to Improve Access and Inclusion
- 5.0 Development of the Disability Access and Inclusion Plan
  - 5.1 Responsibility for the planning process
  - 5.2 Community Consultation
  - 5.3 Findings of the consultation
  - 5.4 Responsibility for implementing the DAIP
  - 5.5 Communication of the plan to staff and people with disability
  - 5.6 Review and evaluation mechanisms
  - 5.7 Reporting of DAIP
- 6.0 Implementation Plan
- 7.0 Conclusion





## 1.0 Responsibility of the Disability Access and Inclusion Plan

The responsibility for the Disability Access Inclusion Plan is the Chief Executive Officer.

## 2.0 Background

### 2.1 The Shire of Chapman Valley

The Shire of Chapman Valley is located northeast of Geraldton in the Mid West of Western Australia and covers an area of approximately 4,000km<sup>2</sup>. It is bounded by the Indian Ocean and the Shire of Northampton and City of Greater Geraldton.

The Shire has a population of 1,500 (2016 Census), with the greatest concentration in the south-western section. The largest urban centre is 42km from Geraldton at Nabawa with approximately 90 residents and where the Shire administration is located along with community and sporting facilities. Yuna, a further 40km north-east has a population of approximately 20. At Yuna the Shire maintains sporting facilities, library, assists the community swimming pool and has one employee based there. Nanson 7km south of Nabawa now has a population of approximately 45 but was once the location of the Shire's administration. A community centre with satellite office facility is located in the south-western peri-urban area of the Shire.

The Shire's economy is reliant on a range of agricultural pursuits including intensive farming, grain production and wool growing. The southern section of the Shire has become popular for rural lifestyle living and includes the scenic Chapman Valley, which is a popular weekend destination for residents of Geraldton and travellers to the region.

A number of small tourist and cottage industry ventures have been established and are proving popular with visitors. Many visitors and campers are drawn to Coronation Beach, which is a world-renowned wind and kite surfing location on the Shire's 17km of coastline. The Shire maintains basic camping facilities at the beach but is currently restricted in the facilities it can provide by the lack of fresh water and power supplies.

### 2.2 Functions, facilities and services provided by the Shire of Chapman Valley

The Shire of Chapman Valley provides;

***Services to properties including-***

- Construction and maintenance of Shire owned roads, buildings, footpaths, cycle facilities, walking and bridle trails and boardwalks, rubbish collection and disposal (Nabawa, Nanson townsites, south-western peri-urban area and key arterial roads only) caring for trees, street lighting, and bushfire control.

***Services to community include-***

- Provision and maintenance of recreation grounds, playing areas, and reserves, management of three (3) community centres and stadium, two (2) libraries and information services,, coastal management, management of specific roadside tourist areas.

***Regulatory services include-***

- Planning, building and ranger services. Planning of roads and subdivisions in accordance with the town planning scheme, building approvals for construction, additions and alterations. Ranger services, including enforcement of legislation for dogs, cats, litter and pools/spas inspections. Environmental health services are provided by the Shire through external contracting.

***General Administration including-***

- The provision of general information to the public, rates notices, vehicle licensing and postal support.

***Process of Government including-***

- Ordinary and special council meetings, committee meetings, electors meetings and election of Councillors.

## **2.3 People with disability in the Shire of Chapman Valley**

There is a small estimate of people with disability living within the Shire. The Australia Bureau of Statistics (ABS) figures were inconclusive concerning the number of people with disability in the Shire, however the officers, council, and community are aware there are people with disability who live in the community. The expansion of urban development in the south-western corner of the Shire will increase this number, and visitors with disability to the region must be considered.

## **2.4 Planning for better access**

The *Western Australian Disability Services Act 1993* requires all Local Governments to develop and implement a Disability Access and Inclusion Plan (DAIP) to ensure that people with disability have equal access to facilities and services.

Other legislation underpinning access and inclusion includes the *Western Australia Equal Opportunity Act 1984* and the *Commonwealth Disability Discrimination Act 1992*, both of which make discrimination on the basis of a person's disability.

## 2.5 Progress since 1995

The Shire of Chapman Valley is committed to facilitating the inclusion of people with disability through the improvement of access to its facilities and services. Towards this goal the Shire adopted its first Disability Service Plan in 1996 and then reviewed the Plan to address the barriers within the community for people with disability. The Disability Services Plan addressed both its statutory requirements under the *WA Disability Services Act 1993* and its obligations under the *Commonwealth Disability Discrimination Act 1992* and has undertaken the following reviews:

Year	Review Type
2001	Full Review with Community, Councillor & Senior Staff Consultation
2007	Full Review with Community, Councillor & Senior Staff Consultation
2016	Internal Desktop Review with Councillor & Senior Consultation
2017	Full Review with Community, Councillor & Senior Staff Consultation
2018	Full Review with Community, Councillor & Senior Staff Consultation
2019	Internal Desktop Review with Councillor & Senior <a href="#">Staff</a> Consultation
2020	Internal Desktop Review with Councillor & Senior <a href="#">Staff</a> Consultation
<a href="#">2021</a>	<a href="#">Internal Desktop Review with Councillor &amp; Senior Staff Consultation</a>



Since the adoption of the initial Disability Services Plan, the Shire has implemented many initiatives and made significant progress towards better access within the Shire of Chapman Valley, these are as follows;

***Improvement of existing functions, facilities and services to meet the needs of people with disability***

- Talking books positioned in a clearly designated and easily accessible section of the library.
- Building surveyors and planners have assisted in increasing disability access awareness of developers, and the introduction of disabled access to all newly constructed or altered public buildings, including playground and recreational areas.
- Satellite Office at the Bill Hemsley Park Community Centre with disabled access to reach out to the community, rather than to expect people to travel to Nabawa for services (e.g. building, planning applications).
- Major renovations to the Nabawa Shire Officers and Chambers to accommodate people with disabilities (e.g. widened access doors and passageways, new disabled ablution facilities)

***Improved access to community buildings and facilities***

- Unisex disabled accessible toilet block was centrally constructed in the Chapman Valley Community Centre and the Yuna Townsite.
- Footpath installed from the school to residential areas of Nabawa.
- Footpath installed from the school to the Shire Office in Nabawa.
- Access ramp installed at Yuna Library.
- [ACROD car parking installed at Yuna Community Centre, Shire Administration office and Bill Hemsley Park Community Centre.](#)
- [Access ramp to Nanson Road Board Office & Ted Porter Cottage](#)
- [Disabled access Toilet to Nanson Showgrounds](#)
- [Ramp and door widening to new Library at Nabawa Community Centre](#)
- [New Ramp to Dining room building at Nanson Showgrounds](#)

***Opportunities provided for people with disability to participate in public consultations, grievance mechanisms and decision making processes are provided.***

- Council services, functions and facilities are available on request in large print, and alternative formats.
- Council ~~ensured~~[ensures that](#) voting for municipal elections takes place in accessible buildings and that alternative voting arrangement [\(e.g. Postal Voting system\)](#) is available where required.



### 3.0 Access and Inclusion Policy Statement

The Shire of Chapman Valley is committed to ensuring that the community is an accessible community for people with disability, their families and carers, via the following;

- The Shire of Chapman Valley believes that people with disability, their families and carers who live in country areas should be supported to remain in the community of their choice.
- The Shire of Chapman Valley is committed to consulting with people with disability, their families and carers and, where required, disability organisations to ensure that barriers to access are addressed appropriately.
- The Shire of Chapman Valley is committed to ensuring that its agents and contractors work towards the desired outcomes in the Disability Access and Inclusion Plan.

The Shire is also committed to achieving the seven standards of its disability access and inclusion plan which are as follows;

1. Provide a means of ensuring that people with disability have the same opportunities as others to access the services of, and any event organised by the Shire of Chapman Valley.
2. Provide a means of ensuring that people with disability have the same opportunities as others to access buildings and other facilities of the Shire of Chapman Valley.
3. Provide a means of ensuring that people with disability receive information from the Shire in a format that will enable them to access information as readily as others are able to.
4. Provide a means of ensuring that people with disability receive the same level and quality of service from the staff of the Shire of Chapman Valley
5. Provide a means of ensuring that people with disability have the same opportunities as others to give feedback to the Shire of Chapman Valley.
6. Provide a means of ensuring that people with disability have the same opportunities as others to participate in any public consultation with the Shire of Chapman Valley.
7. Provide a means of ensuring that people with disability have the same opportunities as other people to obtain and maintain employment with the Shire of Chapman Valley.





## 4.0 Strategies to Improve Access and Inclusion

The Shire of Chapman Valley is committed to achieving the following outcomes.

Timeliness of these outcomes is addressed in the implementation table in section five (5) of this DAIP document.

### Outcome 1

People with disability have the same opportunities as other people to access the services of, and any events organised by a public authority.

Strategies
Ensure people with disability are provided with an opportunity to comment on access to services. This Strategy is directly linked to the Shire's <i>Community Communication Management Procedure</i> .
Make library technology as accessible as possible.
Council will ensure that any events are organised so that they are accessible to people with disability.
Council will ensure that all policies and practices that govern the operation of Council facilities, functions, and services are consistent with Council Policy regarding access. This Strategy is directly linked to the Shire's <i>Community Communication Management Procedure</i> .

## Outcome 2

People with disability have the same opportunities as other people to access the buildings and other facilities of a public authority.

Strategies
Ensure all buildings and facilities are physically accessible to people with disability.
Ensure that all new or redevelopment works provide access to people with disability, where practicable.
Ensure adequate ACROD parking to meet the demand of people with disability in terms of quantity, quality, and location.
Ensure that parks and reserves are accessible.
Increase the number of accessible playgrounds.
Improve access to beaches and the sea for people with disability.
Ensure that public toilets meet the associated accessibility standards.

## Outcome 3

People with disability receive information from a public authority in a format that will enable them to access the information as readily as other people are able to access it.

Strategies
Improve community awareness that Council information can be made available in alternative formats upon request, such as large print, and audio. This Strategy is directly linked to the Shire's <i>Community Communication Management Procedure</i> .
Improve staff awareness of accessible information needs and how to obtain information in other formats. This Strategy is directly linked to the Shire's <i>Community Communication Management Procedure</i> .
Ensure that the Shires website meets contemporary and universal design practices.

#### Outcome 4

People with disability receive the same level and quality of service from the staff of a public authority as other people receive from the staff of that public authority.

Strategies
Improve staff awareness of disability and access issues and improve skills to provide good service to people with disability.
Improve the awareness of new staff and new Councillors about disability and access issues.
When required, Council will seek expert advice from the disability field on how to meet the access needs of people with disability.

#### Outcome 5

People with disability have the same opportunities as other people to make complaints to a public authority.

Strategies
Council will ensure that current grievance mechanisms are accessible for people with disability and are acted upon.

#### Outcome 6

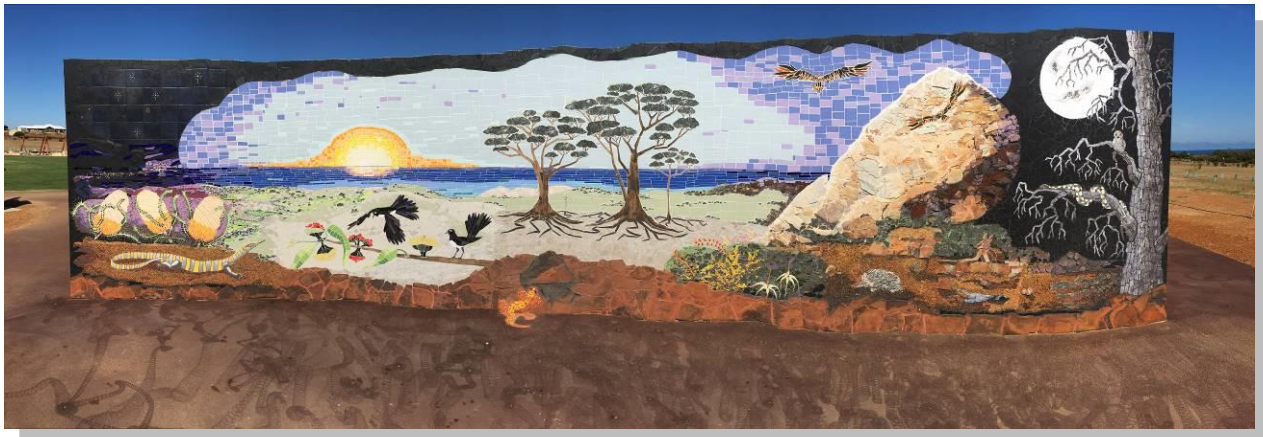
People with disability have the same opportunities as other people to participate in any public consultation by a public authority.

Strategies
Improve community awareness about the consultation process in place.
Improve access for people with disability to the established consultative process of Council. This Strategy is directly linked to the Shire's <i>Community Communication Management Procedure</i> .
Seek broad range of views on disability and access issues from the local community.
Commit to ongoing monitoring of the DAIP to ensure implementation and satisfactory outcomes.

## Outcome 7

People with disability have the same opportunities as other people to obtain and maintain employment with a public authority.

Strategies
Provide for the needs of people with disability to obtain and maintain employment.
Advocate to the community to provide the needs of people with disability to obtain and maintain employment.



## 5.0 Development of the Disability Access and Inclusion Plan

### 5.1 Responsibility for the planning process

A Building and Disability Services Committee of council was established comprising of elected members of council and council officers to oversee the development and implementation, review and evaluation of the plan and efforts have been made to include the participation of a person with a disability.

### 5.2 Community consultation

In 2018, the Shire of Chapman Valley undertook the latest full community consultative review of its Disability Services Plan and advertised for public comment/submissions to draft a new Disability Access and Inclusion Plan to guide further improvements for access and inclusion.

The process included:

- Examination of the initial Disability Services Plan and review to see what has been achieved and what still needs work
- Examination of other Council documents and strategies
- Investigation of current good practice in access and inclusion
- Consultation with key staff; and
- Consultation with the community

The community was informed through the Shire Website and Geraldton Guardian Council was reviewing its current Disability Access and Inclusion Plan to address the barriers that people with disability and their families experience in accessing council functions, facilities and services. The community was advised they could provide input into the development of the plan. The community was invited to contact Shire officers to discuss and submit comments on the draft DAIP. No submissions were received through the public consultation process. The Disability Access and Inclusion Plan was adopted at the March 2018 Council meeting, subject to submissions being received, of which there were none.

In 2019 and 2020 Council undertake a *Desktop* review of the Plan with only significant amendment be to make specific reference to the Shire's *Community Communication Management Procedure*.



### **5.3 Findings of the consultation**

While the review and consultation noted a level of achievement in improving access it also identified a range of barriers that requires redress. These include:

- Processes of Council may not be as accessible as possible.
- Events may not always be held in a manner and location that best facilitates the participation of people with disability.
- Staff may be uninformed or lacking in confidence to adequately provide the same level of service to people with disability.

The identification of these barriers informed the development of strategies in the Disability Access and Inclusion Plan. The barriers have been prioritised in order of importance, which assists setting timeframes for the completion of strategies to overcome these access barriers.

### **5.4 Responsibility for implementing the DAIP**

Implementation of the DAIP is the responsibility of all areas of the Shire of Chapman Valley. The Disability Services Act (1993) requires all public authorities to take all practical measures to ensure that the DAIP is implemented by its officers, employees, agents and contractors.

### **5.5 Communication of the plan to staff and people with disability**

The community has been advised through the local media that copies of the plan are available to the community through the Shire website, upon direct request of Shire officers, and is available in alternative formats if required.

As plans are amended, Shire employees and the community will be advised of the availability of updated plans, using the above methods.

Council has adopted a *Community Communications Management Procedure*, which includes:

- Sharing information required by law to be publicly available.
- Sharing information, which is of interest and benefit to the Community.
- Promoting Shire of Chapman Valley events and services.
- Promoting Public Notices and community consultation/ engagement opportunities.

## 5.6 Review and evaluation mechanisms

The *Disability Services Act 1993* requires that DAIP's be reviewed at least every 5 years. The DAIP Implementation Plan can be amended more frequently to reflect advancements of access and inclusion issues. Whenever the DAIP is amended, a copy of the amended plan must be lodged with the Disability Services Commission.

### Monitoring and reviewing

The DAIP will be reviewed annually [as a Desktop exercise](#) for progress and implementation with all progress and recommended changes reported to council.

### Evaluation

~~An~~ A full evaluation will occur [periodically](#) as part of the review of the DAIP. Community, staff and elected members will be consulted as part of the [full](#) evaluation and Implementation Plans will be amended based on the feedback received. Copies of the amended Implementation Plan, once endorsed by council, will be available to the community in alternative formats.

## 5.7 Reporting of DAIP

The *Disability Services Act 1993* requires the Shire to report on the implementation of its DAIP in its annual report outlining:

- Progress towards the desired outcomes of its DAIP.
- Progress of its agents and contractors towards meeting the seven desired outcomes.
- The strategies used to inform agents and contractors of its DAIP.



## 6.0 Implementation Plan

The Implementation Plan details the task, timelines and responsibilities for each strategy to be implemented to progress the strategies of the DAIP.

It is intended that the Implementation Plan will be updated annually through Council's operations, to progress the achievements of all the strategies over the duration of the five (5) Year Plan.



## Outcome 1

People with disability have the same opportunities as other people to access the services of, and any events organised by a public authority.

Strategy	Task	Timeline	Responsibility
Ensure people with disability are provided with an opportunity to comment on access to services.	<ul style="list-style-type: none"> <li>Shire's Disability Services Coordinator will liaise with contractors, who are developing and implementing the Shire evaluation activities, to increase their awareness of the importance of getting comments on services by people with disability.</li> <li>Develop feedback mechanism for use of all disability services provider to by the Shire.</li> <li>Establish a <i>Community Communication Management Procedure</i>.</li> </ul>	Implemented/ ongoing	Disability Services Coordinator, CEO, DCEO and all Managers
Make library technology as accessible as possible.	<ul style="list-style-type: none"> <li>Make library technology as accessible as possible</li> </ul>	Implemented/ ongoing	MFCS
Council will ensure that any events are organised so that they are accessible to people with disability.	<ul style="list-style-type: none"> <li>Ensure the needs of people with disability are planned for and provided by using the checklist provided through the access resource kit as provided by DSC.</li> <li>Request Agricultural Society to set aside parking spaces for easy access parking.</li> </ul>	Implemented/ ongoing  Completed	DCEO, Community Development Officer, and CEO

<p>Council will ensure all policies and practices that govern the operation of Council facilities, functions, and services are consistent with Council Policy regarding access.</p>	<ul style="list-style-type: none"> <li>• Ensure all buildings, facilities and services are accessible to people with disability through ongoing review and evaluation using devised checklists and annual audits. Through these audits a report will be generated that clearly identifies improvements to ensure the inclusion and accessibility for everyone.</li> </ul> <p>Again, using the guide and checklist provided through the access resource kit developed by the DSC.</p>	<p>Implemented/ ongoing</p>	<p>Disability Services Coordinator, CEO, DCEO and all Managers Council representatives</p>
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## Outcome 2

People with disability have the same opportunities as other people to access the buildings and other facilities of a public authority.

Strategies	Task	Timeline	Responsibility
Demonstrate a willingness to ensure all buildings and facilities are accessible where practicable, to meet the access standards and any additional need in consideration of people with disability.	<ul style="list-style-type: none"> <li>Audit and collate information on facilities.</li> <li>Generate an improvement report.</li> <li>Complete improvements from report where possible</li> </ul>	Implemented/ ongoing	CEO, DCEO, Building Surveyor, Council Representatives
Ensure that all new or redevelopment works provide access to people with disability, where practicable.	<ul style="list-style-type: none"> <li>All facilities allow for access for people with physical, cognitive, sensory and psychiatric disability through the application of specific building and planning codes. This includes ramped elevations, rails, and appropriate signage, line marking and raised footholds at intersections where practicable.</li> </ul>	Annually/ Ongoing	CEO, DCEO, Building Surveyor, Building Committee
Ensure adequate ACROD parking to meet the demand of people with disability in terms of quantity, quality, and location.	<ul style="list-style-type: none"> <li>Undertake an audit of ACROD bays and implement a program to rectify non-compliance. (Checklist, from ART)</li> </ul>	Implemented/ ongoing	CEO, DCEO, Administration Manager, Building Surveyor, Building Committee

Ensure that parks and reserves are accessible.	<ul style="list-style-type: none"> <li>• All parks and reserves allow for access for people with physical, cognitive, sensory and psychiatric disability. This includes ramped elevations, rails, and appropriate signage, line marking and raised footholds at intersections where practicable.</li> <li>• Increase the amount of seating throughout each townsite (Nanson, Yuna, Nabawa) and White Peak peri-urban area.</li> </ul>	Completed	CEO, DCEO Community Development Officer, Council Representatives
Increase the number of accessible playgrounds.	<ul style="list-style-type: none"> <li>• Implement accessible play areas to existing and new facilities through careful planning and advice from experts.</li> </ul>	Ongoing Part of Planning procedures	CEO, DCEO, Community Development Officer
Improve access to beaches and the sea for people with disability.	<ul style="list-style-type: none"> <li>• Where practicable allow access to beach areas within the Shire through investigation of methods that provide maximum opportunity for inclusion and access.</li> </ul>	Completed	CEO, DCEO, Building Surveyor
Ensure that public toilets meet the associated accessibility standards.	<ul style="list-style-type: none"> <li>• Provision of Unisex disabled toilet/s for wheelchair persons visiting the Shires facilities are considered and planned for. These toilet facilities will be identified through the annual building inspection and planned for through the function of this committee. Facilities currently highlighted as in need of accessible toilet/s include the Nanson Showgrounds, Nanson Museum grounds, Yuna Townsite, and Nabawa Cemetery.</li> </ul>	Implemented/ongoing	Disability Services Coordinator, CEO, DCEO and all Managers Council representatives

### Outcome 3

People with disability receive information from a public authority in a format that will enable them to access the information as readily as other people are able to access it.

Strategies	Task	Timeline	Responsibility
Improve community awareness that Council information can be made available in alternative formats upon request, such as large print, and audio.	<ul style="list-style-type: none"> <li>• Ensure all documents carry a notation regarding availability in alternative formats</li> <li>• Advise the community via local newspaper, radio, newsletters that other formats are available via electronic and audible formats.</li> <li>• Establish a <i>Community Communication Management Procedure</i>.</li> </ul>	Implemented/ongoing	All managers
Improve staff awareness of accessible information needs and how to obtain information in other formats.	<ul style="list-style-type: none"> <li>• Make accessible information guidelines available on the internet</li> <li>• Develop an accessible information policy</li> <li>• Conduct accessible information training and include as part of the induction of new staff.</li> <li>• Establish a <i>Community Communication Management Procedure</i>.</li> </ul>	Implemented/ongoing	MFCS
Ensure that the Shires website meets contemporary and universal design practices.	Redevelop website according to the W3C guidelines as outlined by the state government access guidelines *	Implemented/ongoing	MFCS

- W3C standards define an **Open Web Platform** for application development that has the unprecedented potential to enable developers to build rich interactive experiences, powered by vast data stores, that are available on any device. Although the boundaries of the platform continue to evolve, industry leaders speak nearly in unison about how HTML5 will be the cornerstone for this platform. But the full strength of the platform relies on many more technologies that W3C and its partners are creating, including CSS, SVG, WOFF, the Semantic Web stack, XML, and a variety of APIs.

## Outcome 4

People with disability receive the same level and quality of service from the staff of a public authority as other people receive from the staff of that public authority.

Strategies	Task	Timeline	Responsibility
Improve staff awareness of disability and access issues and improve skills to provide good service to people with disability.	<ul style="list-style-type: none"><li>• Advise staff of minimum requirements</li><li>• Conduct a survey of all staff to determine training needs-completed</li></ul>	Implemented/ ongoing	All Managers, Community Development Officer
Improve the awareness of new staff and new Councilors about disability and access issues.	<ul style="list-style-type: none"><li>• Provide information and establish training in the induction for new staff and Councillors</li></ul>	Implemented/ ongoing	All Managers
When required, Council will seek expert advice from the disability field on how to meet the access needs of people with disability.	<ul style="list-style-type: none"><li>• Keep an updated database on people who can be called upon to ask advice</li></ul>	Implemented/ ongoing	Community Development Officer and Administration Officers

## Outcome 5

People with disability have the same opportunities as other people to make complaints to a public authority.

Strategies	Task	Timeline	Responsibility
Council will ensure that current grievance mechanisms are accessible for people with disability and are acted upon.	<ul style="list-style-type: none"><li>• Review current mechanisms for access. Consult with people with disability and expert advice.</li><li>• Develop other methods of making complaints, such as web based forms, access to interpreters, advocacy services, and alternative arrangements such as carers, parents, and guardians acting as advocates.</li><li>• Promote accessible complaints mechanisms to the community.</li><li>• Establish a <i>Community Communication Management Procedure</i>.</li></ul>	Implemented/ ongoing	CEO, MFCS



## Outcome 6

People with disability have the same opportunities as other people to participate in any public consultation by a public authority.

Strategies	Task	Timeline	Responsibility
Improve community awareness about the consultation process in place.	<ul style="list-style-type: none"> <li>Promote the existence and role/purpose of the DAIP to the community.</li> <li>Shire representatives to meet regularly to discuss and review DAIP and processes used to develop DAI policies, and make improvements where possible.</li> <li>Establish a <i>Community Communication Management Procedure</i>.</li> </ul>	Implemented/ongoing	CEO, Community Development Officer, Building Committee
Improve access for people with disability to the established consultative process of Council.	<ul style="list-style-type: none"> <li>Consult with people with disability using a range of mediums, including survey, focus groups, and interviews, on a regular basis.</li> </ul>	Implemented/ongoing	Community Development Officer, Building and Disability Services Committee
Seek broad range of views on disability and access issues from the local community.	<ul style="list-style-type: none"> <li>Include appropriate questions about access and inclusion in general Shire surveys and consultative events.</li> <li>Actively pursue ideas and thoughts from people with disability.</li> </ul>	Implemented/ongoing	Community Development Officer, Building and Disability Services Committee
Commit to ongoing monitoring of the DAIP to ensure implementation and satisfactory outcomes.	<ul style="list-style-type: none"> <li>The Shire will regularly monitor the progress of the plan and be involved in the annual reviews.</li> </ul>	Implemented/ongoing	Community Development Officer, DCEO, Building and Disability Services Committee

## Outcome 7

People with disability have the same opportunities as other people to obtain and maintain employment with a public authority.

Strategies	Implementation	Timeline	Responsibility
Provide for the needs of people with disability to obtain and maintain employment.	Encourage and promote access processes for the needs of people with disability in obtaining employment.	Ongoing	CEO
	Encourage and promote access processes for the needs of staff with disability to be supported in their employment.	Ongoing	CEO
Advocate to the community to provide the needs of people with disability to obtain and maintain employment.	Encourage best practice information to the community for the needs of people with disability to obtain and maintain employment.	Ongoing	CEO

## 7.0 Conclusion

The Shire of Chapman Valley is committed to ensuring that people with disability and their carers have the opportunity to fully participate in community life.

