



## **AGENDA**

### **ORDINARY MEETING OF COUNCIL**

**30 APRIL 2014**

**Commencing at 3.30 pm**

**Council Chambers**

**28 Yougenup Road, Gnowangerup WA 6335**

**COUNCIL'S VISION**

**Gnowangerup Shire – A thriving, inclusive and growing community built on opportunity**

Shire of Gnowangerup

**NOTICE OF AN ORDINARY MEETING OF COUNCIL**

Dear Council Member

The next Ordinary Meeting of the Shire of Gnowangerup will be held on Wednesday 30 April 2014, at the Council Chambers 28 Yougenup Road Gnowangerup, commencing at 3.30pm.



.....  
**S Pike**  
**CHIEF EXECUTIVE OFFICER**

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**Meaning of and CAUTION concerning Council's "In Principle" support:**

*When Council uses this expression it means that:*

- (a) Council is generally in favour of the proposal BUT is not yet willing to give its consent; and*
- (b) Importantly, Council reserves the right to (and may well) either decide against the proposal or to formally support it but with restrictive conditions or modifications.*

*Therefore, whilst you can take some comfort from Council's "support" you are clearly at risk if you act upon it before Council makes its actual (and binding) decision and communicates that to you in writing.*

Disclaimer:

*"Warning - Verbal Information & Advice:*

*Given the inherent unreliability and uncertainty that surrounds verbal communication, the Shire strongly recommends that, if a matter is of importance to you, then you should NOT act upon or otherwise rely upon any VERBAL information or advice you receive from the Shire unless it is first confirmed in writing."*



**DECLARATION OF INTEREST FORM**

To: Chief Executive Officer  
Shire of Gnowangerup  
28 Yougenup Road  
GNOWANGERUP WA 6335

I,(1) \_\_\_\_\_ wish to declare an interest in the following item to be considered by Council at its meeting to be held on (2) \_\_\_\_\_

Agenda Item(3) \_\_\_\_\_

The type of Interest I wish to declare is (4).

- Financial pursuant to Section 5.60A of the Local Government Act 1995
- Proximity pursuant to Section 5.60B of the Local Government Act 1995
- Indirect Financial pursuant to Section 6.51 of the Local Government Act 1995
- Closely Associated Persons pursuant to Section 5.62 of the Local Government Act 1995
- Impartiality pursuant to Regulation 11 of the Local Government (Rules of Conduct) Regulations 2007.

The nature of my interest is (5) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The extent of my interest is (6) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I understand that the above information will be recorded in the minutes of the meeting and placed in the Disclosure of Financial and Impartiality of Interest Register.

Yours sincerely

\_\_\_\_\_  
Signed

\_\_\_\_\_  
Date

Notes:

1. Insert your name (print).
2. Insert the date of the Council Meeting at which the item is to be considered.
3. Insert the Agenda Item Number and Title.
4. Tick box to indicate type of interest.
5. Describe the nature of your interest.
6. Describe the extent of your interest (if seeking to participate in the matter under S. 5.68 of the Act).

### **DECLARATION OF INTERESTS (NOTES FOR YOUR GUIDANCE)**

A Member, who has a Financial Interest in any matter to be discussed at a Council or Committee Meeting that will be attended by the Member, must disclose the nature of the interest:

- a) In a written notice given to the Chief Executive Officer before the Meeting or;
- b) At the Meeting, immediately before the matter is discussed.

A member, who makes a disclosure in respect to an interest, must not:

- c) Preside at the part of the Meeting, relating to the matter or;
- d) Participate in, or be present during any discussion or decision-making procedure relative to the matter, unless to the extent that the disclosing member is allowed to do so under Section 5.68 or Section 5.69 of the Local Government Act 1995.

### **NOTES ON FINANCIAL INTEREST (NOTES FOR YOUR GUIDANCE)**

The following notes are a basic guide for Councillors when they are considering whether they have a **Financial Interest** in a matter. These notes will be included in each agenda for the time being so that Councillors may refresh their memory.

1. A Financial Interest requiring disclosure occurs when a Council decision might advantageously or detrimentally affect the Councillor or a person closely associated with the Councillor and is capable of being measured in money terms. There are exceptions in the Local Government Act 1995 but they should not be relied on without advice, unless the situation is very clear.
2. If a Councillor is a member of an Association (which is a Body Corporate) with not less than 10 members i.e. sporting, social, religious etc.), and the Councillor is not a holder of office of profit or a guarantor, and has not leased land to or from the club, i.e., if the Councillor is an ordinary member of the Association, the Councillor has a common and not a financial interest in any matter to that Association.
3. If an interest is shared in common with a significant number of electors or ratepayers, then the obligation to disclose that interest does not arise. Each case needs to be considered.
- 4. If in doubt declare.**
5. As stated in (b) above, if written notice disclosing the interest has not been given to the Chief Executive Officer before the meeting, then it **MUST** be given when the matter arises in the Agenda, and immediately before the matter is discussed.
6. Ordinarily the disclosing Councillor must leave the meeting room before discussion commences. The only exceptions are:
  - 6.1 Where the Councillor discloses the extent of the interest, and Council carries a motion under s.5.68(1)(b)(ii) or the Local Government Act; or
  - 6.2 Where the Minister allows the Councillor to participate under s.5.69(3) of the Local Government Act, with or without conditions.

### **INTERESTS AFFECTING IMPARTIALITY**

**DEFINITION:** An interest that would give rise to a reasonable belief that the impartiality of the person having the interest would be adversely affected, but does not include an interest as referred to in Section 5.60 of the 'Act'. A member who has an Interest Affecting Impartiality in any matter to be discussed at a Council or Committee Meeting, which will be attended by the member, must disclose the nature of the interest; (a) in a written notice given to the Chief Executive Officer before the Meeting; or

(b) at the Meeting, immediately before the matter is discussed.

### **IMPACT OF AN IMPARTIALITY CLOSURE**

There are very different outcomes resulting from disclosing an interest affecting impartiality compared to that of a financial interest. With the declaration of a financial interest, an elected member leaves the room and does not vote. With the declaration of this new type of interest, the elected member stays in the room, participates in the debate and votes. In effect then, following disclosure of an interest affecting impartiality, the member's involvement in the Meeting continues as if no interest existed.

## OPENING PROCEDURES

### 1. OPENING AND ANNOUNCEMENT OF VISITORS

### 2. ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE

2.1 ATTENDANCE

2.2 APOLOGIES

2.3 APPROVED LEAVE OF ABSENCE

Cr S Hmeljak

### 3. APPLICATION FOR LEAVE OF ABSENCE

NIL

### 4. RESPONSE TO QUESTIONS TAKEN ON NOTICE

NIL

### 5. PUBLIC QUESTION TIME

### 6. DECLARATION OF FINANCIAL INTERESTS AND INTEREST AFFECTING IMPARTIALITY

### 7. PETITIONS / DEPUTATIONS / PRESENTATIONS

7.1 PETITIONS

7.2 DEPUTATIONS

7.3 PRESENTATIONS

### 8. CONFIRMATION OF PREVIOUS MEETING MINUTES

8.1 ORDINARY MEETING OF COUNCIL MINUTES 26 MARCH 2014

#### COUNCIL RESOLUTION

**0414.**            *That the minutes of the Ordinary Council Meeting held on Wednesday 26<sup>th</sup> March 2014 be confirmed as a true record of proceedings.*

**9. USE OF THE COMMON SEAL**

Nil.

**10. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

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**10.1 ELECTED MEMBERS ACTIVITY REPORT**

**Date of Report:**

**Officer:** Various

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**SHIRE PRESIDENTS ACTIVITY REPORT NOVEMBER/DECEMBER**

**Attended the following meetings/events**

## REPORTS FOR DECISION

### **11. COMMITTEES OF COUNCIL**

#### **11.1 AUDIT COMMITTEE**

Nil

#### **11.2 CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE**

Nil

#### **11.3 STRATEGIC FINANCIAL MANAGEMENT COMMITTEE**

Nil

## 11.4 LOCAL EMERGENCY MANAGEMENT COMMITTEE (LEMC)

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### 11.4 LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING (LEMC)

**Location:** Shire of Gnowangerup  
**Proponent:** N/A  
**File Ref:** 9.8.4  
**Date of Report:** 10<sup>th</sup> April 2014  
**Business Unit:** Infrastructure  
**Officer:** G McGraw – Executive Manager – Infrastructure  
**Disclosure of Interest:** Nil

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#### ATTACHMENT

- Minutes of the LEMC meeting held on 19<sup>th</sup> March 2014

#### PURPOSE OF THE REPORT

To advise Council of the LEMC meeting held on 19<sup>th</sup> March 2014

#### BACKGROUND

The LEMC Committee met on 19<sup>th</sup> March 2014 and the minutes of the meeting are attached for receiving and noting.

#### COMMENTS

Nil

#### CONSULTATION WITH THE COMMUNITY AND GOVERNMENT AGENCIES

Nil

#### LEGAL AND STATUTORY REQUIREMENTS

Nil

#### POLICY IMPLICATIONS

Nil

#### FINANCIAL IMPLICATIONS

Nil

#### STRATEGIC IMPLICATIONS

Nil

#### ALTERNATE OPTIONS AND THEIR IMPLICATIONS

Nil

#### CONCLUSION

The LEMC is a Committee of Council and Council are required to receive and note the minutes from the meeting held on 11 December 2013



VOTING REQUIRMENTS

Simple Majority

OFFICER RECOMMENDATION

**0414. That Council**

**Receives and notes the minutes of the Local Emergency Management Committee (LEMC)  
Meeting held on 19 March 2014.**

## 12. STRATEGY AND GOVERNANCE

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<b>12.1</b>	<b>2014 COUNCIL MEETING DATES</b>
<b>Location:</b>	Shire of Gnowangerup
<b>Proponent:</b>	N/A
<b>File Ref:</b>	N/A
<b>Date of Report:</b>	9 April 2014
<b>Business Unit:</b>	Strategy & Corporate Governance
<b>Officer:</b>	Abbey Sergeant Executive Assistant
<b>Disclosure of Interest:</b>	Nil

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### ATTACHMENTS

Nil.

### PURPOSE OF THE REPORT

To consider the dates for Ordinary Council meetings to be held in the second half of 2014.

### BACKGROUND

Council's Ordinary meetings are generally held on the fourth Wednesday of the month commencing at 3:30pm; excluding January and except for December when it is normally scheduled for the third Wednesday of the month dependent upon when Christmas falls.

The dates being considered do not coincide with any public holidays therefore these dates are recommended to be adopted by Council.

### COMMENTS

It is the Officer's recommendation that Ordinary Council meetings for the second half of 2014 be held on the following dates:

July 23<sup>rd</sup> 2014  
August 27<sup>th</sup> 2014  
September 24<sup>th</sup> 2014  
October 29<sup>th</sup> 2014  
November 26<sup>th</sup> 2014  
December 17<sup>th</sup> 2014

### CONSULTATION WITH THE COMMUNITY AND GOVERNMENT AGENCIES

Nil

### LEGAL AND STATUTORY REQUIREMENTS

Local Government (Administration) Regulations 1996, Public notice of council or committee meetings — 12. s. 5.25(1)(g) includes:

- (1) *At least once each year a local government is to give local public notice of the dates on which and the time and place at which:*
  - (a) *the ordinary council meetings;*

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil.

CONCLUSION

Nil.

VOTING REQUIRMENTS

Simple Majority

**OFFICER RECOMMENDATION**

**0414. That Council:**

**Set and Advertise the Ordinary Council Meeting Dates for the second half of 2014 as follows:**

**July 23<sup>rd</sup> 2014**

**August 27<sup>th</sup> 2014**

**September 24<sup>th</sup> 2014**

**October 29<sup>th</sup> 2014**

**November 26<sup>th</sup> 2014**

**December 17<sup>th</sup> 2014**

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<b>12.2</b>	<b>DELEGATION REGISTER REVIEW</b>
<b>Location:</b>	Shire of Gnowangerup
<b>Proponent:</b>	N/A
<b>File Ref:</b>	N/A
<b>Date of Report:</b>	7 April 2014
<b>Business Unit:</b>	Corporate Governance and Community Services
<b>Officer:</b>	Shelley Pike, Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil

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#### ATTACHMENTS

Nil.

#### PURPOSE OF THE REPORT

That Council review the following Delegations:

- 1.2.3 Powers of Entry
- 1.2.5 Disposal of Sick or Injured Animals
- 1.2.6 Close thoroughfares to Vehicle
- 1.2.25 Purchasing Limits
- 2.2.1 Prohibition Orders
- 2.2.3 Registration of Food Business
- 2.2.5 Prosecution
- 2.3.1 Grant of Building Permit
- 2.3.2 Grant of Demolition
- 2.3.3 Grant of occupancy permit or building approval certificate
- 2.3.4 Designated Authorised persons
- 2.3.5 Building Orders
- 2.3.6 Inspection and copies of Building records
- 2.4.1 Illegal Development

#### BACKGROUND

The Shire of Gnowangerup's Delegation Register has a number of delegations which can be sub delegated from the CEO to appropriate staff members to assist them in completing their day to day tasks. This sub delegation on many occasions can also include CEO Conditions.

In the last review of the delegation register a number of these Sub Delegations were not updated or allocated.

## COMMENTS

It is advised that council review and approve the following Delegations;

#	Delegation	Amendment
1.2.3	Power of Entry	CEO's Sub delegation to include: Ranger Parks and Gardens Officer
1.2.5	Disposal of Sick or Injured Animals	CEO's Sub Delegation to include: Parks and Gardens Officer Remove Executive Manager of Corporate Services from the CEO's Sub Delegation
1.2.6	Close Thoroughfares to Vehicles	Remove Executive Manager of Corporate Services from the CEO's Sub Delegation
1.2.25	Purchasing Limits	CEO's sub delegation to include: Chief Executive Officer Executive Manager of Corporate Services Executive Manager of Infrastructure Team Leader Works Plant Mechanic Works Assistant Executive Assistant Community Development Officer Customer Service Officer
2.2.1	Prohibition Orders	CEO's Sub delegation to include: Environmental Health Officer
2.2.3	Registration of Food Business	CEO's Sub delegation to include: Environmental Health Officer
2.2.5	Prosecutions	CEO's Sub delegation to include: Environmental Health Officer
2.3.1	Grant of Building Permit	CEO's Sub delegation to include: Building Surveyor
2.3.2	Grant of Demolition Permit	CEO's Sub delegation to include: Building Surveyor
2.3.3	Grant Occupancy Permit or Building Approval Certificate	CEO's Sub delegation to include: Building Surveyor
2.3.4	Designate Authorised Persons	CEO's Sub delegation to include: Building Surveyor
2.3.5	Building Orders	CEO's Sub delegation to include: Building Surveyor
2.3.6	Inspection and Copies of Building Records	CEO's Sub delegation to include: Building Surveyor
2.4.1	Illegal Development	CEO's Sub delegation to include: Planning Officer

## CONSULTATION WITH THE COMMUNITY AND GOVERNMENT AGENCIES

Nil

LEGAL AND STATUTORY REQUIREMENTS

Local Government Act 1995

Section 5.44 CEO may delegate some powers and duties to other employees

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil.

CONCLUSION

Nil.

VOTING REQUIRMENTS

Simple Majority

OFFICER RECOMMENDATION

**0414. That Council:**

**Endorse the following Amendments to the delegation register:**

#	Delegation	Amendment
1.2.3	Power of Entry	CEO's Sub delegation to include: Ranger Parks and Gardens Officer
1.2.5	Disposal of Sick or Injured Animals	CEO's Sub Delegation to include: Parks and Gardens Officer Remove Executive Manager of Corporate Services from the CEO's Sub Delegation
1.2.6	Close Thoroughfares to Vehicles	Remove Executive Manager of Corporate Services from the CEO's Sub Delegation
1.2.25	Purchasing Limits	CEO's sub delegation to include: Chief Executive Officer Executive Manager of Corporate Services Executive Manager of Infrastructure Team Leader Works Plant Mechanic Works Assistant Executive Assistant Community Development Officer Customer Service Officer

2.2.1	Prohibition Orders	CEO's Sub delegation to include: Environmental Health Officer
2.2.3	Registration of Food Business	CEO's Sub delegation to include: Environmental Health Officer
2.2.5	Prosecutions	CEO's Sub delegation to include: Environmental Health Officer
2.3.1	Grant of Building Permit	CEO's Sub delegation to include: Building Surveyor
2.3.2	Grant of Demolition Permit	CEO's Sub delegation to include: Building Surveyor
2.3.3	Grant Occupancy Permit or Building Approval Certificate	CEO's Sub delegation to include: Building Surveyor
2.3.4	Designate Authorised Persons	CEO's Sub delegation to include: Building Surveyor
2.3.5	Building Orders	CEO's Sub delegation to include: Building Surveyor
2.3.6	Inspection and Copies of Building Records	CEO's Sub delegation to include: Building Surveyor
2.4.1	Illegal Development	CEO's Sub delegation to include: Planning Officer

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<b>12.3</b>	<b>Gnowangerup Police Station and Gaol</b>
<b>Location:</b>	Shire of Gnowangerup
<b>Proponent:</b>	N/A
<b>File Ref:</b>	26.3.9 & 5.4.20
<b>Date of Report:</b>	15 April 2015
<b>Business Unit:</b>	Strategy and Governance
<b>Officer:</b>	Shelley Pike – Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil.

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#### ATTACHMENTS

- Shire Building Surveyors report

#### PURPOSE OF THE REPORT

To recommend to Council a management plan for the Gnowangerup Police Station and Gaol.

#### BACKGROUND

In 2013 the Shire of Gnowangerup engaged APV Valuers & Asset Management to conduct a Fair Value assessment of all Shire owned buildings.

The objective of a fair value assessment is to estimate the price at which an orderly transaction to sell the asset or to transfer the liability would take place between market participants at the measurement date at current market conditions.

The Gnowangerup police station and gaol were both assessed as in fair condition with a remaining life of 6-15 years if the buildings were maintained.

In February 2014 the Shire received complaints from the school that children were playing on the police station site and vandalising the gaol in particular.

The shire building surveyor recently inspected both buildings and identified that asbestos is exposed due to the vandalism of the old gaol and could pose a health risk. The ceiling in the police station is cracking and has the potential to collapse and the leach drain has been vandalised and collapsed. The roof to the police station requires new battens to secure it together with the installation of new roof insulation and roof tie down. Please refer to the attached report.

In response to the health risk posed to the public, on 15 April 2014, the Shire President and the CEO met with the Arts and Craft Group using the police station and informed them of the health risks and the need to close the building until further notice.

On 16 April temporary signage and bunting was erected at the police station and arrangements were made to install a padlock to secure the building as soon as possible.



## COMMENTS

Both buildings are on a large parcel of land, vested for 'Community Purposes'. The one block also houses the day care buildings and the old CRC building.

In 1991 the building was officially opened for use by the Gnowangerup Art & Craft Group (Inc) by then Shire President Ken Pech.

The group is incorporated, has a constitution and for the first year they were in the building had a lease with the Shire. The 6-8 members meet most weeks on a Tuesday night. The Arts and Craft Group have installed a ceramic kiln and an air conditioner in the building and have contributed towards its upkeep with minor maintenance and repairs.

Council will need to determine the future use of the buildings in order to make a decision about the resources to be expended to ensure the buildings are "fit for purpose" whether that is as a tourist attraction or a home for the Arts and Craft Group or some other use.

Following the closure of the building the CEO has met with representatives of the Arts and Crafts group on two occasions to assist them to find new premises.

## ALTERNATE OPTIONS AND THEIR IMPLICATIONS

1. Fence off the gaol and the vandalised leach drains and septic.

The gaol is the most damaged of the two buildings however it is not occupied by the public and access to the inside of the building is restricted to people who have keys. Asbestos is exposed and lying on the ground where the wall has been vandalised. Fencing the gaol and using appropriate signage will satisfy the Shire's insurance requirements. Expressions of interest could be called to see if an interested community group was prepared to take on the restoration of the gaol.

2. Fence off both buildings and the vandalised leach drains and septic.

The roof of the police station is damaged and the ceiling is cracked and may fall to the ground at any time. If this occurs and the Shire knowingly allowed the public to use the building the Shire would be liable if an injury to a member of the public occurred. Expressions of interest could be called for to see if an interested community group was prepared to take on the restoration of both the police station and/or the gaol.

3. The Shire applies for funding to restore the roof and ceiling of the police station and ensure any exposed asbestos is not hazardous to the public and fences the gaol as per option 1.

4. Do nothing

The building surveyors report has identified health hazards and other issues with both buildings. If the Shire fails to act to protect the public it will be liable for any injuries that occur on site.

## CONSULTATION WITH THE COMMUNITY AND GOVERNMENT AGENCIES

The Arts and Craft group

## LEGAL AND STATUTORY REQUIREMENTS

The Shire has public liability requirements which constitute an obligation to ensure the buildings and the site are safe to the public and both assets are managed appropriately.

## POLICY IMPLICATIONS

Nil.

## FINANCIAL IMPLICATIONS

The fencing cost is in the vicinity of \$5000 and \$300 for signage.

The cost of removing the asbestos from all surfaces, replacing with Gyp rock to the walls and ceilings internally, Fibre Cement Externally, Re-Roofing and Insulating the whole structure and making good and secure all work would be approximately \$1,800.00 per square meter for the police station.

In addition there would be costs associated with rehabilitating the site and the cost of painting the building where the ceiling and asbestos had been replaced.

## STRATEGIC IMPLICATIONS

Nil.

## VOTING REQUIREMENTS

Simple majority

## OFFICER RECOMMENDATION

**0414. That Council:**

- 1. Fence off both buildings and the vandalised leach drains and septics until a satisfactory outcome for the long term future of the buildings has been determined.**
- 2. Advertise for expressions of interest from community groups to restore the buildings and make them safe.**
- 3. Provide officer support to an interested community group to apply for Heritage funding to investigate restoration of the old Gaol.**
- 4. Assist the Arts and Crafts Group to relocate.**

### 13. CORPORATE SERVICES & COMMUNITY DEVELOPMENT

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<b>13.1</b>	<b>PURCHASNG POLICY</b>
<b>Location:</b>	Shire of Gnowangerup
<b>Proponent:</b>	N/A
<b>File Ref:</b>	12.12.1
<b>Date of Report:</b>	1 <sup>st</sup> April 2014
<b>Business Unit:</b>	Corporate Services
<b>Officer:</b>	Shelley Pike Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil

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#### ATTACHMENT

Model Purchasing Policy

#### BACKGROUND

The existing Council Purchasing Policy– Local Price Preference was last reviewed in September 2010. It is a legislative requirement that Council has such a policy and as there have been several legislative changes, a review of the Policy has been undertaken. The Policy has been updated to reflect the changes in legislation and provide a more comprehensive Purchasing policy as recommended by WALGA.

#### COMMENTS

WALGA have provided its members with a Model Purchasing policy to use to conform with current legislation. This policy includes the Local Price preference provisions.

#### FINANCIAL IMPLICATIONS

Nil

#### STRATEGIC IMPLICATIONS

Nil

#### VOTING REQUIREMENTS

Simple Majority

#### OFFICER RECOMMENDATION

**0414. That Council:**

**Adopt the Model Purchasing Policy to replace the existing Council Purchasing Policy – Local Price Preference.**

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**13.2 MANAGEMENT OF RESERVE 1024**

**Location:** Reserve 1024 (Lot 4057 Amelup)  
**Proponent:** N/A  
**File Ref:** 18.4.2  
**Date of Report:** 10 April 2014  
**Business Unit:** Corporate/Community Services  
**Officer:** Craig Pursey, Planning Officer  
**Disclosure of Interest:** Nil

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**ATTACHMENTS**

Request from Department of Lands

**PURPOSE OF THE REPORT**

The Department of Lands are enquiring whether the Shire of Gnowangerup will be willing to take the management order over Reserve 1024.

Reserve 1024 is currently managed by the Shire of Broomehill-Tambellup and a 'Stopping Place'.

The reserve is located on the Pallinup River and is virtually inaccessible from the surrounding road network. Whilst it is not ideal that the reserve manager is currently the Shire of Broomehill-Tambellup and the reserve has two dams on it, the site has no apparent use for the Shire of Gnowangerup and the costs and implications for going management of the reserve should not be under-estimated.

It is recommended that the Department of Land's request be declined.

**BACKGROUND**

Council received a request from the Shire of Broomehill-Tambellup, via the Department of Lands, asking for advice on whether the Council wishes to take management of Reserve 1024. A copy of the request is attached to this report.

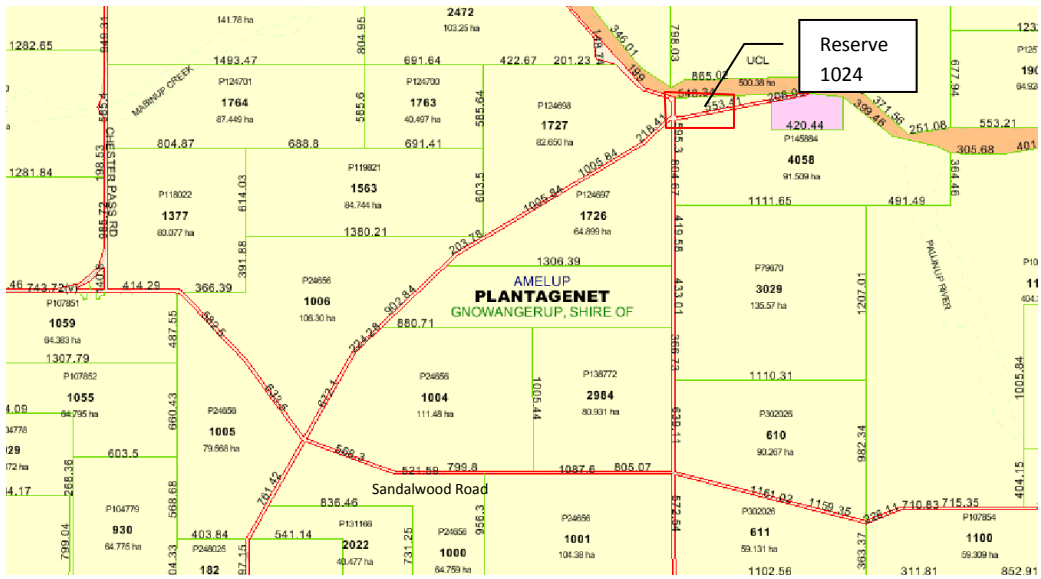
The reserve is not in the Shire of Broomehill-Tambellup and therefore they have no interest in its ongoing management.

Reserve 1024 was originally vested to the Local Road Board, being the Tambellup Road Board, under section 96 of The Roads Act. When the Road Board split, the management of the reserve went to the Shire of Tambellup.

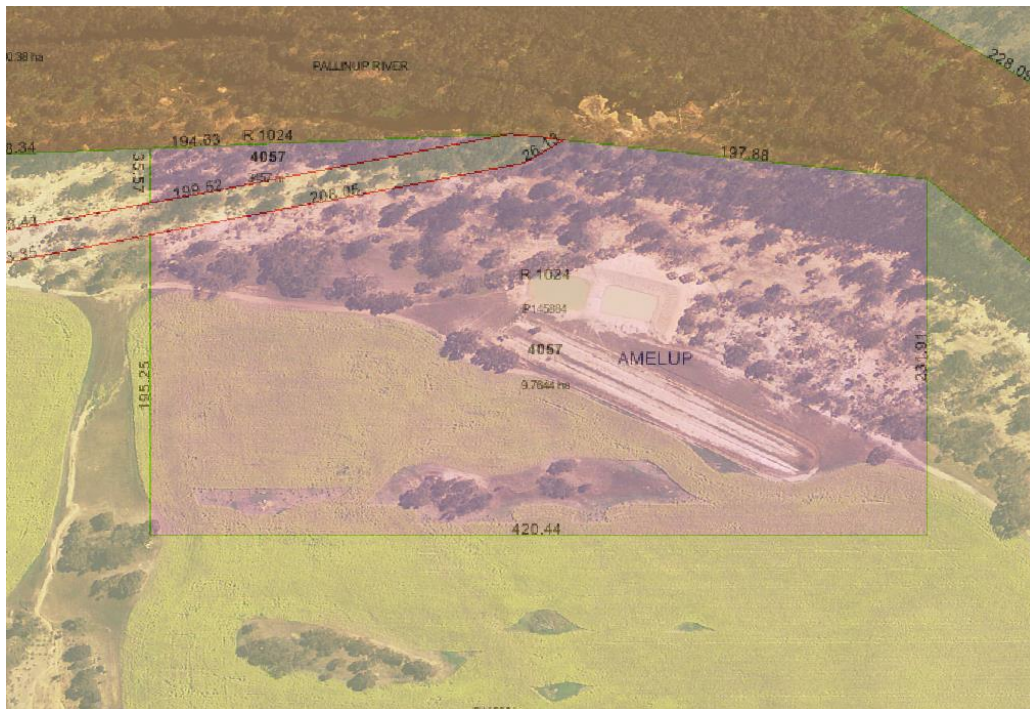
***Subject Site***

Reserve 1024 is 10.08ha in area, located adjacent to the Pallinup River It is developed with two dams and a number of swales. Half the site is remnant vegetation nearest the Pallinup River, the other half appears to be farmed by the adjacent landowner.

Whilst it is connected to the road network by an unnamed, unconstructed road reserve the closest access is from Sandalwood Road or through the adjacent farm on Lot 4058.



*Location on Pallinup River*



*Subject site with dams, farming and remnant vegetation shown*

## COMMENTS

Reserve 1024 being managed by the Shire of Broomehill-Tambellup does not make sense; it would be very difficult for the Shire to operate within this reserve.

However, there does not seem to be any reason why the Shire of Gnowangerup should assume management of this reserve. As evidenced by the following:

- Whilst there are two dams on the reserve there does not appear to be any practical access to the reserve to make use of them; and
- Recent requirements from the Office of Bushfire Risk Management to prepare Shire-wide Bushfire Risk Management Plans has highlighted the reserve manager as the responsible party for implementing bushfire risk mitigation measures. In light of this it is recommended that the Council minimise their exposure to costs and responsibilities for reserves.

Unless Council is aware of an overriding need for this reserve it is recommended that the Council not assume management for this or any other reserves.

If no one is willing to take management of the reserve then it goes back to the crown.

If the adjoining landowner is using a portion of the reserve then the Council could recommend to the Department of Lands that the farmed portions of reserve 1024 is offered to the adjoining landowner.

## CONSULTATION WITH THE COMMUNITY AND GOVERNMENT AGENCIES

None required at this stage.

## LEGAL AND STATUTORY REQUIREMENTS

Nil

## POLICY IMPLICATIONS

Nil.

## FINANCIAL IMPLICATIONS

Nil.

## STRATEGIC IMPLICATIONS

Nil.

## ALTERNATE OPTIONS AND THEIR IMPLICATIONS

1. Take management of the reserve and with it responsibility for fire management measures into the future and possibly coming to formal arrangements with the adjacent farm.
2. Recommend to the Department of Lands that the Shire declines the management of the reserve.

### CONCLUSION

Whilst having a reserve in the Shire of Gnowangerup managed by another Shire is not desirable, the reserve is inaccessible and is of no benefit to the Shire of Gnowangerup. This report recommends declining the offer to take management of the reserve but recommend that the reserve be offered to the adjoining landowner.

### VOTING REQUIRMENTS

Simple Majority

### OFFICER RECOMMENDATION

**0414. That Council:**

**Decline the management order for Reserve 1024 but would recommend that the farmed portion be offered to the adjoining landowner.**

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**13.3 AMENDMENTS 5, 6, 7 & 8 AND AMENDMENT 1 TO THE LOCAL PLANNING STRATEGY**

**Location:** Gnowangerup Townsite  
**Proponent:** N/A  
**File Ref:** 18.6.4  
**Date of Report:** 17 April 2014  
**Business Unit:** Corporate Governance and Community Services  
**Officer:** Planning Officer, Craig Pursey  
**Disclosure of Interest:** Nil

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**ATTACHMENTS**

Attachment A: Schedule of Submissions  
Attachment B: Gnowangerup Townsite Strategy Plan  
Attachment C: Scheme Amendment No.6 provisions

**PURPOSE OF THE REPORT**

Council is to consider final adoption of the following amendments to Local Planning Scheme No 2:

- Amendment No 5 Applies to Lots 347 and 348 Quinn Street. This proposes to swap the current Recreation and Industrial zonings on the basis that Lot 347 is more suitable for industrial development than is Lot 348.
- Amendment No 6 Applies to Lot 426 Yougenup Road being the Water Corporation water catchment reserve. It will rationalise the zoning and provide for a new residential subdivision, recreation areas and a substantial service commercial site.
- Amendment No 7 Applies to Lot 326 Richardson Street and proposes to include the entire site in the Industry zone.
- Amendment No.8 Applies to Lot 96 Corbett Street and proposes to rezone the unused portion of the school oval to the Residential 'R25' zone.

Finally, an amendment to the Local Planning Strategy to update this document to reflect the strategic thinking and justifications for the changes proposed in the scheme amendments listed above.

The role of the Council at this stage of the scheme amendment process is to assess the public submissions and determine if changes are required to the scheme amendment as a result.

All the amendments were advertised concurrently, during which time 11 submissions were received. This report recommends that the submissions be noted and that all amendments be adopted for final approval without modification.

**BACKGROUND**

Council formally initiated Amendments 5, 6, 7 and the Local Planning Strategy Amendment (strategy amendment) at their meeting in July 2013.

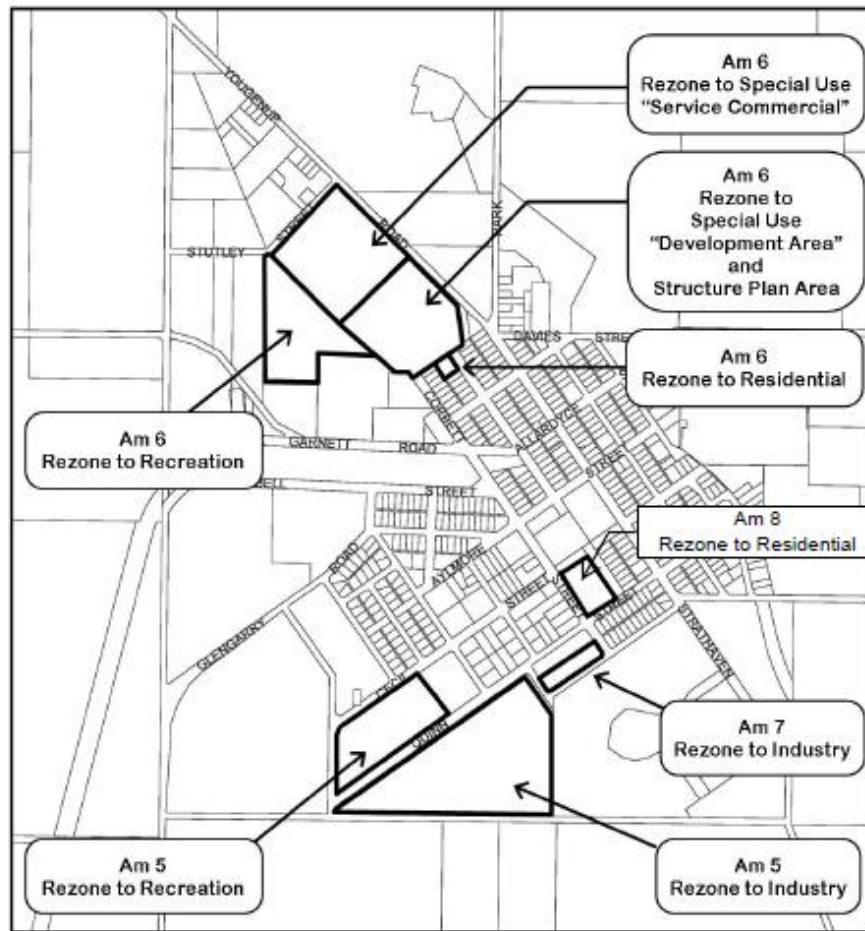
Amendment 8 was considered at the December 2013 Council meeting.

All Amendments were referred to the Environmental Protection Authority (EPA) determined by the EPA as not requiring formal assessment.



The Department of Planning granted permission to advertise the amendments on the 24<sup>th</sup> December 2013. All amendments were advertised concurrently on the 23<sup>rd</sup> January 2014 closing on the 7<sup>th</sup> March 2014.

The locations of these Amendments which are referred to in this report are shown below.



*Current Scheme Amendments in the Gnowangerup town site*

#### COMMENTS

Council is being asked to consider granting final approval to the following scheme amendments:

#### **Amendment No 5 – Lots 347 and 348 Quinn Street**

Council resolved in April to:

1. *Initiate Amendment No 5 to the Shire of Gnowangerup Local Planning Scheme No 2 pursuant to Section 75 of the Planning and Development Act 2005 by;*
  - i) *Rezoning Reserve 28654, Lot 347 Quinn Street, Gnowangerup from a Reserve for 'Recreation' to the 'Industry' zone; and*
  - ii) *Amending the Scheme Map accordingly*
2. *Amend the Local Planning Strategy to review the current status of industrial land availability in Gnowangerup and to support the rezoning of Reserve 28654, Lot 347 Quinn Street, Gnowangerup.*
3. *The preparation of a Guide Plan that shows the eventual subdivision and development of the site and adequate buffers to nearby land uses in accordance with the requirements of clause 5.12 of Local Planning Scheme No 2.*

As part of the amendment it is also proposed to rezone Lot 348 from Industry to Recreation. Hence the amendment will in effect be a swapping of the zones between the two sites.

A draft subdivision guide plan has been included at figure 8 of the Amendment documents but at this stage Council does not have to formally adopt it.

**Amendment No 6 – Reserve 12911**

Council at its Meeting in July 2013 Council resolved to initiate Scheme Amendment No 6 including:

- i) *Rezoning a portions of Lot 426 DP221136 (Reserve 12911) Garnett Road, Gnowangerup from a reserve for Public Purposes 'Water' to 'Special Use' zone; 'Structure Plan Area' and reserve for 'Recreation';*
- ii) *Rezoning Lots 183, 184 and 185 DP224130 (Reserve 27370) Whitehead Road, Gnowangerup from a reserve for Public Purposes 'Public Utilities' to the 'Residential' zone with a density coding of 'R20';*
- iii) *Rezoning a portion of Lot 426 DP221136 (Reserve 12911) Garnett Road, Gnowangerup from a reserve for 'Recreation' to a reserve for Public Purposes 'Water';*
- iv) *Modifying Schedule 4 Special Use Zones in accordance with Attachment A;*
- v) *Modifying Schedule 12 Structure Plan Areas in accordance with Attachment A; and*
- vi) *Amending the Scheme Maps accordingly.*

The amendment documents were then prepared including a detailed site plan has been provided for the proposed Ratten and Slater development.

**Amendment No 7- Lot 326 Corbett Street**

Council at its Meeting in July 2013 resolved to:

*That Council adopts Amendment No 7 which rezones part Lot 326 Corbett Street, Gnowangerup from the 'Residential' zone to the 'Industry' zone; for the purpose of advertising and referral to the Environmental Protection Authority.*

**Amendment No 8 – Lot 96 Corbett Street.**

Council at its Meeting in December 2013 resolved in part to:

*Rezoning Lot 96 Corbett Street, Gnowangerup from a Local Scheme Reserve 'Public Purposes – School' to the 'Residential' zone with a density coding of 'R25';*

**Local Planning Strategy Modifications**

To facilitate the above amendments Council adopted a number of modifications to the Local Planning Strategy at their meeting in July 2013, the changes to the Strategy are summarised as follows:

Update Section 4.3.2 Industry (Gnowangerup Townsite) Issues to:

- a) more accurately reflect the current level of vacant and committed land;
  - b) note that Lot 347 could potentially be developed for industrial purposes;
  - c) note that Lot 348 is no longer considered suitable for potential industrial development; and
  - d) in conjunction with the development of Lot 347 it may be feasible to construct Jordan Street through to Tambellup Road as an alternative access route.
- a) In Section 4.3.2 Industry (Gnowangerup Townsite) Recommendations:
- a) delete (ii) which makes reference to land between Porteus and Wood Streets potentially being rezoned to light industry and promoting home businesses; and

- b) include a new recommendation to consider the potential development of that portion of Lot 426 (Water Corporation reserve) which is adjacent to Yougenup Road being designated as a development for a range of potential mixed uses subject to a structure plan.
- b) In Section 4.3.5 Servicing and Infrastructure – Issues replace the last two dot points relating to the Department of Planning grain freight study with reference to haulage routes and access for industrial traffic.
- c) In Section 4.3.5 Servicing and Infrastructure – delete Recommendation (v) which makes reference to land between Porteus and Wood Streets potentially being rezoned to light industry and promoting home businesses.
- d) Revise the provisions of Policy Area No 7 - Quinn & Richardson Streets as contained in Attachment C. This is the land which is subject to Amendment No 7.
- e) Making associated changes to the text, numbering etc as required for clarity and consistency.

These changes are shown in the plan at Attachment B of this report.

The process for modifying the Local Planning Strategy is basically the same for amending the Planning Scheme.

The amendments to the Scheme and Strategy are intended to facilitate the creation of additional industrial, commercial and residential land in the Gnowangerup town site to enable the expansion of existing businesses in town, attract new business and create housing opportunities for workers and locals.

### ***Assessment***

The role of the Council at this stage of the scheme amendment process is to assess the public submissions and determine if changes are required to the scheme amendment as a result.

The submissions lodged raised no substantive comments, no modifications are proposed and final approval is recommended. The submissions are explored further in the next section of this report.

### **CONSULTATION WITH THE COMMUNITY AND GOVERNMENT AGENCIES**

Eleven submissions were received from government agencies and private individuals. These are summarised in the Schedule of Submissions attached to this report at Attachment A. The major issues raised are as follows:

1. Most government agencies raised no objection to the amendments and a number of local business identities wrote in support of the proposed new industrial zone.
2. Garry Richardson from Duraquip lodged a submission that mostly reviews the subdivision concept lodged with amendment 5. The issues raised are relevant including creating buffers to the future rural residential land to the south, extending Jordan Street through to the Tambellup Road and back through to the Gnowangerup-Jerramungup Road and linking the Virginia Estate back through to Jordan Street. These points do not change the zoning proposal but should be considered at the subdivision stage.
3. Tony & Carmen Sharman suggested that the stormwater from future development on Lot 426 should be stored in the dam on this property for reuse in the townsite. Whilst this is a constructive idea the Water Corporation have retained management of this dam and require that stormwater from development be diverted around the dam to maintain water quality. Once management of the dam passes to the Shire then its role and uses can be further explored.
4. Suggestions were made by both the EPA and Department of Planning to consider measures to protect remnant vegetation in the proposed Industry zone at Lot 347. However, the vegetation on adjoining Lot 326 is highly likely to be cleared as part of the existing development approval on this site.

This leaves the vegetation in the north eastern corner of Lot 347 as a small isolated pocket of Mallee; a vegetation type that is well represented in the area. Part of this may be retained as buffer to the adjacent

sporting fields. However the retention of vegetation can be left to the subdivision stage and should not affect the proposed land to be zoned.

The submissions are assessed more completely in the Schedule of Submissions at Attachment A. Copies of full submissions will be made available on request.

#### LEGAL AND STATUTORY REQUIREMENTS

All amendments undergo a statutory process including referral to the EPA, public advertising and ultimately approval of the amendment is required by the Minister for Planning.

Should Council decide to adopt the Amendment for final approval it will be forwarded to the Western Australian Planning Commission (WAPC) and Minister for Planning for final approval and gazettal.

#### POLICY IMPLICATIONS

Nil

#### FINANCIAL IMPLICATIONS

Nil

#### STRATEGIC IMPLICATIONS

The proposed Scheme and Strategy Amendments aligns with a variety of goals in the Strategic Community Plan:

- A built environment and Infrastructure that supports the community and economy; and
- A strong and diverse local economy.

#### ALTERNATE OPTIONS AND THEIR IMPLICATIONS

Council can choose to proceed with all, a few or none of the scheme amendments recommended in this report.

The implications of not proceeding with any of the proposed rezoning's has the potential to affect the growth of Gnowangerup at a time where there appears to be demand for residential, commercial and industrial land.

#### CONCLUSION

Amendments 5, 6, 7 and 8 represent significant changes in the planning and development of the Gnowangerup Townsite. The overall strategic justifications for these are reflected in the proposed amendment to the Local Planning Strategy.

The underlying premise is that the driver for any growth of the townsite is the creation of employment through the development of industry and business. In order to support this there must then be available residential development.

The submissions lodged largely support the proposed amendments. Whilst many of the issues raised are valid they are often more relevant to the subdivision stage of development and should not affect the rezoning proposals.

Final approval for the amendments is recommended without modification.

#### VOTING REQUIREMENTS

Simple Majority

## OFFICER RECOMMENDATION

- A. That Council, adopt Amendment No 5 to the Shire of Gnowangerup Local Planning Scheme No 2 pursuant to Section 75 of the Planning and Development Act 2005 by;
- i) Rezoning Reserve 28654, Lot 347 Quinn Street, Gnowangerup from a Reserve for 'Recreation' to the 'Industry' zone;
  - ii) Rezoning Lot 348 Quinn Street, Gnowangerup from 'Industry' zone to a Reserve for 'Recreation' and
  - iii) Amending the Scheme Map accordingly
- B. That Council, adopt Amendment No 6 to the Shire of Gnowangerup Local Planning Scheme No 2 pursuant to Section 75 of the Planning and Development Act 2005 by;
- i) Rezoning portions of Lot 426 DP221136 (Reserve 12911) Garnett Road, Gnowangerup from a reserve for Public Purposes 'Water' to 'Special Use Zone Nos 15 and 16'; 'Structure Plan Area No 5' and reserve for 'Recreation';
  - ii) Rezoning Lots 183, 184 and 185 DP224130 (Reserve 27370) Whitehead Road, Gnowangerup from a reserve for Public Purposes 'Public Utilities' to the 'Residential' zone with a density coding of 'R20';
  - iii) Rezoning a portion of Lot 426 DP221136 (Reserve 12911) Garnett Road, Gnowangerup from a reserve for 'Recreation' to a reserve for Public Purposes 'Water';
  - iv) Modifying Schedule 4 Special Use Zones in accordance with Attachment C;
  - v) Modifying Schedule 12 Structure Plan Areas in accordance with Attachment C; and
  - vi) Amending the Scheme Maps accordingly.
- C. That Council, adopt Amendment No 7 to the Shire of Gnowangerup Local Planning Scheme No 2 pursuant to Section 75 of the Planning and Development Act 2005 by;
- i) Rezoning Part Lot 326 Corbett Street, Gnowangerup from the "Residential" zone to the "Industry" Zone; and
  - ii) Amending the Scheme Maps accordingly.
- D. That Council, adopt Amendment No 8 to the Shire of Gnowangerup Local Planning Scheme No 2 pursuant to Section 75 of the Planning and Development Act 2005 by;
- i) Rezoning Lot 96 Corbett Street, Gnowangerup from a Local Scheme Reserve 'Public Purposes – School' to the 'Residential' zone with a density coding of 'R25'; and
  - ii) Amending the Scheme Maps accordingly.
- E. That Council resolves to modify the Shire of Gnowangerup Local Planning Strategy in accordance with Regulation 12A of the Town Planning Regulations 1967 by:
1. In Section 4.3.1 Housing (Gnowangerup Townsite) replacing Recommendation (iii) to read as follows:
    - (iii) Liaise with the Water Corporation to make the south eastern portion of Reserve 12911 in Gnowangerup available for future housing or other appropriate uses.
  2. In Section 4.3.2 Industry (Gnowangerup Townsite) Issues deleting the last two dot points and inserting the following:
    - The balance of the Industry zoned land along Cecil Street has largely been developed for lots of between 2,000 and 5,000m<sup>2</sup> in size. There are presently 35 lots within the industry zone along Cecil

Street. There are five vacant serviced lots and four of these are less than 2,000m<sup>2</sup> in size. A number of other lots are used for storage, loading and the manoeuvring of large vehicles. The two largest vacant, unserviced lots are Lots 348 and 326.

- The largest area of undeveloped land in the Industry zone is Lot 348, situated between Cecil and Quinn Streets. It has an area of 6 hectares and is Unallocated Crown Land. Investigations into the possible development of this site have indicated that it may not be suitable for development because of potential aboriginal heritage and remnant vegetation issues.
  - Lot 326 is situated between Quinn and Richardson Streets. It has an area of 2 hectares with a church situated in the north eastern corner. The remainder of the site contains remnant vegetation.
  - Lot 347 Quinn Street has an area of 17 hectares. This is Reserve 28654, which has a Management Order to the Council for the purpose of a “Washdown Facility.” The land is vacant and is used for cropping by local sporting clubs.
  - Jordan Street is an unconstructed road reserve on the southern boundary of Lot 347 which extends through to the Tambellup Road. This could potentially provide a connection into Quinn and Cecil Streets, improving access to the industrial land.
3. In Section 4.3.2 Industry (Gnowangerup Townsite) Recommendations deleting (ii) relating to land between Porteus and Wood Streets.
  4. In Section 4.3.5 Servicing and Infrastructure (Gnowangerup Townsite) Issues deleting the last two dot points and replacing with:
    - The potential development of the south western precinct of the town needs to consider existing and future haulage routes and access for industrial traffic as this has implications for the possible development of land in Richardson Street, the recreation facilities and the adjoining reserve.
  5. In Section 4.3.5 Servicing and Infrastructure (Gnowangerup Townsite) deleting Recommendation (v).
  6. In Section 4.3.6 Policy Areas replacing Policy Statement for Policy Area No 7 - Quinn & Richardson Streets with:

#### Objective

To provide for additional industrial development which is designed appropriately given the sites characteristics.

#### Issues

- The subject land is vacant except for the church on the corner of Corbett St.
- Council has issued a development approval for industry and ancillary uses over the land.
- Given the shortage of industrial land within the townsite, the site has potential for the expansion of any industrial uses which might be established on the frontage to Quinn Street.
- Protection of the existing remnant vegetation needs to be considered while recognising that it might also pose a fire risk to any adjoining development.
- Richardson Street is not constructed and provides a backdrop to the recreation complex.
- Development in this area may detract from the recreation complex while noting that portions of the site are screened by vegetation within the recreation reserve.
- The construction of Richardson Street can potentially connect through to any development within Lot 347.
- As it is not desirable for industrial lots to be backing onto residential lots, there is an argument that all of the area should be either residential or industrial.

- The nearby residential area needs to be protected from any adverse industrial activities.

**Landuses/Development:**

- Industrial uses with associated buffers.

**7. Replacing Figure 9 Gnowangerup Strategy Plan at Attachment B**

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<b>13.4</b>	<b>PROPOSED 'TRAVEL STOP' AT ONGERUP SPORTING COMPLEX GROUNDS</b>
<b>Location:</b>	Reserve 25623, Lot 99 Jaekel Street, Ongerup
<b>Proponent:</b>	Ongerup Sporting Complex Committee Inc
<b>File Ref:</b>	N/A
<b>Date of Report:</b>	17 April 2014
<b>Business Unit:</b>	Corporate/Community Services
<b>Officer:</b>	Craig Pursey, Planning Officer
<b>Disclosure of Interest:</b>	Nil

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#### ATTACHMENTS

Plans of proposed Caravan and Camping area at Ongerup Sporting Complex

#### PURPOSE OF THE REPORT

Council is being asked to determine an application from the Ongerup Sporting Complex Committee Inc to develop a 'travel stop' at the Ongerup Sporting Complex. The proposal is to allow people to camp and park RV's and caravans on the southern side of the pavilion and use the existing facilities for a fee whilst the Ongerup Caravan Park is closed.

The Scheme allows for this use and the proposed facilities appear to meet the minimum requirements of the Caravan and Camping Regulations 1997. Whilst the Ongerup caravan park is closed then a local caravan park option is still desirable in Ongerup to support the Yongergnow Malleefowl Centre and other tourist attractions and events in and around the townsite.

Approval is recommended subject to compliance with the Caravan and Camping Regulations, the preparation and lodgement of a Management Plan for the Park and a commitment to close the service should the Ongerup caravan park reopen.

#### BACKGROUND

##### ***Site description***

Reserve 25623, Lot 99 Jaekel Street, Ongerup is 10.321ha in area and developed with sporting ovals, bowling green, tennis courts parking areas and the sports pavilion building itself with bar and change rooms. Since winter sports no longer run at the centre there appears to be excess capacity on the site.

The reserve is a 'recreation' reserve under the Local Planning Scheme and is reserved for the purpose of 'Recreation' on the Certificate of Title.

#### COMMENTS

##### ***Proposal***

The Ongerup Sporting Complex Committee Inc (the Committee) is proposing to allow camping and caravanning at the Ongerup Sporting Complex. The proposal includes:

1. Caravans and RV parking in the carpark adjacent to the southern side of the Sports Pavilion;
2. Camping on the edge of the ovals;
3. Use of the footy change rooms as ablution blocks;
4. The use of the toilet block on the north side of the pavilion if busy;



5. Conversion of the umpires room to a laundry; and
6. Establishment of an RV dump point on the Sporting Complex Grounds.

A copy of the plans are attached to this report.

The site would be managed by the Committee and operates on the basis of a phone call being received in response to local adverts and then a local person going down to open up.

The Committee stresses that they are proposing the use of the complex for caravan and camping *“because the managers/purchases of the Ongerup Caravan Park walked out and there was nowhere for vans to stay in town. With Yongergnow Malleefowl Centre in town and our Museum and wildflowers we felt we had to do something to assist the community and businesses in town”*.

The Committee provides the following explanation of how the site would operate and what it would involve:

*“When I meet the people I let them know about Yongergnow and that they can go to the Bowls Club Friday night for tea and a drink and a roll of bowls if they wish, stressing the social aspect if they wish too. In winter an invitation will be extended to the Golf Club, this info plus info on Yongergnow and other businesses in town is in both the Ladies and Gents, plus emergency phone number for Police, Fire and Ambulance plus my phone number.*

*For many years there has been talk of a dump point in Ongerup, if we became the Caravan Park this would be a great place to put one, but we know nothing about what is involved or the cost, so we would appreciate your assistance with this matter also. This is volunteers doing this for their community as we manage the Complex for the Gnowangerup Shire and the committee does most of the maintenance and has done these improvements themselves. We are proud of our community the Complex and want to broaden the role the Complex has in this community and the Shire and to the travelling public.” (Jan Slee)*

### **Assessment**

The caravan and camping proposal is assessed as a ‘Caravan Park’ against both the Scheme and the Caravan and Camping Regulation 1997.

Clause 3.4.2 of the Scheme requires that when determining planning applications for uses on Reserves that the use must be consistent with the reserve purpose and that the Council to take into account those matters listed at 10.2 when determining a planning application.

The Scheme reserves the site for ‘Recreation’ purposes. A Caravan Park may be considered a recreational activity.

Clause 10.2 of the Scheme lists matters to be considered by the Council when determining planning applications. The relevant parts of this clause that apply to the current application are listed overleaf with officer comment.

Part of Clause 10.2	Officer Comment
g) in the case of land reserved under the Scheme, the ultimate purpose intended for the reserve;	Complies Land is reserved for Recreation, a caravan park of this nature could be said to be a recreational activity.
i) the compatibility of a use or development with its setting;	Generally complies The proposal is on reserved land containing the recreation centre and sporting grounds with plenty of space. Careful management of the use will be needed to avoid conflict with other users of the reserve.
j) any social issues that have an effect on	The site will need to be effectively managed to control potential noise concerns and unsociable behaviour. A

the amenity of the locality;	management plan showing how the site will be managed on a day to day basis should be required as a condition of planning consent.
l) the likely effect of the proposal on the natural environment and any means that are proposed to protect or to mitigate impacts on the natural environment;	Complies No clearing is proposed.
m) whether the land to which that application relates is unsuitable for the proposal by reason of it being, or likely to be, subject to flooding, tidal inundation, subsidence, landslip, bush fire or any other risk;	Complies
n) the preservation of the amenity of the locality;	Noise pollution from travellers is the greatest risk to the amenity of the area. On site management through the preparation and adoption of a clear management plan is recommended. Local people must be able to identify and contact the people responsible for managing the facility in the event of antisocial behaviour. It is acknowledged that the proposed travel stop is likely to be a low key facility and travellers will mostly be 'grey nomads' or caravaner's who are unlikely to create excessive noise.
p) whether the proposed means of access to and egress from the site are adequate and whether adequate provision has been made for the loading, unloading, manoeuvring and parking of vehicles	Complies The internal road system has reasonably generous turning curves and the roads appear to be wide enough for their purpose.
q) the amount of traffic likely to be generated by the proposal, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety	Complies The Complex has accommodated large numbers of people in the past and has the capacity.
v) whether adequate provision has been made for the landscaping of the land to which the planning application relates and whether any trees or other vegetation on the land should be preserved;	The retention of the existing vegetation complies with this part and the use is a good distance from the closest residence.
w) the potential loss of any community service or benefit resulting from the planning approval;	The use of the Complex for caravans and camping is plugging a hole left by the closure of the Ongerup Caravan park. Therefore, whilst the caravan park is closed it is an additional accommodation option not currently supplied by private industry.

The proposed use of the Sporting Complex for caravans and camping generally meets the requirements of the Scheme and conditional approval is recommended.

The development of a dump point is an ancillary activity to the caravan and camping and should be negotiated separately with the Shire as the manager of the reserve.

### CONSULTATION WITH THE COMMUNITY AND GOVERNMENT AGENCIES

The owners of the Ongerup caravan park were written to on the 21<sup>st</sup> March asking for information on whether the caravan park may reopen and whether they would object to a travel stop being opened at the Sporting Complex whilst they were closed. No response has been received at the time of writing this report.

### LEGAL AND STATUTORY REQUIREMENTS

#### ***Shire of Gnowangerup Local Planning Scheme No.2.***

Clause 3.4.2 of the Scheme requires that when determining planning applications for uses on Reserves that the Council must have 'due regard' for the reserve purpose and that the Shire is to take into account those matters listed at 10.2.

*The applicant has a right of review to the State Administrative Tribunal if aggrieved by any decision made by the Council.*

#### ***Caravan and Camping Regulations 1997***

These regulations apply to all camping grounds and caravan parks and are administered by the Shire. These regulations address the location and operation of caravan parks throughout the State. The applicant has liaised with the Shire's Environmental Health Officer and is aware of the requirements for the Regulations.

A more detailed plan will be required showing individual sites to comply with these regulations.

### POLICY IMPLICATIONS

Nil

### FINANCIAL IMPLICATIONS

There are none to the Shire of Gnowangerup. All costs for development and running of the facility are to be borne by the applicant.

### STRATEGIC IMPLICATIONS

The proposal aligns with a variety of the aspirations of the Strategic Community Plan:

*Goal 1: A thriving, supportive and safe community*  
*Outcome 1.3: A proactive and supportive community.*  
*Strategy 1.3.1 Support community initiated and owned projects.*

*Goal 4: A strong and diverse local economy*  
*Outcome 4.3: A growing tourism industry*  
*Strategy 4.3.3: Provide appropriate infrastructure and services to support tourism.*

### ALTERNATE OPTIONS AND THEIR IMPLICATIONS

Refuse the application.

This would leave the local community virtually without tourist accommodation to support the local events and venues.

### CONCLUSION

The use of the Ongerup Sporting Complex for caravans and camping is consistent with the requirements of Local Planning Scheme No.2 and the Caravan and Camping Regulations.

The proposal is supported provided a management plan is prepared and implemented describing how the facility would be managed and a commitment that it will cease operations when/if the caravan park reopens.

VOTING REQUIRMENTS

Simple Majority

OFFICER RECOMMENDATION

**0414. That Council:**

1. Approve the application lodged by Ongerup Sporting Complex Committee Inc for a 'Travel Stop' at Reserve 25623, Lot 99 Jaekel Street, Ongerup subject to the following conditions;
  - i) The travel stop is to be used for short stay accommodation only.
  - ii) A Management Plan shall be prepared by the applicant to the satisfaction of the Chief Executive Officer. The Management Plan shall address the following issues:
    - Description of how the Travel Stop will operate on a day to day basis including methods of payment and access to onsite facilities;
    - Rubbish Collection;
    - How on-site conflict and noise complaints will be managed;
    - How complaints from surrounding landowners will be addressed; and
    - Provide a written commitment to cease the operations of the travel stop if the Ongerup Caravan park reopens.
  - iii) Firebreaks, firefighting equipment and other appropriate fire precautions being maintained to the satisfaction of the Shire and in accordance with the Bush Fires Act and other relevant regulations.
2. Advise the applicant that;
  - (i) Ongoing compliance with the Caravan and Camping Regulations is required and a separate licence issued under these Regulations is required.

**14. INFRASTRUCTURE AND ASSET MANAGEMENT**  
Nil

**15. STATUTORY COMPLIANCE**  
Nil.

## 16. FINANCE

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<b>16.1</b>	<b>MARCH 2014 MONTHLY FINANCIAL REPORT</b>
<b>Location:</b>	N/A
<b>Proponent:</b>	N/A
<b>File Ref:</b>	N/A
<b>Date of Report:</b>	09 April 2014
<b>Business Unit:</b>	FINANCE
<b>Officer:</b>	C. SHADDICK – SENIOR FINANCE OFFICER
<b>Disclosure of Interest:</b>	NIL

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### ATTACHMENTS

- Monthly Financial Statements for period 31 March 2014 including;
  - Statement of Financial Activity to 31 March 2014.
  - Report on Material Differences.
  - Capital Budget Report.
  - Building Maintenance financial and progress report.
  - Bank Reconciliation Report.
  - Reserve Cash Balances.
  - Investment Register

### SUMMARY

Adoption of the March 2014 Monthly Financial Report

### COMMENTS

Presented to Council is the Financial Statement to 31 March 2014.

### CONSULTATION

Nil

### STATUTORY ENVIRONMENT

Local Government Financial Regulations (1996) 22, 32 and 43 apply.

### POLICY IMPLICATIONS

Nil

### FINANCIAL IMPLICATIONS

Nil

### STRATEGIC IMPLICATIONS

Nil

### VOTING REQUIREMENTS

Simple Majority

### OFFICER RECOMMENDATION

**0414. That the March 2014 Monthly Financial Report be received and noted.**



## **17. CONFIDENTIAL ITEMS**

### **PROCEDURAL MOTION**

**0414. That Council:**

**Close the meeting to members of the public in order to discuss item 17.1 & 17.2 as the items are considered confidential due to commercial in confidence details**

### **PROCEDURAL MOTION**

**0414. That Council:**

**Reopen the meeting to members of the public  
Council moved out from behind closed doors 5.54 pm on 26 February 2014**



**OTHER BUSINESS AND CLOSING PROCEDURES**

- 18. URGENT BUSINESS INTRODUCED BY DECISION OF COUNCIL**
- 19. MOTION OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**
- 20. DATE OF NEXT MEETING**
- 21. CLOSURE**