



SHIRE OF

Chapman Valley

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ORDINARY COUNCIL MEETING

Notice is hereby given that an Ordinary Meeting
of Council will be held on Wednesday 21 March 2018
at the Shire Chambers Nabawa, commencing at 9:00am.

Maurice Battilana
CHIEF EXECUTIVE OFFICER

CONFIRMED MINUTES

MARCH 2018

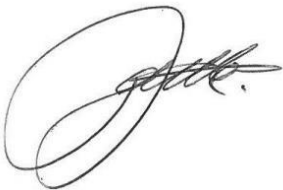
DISCLAIMER



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

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

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



Maurice Battilana
CHIEF EXECUTIVE OFFICER

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5.0 APPLICATIONS FOR LEAVE OF ABSENCE

Cr Forrester requested Leave of Absence for the March 2018 Ordinary Council Meeting.

6.0 DISCLOSURE OF INTEREST

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

Section 5.60A:

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

Section 5.60B:

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

Regulation 34C (Impartiality):

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

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

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(Previously provided under separate cover)

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Nil

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16.0 CLOSURE

ORDER OF BUSINESS:

1.0 DECLARATION OF OPENING/ANNOUNCEMENTS OF VISITORS

The President, Cr Farrell welcomed Elected Members and Staff and declared the meeting open at 9.02am.

2.0 ANNOUNCEMENTS FROM THE PRESIDING MEMBER

Nil

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

3.1 Present

a. Councillors

Member
Cr Anthony Farrell (President)
Cr Kirrilee Warr (Deputy President)
Cr Trevor Royce
Cr Darrell Forth
Cr Ian Maluish
Cr Nicole Batten

b. Staff

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

c. Visitors

Name
Nil

Apologies

Name
Cr Pauline Forrester – Leave of Absence
Cr Peter Humphrey

4.0 PUBLIC QUESTION TIME

4.1 Response to Previous Public Questions On Notice

Nil

4.2 Public Question Time

Nil

5.0 APPLICATIONS FOR LEAVE OF ABSENCE

Cr Warr requested Leave of Absence for the May 2018 Ordinary Council Meeting.

6.0 DISCLOSURE OF INTEREST

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

7.0 PETITIONS/DEPUTATIONS/PRESENTATIONS

7.1 Petitions

Nil

7.2 Presentations

Nil

7.3 Deputations

Nil

8.0 CONFIRMATION OF MINUTES FROM PREVIOUS MEETINGS

COUNCIL RESOLUTION

MOVED: CR FORTH

SECONDED: CR MALUISH

8.1 Ordinary Meeting of Council held on Wednesday 21 February 2018

That the minutes of the Ordinary Meeting of Council held Wednesday 21 February 2018 be confirmed as a true and accurate record.

**Voting 6/0
CARRIED**

Minute Reference:03/18-1

9.0 ITEMS TO BE DEALT WITH EN BLOC

COUNCIL RESOLUTION

MOVED: CR BATTEN

SECONDED: CR WARR

That items 10.1.1, 10.1.2 and 10.2.1 be moved en-bloc.

**Voting 6/0
CARRIED**

Minute Reference:03/18-2

10.0 OFFICERS REPORTS

10.1

Manager of Planning

March 2018

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10.1 AGENDA ITEMS

10.1.1 Lease Agreement Valley Tavern Fuel Facility

10.1.2 Shire of Chapman Valley Local Planning Scheme No 3

AGENDA ITEM:	10.1.1
SUBJECT:	LEASE AGREEMENT – VALLEY TAVERN FUEL FACILITY
PROPONENT:	SHIRE OF CHAPMAN VALLEY
SITE:	3354 (LOT 1) CHAPMAN VALLEY ROAD, NABAWA
FILE REFERENCE:	A657
PREVIOUS REFERENCE:	12/99-18, 6/00-20, 12/2-13, 11/12-8, 13/3-15, 8/13-22, 9/13-16 & 10/14-14
DATE:	13 MARCH 2018
AUTHOR:	SIMON LANCASTER

SUPPORTING DOCUMENT:

Ref	Title	Attached to Report	Under Separate Cover
10.1.1	Existing Nabawa Fuel Facility lease agreement (CONFIDENTIAL)		√

DISCLOSURE OF INTEREST

Nil.

BACKGROUND

The Shire has a lease agreement in place with the owners of the Valley Tavern for the operation of a fuel facility upon their Lot 1 Chapman Valley Road, Nabawa. The lease agreement is due for renewal and this report recommends that Council take up the option to continue the lease.

COMMENT

The Shire of Chapman Valley has previously been in the situation where there was no retail fuel outlet within its local government boundary and this had been raised as an issue for both the local community and tourists to the region.

To address this issue and serve its community and visitors alike, Council resolved at its 21 December 1999 meeting to relocate the fuel bowsers from the Shire Depot to the Valley Tavern.

The Shire subsequently entered into a lease agreement on 1 July 2000 for the land area about the fuel bowsers, and thus began the current situation whereby the Shire purchases fuel from bowsers installed at the front of the Valley Tavern, that also offer fuel for purchase by the general public, rather than the Shire using a private fuel facility within the Shire Depot.

When Council last discussed this issue, at the time of the Valley Tavern changing ownership, it was resolved at the 15 October 2014 meeting as follows:

- “1 Council agrees to enter into a lease agreement with new owners of the Valley Tavern in accordance with the conditions stated in the existing lease agreement with current owners for the provision of the fuel facilities located at the Nabawa Tavern.
- 2 Council cover costs associated with amending the lease agreement to accommodate transfer to new owners of the Valley Tavern.”

The current lease period is due to expire on 30 June 2018 and the lease agreement contains provision for the Shire to extend the period of lease for a further 5 years until 30 June 2023.

A copy of the existing lease agreement has been provided as **Attachment 10.1.1**, this attachment is to be treated as **confidential** as it contains commercial information.

STATUTORY ENVIRONMENT

Section 3.2 of the lease agreement provides the Shire with the option of extending the term of the lease subject to the current covenants of the lease.

Part 5 of the Schedule of the existing agreement provides the further term of the lease as being 5 years from 1 July 2018.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Council's adopted budget contains allocation for its annual lease payment towards the Nabawa fuel facility under the terms of the lease agreement.

- **Long Term Financial Plan:**

The Shire of Chapman Valley Long Term Financial Plan was endorsed by Council at its 19 July 2017 meeting. It is not considered that the determination of this matter by Council would have impact in relation to the Long Term Financial Plan.

STRATEGIC IMPLICATIONS

- **Strategic Community Plan:**

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

The Strategic Community Plan notes that the community has raised a "lack of local shops and services", "promotion and support for local businesses" and "attraction of more businesses and tourists to the area" as key challenges and risks. The Shire's assistance in maintaining a fuel facility in Chapman Valley through entering into a lease agreement and utilising the facility at the Nabawa Tavern is a means to help address these issues and better serve the local community and visitors to Chapman Valley alike.

The lease agreement assists in meeting the following Key Themes and Goals as identified by the Strategic Community Plan:

"Strengthen our advocacy role and regional partnerships to support provision of local services and facilities."

"Provide support for business development and local employment."

CONSULTATION

The Shire wrote to the landowners of Lot 1 as per the requirements of Section 3.2 of the existing lease on 20 February 2018, and the owners have advised that they are agreeable to the lease being extended.

RISK ASSESSMENT

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

VOTING REQUIREMENTS

Simple majority required.

COUNCIL RESOLUTION / STAFF RECOMMENDATION

MOVED: CR BATTEN

SECONDED: CR WARR

That Council advise the landowners of the Valley Tavern that it wishes to extend the term of the current lease for a further five years, this being from 1 July 2018 until 30 June 2023.

**Voting 6/0
CARRIED
Minute Reference:03/18-2
(Item moved en-bloc)**

AGENDA ITEM:	10.1.2
SUBJECT:	SHIRE OF CHAPMAN VALLEY LOCAL PLANNING SCHEME No.3
PROPONENT:	SHIRE OF CHAPMAN VALLEY
SITE:	WHOLE OF SHIRE
FILE REFERENCE:	204.11
PREVIOUS REFERENCE:	02/18-2
DATE:	14 MARCH 2018
AUTHOR:	SIMON LANCASTER

SUPPORTING DOCUMENT:

Ref	Title	Attached to Report	Under Separate Cover
10.1.2(a)	Draft Shire of Chapman Valley Local Planning Scheme No.3		√
10.1.2(b)	Shire of Chapman Valley Local Planning Scheme No.2 (for comparative purposes)		√

DISCLOSURE OF INTEREST

Nil.

BACKGROUND

Council resolved at its 21 February 2018 meeting to initiate the preparation of Shire of Chapman Valley Local Planning Scheme No.3 to replace current Scheme No.2. Draft Scheme No.3 has now been prepared and this report recommends that Council resolve to forward the Scheme to the Environmental Protection Authority ('EPA') and the Western Australian Planning Commission ('WAPC') seeking consent to advertise.

COMMENT

The current Shire of Chapman Valley Local Planning Scheme No.2 (gazetted on 20 November 2013) requires review to ensure the Scheme is consistent with the *Planning and Development (Local Planning Schemes) Regulations 2015* ('the Regulations').

The last Scheme Review process that Council undertook required a significant overhaul of Scheme No.1 (gazetted on 20 August 1982) and it was therefore considered that this Scheme Review should be more of a refinement process with changes generally limited to the following:

- Updating the Shire's Scheme Text provisions to accord with the new Model and Deemed Provisions for Scheme Text as contained in Schedules 1 & 2 of the Regulations to ensure consistency and assist Council in statutory matters;
- Modifications to the Scheme Text and Map to accord with the Scheme Amendments to Scheme No.2 that have been previously initiated by Council;
- Minor modifications to the Scheme Map around the Nabawa townsite to reflect Council's planning directions as contained in the Nabawa Townsite Revitalisation Plan;
- Review of the zonings to ensure that privately owned land was not identified for public purposes and that zonings for public/Crown land matched the management purpose.

A copy of the draft Shire of Chapman Valley Local Planning Scheme No.3 has been provided as **separate Attachment 10.1.2(a)** and a hard copy can be provided to Councillors upon request should they prefer.

A copy of the current Shire of Chapman Valley Local Planning Scheme No.2 has been provided for comparative purposes as **separate Attachment 10.1.2(b)** and a hard copy can be provided to Councillors upon request should they prefer.

STATUTORY ENVIRONMENT

Section 88 of the *Planning and Development Act 2005* ('the Act') requires Local Governments to review their planning scheme every five years. Schemes are prepared and adopted under Part 5 of the Act and must be in compliance with the Regulations.

The Regulations require that the Shire review its current Scheme (having been gazetted after 19 October 2010) prior to 2020.

Should Council be satisfied with draft Scheme No.3, then Section 81 of the Act and Section 48 of the *Environmental Protection Act 1986* require the Scheme to be forwarded to the EPA for assessment, and the EPA have the authority under these Acts to call in the Scheme for Environmental Review. Given that the Scheme does not propose wholesale rezoning of land, rather more detailed refinement of existing zones, then it is anticipated that there would not be any basis for an Environmental Review to be requested. In the event that an Environmental Review was requested by the EPA this matter would be returned to Council for its further consideration.

Should the EPA not require the preparation of an Environmental Review, then Scheme No.3 can then be forwarded to the WAPC seeking its consent to advertise.

A flowchart illustrating the Scheme Review process was provided as Attachment 10.1.1(b) with the 21 February 2018 Council Agenda.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

- **Long Term Financial Plan:**

The Shire of Chapman Valley Long Term Financial Plan was endorsed by Council at its 19 July 2017 meeting. It is not considered that the determination of this matter by Council would have impact in relation to the Long Term Financial Plan.

STRATEGIC IMPLICATIONS

- **Strategic Community Plan:**

The Shire of Chapman Valley Strategic Community Plan was endorsed by Council at its 15 November 2017 meeting. The Scheme review will provide opportunity to ensure that the outcomes identified within the Strategic Community Plan are incorporated into its statutory planning and zoning document.

CONSULTATION

In the event that Council and subsequently the WAPC are satisfied with draft Scheme No.3, the consultation process required for the advertising of a Local Planning Scheme is set by the Regulations. It is proposed that Scheme No.3 would be advertised for a period of 3 months, and the advertising would include the following actions:

- display of Scheme No.3 at the Shire office;
- display of Scheme No.3 at the WAPC office;
- display of Scheme No.3 on the Shire website;
- notice inviting comment to be published in a newspaper circulating in the district (i.e. Mid West Times);
- notice inviting comment being sent to all relevant government agencies and service authorities.

At the conclusion of the advertising period Scheme No.3 would be returned to Council for its consideration of the received submissions.

RISK ASSESMENT

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

VOTING REQUIREMENTS

Simple majority required.

COUNCIL RESOLUTION / STAFF RECOMMENDATION

MOVED: CR BATTEN

SECONDED: CR WARR

That Council:

- 1 Resolve to adopt Shire of Chapman Valley Local Planning Scheme No.3 pursuant to Part 5 of the *Planning and Development Act 2005* and forward, in accordance with Part 5 Division 3 Section 81 of the *Planning and Development Act 2005*, notice of the resolution to adopt and a copy of the Scheme to the Environmental Protection Authority to determine whether the Scheme should be formally assessed.
- 2 Forward the Shire of Chapman Valley Local Planning Scheme No.3, in accordance with Part 4 Division 2 Section 21 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, to the Western Australian Planning Commission seeking its consent to advertise.
- 3 Delegate to the Chief Executive Officer to undertake minor modifications to the Shire of Chapman Valley Local Planning Scheme No.3 that do not significantly alter the intent of the Scheme (including but not limited to; changes to format, spelling, grammar, numbering; Model or Deemed provisions; updates necessitated by Scheme Amendments, Structure Plans, Policies or other Strategies that have been given approval in the interim period etc.) as may be required by the Western Australian Planning Commission or otherwise prior to its advertising consent being granted.
- 4 Upon receipt of the Western Australian Planning Commission's advice that the Shire of Chapman Valley Local Planning Scheme No.3 can be advertised, and compliance with Part 5 Division 3 Section 82 of the *Planning and Development Act 2005*, proceed to advertise the Scheme in accordance with Part 4 Division 2 Section 22 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
- 5 At the conclusion of the advertising period return the draft Shire of Chapman Valley Local Planning Scheme No.3, and any received submissions, to Council for its further consideration.

**Voting 6/0
CARRIED**

**Minute Reference:03/18-2
(Item moved en-bloc)**

10.2

Finance

March 2018

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10.2 AGENDA ITEMS

10.2.1 Financial Reports for February 2018

10.2.2 Annual Budget Review 2017/18

AGENDA ITEM:	10.2.1
SUBJECT:	FINANCIAL REPORTS FOR FEBRUARY 2018
PROPONENT:	SHIRE OF CHAPMAN VALLEY
SITE:	SHIRE OF CHAPMAN VALLEY
FILE REFERENCE:	307.04
PREVIOUS REFERENCE:	N/A
DATE:	21 MARCH 2018
AUTHOR:	DIANNE RAYMOND, MANAGER FINANCE & CORPORATE SERVICES

SUPPORTING DOCUMENTS:

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

DISCLOSURE OF INTEREST

Nil

BACKGROUND

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

COMMENT

The monthly financial statements for February 2018 have been provided as a **separate attachment** for Council's review.

STATUTORY ENVIRONMENT

Local Government Act 1995 Section 6.4

Local Government (Financial Management) Regulations 1996 Section 34

POLICY IMPLICATIONS

There are no policy implications

FINANCIAL IMPLICATIONS

As presented in February 2018 financial statements.

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

No significant effect on the LTFP

STRATEGIC IMPLICATIONS

Nil

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

Nil

CONSULTATION

Not applicable

RISK ASSESSMENT

The associated risk would be the failure to comply with Local Government Financial Regulations requiring monthly reporting of financial activity. The Risk Rating is Level 1 Insignificant.

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

VOTING REQUIREMENTS

Simple Majority

COUNCIL RESOLUTION / STAFF RECOMMENDATION

MOVED: CR BATTEN

SECONDED: CR WARR

That Council receives the financial report supplied under separate attachment for the month of February 2018 comprising the following:

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

**Voting 6/0
CARRIED
Minute Reference:03/18-2
(Item moved en-bloc)**

AGENDA ITEM:	10.2.2
SUBJECT:	ANNUAL BUDGET REVIEW 2017/2018
PROPONENT:	CHIEF EXECUTIVE OFFICER
SITE:	SHIRE OF CHAPMAN VALLEY
FILE REFERENCE:	306.13
PREVIOUS REFERENCE:	NIL
DATE:	21ST MARCH 2018
AUTHOR:	DIANNE RAYMOND, MANAGER FINANCE & CORPORATE SERVICES

SUPPORTING DOCUMENTS:

Ref	Title	Attached to Report	Under Separate Cover
Attachment 1	Detailed Budget Review		√

DISCLOSURE OF INTEREST

Nil

BACKGROUND

The Local Government Act and Regulations require a local government to review its annual budget between 1st January and 31st March in each year. Regulation 33A of the Local Government (Financial Management) Regulations 1996 states:

“33A Review of budget

- (1) *Between 1 January and 31 March in each year a local government is to carry out a review of its annual budget for that year.*
- (2) *Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the Council.*
- (3) *A Council is to consider a review submitted to it and is to determine* whether or not to adopt the review, any parts of the review or any recommendations made in the review.*
* *Absolute Majority required*
- (4) *Within 30 days after a Council has made a determination, a copy of the review and determination is to be provided to the Department.”*

COMMENT

Prudent management of the Shire's Annual Budget includes a full review of the Shire's progress halfway through the financial year. This review process has been undertaken having regard for:

- actual revenues and expenditures for the first six (6) months of the financial year,
- forecast revenue and expenditure levels for the remaining six (6) months of the year,
- the more significant (in dollar terms) variances to budget rather than the minor 'under & over's' which will generally balance out.

Council's adopted budget, at times will need variations made, to reflect changes which occur after the original budget has been adopted. There are several amendments identified in the review document (Attachment 1) which accommodate unforeseen situations, grant variations, reallocation of works and services, etc, since the Original Budget was adopted.

The items listed in **Attachment 1** have been identified as variations required to the Budget however having a nil overall effect on the 2017/2018 Adopted Budget.

This report seeks Council consideration of variations for the mid-year budget review and determination of whether or not to authorise these proposed variations according to both operating and capital revenue/expenditure.

The original 2017/2018 budget as adopted by Council forecast a closing position of \$1,550,928 After the annual audit and mid-year review the audited closing position is \$1,691,081; an increase in the carried forward surplus of \$140,153. The change in position is primarily due to over estimating 30 June 2017 creditors to be paid in July 2017.

The fixed asset depreciation budget provision across all infrastructure, land & building, plant & equipment classes requires amendment primarily due to the revaluation cycle for Land & Buildings at the 30th June 2017. This revaluation was not completed at the time of preparing the annual budget and all depreciation was estimated based on the previous financial year. The asset register has now been updated with depreciation rates recalculated. It is recommended the overall budget for asset depreciation be amended from \$2,220,575 to \$2,319,075. This is a non-cash item; however, may impact on Council's ratios at the end of the financial year.

STATUTORY ENVIRONMENT

Local Government Act (1995) – Division 2 - Annual Budget - Section 6.2

Local Government (Financial Management) Regulations - Review of Budget - Reg 33A

POLICY IMPLICATIONS

The budget is based on the principles contained in all Councils Plans for the Future.

FINANCIAL IMPLICATIONS

A summary of Proposed Budget amendments is attached with a NIL overall budget effect.

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

No significant effect on the LTFP

STRATEGIC IMPLICATIONS

Nil

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

All the attached proposed amendments are consistent with the Corporate Business Plan.

CONSULTATION

All Senior Staff have been consulted to determine the various proposed budget amendments requested.

RISK ASSESSMENT

Risk Rating Level 1 - Insignificant is appropriate as associated risk would be a failure to comply with relevant Financial Management Regulations requiring local governments to review their annual budget. The proposed changes to the 2017/2018 Adopted Budget does not have an increased/decreased financial impact, simply a NIL affect overall. The proposed increase adjustments to expenditures are offset by reducing expenditure allocations elsewhere in the budget; increase to income not previously allocated and additional opening surplus, with the view to ensuring a budget outcome for the year achieves or delivers an improved overall result than the original budget.

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

VOTING REQUIREMENTS

Absolute Majority

COUNCIL RESOLUTION / STAFF RECOMMENDATION

MOVED: CR FORTH

SECONDED: CR ROYCE

That Council:

1. Council adopts the 2017/2018 Statutory Budget Review, which includes all amendments listed below:

COA	JOB	Description	Current Budget	Budget Variation	Amended Budget
		Estimated Surplus July 1	-\$1,550,928	-\$140,153	-\$1,691,081
0754		CAPITAL EXP. - PLANT & EQUIP.	\$0	\$135,487	\$135,487
0915		Capital Grant - FESA	\$0	-\$135,487	-\$135,487
0233		Grants Commission - Road Funding	-\$217,061	-\$14,211	-\$231,272
0253		Grants Commission - Equalisation (General Purpose)	-\$161,866	-\$11,974	-\$173,840
3554		Plant & Equipment Purchases	\$630,000	\$35,000	\$665,000
3393		Hudson Resources - Dartmoor Road	-\$40,407	\$19,511	-\$20,896
3143		MRWA Direct Grant.	-\$118,710	\$50,344	-\$68,366
0473		Admin Building Repairs & Maintenance	\$21,600	-\$5,600	\$16,000
3412		Coronation Beach Expenses	\$19,200	-\$12,500	\$6,700
	CD022	Fixed Wireless Internet Service	\$15,000	\$5,000	\$20,000
	1015	Nabawa Tennis Club - Capital Exp	\$45,650	-\$18,050	\$27,600
2803		Grants & Other Income Received	-\$244,657	-\$15,000	-\$259,657
2803		Grants & Other Income Received	-\$244,657	\$12,366	-\$232,291
	CHEM	Bill Hemsley Park Capital Works	\$644,491	\$15,000	\$659,491
3173		MW Regional Road Funding	-\$875,667	\$3,000	-\$872,667
6722		Noxious Weeds & Pest Expense	\$7,755	\$5,000	\$12,755
	CD018	Thank a Volunteer Day Event	\$0	\$1,000	\$1,000
3633		Grant - Community Development	\$0	-\$1,000	-\$1,000
0242		Members Sitting Fees.	\$75,280	-\$3,000	\$72,280
3102		Cemetery Expenses	\$5,283	-\$5,000	\$283
1762		Domestic Rubbish Collection Expenses	\$129,000	-\$5,233	\$123,767
2055		Tfr from Landcare Reserve	-\$15,000	\$15,000	\$0
2022		Landcare Expenditure	\$15,000	-\$15,000	\$0
4781		Transfer to Plant/Light Vehicle Reserve	\$120,000	\$85,500	\$205,500
Budget amendment impact				\$0	

2. The 2017/2018 fixed asset depreciation budget allocation be amended in accordance with the recent revaluations. This is a non-cash item therefore will have a nil effect on Council's operating budget.

Voting 6/0
CARRIED
Minute Reference:03/18-3

10.3

Chief Executive Officer

March 2018

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10.3 AGENDA ITEMS

10.3.1 Building & Disability Services Committee Minutes

10.3.2 Roads & Infrastructure Committee Minutes

AGENDA ITEM:	10.3.1
SUBJECT:	BUILDING & DISABILITY SERVICES COMMITTEE MEETING
PROPONENT:	SHIRE OF CHAPMAN VALLEY
SITE:	VARIOUS SITES
FILE REFERENCE:	801.00
PREVIOUS REFERENCE:	NIL
DATE:	21st MARCH 2018
AUTHOR:	MAURICE BATTILANA

SUPPORTING DOCUMENTS:

Ref	Title	Attached to Report	Under Separate Cover
10.3.1(a)	Building & Disability Services Committee Meeting Minutes		√
10.3.1(b)	Operating Building Maintenance Program		√
10.3.1(b)	Capital Building Works Program		√
10.3.1(c)	Disability Access Inclusion Plan		√

DISCLOSURE OF INTEREST

Nil

BACKGROUND

The Shire of Chapman Valley Building & Disability Services Committee met on the 7th March 2018 to review:

- Buildings Capital Works Program;
- Buildings Maintenance Works Program; and
- Disability Access & Inclusion Plan

The Unconfirmed Minutes of the meeting have been provided under separate cover for Council reference and information (see **Attachment 10.3.1(a)**).

COMMENT

The minutes and recommendations from the Building & Disability Services Committee meeting are presented for Council consideration.

STATUTORY ENVIRONMENT

Local Government Act 1995

POLICY IMPLICATIONS

The following Procedures are relevant:

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

OBJECTIVES:

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

MANAGEMENT PROCEDURE STATEMENT/S:

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

MANAGEMENT PROCEDURE No.	CMP-009
MANAGEMENT PROCEDURE	USE OF FURNITURE (ALL BUILDINGS)
RESPONSIBLE DIRECTORATE	LAND & BUILDINGS
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY No.	4.60
RELEVANT DELEGATIONS	

OBJECTIVES:

Control the access and use of Shire owed furniture at Shire owned/controlled buildings & facilities

Management Licences established for the use of Shire owned buildings & facilities will take precedence over this Procedure if there is any contradiction.

MANAGEMENT PROCEDURE STATEMENT/S:

Furniture is not available for hire or use other than for functions held at the Shire owned buildings & facilities, except where the Chief Executive Officer has granted approval for such hire.

Council hires its tables and chairs to local organisations on the understanding that the hirer will be responsible for loss or breakages.

Hirers to have precedence for the use of furniture

The Chief Executive Officer has the discretionary power to approve or disallow any such relocation of Council owned furniture

MANAGEMENT PROCEDURE No.	CMP-012
MANAGEMENT PROCEDURE	NANSON SHOW GROUNDS – ANNUAL CHAPMAN VALLEY SHOW
RESPONSIBLE DIRECTORATE	LAND & BUILDINGS
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY No.	4.70
RELEVANT DELEGATIONS	

OBJECTIVES:

Ensure adequate and timely assistance is provided to the Chapman Valley Agricultural Society for the preparation of the annual Chapman Valley Agricultural Show at the Nanson Showgrounds.

MANAGEMENT PROCEDURE STATEMENT/S:

The following Operational Procedure is to be followed for the preparation of the Nanson Show Grounds for the Annual Chapman Valley Agricultural Show:

TIME FRAME	OPERATIONAL PROCEDURE		OFFICER RESPONSIBLE
1 month prior to show	1.	Spray winter weeds along road verge and on the grounds for star thistle, roly poly and walkaway bur	Senior Ranger
2 weeks prior to show	2.	Check all buildings for maintenance to be completed	Building Surveyor
	3.	Mow surrounds, car parks and whipper snipper around buildings and fences	Works Supervisor

	4.	Assist with the hosing out of the Hall – 2 weeks before the Show.	Building Surveyor / Senior Ranger
	5.	Grade firebreaks around Nanson Show Grounds – September.	Works Supervisor
1 week prior to show	6.	Contact show secretary and offer council staff for setting up the show – Monday before the show.	Works Supervisor
	7.	Cartage of 100 chairs from the Community Centre to the dining room – Tuesday before the show	Works Supervisor
	8.	Grade and water roads, parking areas, walkways and entrances into Nanson Show Grounds – Tuesday before the show.	Works Supervisor
	9.	Check the toilets and tanks for maintenance – Wednesday before the show and 1 week prior to Merino Stud Breeders Show.	Building Surveyor
	10.	Deliver rubbish bins, rubbish crate and recycling bins to Nanson Show Grounds – Friday before the show.	Works Supervisor
	11.	Fire truck – Ensure available with volunteer on the show day – wet down dusty areas.	Building Surveyor / Senior Ranger
	12.	Contact the cleaners to have the toilets cleaned twice throughout the show day & ensure enough hand towels, toilet rolls etc.	Admin Manager
	13.	Create ‘No Parking’ signs day before show and post along Chapman Valley Road on the day of the show.	Works Supervisor
2 days prior to show	14.	Mow surrounds, car parks and whipper snipper around buildings and fences – 2 weeks prior and 2 days prior to the show	Works Supervisor
	15.	Grade McCagh Road to Mt Erin-Nabawa Road	Works Supervisor

MANAGEMENT PROCEDURE No.	CMP-014
MANAGEMENT PROCEDURE	<i>SPORTS GROUND</i>
RESPONSIBLE DIRECTORATE	WORKS & SERVICES
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY No.	4.90
RELEVANT DELEGATIONS	

OBJECTIVES:

Protect the playing surface of the Nabawa Sporting Complex oval.

MANAGEMENT PROCEDURE STATEMENT/S:

The area defined for the sports oval be used solely for the purpose of pedestrian team sports unless otherwise determined by the Shire

MANAGEMENT PROCEDURE No.	CMP-015
MANAGEMENT PROCEDURE	COUNCIL HOUSING / BUILDINGS
RESPONSIBLE DIRECTORATE	LAND & BUILDINGS
RESPONSIBLE OFFICER	BUILDING & PROJECTS
PREVIOUS POLICY No.	4.100
RELEVANT DELEGATIONS	

OBJECTIVES:

Outline the requirements for the lease/rental of Shire owned residential properties.

MANAGEMENT PROCEDURE STATEMENT/S:

Bond

A bond is to be imposed upon all new tenants renting Council houses with the amount being that as set by the current year's budget. The bond amounts are to be set for both Council employees and private tenants and reviewed annually. This bond is to be forwarded to the appropriate organisation to be held in trust in accordance with legislative requirements.

Council employee tenants are to be given the option of paying the bond amount by instalment deductions from their fortnightly pay.

Residential Tenancies Act 1987

Council adopts the "Standard Residential Tenancy Agreement" guidelines for all future tenants with the following additional conditions:

- (i) The tenant will be in breach of a term of his Agreement if his/her employment with the Chapman Valley Shire Council ceases for any reason.
- (ii) All persons occupying Council owned houses are to complete and sign tenancy agreements.
- (iii) Houses may be allocated to various staff positions.
- (iv) It is the responsibility of the tenant to ensure the gardens, yard and house surrounds are kept in a neat and tidy condition and lawns and gardens not be left to die or deteriorate.
- (v) If applicable it is the responsibility of the tenant to maintain the swimming pool located at the premises and ensure all isolation fencing complies with legislation.

FINANCIAL IMPLICATIONS

Recommendations from the Committee are presented to Council for consideration for allocation into the forthcoming and future draft budgets. Not all cost estimates have been undertaken at time of writing this report.

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

The *Five Year Building Program* will have an effect on the Shire's Integrated Planning and Reporting, which sets Council's future long term direction and planning.

STRATEGIC IMPLICATIONS

It is important for Council to have a strategic approach to managing all its assets, which included buildings.

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

Ref	Objective	Strategy	Action
4.1	Develop, manage and maintain built infrastructure	Asset Management Plan	Review Asset Management Plan regularly and maintain integration with other Strategic Plans within the Shire

CONSULTATION

Council staff continually monitors buildings and facilities owned/controlled by the Shire. Staff also continually liaises with tenants/users of these facilities.

RISK ASSESSMENT

There is a risk of buildings and facilities deteriorating if adequate resources are not allocated to address depreciation and fair wear and tear of the buildings. However; in this instance, I believe the risk is currently **Minor** i.e.

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

COUNCIL RESOLUTION / COMMITTEE RECOMMENDATIONS

MOVED: CR FARRELL

SECONDED: CR MALUISH

Council receive the Minutes of the Building & Disability Services Committee and endorse the recommendations within i.e.

1. Minute Reference: 03/18-2

Council consider the amended *Operating Building Maintenance Program* as discussed and this amended Program be used as a basis to develop the Draft 2018/2019 Budget.

2. Minute Reference: 03/18-3

Council consider the amended “*5 Year - Capital Building Works Program*” as discussed and determined (with specific mention of removing proposed CEO residence from the program) with this Program to be used as a basis to develop the Draft 2018/2019 Budget.

3. Minute Reference: 03/18-4

Council return Lot 59 Cahill Rise to LandCorp and recover acquisition costs for this parcel of land at the end of the contract term 4 November 2018.

4. Minute Reference: 03/18-5 & 6

- i. Council endorse the Shire’s Disability Access Inclusion Plan (DAIP) as presented without changes.
- ii. Council advertise advertised requests for public comments and submissions on the draft Disability Access & Inclusion Plan in accordance with legislation.

In the event there are no adverse comments or submissions received the Draft Plan is adopted as presented. However, in the event there are comments and submissions received requesting amendment to the Draft Plan this be brought back to Council for further consideration.

COUNCIL RESOLUTION

MOVED: CR WARR

SECONDED: CR BATTEN

That Standing Orders be suspended for further discussion.

**Voting 6/0
CARRIED
Minute Reference:03/18-4**

COUNCIL RESOLUTION

MOVED: CR WARR

SECONDED: CR FARRELL

That Standing Orders be re-instated

**Voting 6/0
CARRIED
Minute Reference:03/18-5**

The Substantive Motion was put and carried

**Voting 6/0
CARRIED
Minute Reference:03/18-6**

AGENDA ITEM:	10.3.2
SUBJECT:	ROADS INFRASTRUCTURE COMMITTEE MEETING
PROPONENT:	ROADS INFRASTRUCTURE COMMITTEE
SITE:	SHIRE OF CHAPMAN VALLEY
FILE REFERENCE:	403.03
PREVIOUS REFERENCE:	NA
DATE:	21ST MARCH 2018
AUTHOR:	MAURICE BATTILANA

SUPPORTING DOCUMENTS:

Ref	Title	Attached to Report	Under Separate Cover
10.3.2(a)	Roads Infrastructure Committee Meeting Minutes		√
10.3.2(b)	10 Year Road Works Program – 2018/2019 to 2027/2028		√
10.3.2(c)	Proposed Plant Replacement Program		√

DISCLOSURE OF INTEREST

Nil

BACKGROUND

The Road Infrastructure Committee met on the 6th March 2018 to review the following:

- ~ Road Works Program;
- ~ Road Hierarchy;
- ~ Heavy Haulage Vehicle Permit Roads; and
- ~ Plant Replacement Program

The Unconfirmed Minutes of the meeting have been provided under separate cover for Council reference and information (see **Attachment 10.3.2(a)**).

COMMENT

Determination from the Road Infrastructure Committee will form recommendations to Council for consideration and endorsement for allocation of funding and resources to the forthcoming Draft Budget.

Rather than repeat the content of the Committee Meeting in this report I refer Councillors to the Committee Minutes and welcome any comments/questions.

STATUTORY ENVIRONMENT

Local Government Act 1995

POLICY IMPLICATIONS

As stated in the Road Infrastructure Committee Minutes, various Policies and Procedures affect the decision-making process. These Policies and Procedures were considered during the Committee’s deliberations.

FINANCIAL IMPLICATIONS

Road works is the largest income and expenditure component of the Shires operations, which makes it important to ensure the limited resources made available by grants and those allocated by Council to this function are maximised, whilst remaining conscious of the need to ensure road infrastructure maintenance is also preserved.

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

The Proposed 2018/2019 Road Works Program, Ten Year Road Works Program and Plant Replacement Program have been structured in a way to complement the LTFP. However; the Annual Budget can vary

the amounts shown in the LTFP due to these Programs being more detailed. There will also be variation to the amounts indicated in the Programs when compared to the forthcoming budget as, again, the budget figures are more details and analysed prior to being placed into the Draft Budget

STRATEGIC IMPLICATIONS

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

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

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

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

Ref	Objective	Strategy	Action
4.2	Manage and maintain roads, drainage and other essential infrastructure	Capital Road Works Programs	Review Road Hierarchy and Ten-Year Road Works Program
		Plant Replacement Programs	Review Plant Replacement Program

CONSULTATION

Consultation occurred with the Shire’s Manager Works and Services (Esky Kelly), Works Leading Hand (Marty Elks) and Greenfield Technical Services (consultant engineer) when developing the proposed road works and/or plant replacement programs.

RISK ASSESSMENT

There is a risk associated with limited resources not being allocated to the roads in most need, hence the reason for the Road Hierarchy and consultation with the road works staff being essential to the integrity of the process of funding allocations. Council should not be subject to allocating funds to road because of the “*squeaky wheel receiving the most oil*”.

However; as I am confident the processes and procedure are in place to ensure resources are appropriately allocated to the various programs I believe the risk in this instance is “**Moderate**” i.e.

Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Moderate (3)	Medical type injuries	\$10,001 - \$50,000	Medium term temporary interruption – backlog cleared by additional resources < 1 week	Short term non-compliance but with significant regulatory requirements imposed	Substantiated, public embarrassment, moderate impact, moderate news profile	Localised damage requiring external resources to rectify	Contained, reversible impact managed by external agencies

VOTING REQUIREMENTS

Simple Majority

COUNCIL RESOLUTION / COMMITTEE RECOMMENDATION

MOVED: CR BATTEN

SECONDED: CR FORTH

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

1. Minute Reference RIC 03/18-2

The Road Infrastructure Committee recommends Council endorses the *Road Hierarchy Policy (IP-006)* as presented without change.

2. Minute Reference RIC 03/18-3

The Road Infrastructure Committee recommends Council endorse the *10 Year Road Works Program – 2018/2019 to 2027/2028* as presented and this Program be used as a basis for resource allocation into the Draft 2018/2019 Budget with the following additions:

- i. Increase the roadside vegetation control budget
- ii. Realign median strip curbing Parkfalls Estate
- iii. Approach Main Roads in regard to reducing the speed limits in Parkfalls Estate to 60km/hr

3. Minute Reference RIC 03/18-4

The Road Infrastructure Committee recommends Council endorses the *Heavy Haulage Vehicle Permits (IP-003)* Policy as presented without change.

4. Minute Reference RIC 03/18-5

The Road Infrastructure Committee recommends Council endorses the *Proposed Plant Replacement Program* as presented and request the Chief Executive Officer use this Program as a basis for resources to be allocated in the forthcoming budget with the following amendments:

- i. Replace Kubota ride on mower 18/19
- ii. Replace Husqvarna ride on mower 18/19

5. Minute Reference RIC 03/18-6

- i. Council defer Nabawa Stadium carpark seal project until further investigation and costings are undertaken for consideration in the draft 18/19 budget.
- ii. Council consider in the draft 18/19 budget to have the sealed driveway from Chapman Valley Road along Bowden Lane to the Yuna Community Centre.
- iii. Council defer seal reconstruction works on East Bowes Road in 17/18 until remedial drainage works are undertaken to determine if this rectifies the surface problem.

6. Minute Reference RIC 03/18-7

Council formally approach Main Roads WA regarding the poor state of the Chapman Valley Road (specifically the section from East Naraling bends to Nabawa townsite) enquiring as to what their maintenance and upgrade program is for this road.

**Voting 6/0
CARRIED
Minute Reference:03/18-7**

11.0 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

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

Nil

13.0 DELEGATES REPORTS

Cr Forth advised that he had attended the Chapman Valley Agricultural Society meeting and advised them to bring back any suggestions to Council in regard to the Nanson Showgrounds Master Plan.

14.0 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Nil

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

Nil

16.0 CLOSURE

The Chairman thanked the Elected Members and Staff for their attendance and closed the meeting at 9.29am