

ORDINARY COUNCIL MEETING

CONFIRMED MINUTES

**9:00am Wednesday
17/03/2021**

**Bill Hemsley Park
Community Centre**

March 2021

SHIRE OF CHAPMAN VALLEY
Maurice Battilana
CHIEF EXECUTIVE OFFICER

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



SHIRE OF
Chapman Valley
love the rural life!

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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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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 9:00 am.

2.0 ANNOUNCEMENTS FROM THE PRESIDING MEMBER

Nil

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

3.1 Attendees

Elected Members	In	Out
Cr Anthony Farrell (President)	9:00 am	10:23 am
Cr Kirrilee Warr (Deputy President)	9:21 am	10:23 am
Cr Nicole Batten	9:00 am	10:23 am
Cr Beverley Davidson	9:00 am	10:23 am
Cr Darrell Forth	9:00 am	10:23 am
Cr Peter Humphrey	9:00 am	10:23 am
Cr Trevor Royce	9:00 am	10:23 am

Officers	In	Out
Maurice Battilana, Chief Executive Officer	9:00 am	10:23 am
Simon Lancaster, Deputy Chief Executive Officer	9:00 am	10:23 am
Dianne Raymond, Manager Finance & Corporate Services	9:00 am	10:23 am
Beau Raymond (Minute Taker)	9:00 am	10:23 am

Visitors	In	Out
John Collingwood	9:00 am	10:23 am
Ann Bell	9:00 am	10:23 am
Geoff Vivian (Media)	9:00 am	10:23 am

3.2 Apologies

Nil

3.3 Previously Approved Leave of Absence (By Resolution of Council)

Nil

4.0 PUBLIC QUESTION TIME

4.1 Response to Previous Public Questions on Notice

Nil

4.2 Public Question Time

John Collingwood – What are the Shire’s future plans for the Bill Hemsley Park area?

Response

Cr Farrell advised the Bill Hemsley Park Masterplan is our guide. There have been some comments around a football training ground, yet nothing formal; works scheduled on road shoulders funded from the Local Roads Community Infrastructure Project funds continue.

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

MOVED: Cr Forth

SECONDED: Cr Batten

Council resolves to approve councilor Humphrey’s leave of absence for the April 2021 Ordinary Council Meeting.

Voting F6 /A0

CARRIED

Minute Reference:03/21-01

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
10.3.6	Maurice Battilana	Financial Interest	CEO Recruitment, Performance Appraisal & Termination Policy

7.0 PETITIONS/DEPUTATIONS/PRESENTATIONS

7.1 Petitions

Nil

7.2 Presentations

See "Closure Section"

7.3 Deputations

Nil

8.0 CONFIRMATION OF MINUTES FROM PREVIOUS MEETINGS

MOVED: Cr Davidson

SECONDED: Cr Forth

8.1 Ordinary Meeting of Council held on Wednesday 17th February 2021

The Minutes of the Ordinary Meeting of Council held Wednesday 17th February 2021 be confirmed as true and accurate.

Voting F6 /A0

CARRIED

Minute Reference:03/21-02

9.0 ITEMS TO BE DEALT WITH EN BLOC

MOVED: Cr Batten

SECONDED: Cr Davidson

Council resolves to move the following items En Bloc:

10.3.1, 10.3.3, 10.3.5, 10.3.6, 10.3.8

Voting F6/A0

CARRIED

Minute Reference: 03/21-03

10.0 OFFICERS REPORTS

10.1

Deputy Chief Executive Officer

10.1

10.1 AGENDA ITEMS

10.1.1 Proposed Outbuilding Extension

10.1.1 Proposed Outbuilding Extension

PROPONENT:	J. Bowbridge
SITE:	64 (Lot 8) Richards Road, Buller
FILE REFERENCE:	A11
PREVIOUS REFERENCE:	Nil
DATE:	7 March 2021
AUTHOR:	Simon Lancaster, Deputy Chief Executive Officer

SUPPORTING DOCUMENTS:

Ref	Title	Attached to Report	Under Separate Cover
10.1.1	Submitted Application		✓

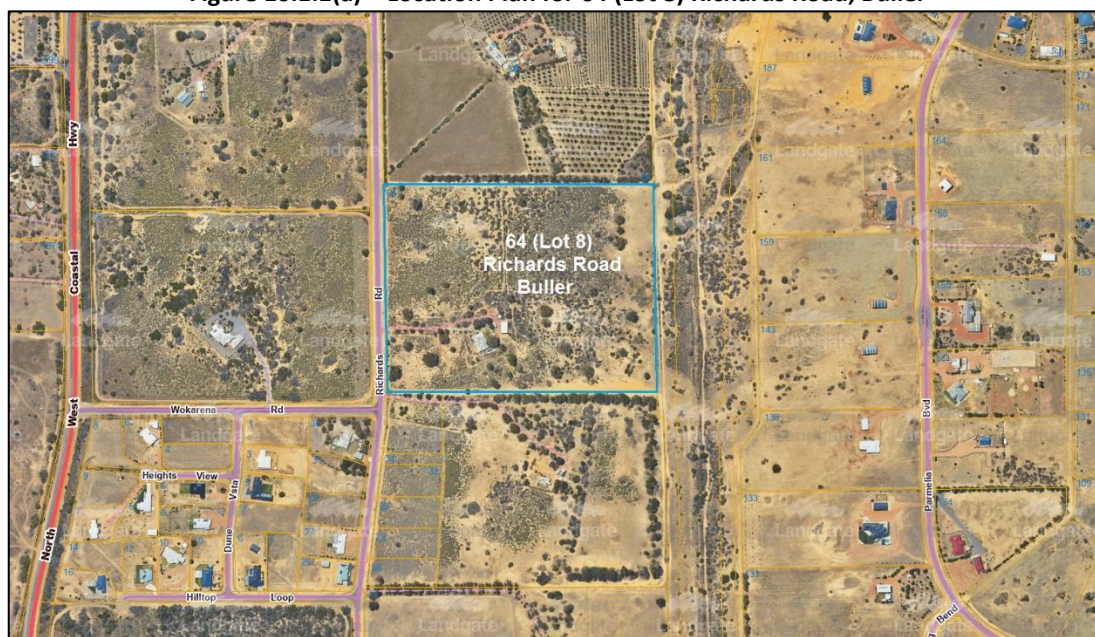
DISCLOSURE OF INTEREST

Nil

BACKGROUND

Council is in receipt of an application seeking to extend an existing outbuilding upon 64 (Lot 8) Richards Road, Buller. The application has been advertised for comment and no objections were received. This report recommends approval.

Figure 10.1.1(a) – Location Plan for 64 (Lot 8) Richards Road, Buller



COMMENT

Lot 8 is a 12.0665ha on the eastern side of Richards Road with the following development history:

- 23/9/1986 Lot 8 created through Wokarena Road/Richards Road subdivision (Plan 15501).
- 20/8/1992 Applicant purchased property.
- 25/8/1992 Shire issued building approval for residence and 54m² shed.
- 10/3/2004 Shire issued building approval for patio and swimming pool.
- 20/1/2012 Shire issued building permit for 144m² shed.

Figure 10.1.1(b) – Aerial Photo of 64 (Lot 8) Richards Road, Buller



Application has now been received seeking to extend the 144m² outbuilding, with an 81m² lean-to extension, that would take the total outbuilding area upon Lot 8 to 279m².

Lot 8 is zoned 'Residential R2.5' and the Shire of Chapman Valley Outbuildings Local Planning Policy establishes a 180m² maximum (total aggregate) outbuilding area for this zone.

Due to the proposed outbuilding area exceeding the policy requirements, the application is unable to be determined by Shire staff under delegated authority and is placed before a meeting of Council for deliberation.

A copy of the received application, containing site, elevation and floor plans and site photographs has been provided as **separate Attachment 10.1.1** for Council's information.

In support of their application the landowner has advised as follows:

"The Purpose of the shed is for domestic storage of my 9m boat of keeping boat under cover when not in use.

The Shed has the same profile and colour as the existing shed that it will be built next too.

The position of the shed is screened from Richards road to the west and to the north south and west no other residences can be seen.

The property is on a block of 19.4 acres

The colour of the shed is same as the original shed (Creamy sand colour)"

Figure 10.1.1(c) – Submitted site plans for proposed outbuilding extension upon 64 (Lot 8) Richards Road, Buller

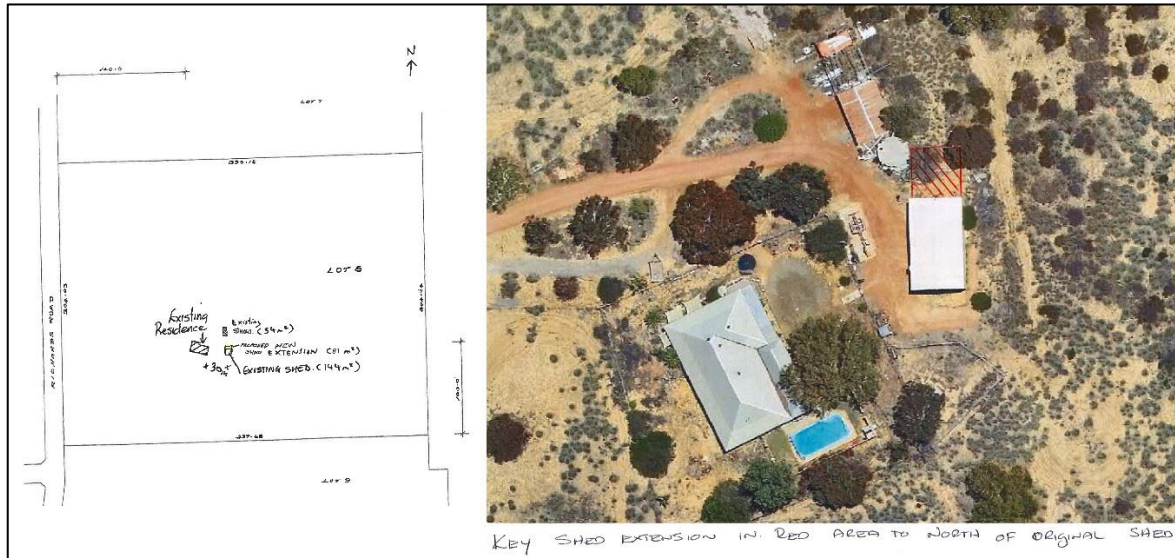


Figure 10.1.1(d) – View of Lot 8 looking north-east from Richards & Wokarena Road intersection



Consideration of the applicant's sought variation to the outbuilding area policy requirements may be warranted in this instance, based upon the following:

- Lot 8 is a 12.0665ha property and as such is considerably larger than the 4,000m² lot size that the R2.5 outbuilding policy requirements are designed for.
- In the event that Lot 8 was subdivided in future as per the Wokarena Heights Structure Plan (that is, into 25 residential lots) the streetscape plan layout was designed so that the residence and the outbuilding (with extension) could be clustered on a slightly larger lot to accommodate the existing built form.
- Council may wish to impose condition of development approval for the shed extension, that at such time as Lot 8 was subdivided, that the older 54m² shed (which is currently 28 years old, and would be older at time of future subdivision) should be demolished, thereby reducing the total aggregate outbuilding area to 225m², which is closer to the standard 180m² R2.5 policy requirement.

- The outbuilding's proposed 3.6m wall height/4.2m gable height would meet with the 4m maximum wall height/5m maximum total height as specified in Council's Outbuildings Policy for the R2.5 zone.
- The visual impact of the proposed development to the streetscape is considered minimal given that the existing shed (and proposed shed extension) is setback 170m from the front property boundary, and would be obscured from Richards Road by the existing residence and vegetation.
- The visual impact of the proposed development upon neighbouring landowners is considered minimal with the proposed shed extension being setback 190m from the northern side property boundary, 110m from the southern side property boundary and 220m from the rear boundary (this being to the former Geraldton-Northampton railway alignment/Main Roads WA potential corridor).
- The application was advertised to the surrounding landowners inviting comment and no objections were received, and 2 submissions expressing support were received, this may be considered to demonstrate a general level of acceptance and/or indifference for the proposed development.
- The approval of the larger outbuilding area should not be considered to set a precedent for the Wokarena Heights Estate given the significantly larger scale of the subject property.
- The outbuilding extension would comprise complementary cream materials to the existing shed.
- The outbuilding extension would be for a lean-to rather than an enclosed bay and as such may be considered to have a lesser visual impact.
- The construction of an outbuilding extension to house their boat is considered to be of benefit to the landowner by enabling them to store this item out of the weather, but also provide an improved streetscape value rather than have it parked in the open.

STATUTORY ENVIRONMENT

64 (Lot 8) Richards Road, Buller is zoned 'Residential R2.5' under Shire of Chapman Valley Local Planning Scheme No.3 ('the Scheme').

The application has been brought before Council for its consideration as it exceeds the delegated authority of Shire staff in relation to the outbuilding area requirements.

Table 2 of the Scheme lists the objectives of the 'Residential' zone as being:

- *To provide for a range of housing and a choice of residential densities to meet the needs of the community.*
- *To facilitate and encourage high quality design, built form and streetscapes throughout residential areas.*
- *To provide for a range of non-residential uses, which are compatible with and complementary to residential development."*

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

- “(a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;...*
- ...(g) any local planning policy for the Scheme area;...*
- ...(m) the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;*
- (n) the amenity of the locality including the following —*
 - (i) environmental impacts of the development;*
 - (ii) the character of the locality;*
 - (iii) social impacts of the development;...*
- ...(p) whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;...*
- ...(s) the adequacy of —*
 - (i) the proposed means of access to and egress from the site; and*
 - (ii) arrangements for the loading, unloading, manoeuvring and parking of vehicles;...*

-
- ...(x) *the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;*
 - (y) *any submissions received on the application;...*
 - ...(zb) *any other planning consideration the local government considers appropriate."*

POLICY/PROCEDURE IMPLICATIONS

Part 2 of the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* provides for the Council to prepare a Local Planning Policy in respect of any matter related to the planning and development of the Scheme area.

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

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

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

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

Section 6.2 of Council's Outbuildings Policy sets the maximum total aggregate outbuilding area for Lot 8 as being 180m².

Lot 8 currently has a total aggregate outbuilding area of 198m², however, it is noted that the buildings upon Lot 8 were approved when the property was zoned 'Rural' and prior to the rezoning of the area to R2.5 on 20 November 2013, to allow for future subdivision into 4,000m² lots as per the Wokarena Heights Structure Plan.

The proposed shed extension would take the total aggregate outbuilding area for Lot 8 to 279m².

FINANCIAL IMPLICATIONS

Nil

Long Term Financial Plan (LTFP):

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

STRATEGIC IMPLICATIONS

Lot 8 is located within the Wokarena Heights Structure Plan area. It is not considered that the proposed development would prejudice the future subdivisional layout as contained within the structure plan.

Figure 10.1.1(e) – Extract from Wokarena Heights Structure Plan illustrating future subdivisional layout for Lot 8



Strategic Community Plan/Corporate Business Plan:

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

CONSULTATION

Sections 6.7.b & 7.4 of the Shire’s Outbuildings Local Planning Policy notes that applications seeking variation require consultation by means of the Shire writing directly to the surrounding landowners inviting comment.

The Shire wrote to the 4 surrounding landowners on 28 January 2021 providing details of the application and inviting comment upon the proposal prior to 19 February 2021, a sign was also erected on the Richards Road frontage of Lot 8 to advise of the received application and the opportunity for comment.

At the conclusion of the advertising period, 2 submissions had been received, both expressing support for the proposed shed extension.

RISK ASSESSMENT

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

VOTING REQUIREMENTS

Simple majority required

MOVED: Cr Forth

SECONDED: Cr Batten

COUNCIL RESOLUTION/STAFF RECOMMENDATION

That Council grant formal planning approval for an outbuilding (lean-to) extension upon 64 (Lot 8) Richards Road, Buller subject to the following conditions:

- 1 Development shall be in accordance with the approved plans as contained within **Attachment 10.1.1** and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the local government.
- 2 Any additions to or change of use of any part of the building or land (not the subject of this consent/approval) requires further application and planning approval for that use/addition.
- 3 The outbuilding is only to be used for general storage purposes associated with the predominant use of the land and must not be used for habitation, commercial or industrial purposes.
- 4 The outbuilding extension shall utilise materials and colours that are complementary to the existing outbuilding (to which it will be connected) to the approval of the local government.
- 5 Maintenance of landscaping about the development for the purposes of screening to the approval of the local government.
- 6 The older 54m² shed (constructed in 1992) upon Lot 8 shall be demolished prior to the subdivision of the property to ensure that the total aggregate outbuilding area is more closely aligned with the standard requirements for the R2.5 zone.
- 7 If the development/land use, the subject of this approval, is not substantially commenced within a period of two years after the date of determination, the approval shall lapse and be of no further effect.

Notes:

- (a) Where an approval has so lapsed, no development/land use shall be carried out without the further approval of the local government having first been sought and obtained.
- (b) In regards to condition 6 the landowner may apply seeking the variation of Council to the requirement to demolish the older 54m² shed should they only be undertaking a partial subdivision of Lot 8 (e.g. the creation of a row of R2.5 lots along Richards Road only, and the maintaining of a larger balance lot to the rear that would contain the existing cluster of buildings). Such a request would be assessed by Council on its merits and it should not be construed that support for such a variation would be forthcoming.
- (c) If an applicant is aggrieved by this determination there is a right (pursuant to the *Planning and Development Act 2005*) to have the decision reviewed by the State Administrative Tribunal. Such application must be lodged within 28 days from the date of determination.

Voting F6/A0
CARRIED
Minute Reference: 03/21-04

10.2

Manager of Finance & Corporate Services

10.2

10.2	AGENDA ITEMS
10.2.1	Financial Management Report for February 2021
10.2.2	Budget Review 2020-2021
10.2.3	Chapman Valley Basketball Club

10.2.1

Financial Management Report for February 2021

PROPONENT:	Shire of Chapman Valley
SITE:	Shire of Chapman Valley
FILE REFERENCE:	307.00
PREVIOUS REFERENCE:	Nil
DATE:	17 March 2021
AUTHOR:	Dianne Raymond, Manager Finance & Corporate Services

SUPPORTING DOCUMENTS:

Ref	Title	Attached to Report	Under Separate Cover
10.2.1(a)	February 2021 Financial Management Reports		✓
10.2.1(b)	Confidential List of Accounts Feb 2021		✓

DISCLOSURE OF INTEREST

Nil

BACKGROUND

Local Government (Financial Management) Regulations require monthly statements of financial activity to be reported and presented to Council.

COMMENT

The financial position at the end of February 2021 are detailed in the monthly management report 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/PROCEDURE IMPLICATIONS

FINANCIAL IMPLICATIONS

As presented in the Financial Management Report for February 2021

Long Term Financial Plan (LTFP):

No significant effect on the LTFP

STRATEGIC IMPLICATIONS

Nil

Strategic Community Plan/Corporate Business Plan:

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

CONSULTATION

Not applicable

RISK ASSESSMENT

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

MOVED: Cr Davidson

SECONDED: Cr Forth

COUNCIL RESOLUTION/STAFF RECOMMENDATION

That Council receives the financial management report supplied under separate cover for the months of February 2021 comprising the following:

Statement of Financial Activities with notes

Note 1 – Net Current Assets

Note 2 – Cash & Financial Assets

Note 3 – Receivables

Note 4 – Other Current Assets

Note 5 – Payables

Note 6 – Rate Revenue

Note 7 – Disposal of Assets

Note 8 – Capital Acquisitions

Note 9 – Borrowings

Note 10 – Lease Liabilities

Note 11 – Cash Reserves

Note 12 – Other Current Liabilities

Note 13 – Operating Grants and Contributions

Note 14 – Non Operating Grants and Contributions

Note 15 - Trust Funds

Note 16 - Explanation of Material Variances

Additional Information

Budget by Program

Summary of Payments

Bank Reconciliation

Credit Card Statement

**Voting F6/A0
CARRIED
Minute Reference: 03/21-05**

10.2.2

Annual Budget Review 2020/2021

PROPONENT:	Chief Executive Officer
SITE:	Shire of Chapman Valley
FILE REFERENCE:	306.13
PREVIOUS REFERENCE:	Nil
DATE:	17 March 2021
AUTHOR:	Dianne Raymond, Manager of Finance & Corporate Services

SUPPORTING DOCUMENTS:

Ref	Title	Attached to Report	Under Separate Cover
10.2.2(a)	Budget Review Report		✓

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 part way 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 (Budget Review Report) which accommodate unforeseen situations and reallocation revenue and expenditure since the Original Budget was adopted.

The items listed in the Attachment 10.2.2(a) Budget Review Report have been identified as variations required to the Annual Budget yet having a nil overall effect on the 2020/2021 Adopted Budget. The Budget Review Report provides information on the identified revenue and expenditure expectations for the full year and is based on the review period 1 July 2020 to 31 January 2021. The report identifies amendments and provides explanations for these variances by Program (although also noted by Nature or Type in the financial statements). The financial statements are provided as a guidance only to reflect a general revised full year budget based on the proposed amendments being adopted with no further changes to the budget for the remaining year.

The original 2020/2021 budget as adopted by Council forecast a closing position of \$1,642,943; after the annual financial audit, the actual audited closing position is \$1,760,791 increasing the carried forward surplus by an amount of \$117,848. The change in position is due generally to the estimating of 30 June 2020 creditors paid in July 2020, along with the retrospective adjustment in accounting policies. (Note the application of AASB 15 & AASB 1058 regarding the changes to recognition of revenue, along with the application of AASB 16 with respect to the recognition of lease liabilities).

STATUTORY ENVIRONMENT

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

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

POLICY/PROCEDURE 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

Strategic Community Plan/Corporate Business Plan:

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

CONSULTATION

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 2020/2021 Adopted Budget does not have a 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

STAFF RECOMMENDATION

1. Council adopts the 2020/2021 Statutory Budget Review, which includes all amendments listed in the Budget Review Report attached.
2. Delegated Authority is given to the Chief Executive Officer to transfer funds from the Plant/Light Vehicle Reserve (if required) for the repair of plant item P23 Caterpillar Grader.

MOVED: Cr Davidson

SECONDED: Cr Batten

COUNCIL RESOLUTION/REVISED STAFF RECOMMENDATION

1. Council adopts the 2020/2021 Statutory Budget Review, which includes all amendments listed in the Budget Review Report attached and the following additional amendments:
 - a) Increase expenditure for Edge Repair Works on Wandana, Wandin & White Peak Rds - \$201,183
 - b) Remove Materials & Contract Expenditure on Wandana Rd Gravel Sheeting Project to be deferred - \$47,500
 - c) Remove Materials & Contract Expenditure on Richards Rd Seal Extension project to be deferred - \$25,586
 - d) Reallocate amount from unspent Annual Maintenance Contingency Budget in 20/21 - \$128,097
2. Delegated Authority is given to the Chief Executive Officer to transfer funds from the Plant/Light Vehicle Reserve (if required) for the repair of plant item P23 Caterpillar Grader.

Voting F6/A0

CARRIED

Minute Reference: 03/21-06

10.2.3 Chapman Valley Basketball Club

PROPONENT:	Chapman Valley Basketball Club
SITE:	Nabawa Recreation Centre
FILE REFERENCE:	801.00
PREVIOUS REFERENCE:	Nil
DATE:	17 March 2021
AUTHOR:	Dianne Raymond, Manager of Finance & Corporate Services

SUPPORTING DOCUMENTS:

Ref	Title	Attached to Report	Under Separate Cover
10.2.3(a)	Correspondence Chapman Valley Basketball Club		✓

DISCLOSURE OF INTEREST

Nil

BACKGROUND

Correspondence has been received from the Chapman Valley Basketball Club (CVBC) to offer the Shire of Chapman Valley the opportunity to purchase assets located in the Nabawa Basketball Stadium. The CVBC has advised the scoreboard and shot clock could be purchased for a sum of \$2,000 after which these items would remain at the stadium.

COMMENT

The Nabawa Stadium has not been utilised by the CVBC for competition games from some years. Current usage by the CVBC has been in 2019/2020 when Juniors utilised the stadium for training purposes. Given the limited use and demand for the basketball stadium to be used in any professional capacity the price of \$2,000 to purchase the scoreboard and shot clock do not seem to be warranted from councils limited budget. Although the scoreboard can be switched on and appears in working order the stop clock has not been located. Therefore the staff recommendation is to decline the offer received and invite the CVBC to contact the Shire to arrange a suitable time to remove any CVBC items remaining at the Nabawa Stadium. Should Council wish to purchase the equipment a budget amendment for the expense would be required for the additional expenditure not already identified in the current budget (absolute majority required).

STATUTORY ENVIRONMENT

In accordance with legislative requirements of the Local Government Act, 1995, Section 6.8(1)(b) Council is required to resolve by **Absolute Majority** to incur expenditure from its municipal fund for an additional purpose that is not identified in the Adopted Budget.

POLICY/PROCEDURE IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

Long Term Financial Plan (LTFP):

No significant effect on the LTFP

STRATEGIC IMPLICATIONS

Strategic Community Plan/Corporate Business Plan:

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

CONSULTATION

Not applicable

RISK ASSESSMENT

Risk Rating 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

Absolute Majority

MOVED: Cr Forth

SECONDED: Cr Humphrey

COUNCIL RESOLUTION/STAFF RECOMMENDATION

Council decline the offer to purchase equipment (scoreboard and stop clock) from the Chapman Valley Basketball Club which are located at the Nabawa Basketball Stadium and invite the Chapman Valley Basketball Club to remove these items.

Voting F6/A1

CARRIED

Minute Reference: 03/21-07

9:21am - Cr Warr entered the meeting.

10.3

Chief Executive Officer

10.3

10.3	AGENDA ITEMS
10.3.1	Corporate Business Plan Review
10.3.2	Policy and Procedures Review
10.3.3	Roads Infrastructure Committee
10.3.4	Building Infrastructure Committee
10.3.5	Review of Delegations Register
10.3.6	Standards CEO REC PA & Term
10.3.7	Beach Emergency Number Signage

10.3.1

Corporate Business Plan Review

PROPONENT:	Chief Executive Officer
SITE:	Shire of Chapman Valley
FILE REFERENCE:	313.00
PREVIOUS REFERENCE:	02/20-10
DATE:	17 th March 2021
AUTHOR:	Maurice Battilana, Chief Executive Officer

SUPPORTING DOCUMENTS:

Ref	Title	Attached to Report	Under Separate Cover
10.3.1(a)	Draft Corporate Business Plan		✓

DISCLOSURE OF INTEREST

Nil

BACKGROUND

Council adopted the current Corporate Business Plan (CBP) at the February 2018 OCM after a full review process of the Strategic Community Plan (SCP) during 2017. The CBP has been reviewed annual (in accordance with legislation) with the latest review endorsed at the February 2020 OCM i.e.

Moved: Cr Batten

Seconded: Cr Davidson

Council endorse the revised Corporate Business Plan as presented with recommended changes.

Voting 6/0

CARRIED

Minute Reference: 02/20-10

A CBP Status Report is presented to Council as an information item in the CEO's Staff Report every month, which details where the specific projects identified by Council as requiring attention are at.

COMMENT

The full review of the Shire's Council SCP & CBP concluded with these plans being formally adopted by Council at the November 2017 & February 2019 OCMs respectively.

Under legislation Council is required to undertake a review of its SCP as follows:

"19C Strategic Community Plans, requirements for (Act s.5.56)

- 4) *A local government is to review the current strategic community plan for its district at least once every 4 years."*

Therefore, there is no need, nor is it being recommended, for the SCP to be reviewed until the 2021/2022 Financial Year.

Whereas the CBP is to be reviewed annually and then a full review is scheduled to be undertaken at the time the SCP is reviewed i.e. every 4 years:

"19DACorporate Business Plans, requirements for (Act s. 5.56)

-
- (2) A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.
- (3) A corporate business plan for a district is to —
- (a) set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government's priorities for dealing with the objectives and aspirations of the community in the district; and
 - (b) govern a local government's internal business planning by expressing a local government's priorities by reference to operations that are within the capacity of the local government's resources; and
 - (c) develop and integrate matters relating to resources, including asset management, workforce planning and long term financial planning.
- (4) A local government is to review the current corporate business plan for its district every year.
- (5) A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government's strategic community plan.
- (6) A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.
- *Absolute majority required.
- (7) If a corporate business plan is, or modifications of a corporate business plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan."

Council incorporates the annual review of its CBP as part of the Annual Budget Workshop and Budget Adoption process. There have been no amendments made to the SCP Objectives, Strategies or Actions (all of which are repeated in the CBP).

The Department of Local Government Guidelines on the IPR Review process recommends:

"The following diagram depicts an indicative 4 year road map for the IPR process. This is for reference only as each local government has significant discretion over the design of the process. For example, while community surveys are considered good practice, they are not mandatory. A local government may choose to conduct a community survey every year, every 2 years, every 4 years or not at all.

Indicative IPR "Roadmap"

YEAR 1	YEAR 2 Mini Strategic Review	YEAR 3	YEAR 4 Major Strategic Review
<ul style="list-style-type: none"> ▪ Annual Report on previous year ▪ Annual Budget for year 2 ▪ Extend 4 and 10 year budgets by one year ▪ Revisions to CBP ▪ Plan survey and community progress report (for Mini Strategic Review) 	<ul style="list-style-type: none"> ▪ Annual Report on year 1 ▪ Community Survey ▪ Community Progress Report ▪ Minor Strategic Review <ul style="list-style-type: none"> — Updated Context — Limited community engagement — Revised 4 year program ▪ Revisions to IPR suite ▪ Annual Budget for year 3 	<ul style="list-style-type: none"> ▪ Annual Report on year 2 ▪ Annual Budget for year 4 ▪ Extend 4 and 10 year budgets by one year ▪ Revisions to CBP ▪ Plan survey and community progress report (for Major Strategic Review) 	<ul style="list-style-type: none"> ▪ Annual Report on year 3 ▪ Community Survey ▪ Community Progress Report ▪ Major Strategic Review <ul style="list-style-type: none"> — Updated Context — Extensive community engagement to refresh vision and goals — Revised 10 and 4 year strategic priorities ▪ Revisions to IPR suite ▪ Annual budget for year 1 (next 4 year cycle)

This matter has been included in the December 2020 and February 2021 Concept Forums to provide Council with the opportunity to have a more detailed review of the CBP at the this point in time (i.e. *Mini Strategic Review*) of the 4 year period of the plan.

The draft recommended amendments to the CBP remain consistent with the SCP Objectives, Strategies or Actions. It is only the specific projects and items listed in the Short, Medium and Long Term stages and the No Timeline (Ongoing) aspects of the Plan, which are being recommended for amendment.

A copy of the draft CBP is provided at **Attachment 10.3.1(a)** with all the recommended amendments and comments from Elected Members and Staff highlighted.

STATUTORY ENVIRONMENT

Section 5.56 of the *Local Government Act 1995* states:

“5.56 Planning for the Future

- (1) *A local government is to plan for the future of the district.*
- (2) *A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.”*

It is intended under the Western Australian Integrated Planning and Reporting Framework that the Strategic Community Plan will replace the Plan for the Future under the process as set out by the *Local Government (Administration) Regulations 1996*.

Section 19C of the *Local Government (Administration) Regulations 1996* states:

“19C Strategic community plans, requirements for (Act Section 5.56)

- (1) *A local government is to ensure that a strategic community plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.*
- (2) *A strategic community plan for a district is to cover the period specified in the plan, which is to be at least 10 financial years.*

-
- (3) *A strategic community plan for a district is to set out the vision, aspirations and objectives of the community in the district.*
 - (4) *A local government is to review the current strategic community plan for its district at least once every 4 years.*
 - (5) *In making or reviewing a strategic community plan, a local government is to have regard to —*
 - (a) *the capacity of its current resources and the anticipated capacity of its future resources; and*
 - (b) *strategic performance indicators and the ways of measuring its strategic performance by the application of those indicators; and*
 - (c) *demographic trends.*
 - (6) *Subject to subregulation (9), a local government may modify its strategic community plan, including extending the period the plan is made in respect of.*
 - (7) *A council is to consider a strategic community plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.*

**Absolute majority required.*
 - (8) *If a strategic community plan is, or modifications of a strategic community plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.*
 - (9) *A local government is to ensure that the electors and ratepayers of its district are consulted during the development of a strategic community plan and when preparing modifications of a strategic community plan.*
 - (10) *A strategic community plan for a district is to contain a description of the involvement of the electors and ratepayers of the district in the development of the plan or the preparation of modifications of the plan.”*

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

All relevant projects endorsed in the CBP for short, medium and long term will be included in the Long Term Financial and Asset Management Plans (if applicable) and considered as part of the Annual Budget cycle.

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

The LTFP forms part of the overall Integrated Planning & Reporting requirements of a local government authority and, where applicable, any changes made to the Strategic Community Plan and Corporate Business Plan will flow on through to the LTFP, Asset Management Plan and Workforce Plan and Annual Budgets.

STRATEGIC IMPLICATIONS

Other than it being a legislative requirement to adopt and review Integrated Planning & Reporting it is also strategically sound for these plans to be in place and relevant to provide Council and the community with an understanding of the future direction of the Shire.

Strategic Community Plan/Corporate Business Plan:

Ref	Objective	Strategy	Action
5.1	Ensure governance and administration systems, policies and processes are current and relevant	Review policy categories and set ongoing accountability for review processes	Review current Council and Management policies and formalise update process and timelines.
5.3	Make informed decisions within resources and areas of responsibility	Council and Shire process formally incorporate integrated plans as references for decision making	Reference Strategic Community Plan, Corporate Business Plan, Asset Management Plan, Long Term Financial Plan and Workforce Plan regularly as part of decision making process

CONSULTATION

The CEO met with relevant Senior Staff to ensure they have had the opportunity to discuss the Draft CBP prior to presenting this Draft to the December 2020 and February 2021 Concept Forums.

As the CBP is a document from Council directing the CEO on priorities and timeframes to implement items identified in the CBP the review of this Plan now needs to be finalised and endorsed by Council.

RISK ASSESSMENT

Having Integrated Plans, which lack content, integrity and ownership can (and has) result in the Shire being questioned on its future strategic direction. Specifically, how this direction is to be resourced.

It is imperative Council continually works on improving all its Integrated Plans to remove the risk of being accused of lacking strategic direction.

In this instance, I believe the risk is considered *insignificant* i.e.

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

VOTING REQUIREMENTS

Simple Majority

MOVED: Cr Batten

SECONDED: Cr Davidson

COUNCIL RESOLUTION/STAFF RECOMMENDATION

Council endorse the revised Corporate Business Plan as presented with recommended changes.

Council En Bloc Resolution
Voting F6/A0
CARRIED
Minute Reference: 03/21-03

10.3.2 Review of Council Policies and Procedures

PROPONENT:	Shire of Chapman Valley
SITE:	Whole of Shire
FILE REFERENCE:	411.01
PREVIOUS REFERENCE:	03/20-13
DATE:	17 th March 2021
AUTHOR:	Maurice Battilana, Chief Executive Officer

SUPPORTING DOCUMENTS:

Ref	Title	Attached to Report	Under Separate Cover
10.3.2(a)	Building & Projects Policy, Procedures & Guidelines Manual		✓
10.3.2(b)	Finance Policy, Procedures & Guidelines Manual		✓
10.3.2(c)	Governance and Policy Manual		✓
10.3.2(d)	HR Induction & Guidelines Manual		✓
10.3.2(e)	Organisational Corporate Policy, Procedure & Guidelines Manual		✓
10.3.2(f)	Planning & Development Policy, Procedures & Guidelines Manual		✓
10.3.2(g)	Works & Services Policy, Procedures & Guidelines Manual		✓

DISCLOSURE OF INTEREST

Nil

BACKGROUND

To allow Council to review and consider changes to the Shire Policy & Procedures Manuals

At the March 2020 OCM the following was resolved:

Council:

1. Relocated the following Management Procedures (without change) from the Planning & Development Policies & Procedure Manual to the Works & Services Policies & Procedure Manual:
 - (i) CMP-017 - Collection of Native Seed
 - (ii) CMP-029 - Decontamination of Agricultural Spraying Vehicles Within Townsites
 - (iii) CMP-037 - Permit - Landowners Spraying Of Council Controlled Reserves/Land
 - (iv) CMP-038 - Declared Plants - Spraying Unit
 - (v) CMP-072 - Voluntary Care & Maintenance Works On Shire Controlled/Owned Land
2. Endorse amendments, deletions and additions to the following Shire of Chapman Valley Policies & Management Procedures as presented with the following adjustments and the removal of Procedure CMP-042 for further consideration at a later date i.e.
 - (i) CMP-010 - Building & Facility Hire Conditions
 - (a) Delete Clause 11;
 - (b) Add text ‘..air conditioners, etc...’ to the “Other” Clause
 - (ii) CMP-014 - Sports Ground
 - (iii) CMP-015 – Council Housing/Buildings
 - (iv) CMP-030 – Elected Members Training & Professional Development
 - (a) Correct grammatical and typographical errors

-
- (b) Reinstatement of the third dot-point under the "Other" Clause
 - (v) CMP-045 – Payment of Expenses
 - (vi) CP-006 – Attendance at Events Policy (new Policy)

Voting F8/A0
CARRIED
Minute Reference: 03/20-13

COMMENT

Council undertook an extensive review of all policies and procedures during 2018 with the result being an up to date, segregated manual, which has categorised policies and procedures into specific organisation responsibility areas. This has ensured there are specified areas of responsibility and a defined process on how the policies & procedures are communicated to Elected Members & Staff.

The Policies & Procedures are categories in the following areas, which will have separate Manuals for each area of responsibility i.e.

Building
Finance
Governance
HR Induction
Organisational Corporate
Planning & Development
Works & Services

Each Manual has a designated *Responsible Officer* who is required for ensuring the policies & procedures relevant to their areas are communicated to staff under their management and to present recommended updates, amendments, additions, etc. to the CEO for consideration as required.

The *Elected Members Governance & Policy Manual* has been provided to all Elected Members and will be CEO's responsibility to present to Council any recommended updates, amendments, additions, etc. for consideration.

All staff proposed Policy & Procedures adjustments presented will have the recommended amendments, adoption or deletion tracked and shown in colored text to assist Council with clearly identifying any proposed changes to the existing policies & procedures.

STATUTORY ENVIRONMENT

Local Government Act 1995 – Section 2.7(2)(b)

Role of Council

- 1) *The council:*
 - (a) *Governs the local government's affairs; and*
 - (b) *Is responsible for the performance of the local government's function.*

- 2) *Without limiting subsection (1), the council is to:*
 - a) *Oversee the allocation of the local government's finances and resources; and*
 - b) *Determine the local government policies.***

The legislation has no specific period for the review of Policies, yet Council has attempted to undertake a review annually.

POLICY IMPLICATIONS

All of the Shire of Chapman Valley existing policies & procedures are reviewed annually by Senior Staff, with those being recommended for amendments, adoption or deletion presented to Council for consideration.

FINANCIAL IMPLICATIONS

No effect on financial operations of the Shire.

Long Term Financial Plan (LTFP):

No effect on LTFP of the Shire.

STRATEGIC IMPLICATIONS

It is important Councillors and staff are fully conversant with Policies and Procedures of the organisations in the first instance and for these to be accessible to the Elected Members, Staff and the community to ensure all ambiguity are removed regarding how the Shire operates.

It is also important Councillors and staff review the policies & procedures to ensure these remain current and relevant.

~ Strategic Community Plan/Corporate Business Plan

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

CONSULTATION

All *Responsible Staff* members have been given to opportunity to recommend to the CEO any amendments, deletions and additions to the existing policies & procedures, which forms the basis of the Staff Recommendation presented for Council consideration.

The Shire continues to work with consultants LG People (Marg Hemsley) to review the requirements of any other new Policies/Procedures being legislated by the State Government to be introduced and adopted by local government authorities. These will be presented as a separate process as they arise.

RISK ASSESSMENT

There is a risk associated with the organisation's Policies and Management Procedures being antiquated and not relevant, which could lead to poor operations and possible areas of non-compliance with legislation. However; I believe this risk is considered "*insignificant*" in this instance i.e.

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

MOVED: Cr Batten

SECONDED: Cr Warr

Suspend standing orders at 9:23am.

**Voting F7/A0
CARRIED
Minute Reference: 03/21-08**

Discussion was undertaken on the item.

MOVED: Cr Batten

SECONDED: Cr Davidson

Reinstate standing orders at 9:53am.

**Voting F7/A0
CARRIED
Minute Reference: 03/21-09**

STAFF RECOMMENDATION

Council endorse amendments, deletions and additions to the following Shire of Chapman Valley Policies & Management Procedures as presented.

Building & Projects Policy, Procedures & Guidelines Manual

- (i) CMP-010 – Building & Facility Hire Conditions

Finance Policy, Procedures & Guidelines Manual

- (i) CP-024 - Purchasing
- (ii) CMP-006 - Use of Electronic Signature
- (iii) CMP-045 - Staff Payment of Expenses
- (iv) CMP-046 - Relocation Expenses
- (v) CMP-047 – Superannuation
- (vi) CMP-048 – Salary Sacrifice Arrangements & variation of Cash Component

HR Induction & Guidelines Manual

- (i) CMP-042 – Annual Leave
- (ii) CMP-043 – Hours of Work
- (iii) CMP-044 – Motor Vehicles – Usage of
- (iv) CMP-051 – Pre-Placement Medical Certificate Appointments
- (v) CMP-053 - Staff Attraction, Incentive & Retention Allowances & Conditions
- (vi) CMP-054 – Working From Home
- (vii) CMP-057 – Chapman Valley Attractions & Retention Procedure
- (viii) CMP-060 – Recruitment and Selection Procedure
- (ix) CMP-063 – Information Technology Usage
- (x) CMP-069 – Probationary Period of Employment

Works & Services Policy, Procedures & Guidelines Manual

- (i) CMP-002 – Stock on Roads
- (ii) IMP-023 – Gravel Acquisitions

MOVED: Cr Warr

SECONDED: Cr Davidson

COUNCIL RESOLUTION

Council endorse amendments, deletions and additions to the following Shire of Chapman Valley Policies & Management Procedures as presented.

Building & Projects Policy, Procedures & Guidelines Manual

- (i) CMP-010 – Building & Facility Hire Conditions with the additional amendment to include all School P&C's being listed as exempt from paying hire charges for the annual events:
 - Annual Christmas Tree
 - Annual Quiz Night
 - School Presentation Night
- (ii) CMP-014 Sports Ground move from Building & Projects to Works & Services Policy, Procedures & Guidelines Manual

Finance Policy, Procedures & Guidelines Manual

- (i) CP-024 - Purchasing
- (ii) CMP-006 - Use of Electronic Signature
- (iii) CMP-039 - COVID-19 Financial Hardship to be brought back to Council July 21
- (iv) CMP-045 - Staff Payment of Expenses
- (v) CMP-046 - Relocation Expenses
- (vi) CMP-047 – Superannuation
- (vii) CMP-048 – Salary Sacrifice Arrangements & variation of Cash Component
- (viii) CMP-067 - Community Growth Fund Operational Section 10 Evaluation and Acquittal – Financial Report – amend wording to “*For Grants \$10,000 and over an independent audit may be required as determined by the Chief Executive Officer*”

HR Induction & Guidelines Manual

- (i) CMP-042 – Annual Leave
- (ii) CMP-043 – Hours of Work
- (iii) CMP-044 – Motor Vehicles – Usage of
- (iv) CMP-051 – Pre-Placement Medical Certificate Appointments
- (v) CMP-053 - Staff Attraction, Incentive & Retention Allowances & Conditions
- (vi) CMP-054 – Working From Home
- (vii) CMP-057 – Chapman Valley Attractions & Retention Procedure
- (viii) CMP-060 – Recruitment and Selection Procedure
- (ix) CMP-063 – Information Technology Usage
- (x) CMP-069 – Probationary Period of Employment

Works & Services Policy, Procedures & Guidelines Manual

- (i) CMP-002 – Stock on Roads
- (ii) IMP-023 – Gravel Acquisitions

Voting F7/A0

CARRIED

Minute Reference: 03/21-10

Reason for Deviation from Staff Recommendation: Council requested some additional amendments to policies & procedures.

10.3.3

Roads Infrastructure Committee Meeting

PROPONENT:	Roads Infrastructure Committee
SITE:	Shire of Chapman Valley
FILE REFERENCE:	403.03
PREVIOUS REFERENCE:	N/A
DATE:	17 th March 2021
AUTHOR:	Maurice Battilana, Chief Executive Officer

SUPPORTING DOCUMENTS:

Ref	Title	Attached to Report	Under Separate Cover
10.3.3(a)	Roads Infrastructure Committee Meeting Minutes		✓

DISCLOSURE OF INTEREST

Nil

BACKGROUND

The Road Infrastructure Committee met on the 23rd February 2021 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 10.3.3(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 2021/2022 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 will be more detailed 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 is maintained.

• 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" concept.

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

MOVED: Cr Batten

SECONDED: Cr Davidson

COUNCIL RESOLUTION/COMMITTEE RECOMMENDATION

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

1. **Minute Reference RIC 03/21-2**

The Road Infrastructure Committee recommends Council endorses the *Road Hierarchy Procedure (IMP-025)* as presented at **Attachment 9.1(a)** without change.

2. **Minute Reference RIC 03/21-5**

The Road Infrastructure Committee recommends Council endorse the *10 Year Road Works Program 2021/22 to 2030/2031* as presented at **Attachment 9.2(a)** with the following changes and this Program be used as a basis for resource allocation into the Draft 2021/2022 Budget:

- i. Extend seal on McCagh Road to Golf Club entrance;
- ii. Remove Parkfalls Estate Shoulder works from future Program road works;
- iii. Ensure own resource projects from previous year not completed are prioritised in 2021/2022 budget;
- iv. Budget consideration for additional roadworks staff member
- v. Concept Forum discussion on investigating improvement options Parkfalls Estate bridle paths; and
- vi. Traffic Counters to be placed on Nolba Road, Olsen Road, Nabawa Yetna Road; however grant project roads to take priority.

3. **Minute Reference RIC 03/21-6**

The Road Infrastructure Committee recommends Council endorses the *Management Procedure (IMP-025) – Heavy Haulage Vehicle Permits* as presented without change.

4. **Minute Reference RIC 03/21-7**

The Road Infrastructure Committee recommends Council endorses the *Proposed Plant Replacement Program* as presented at **Attachment 9.4(a)** with the following changes and request the Chief Executive Officer use this Program as a basis for resources to be allocated in the forthcoming budget:

- i. Add Tiny Surveyor Robot 2021/2022 budget consideration; and
- ii. Add Transportable Display Trailer 2021/2022 budget consideration.

**Council En Bloc Resolution
Voting F6/A0
CARRIED
Minute Reference: 03/21-03**

10.3.4 Building & Disability Services Committee Meeting

PROPONENT:	Shire of Chapman Valley
SITE:	Various Sites
FILE REFERENCE:	801.00
PREVIOUS REFERENCE:	Not Applicable
DATE:	17 th March 2021
AUTHOR:	Maurice Battilana, Chief Executive Officer

SUPPORTING DOCUMENTS:

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

DISCLOSURE OF INTEREST

Nil

BACKGROUND

The Shire of Chapman Valley Building & Disability Services Committee met on the 24th February 2021 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 10.3.4(a)**).

COMMENT

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

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

Various Policies & Procedures are referred to and considered as part of the Committee process.

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 Councils 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 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/facilities. 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

MOVED: Cr Humphrey

SECONDED: Cr Forth

COUNCIL RESOLUTION/COMMITTEE RECOMMENDATIONS

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

1. **Minute Reference: BDSC 02/21-4**

The Committee recommends Council consider the draft “*Operating & Capital Building Programs*” as presented with the following amendments and this be used as a basis to develop the Draft 2021/2022 Budget:

Location	Amendments & New Items for Consideration
Public Toilets Tennis Club	Add Upgrade doors to reduce vermin access

	Add Maintenance on verandah Z purlins
	Add Reroof Capital Works Program Year 5
Works Depot	Remove cable gates/retractable gates
	Reintroduce Washdown Bay approx. 20m x 7m with compliant drainage and pressure cleaner to be re-costed.
Nabawa Community Centre	Add item to remove garden bed against building wall and resurface area
Council Chambers	Add replacement of windows western end and repair carpet
CV Museum Precinct	Reintroduce Power Upgrade and internal works to Precinct. Seek accurate costing estimates for future budget consideration and possible grant leverage funds
CVHS Requests	Defer CVHS request for Solar Panels on Shed Roof until power upgrade resolution. Defer CVHS request for until power upgrade resolution
Tourism & Events Working Group	Add a contingency amount of \$5,000 for Yuna Hall in 21/22 and encourage grant funds to be leveraged using these funds.
BHPCC	Defer Gazebo and pad from year 2021/22 in the 5 Year Capital Building Program until 2025/26
	Remove Overflow carpark
Yuna Golf Club	Add installation CCTV
Nanson Showgrounds	Add installation CCTV
	Add a contingency amount to continue internal power reticulation upgrades

2. **Minute Reference: BDSC 02/21-5**

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

**Voting F7/A0
CARRIED
Minute Reference: 03/21-11**

10.3.5 Review of Delegation Register

PROPONENT:	Chief Executive Officer
SITE:	Whole of Shire
FILE REFERENCE:	411.03
PREVIOUS REFERENCE:	03/20-7
DATE:	17 th March 2021
AUTHOR:	Maurice Battilana, Chief Executive Officer

SUPPORTING DOCUMENTS:

Ref	Title	Attached to Report	Under Separate Cover
10.3.5(a)	Existing Delegation Register		✓
10.3.5(b)	Dept. Local Government – Delegations Guidelines		✓

DISCLOSURE OF INTEREST

Nil

BACKGROUND

The purpose of this Agenda Item is to allow Council to review the current Delegations Register for delegations given to the Chief Executive Officer as required by the Local Government Act 1995:

s5.46 - *'Register of, and records relevant to, delegations to CEO's and employees':*

s5.46(2) - *At least once every financial year, delegations made under this Division are to be reviewed by the delegator.'*

The Shire of Chapman Valley has the following power under the Local Government Act 1995:

5.42. Delegation of some powers and duties to CEO

- (1) *A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under —*
 - (a) *this Act other than those referred to in section 5.43; or*
 - (b) *the Planning and Development Act 2005 section 214(2), (3) or (5).*

** Absolute majority required.*

- (2) *A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.*

The Act also allows the Chief Executive Officer to sub-delegate any of his/her powers to any employee; such sub-delegation must be done in writing. The Chief Executive Officer is permitted under the Act to place conditions on any sub-delegation passed onto another employee.

Council last undertook a full review of the Delegations Register at the March 2020 OCM i.e.

"Council endorse the current Delegations Register as presented with the following change:

Delegation 3004

*Add the following words the purchase limit section for the Chief Executive Officer:
"Within legislative tender thresholds limits"*

COMMENT

The Chief Executive Officer and staff have reviewed the current Delegations Register (see **Attachment 10.3.5(a)**) with the continued emphasis bringing on this document remaining relevant, integrated and cross-referenced with all relevant Policies and Procedures.

The Policy & Procedures Manual has also continued to be cross-reference with all relevant Delegations.

Provided under separate cover for Council information is a copy of the Department of Local Governments Delegations Guidelines (**Attachment 10.3.1(b)**).

As the existing delegations appear to be working satisfactorily the Staff Recommendation is to endorse the current Delegations Register as presented with only minor changes i.e.

DELEGATION NUMBER - 1006

LEGISLATIVE POWER Planning & Development Act 2005; Building Regulations; Health Act, Local Government Act 1995, Litter Act 1979, Bushfire Act 1954, Dog Act 1976, Cat Act 2011, Control of Vehicles (Off Road Areas) Act 1978, Caravan Parks & Camping Grounds Act 1995 and any other relevant legislation as determined by the CEO

DELEGATION SUBJECT - Enforcement and Legal Proceedings

DELEGATE - CHIEF EXECUTIVE OFFICER

RELEVANT POLICY/PROCEDURE Nil

The Chief Executive Officer is delegated authority to appoint persons to initiate prosecutions on behalf of Council under the Local Government Act 1995 (Section 9.10) and Council's Local Laws.

Further, the Chief Executive Officer is delegated authority to appoint persons or classes of persons to be authorised for the purposes of performing particular functions as specified by the Chief Executive Officer. The appointments being those referred to in Section 9.10 of the Local Government Act 1995.

All such appointments must be within budgetary constraints unless funding is otherwise authorised by Council.

DELEGATION NUMBER - 3010

LEGISLATIVE POWER - Local Government Act 1995 & Local Government (Functions & General) Regulation, 1996

DELEGATION SUBJECT - Acceptance of Tenders

DELEGATE - CHIEF EXECUTIVE OFFICER

RELEVANT POLICY/PROCEDURE Nil

Unless otherwise specified, the CEO is delegated authority to accept a tender when the consideration involved does not exceed **\$150,000 the legislated threshold** provided ~~that~~ appropriate provision is made in Council's Budget.

STATUTORY IMPLICATIONS / REQUIREMENTS

Local Government Act 1995 – Section 5.42, 5.43, 5.44, 5.45 and 5.46.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

No Impact

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

No Impact

STRATEGIC IMPLICATIONS

It is essential for the smooth operations of the organisation to have appropriate delegation provided to the Chief Executive Officer. Such delegation need to be reviewed at least annually in accordance with legislation.

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

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

CONSULTATION

The legislative process to review the Delegation Register requires discussion and consultation at a Council and Staff level, which is the basis of this Agenda Item.

RISK ASSESSMENT

It is important the Delegations Register is relevant and regularly reviewed to ensure efficiencies are in place for the operations of the organisation. There is a risk of the *day to day* operations being slowed and cumbersome if delegations are not in place and minor operational activities are continually taken back to Council for determination. With the current delegations I believe the risk is **insignificant** in this instance i.e.

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

VOTING REQUIREMENTS

Absolute Majority – If Changes made i.e.

Section 5.46 (2) states Council must review the Delegation Register annually, however, if no amendments are made to the existing register a simple majority may accept it without amendment.

Section 5.42 (1) states that any decision to amend or revoke a delegation by a Local Government is to be by an Absolute Majority.

MOVED: Cr Batten

SECONDED: Cr Davidson

COUNCIL RESOLUTION/STAFF RECOMMENDATION

Council endorse the current Delegations Register as presented with the following changes:

1. Add the following wording to the LEGISLATIVE POWER heading for Delegation 1006:

“..Local Government Act 1995, Litter Act 1979, Bushfire Act 1954, Dog Act 1976, Cat Act 2011, Control of Vehicles (Off Road Areas) Act 1978, Caravan Parks & Camping Grounds Act 1995 and any other relevant legislation as determined by the CEO”

2. Amend wording in Delegation 3010 to read:

“Unless otherwise specified, the CEO is delegated authority to accept a tender when the consideration involved does not exceed the legislated threshold provided appropriate provision is made in Council’s Budget.”

**Council En Bloc Resolution
Voting F6/A0
CARRIED
Minute Reference: 03/21-03**

Note: The Chief Executive Officer declared a Financial Interest in item 10.3.6

10.3.6 Standards for CEO Recruitment, Performance & Termination

PROPONENT:	State Government of Western Australia
SITE:	Whole Local Government
FILE REFERENCE:	411.04
PREVIOUS REFERENCE:	Not Applicable
DATE:	17 th March 2021
AUTHOR:	Maurice Battilana, Chief Executive Officer

SUPPORTING DOCUMENTS:

Ref	Title	Attached to Report	Under Separate Cover
10.3.6(a)	Draft Standards for CEO Recruitment, Performance & Termination		✓
10.3.6(b)	DLGSCI – CEO Standards Explanatory Notes		✓
10.3.6(c)	DLGSCI – Standards for CEO Recruitment, Performance & Termination Guidelines		✓

DISCLOSURE OF INTEREST

Maurice Battilana – Chief Executive Officer – Financial Interest in relation to the Draft *Standards for CEO Recruitment, Performance & Termination*.

BACKGROUND

Advice has been received from the Department of Local Government, Sport & Cultural Industries (DLGSCI) (dated the 3rd February 2021) regarding recently introduced legislation, effective from the same date i.e.

His Excellency the Governor, in Executive Council, has approved regulations that bring into effect the remaining parts of the Local Government Legislation Amendment Act 2019 (Amendment Act).

On Tuesday, 2 February 2021 the following regulations were gazetted to take effect on Wednesday, 3 February 2021:

- *Local Government (Administration) Amendment Regulations 2021*
- *Local Government (Model Code of Conduct) Regulations 2021*
- *Local Government Regulations Amendment (Employee Code of Conduct) Regulations 2021.*

Further information on the new regulations, including explanatory notes and guidelines, are on the department's website.

COMMENT

The new Regulations cover the recruitment and selection, performance review and termination of employment of local government Chief Executive Officers (CEOs). These reforms are supposedly intended to ensure best practice and greater consistency in these processes between local governments.

The DLGSCI provided a Model Template for *Standards for CEO Recruitment, Performance & Termination* upon which the Draft was developed and is provided at **Attachment 10.3.6(a)** for Council consideration.

Also provided under separate cover (see **Attachment 10.3.4(b)**) is a copy of the DLGSCI *Local Government (Administration) Amendment Regulations 2021 – Explanatory Notes* and at **Attachment 10.3.6(c)** DLGSCI *Standards for CEO Recruitment, Performance & Termination Guidelines*. These guidelines are to assist local governments in meeting the *Model Standards* prescribed in the *Local Government (Administration) Amendment Regulations 2021*.

Below are some interested comments stated in the *DLGSCI Standards for CEO Recruitment, Performance & Termination Guidelines*:

- i. *A local government must select a CEO in accordance with the principles of merit, equity and transparency. A local government must not exercise nepotism, bias or patronage in exercising its powers. Additionally, a local government must not unlawfully discriminate against applicants. Section 5.40 of the Local Government Act 1995 (Act) lists a number of general principles of employment that apply to local governments.*
- ii. *Local governments are required to establish a selection panel to conduct and facilitate the recruitment and selection process. The selection panel should be made up of elected members (the number of which is determined by the council) and must include at least one independent person. The independent person cannot be a current elected member, human resources consultant, or staff member of the local government. Examples of who the independent person could be include:*
 - ~ *former elected members or staff members of the local government;*
 - ~ *former or current elected members (such as a Mayor or Shire President) or staff members of another local government;*
 - ~ *a prominent or highly regarded member of the community; or*
 - ~ *a person with experience in the recruitment of CEOs and senior executives.*
- iii. *A local government should seek independent advice from a human resources consultant where the council lacks the capacity or expertise to facilitate the recruitment and selection process (or any aspect of it). A member of the human resources team within a local government must not be involved in the recruitment of a new CEO.*

The consultant should not be associated with the local government or any of its council members. The consultant can be an independent human resources professional, recruitment consultant, or recruitment agency. An independent human resources consultant can provide advice to the selection panel on how to conduct the recruitment process, or a local government may engage a consultant to support it in undertaking certain aspects of the recruitment process, such as one or more of the following:

- ~ *development or review of the JDF;*
- ~ *development of selection criteria;*
- ~ *development of assessment methods in relation to the selection criteria;*
- ~ *drafting of the advertisement;*
- ~ *executive search;*
- ~ *preliminary assessment of the applications;*
- ~ *shortlisting;*
- ~ *drafting questions for interview;*
- ~ *coordinating interviews;*
- ~ *preparing the selection summary assessment and recommendation;*
- ~ *arranging for an integrity check and/or police clearance; and*
- ~ *assisting the council in preparing the employment contract.*

As mentioned at the time of the overall Act Review process, the concern expressed by most small LGAs is the fact they will not have the internal resources to undertake the full recruitment process, therefore will need to outsource this activity to ensure full compliance with the new legislation. This has been totally ignored by the State Government and yet another administrative and governance cost burden has now been imposed on LGA Ratepayers by the State Government.

STATUTORY ENVIRONMENT

Local Government (Administration) Amendment Regulations 2021

POLICY/PROCEDURE IMPLICATIONS

No existing Policy/Procedure affected, though the proposed new Procedure CMP-060 dealt with at Agenda Item 10.3.2 deals with the Recruitment and Selection Procedure of staff other than the CEO.

The adoption of the proposed *Standards for CEO Recruitment, Performance & Termination* will result in the Standards becoming a legally required Policy of the Shire of Chapman Valley and added to the appropriate Policy/Procedures Manual.

FINANCIAL IMPLICATIONS

It does appear there will be a future financial imposition on the organisation for the introduction of the new *Standards for CEO Recruitment, Performance & Termination*. This will be an annually budgeted contingent amount placed in the Municipal Budget in the event the Shire may be required to implement any aspects of the Standards.

Long Term Financial Plan (LTFP):

No major effect is anticipated on the LTFP.

STRATEGIC IMPLICATIONS

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

CONSULTATION

The Western Australian Local Government Association (WALGA) and DLGSCI have both undertaken consultation processes seeking feedback for the local government industry on all proposed legislative changes, with the Shire of Chapman Valley making several submission on the plethora of proposed and suggested amendments, including *Standards for CEO Recruitment, Performance & Termination*.

RISK ASSESSMENT

I believe the risk associated with the new legislation is **Minor** if costs are annualised i.e.

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

VOTING REQUIREMENTS

Simple majority.

MOVED: Cr Batten

SECONDED: Cr Davidson

COUNCIL RESOLUTION/STAFF RECOMMENDATION

Council adopt and introduce the new *Standards for CEO Recruitment, Performance & Termination* as presented at **Attachment 10.3.6(a)** in accordance with the *Local Government (Administration) Amendment Regulations, 2021*.

The Standards are to be added as Policy to the appropriate Shire of Chapman Valley Policy and Procedures Manual.

Council En Bloc Resolution
Voting F6/A0
CARRIED
Minute Reference: 03/21-03

10.3.7 Beach Emergency Number Signage

PROPONENT:	Department of Primary Industries & Regional Development (DPIRD)
SITE:	Coronation Beach & Drummonds Cove (north)
FILE REFERENCE:	207.06.13 & 207.06.14
PREVIOUS REFERENCE:	NA
DATE:	17 th March 2021
AUTHOR:	Maurice Battilana, Chief Executive Officer

SUPPORTING DOCUMENTS:

Ref	Title	Attached to Report	Under Separate Cover
10.3.7(a)	Beach Emergency Number Signage (BEN) Guidelines 2021		✓

DISCLOSURE OF INTEREST

Nil

BACKGROUND

Correspondence (see email see below) received from DPIRD on the 15th February 2021 explains the BEN sign grants program has been extended to 12 coastal councils from north of Geraldton to Kununurra who are eligible for grants of up to \$50,000 to contribute towards the installation of BEN signs i.e.

"The McGowan Government made an election commitment to strengthen beach emergency measures following the fatal shark bite incident at Falcon Beach in 2016 that claimed the life of Ben Gerring.

A total of 1,239 Beach Emergency Numbers (BEN) signs have so far been installed at beach access points across 27 metropolitan and regional local government authorities and have become a vital part of directing first responders to emergencies at Western Australian beaches.

In December 2020, the BEN sign grants program was extended to 12 coastal councils from north of Geraldton to Kununurra who are eligible for grants of up to \$50 000 to contribute towards the installation of BEN signs.

The Department of Primary Industries and Regional Development (DPIRD) is the point of contact for the administration of the grant program and will work closely with local governments to ensure that the grant application process is as seamless as possible.

My email today is to invite your council to be part of the BEN grant program and to provide a copy of the 2021 Application Guidelines (attached). These guidelines explain how to register your local government's interest in the program, provide information regarding the collection of proposed sign location data and indicate how to formally apply for a grant.

After reading the guidelines, you can register your interest in the BEN grant program at www.fish.wa.gov.au/eoi-bensign. This does not commit your council to the program, rather it provides the opportunity for DPIRD to assist you in considering the grant process. An expression of interest will also allow DPIRD to give you access to an online data collection tool to assist in the identification of potential BEN sign locations.

I will be co-ordinating the BEN grant program and will be pleased to provide any assistance you require when considering your council's involvement in this worthwhile project and through the grant application process.

Please contact me using the details below.

Kind regards.

Marion Massam | Beach Emergency Numbers (BEN) Sign Co-ordinator
Operations and Compliance
Sustainability and Biosecurity
Department of Primary Industries and Regional Development
140 William Street, Perth WA 6000

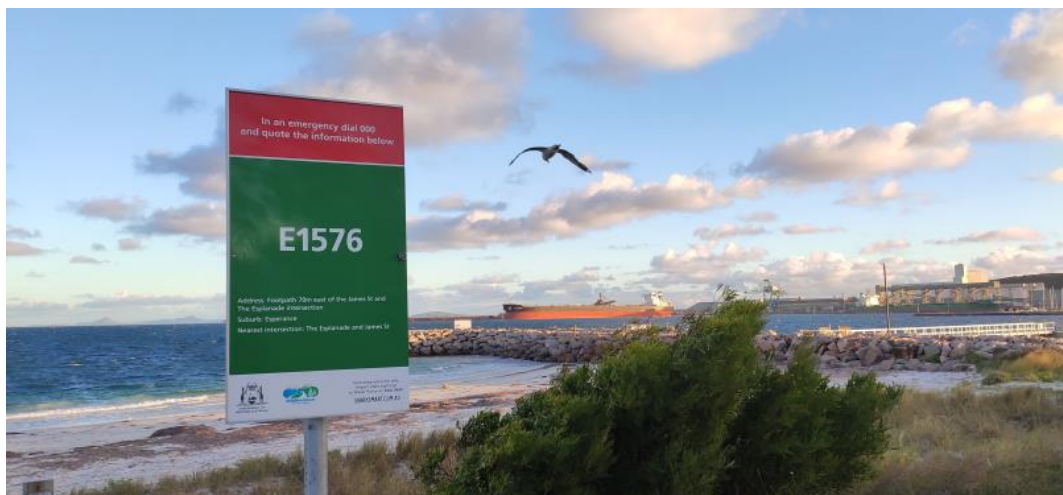
COMMENT

An expression of interest is yet to be lodged on behalf of Council. Involvement in the program does not commit Council to, rather it provides the opportunity for DPIRD to assist in considering the grant process. Submitting an expression of interest will allow DPIRD to give access to an online data collection tool to assist in the identification of potential BEN sign locations.

Each sign will have a distinct identification number that identifies the area of where the attack has occurred, which makes it easier for emergency services to locate, refer to guidelines.

LGAs may apply for up to \$50,000. The grant can be used for the following:

- a BEN sign (as per the template provided) to be located at each (or selected) beach access points within the LGA;
- signage fixtures (e.g. frame, brackets, pole etc); and
- design costs (template provided).



The grants funds cannot be used for:

- LGA sign location assessment, data management, installation or the ongoing maintenance and/or replacement of signs.

The BEN Guidelines state:

“When determining locations for BEN signs, particularly when there are more possible sign locations than finances allow for, it is recommended that signs are placed in areas which:

- are based on coastal risk assessments;*
- are considered to be high use visitor locations;*
- have public facilities;*
- have mobile phone coverage (but it is quite reasonable to locate signs where there is no phone coverage); and*
- may have had incidents which could have benefited from BEN signs in the past.”*

The Drummond Cove northern beach access and Coronation Beach Nature Based Camping Reserve are considered to most appropriate locations to locate BEN signs within the Shire of Chapman Valley. However; it would be appropriate to discuss the proposal to locate a sign at Drummond Cove with the City of Greater Geraldton to ensure this is not duplicated.

There is the issue of areas such as Buller River, South Coronation, Spot X etc. which are under the control of others (e.g. Development WA [previously Landcorp] and Mid West Ports). The Guidelines refer to an example where the beach area is under the control of the Department of Biodiversity, Conservation and Attractions (DBCA) i.e.

“Our LGA has lands managed by the Department of Biodiversity, Conservation and Attractions (DBCA). Who is responsible for BEN signs in these areas?”

LGAs wishing to install BEN signs on lands managed by DBCA (formerly the Department of Parks and Wildlife) will be required to discuss their intentions with the local DBCA office. DBCA will consider the LGA request and determine whether BEN signs are appropriate for the locations suggested.

DBCA will consider factors such as level of development at the site (carpark, toilets, other facilities, road access), visitation levels to the site, previous incident history and mobile phone coverage in determining whether BEN signs are appropriate at the identified locations.”

I would imagine this would be same situation for the beach in the Shire of Chapman Valley under the control of Development WA and Mid West Ports.

STATUTORY ENVIRONMENT

There is no Statutory obligation to participate in the BEN Signage program, nor to ensure signs are maintained and replaced as required. However, I would imagine once signs were in place it would be difficult not to maintain and replace the signs as required (at the Shire’s cost).

POLICY/PROCEDURE IMPLICATIONS

No existing Policy/Procedure affected.

FINANCIAL IMPLICATIONS

The initial cost of the signs and their required fixtures (e.g. frame, brackets, pole etc.) will be covered by the grant. The Shire will need to bear the costs of their installation. In addition Council will be responsible for the care, maintenance and replacement of the signs. This cost is not expected to be of any significance and can be accommodated in the annual budget provision for foreshore maintenance/operation in the various areas.

Long Term Financial Plan (LTFP):

No effect on LTFP.

STRATEGIC IMPLICATIONS

There is no strategic implications relevant to the BEN Signs program, other than for the Shire of Chapman Valley to be a participant in a State project along the whole to the Western Australian coastline.

Ref	Objective	Strategy
1.2	Strengthen our advocacy role and regional partnerships to support the provision of local services and facilities	Maintain close relationships with neighbouring shires and regional bodies

CONSULTATION

The Chief Executive Officer has been in consultation with the Shire of Northampton who have lodged an expression of interest to participate in the BEN Sign Program. At the time of writing the report contact had not been received from the City of Greater Geraldton. However; if Council resolve to participate in the program, contact will be made with the City to determine if they are also participating, and the appropriate location of signage at the Drummond Cover area before proceeding with this sign.

RISK ASSESSMENT

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

VOTING REQUIREMENTS

Simple Majority

MOVED: Cr Warr

SECONDED: Cr Batten

COUNCIL RESOLUTION/STAFF RECOMMENDATION

- Council lodge a funding submission with the Department of Primary Industry & Regional Development for the supply of Beach Emergency Number signs to be located at the following sites (numbers and locations to be determined by the Chief Executive Officer):
 - Coronation Beach
 - Drummond Cove (north) – Subject to consultation with the City of Greater Geraldton
- Council approach Development WA & Mid West Ports to determine if they are interested in the installation of Beach Emergency Number signs at coastal nodes on land under their control/management. If so the Shire could add these locations to its expression of interest with the Department of Primary Industry & Regional Development subject to these two organisations being responsible for the installation, maintenance and replacement of these particular signs.

**Voting F7/A0
CARRIED
Minute Reference: 03/21-12**

10.3.8 WA Regional Tourism Conference - Geraldton

PROPONENT:	Cr Nicole Batten
SITE:	Geraldton
FILE REFERENCE:	403.04
PREVIOUS REFERENCE:	NA
DATE:	17 th March 2021
AUTHOR:	Maurice Battilana, Chief Executive Officer

SUPPORTING DOCUMENTS:

Ref	Title	Attached to Report	Under Separate Cover
10.3.8(a)	CP-006 Attendance at Events Policy		✓

DISCLOSURE OF INTEREST

Nil

BACKGROUND

Cr Nicole Batten has requested an item be presented to Council to consider approving her attendance to the WA Regional Tourism Conference (one day only) in her role as Chairperson of the Shire's Tourism & Events Working Group. The email below was sent by Cr Batten on the 9th March 2021:

"Thanks Maurice, yes let's put an agenda item up this month. There is still plenty of lead in time for registrations.

As Chair of the Tourism Working Group I feel that it is important we are exposed to opportunities, especially local events that may assist us in our work toward supporting tourism and businesses in Chapman Valley. It will provide us with more of an insight into where we fit in the overall Midwest Tourism sector, as well as connect us with surrounding businesses, people and LGA's. Unless we have a seat at the table, we will be on the backfoot.

I would like to register for the one day WA Regional Tourism Conference on Tuesday 4th May. Early Bird Member rate is \$445 (I'm unsure as to whether CV Shire are members), alternatively non-member rate is \$940. This includes Welcome Function, one day Summit, post Summit dinner and a post Summit tour option.

This is the cheapest ticket available so I hope it's within reach for small tourism businesses!

*Cheers
Nic"*

COMMENT

The Shire of Chapman Valley is not a member of Tourism WA so the Early Bird fee to attend the Conference on 4 May 2021 will be \$940.

It is important Elected Members and Staff attend Conferences, and events relevant to their positions and the community as is stated in Policy CP-006 regarding "Attendance at Events" i.e.

- 2.1. In developing the Attendance at Events Policy, council needs to actively consider the purpose of and benefits to the community from council members and CEOs attending events. The policy should not be used to intentionally circumvent conflict of interests which may arise from attending events hosted by a provider who will have a significant matter before council. The Attendance at Events policy is to enable council

members to attend events as a representative of council without restricting their ability to participate in council meetings.

Council's Policy also refers to the role of the person attending, which in this case is relevant with Cr Batten being Chair of the Shire's Tourism & Events Working Group i.e.

- 5.1 In deciding on attendance at an event, the Council will consider:
- a) who is providing the invitation or ticket to the event,
 - b) the location of the event in relation to the local government (within the district or out of the district),
 - c) the role of the council member or CEO when attending the event (participant, observer, presenter) and the value of their contribution,
 - d) whether the event is sponsored by the local government,
 - e) the benefit of local government representation at the event,
 - f) the number of invitations / tickets received, and
 - g) the cost to attend the event, including the cost of the ticket (or estimated value of the event per invitation) and any other expenses such as travel and accommodation.

Below is an extract from the Tourism Council WA Website regarding the Conference:

2021 Perth Airport WA Regional Tourism Conference - Program

Registrations now open

The 2021 Perth Airport WA Regional Tourism Conference will take place in Geraldton on May 3 - 5, 2021.

Program and timings subject to change. Full program to be released soon.

Monday, May 3

8.00am - 5.00pm - Aboriginal Tourism Conference (all welcome)

1.30pm - 5.00pm - Visitor Centres WA Session (Visitor Centre representatives only)

5.00pm - 7.00pm - Welcome Cocktail Function (included for all delegates)

Tuesday, May 4

8.00am - 4.00pm - WA Regional Tourism Conference (included for all delegates)

5.15pm - 10.00pm - WA Regional Tourism Conference Dinner at secret location (included for all delegates)

Wednesday, May 5

Optional half-day or full-day tour included for all delegates

STATUTORY ENVIRONMENT

Local Government Act, 1996 – Section 5.90A deals with the legislative requirement for a local government authority to adopt a Policy in regards to attendance at events.

POLICY/PROCEDURE IMPLICATIONS

Policy CP-006 "Attendance at Events" is provided at **Attachment 10.3.8(a)** for Council information.

FINANCIAL IMPLICATIONS

The 2020/2021 Adopted Budget for "Members Conference & Events Expenses (COA 0192)" is \$20,000 with an amount of \$1,526.81 spent/committed as at the 28th February 2021.

Long Term Financial Plan (LTFP):

No effect on the LTFP

STRATEGIC IMPLICATIONS

It is important Elected Members and Staff attend Conferences, and events relevant to their positions and the community.

Ref	Objective	Strategy	Action
2.3	Welcome local tourism and participation in regional strategy	Research and develop local tourism plan	Encourage Tourism Operators to establish an Alliance for them to develop and implement a Local Tourism Plan. This must be industry driven, not Shire driven.
		Explore support needed by local tourism industries	Encourage Tourism Operators to establish an Alliance for them to research support required. This must be industry driven, not Shire driven.
		Welcome and participate in regional tourism development	Encourage the establishment of a local Tourism Alliance made up of Tourism Operators

CONSULTATION

Attendance at the Conference has been discussed with Cr Batten prior to completing this report.

RISK ASSESSMENT

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

VOTING REQUIREMENTS

Simple Majority (see Clause 5.2 of CP-006 "Attendance At Events Policy")

"Decisions to attend events in accordance with this policy will be made by simple majority or by the CEO in accordance with any authorisation provided in this policy."

MOVED: Cr Batten

SECONDED: Cr Davidson

COUNCIL RESOLUTION/STAFF RECOMMENDATION

Council endorse Cr Nicole Batten's attendance to the WA Regional Tourism Conference in Geraldton on the 4th May 2021 and cover cost associated with such attendance from COA 0192 and in accordance with Policy CP-006.

**Council En Bloc Resolution
Voting F6/A0
CARRIED
Minute Reference: 03/21-03**

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

12.1 LATE ITEM ANNUAL ELECTORS MEETING

MOVED: Cr Batten

SECONDED: Cr Warr

COUNCIL RESOLUTION

Council agree to deal with the late item presented regarding Annual Electors Meeting Minutes.

Voting F7/A0

CARRIED

Minute Reference:03/21-13

Annual Electors Meeting

PROPONENT:	Chief Executive Officer
SITE:	Shire of Chapman Valley
FILE REFERENCE:	413.01
PREVIOUS REFERENCE:	Minute Reference: 12/19-7
DATE:	17th March 2021
AUTHOR:	Maurice Battilana, Chief Executive Officer

SUPPORTING DOCUMENTS:

Ref	Title	Attached to Report	Under Separate Cover
12.1(a)	Minutes – Annual Electors Meeting – 11 th March 2021		✓

DISCLOSURE OF INTEREST

BACKGROUND

At the February 2021 OCM Council resolved the following:

Council:

- 1 *Receives and accepts the Auditors Financial Report for 2018/2019.*
- 2 *Receives and accepts the Auditors Management Report 2018/2019.*
- 3 *Set the date for the Annual General Meeting of Electors for Thursday 6th February 2020 commencing 6.00pm at the Nabawa Council Chamber and advertise this meeting accordingly.*
- 4 *Request the CEO give local public notice of the availability of the Annual Report as required by s5.55 of the Act;*
- 5 *Provides a copy of the Shire of Chapman Valley 2018/2019 Annual Report to the Director General of the Department of Local Government.*

Council held its Annual Electors Meeting on the 11th March 2021 and a copy of the unconfirmed minutes from the meeting have been provided under separate cover as Attachment 12.1(a)

COMMENT

As required by legislation, this item is being presented to the first Ordinary Council Meeting following an Annual Electors meeting to enable consideration of the issues raised (if any).

STATUTORY ENVIRONMENT

Section 5.33 of the *Local Government Act 1995* requires that:

- “(1) All decisions made at an electors meeting are to be considered at the next ordinary council meeting or, if that is not practicable –
- (a) At the first ordinary council meeting after that meeting; or
- (b) At a special meeting called for that purpose.
- which ever happens first.
- (2) If at a meeting of the Council a local government makes a decision in response to a decision made at an electors meeting, the reasons for the decision are to be recorded in the minutes of the council meeting.”

POLICY/PROCEDURE IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

Long Term Financial Plan (LTFP):

No effect

STRATEGIC IMPLICATIONS

No applicable.

CONSULTATION

The meeting was advertised and attended by electors, elected members and staff.

RISK ASSESSMENT

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment

Insignificant (1)	Negligible injuries	Less than \$1,000	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, low impact, low profile or 'no news' item	Inconsequential or no damage.	Contained, reversible impact managed on by site response
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VOTING REQUIREMENTS

Simple Majority

MOVED: Cr Batten

SECONDED: Cr Davidson

COUNCIL RESOLUTION/STAFF RECOMMENDATION

The Minutes of the Annual Electors meeting dated 11 March 2021 be received and note the following actions being required from this meeting:

- The Shire's Tourism & Events Advisory Group consider improvements to signage in and around the Parkfalls Estate area (including the Bill Hemsley Park Community Center) to inform people this area is within the Shire of Chapman Valley as part of the tourism sign audit within the Shire about to be undertaken.

Voting F7/A0

CARRIED

Minute Reference:03/21-14

13.0 DELEGATES REPORTS

COUNCILLOR	ITEM
Cr Farrell	Coastal Sub-Regional Road Group, Annual Electors Meeting
Cr Humphrey	Batavia Local Emergency Management Committee Meeting
Cr Warr	Annual Electors Meeting, Chapman Valley Agricultural Society AGM
Cr Forth	Chapman Valley Agricultural Society AGM

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 President invited Cr Warr to make a presentation from the Yuna CWA:

Cr Warr, on behalf of the Yuna CWA, presented the Shire of Chapman Valley Nabawa Library with the new edition of the Yuna CWA Cookbook.

The President thanked the Yuna CWA for the kind donation.

The then President thanked Elected Members, Staff and Visitors for their attendance and closed the meeting at 10:23am.