ORDINARY COUNCIL MEETING

Confirmed Minutes

8.30am Thursday 18 August 2022

Bill Hemsley Community
Centre

AUGUST 2022

SHIRE OF CHAPMAN VALLEY

Jamie Criddle

CHIEF EXECUTIVE OFFICER

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



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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.

Jamie Criddle

CHIEF EXECUTIVE OFFICER

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ORDER OF BUSINESS

1.0 DECLARATION OF OPENING/ANNOUNCEMENTS OF VISITORS

The Shire President welcomed Elected members & Staff and declared the meeting open at 8:32am.

2.0 ANNOUNCEMENTS FROM THE PRESIDING MEMBER

I would like to acknowledge the traditional owners of the land we are meeting on today, the Naaguja people, and we pay our respects to elders both past, present and emerging.

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

3.1 Attendees

Elected Members	In	Out
Cr Kirrilee Warr (President)	8:32am	9:25am
Cr Darrell Forth (Deputy President)	8:32am	9:25am
Cr Nicole Batten	8:32am	9:25am
Cr Beverley Davidson	8:32am	9:25am
Cr Elizabeth Eliott-Lockhart	8:32am	9:25am
Cr Peter Humphrey	8:32am	9:25am
Cr Catherine Low	8:32am	9:25am
Cr Trevor Royce	8:32am	9:25am
Officers	In	Out
Jamie Criddle, Chief Executive Officer	8:32am	9:25am
Simon Lancaster, Deputy Chief Executive Officer	8:32am	9:25am
Dianne Raymond, Manager Finance & Corporate Services	8:32am	9:25am
Beau Raymond, Minute Taker	8:32am	9:25am

Visitors	In	Out
Pauline Forrester	8:32am	9:25am
Shirley Mincherton	8:32am	8:54am
Jan Mills	8:32am	9:25am
John Collingwood	8:32am	9:25am
Sue Collingwood	8:32am	9:25am
Dennis Mills	8:32am	9:25am
Peter Williams	8:32am	9:25am
Delphine Williams	8:32am	9:25am
Roger Frankenfeld	8:32am	9:25am

3.2 Apologies

Nil

3.3 <u>Previously Approved Leave of Absence</u> (By Resolution of Council)

Nil

4.0 PUBLIC QUESTION TIME

4.1 Response to Previous Public Questions on Notice

Nil

4.2 Public Question Time

4.2.1 Peter Williams

Queried as to responsibility of fire hydrant maintenance & upkeep

<u>Answer</u> - Cr Warr responded advising this is a Water Corporation asset on local government land. Water Corporation are the responsible agency for maintenance. CEO additionally advised this is subject to a Memorandum of Understanding which is currently under review.

4.2.2 Dennis Mills

Queried as to accessing bridle paths for clearing.

<u>Answer</u> - Cr Warr responded that due to liability issues on council controlled land access has not been granted in the recent past. It was advised to contact shire staff regarding future access.

4.2.3 Jan Mills

Queried as to the when the drainage issues on Eliza Shaw & David Road corner would be addressed.

<u>Answer</u> - Cr Warr responded advising a budget allocation in 2022/23 has been set aside for works in this area. CEO advised this intersection has been identified as an issue with some works already commenced of rock pitching and potential raising of culverts. This issue will be monitored and reviewed.

4.2.4 John Collingwood

Offered his appreciation to the Shire for the Brown Lane & Pitchford Crest roadside drainage works and understands this will be continuing.

4.2.5 Peter Williams

Queried as to progress of the Strategic Community Plan following on from workshops earlier in the year.

<u>Answer</u> - CEO responded advising an agenda item is being presented to today's meeting following the close of the public consultation process. When endorsed this will be available as a public document on the website.

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

MOVED: Cr Forth SECONDED: Cr Davidson

COUNCIL RESOLUTION

That Cr Humphrey be approved for a leave of absence for the Ordinary Meetings of Council 20 October 2022 and 17 November 2022

Voting F8/A0 CARRIED

Minute Reference: 08/22-01

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

7.0 PETITIONS/DEPUTATIONS/PRESENTATIONS

7.1 Petitions

Nil

7.2 Presentations

Nil

7.3 Deputations

Nil

8.0 CONFIRMATION OF MINUTES FROM PREVIOUS MEETINGS

MOVED: Cr Forth SECONDED: Cr Eliott-Lockhart

8.1 Ordinary Meeting of Council held on Thursday 21 July 2022

That the Minutes of the Ordinary Meeting of Council held Thursday 21 July 2022 be confirmed as true and accurate.

Voting F8/A0

CARRIED

Minute Reference: 08/22-02

9.0 ITEMS TO BE DEALT WITH EN BLOC

MOVED: Cr Batten SECONDED: Cr Forth

That the following items be dealt with en bloc

10.1.1

10.3.1

10.3.2

Voting FO/A0
Lapsed
Due to Councillors wishing to discuss

10.0 OFFICERS REPORTS

10.1 Deputy Chief Executive Officer

10.1 AGENDA ITEMS

10.1.1 Proposed Rezoning

10.1.1 Proposed Rezoning – Lot 100 Wells Road, White Peak

PROPONENT:	Shire of Chapman Valley for G. Burrows
SITE:	261 (Lot 100) 'Wells Road', White Peak
FILE REFERENCE:	A13 & 204.11.04
PREVIOUS REFERENCE:	Nil
DATE:	10 August 2022
AUTHOR:	Simon Lancaster, Deputy Chief Executive Officer

SUPPORTING DOCUMENTS

Ref	Title	Attached to Report	Under Separate Cover
	Nil		

DISCLOSURE OF INTEREST

Nil

BACKGROUND

An application to rezone Lot 100 (DP302726) to remove it from the 'Special Control Area 1-Oakajee Industrial Zone and Buffer (SCA1)' has been prepared by the Shire to correct a cartographic error. This report recommends that Council initiate the Scheme Amendment process.

COMMENT

Lot 100 (DP302726) is a 81.3425ha property located 1.5km east of the North West Coastal Highway and straddling the White Peak and Howatharra localities.

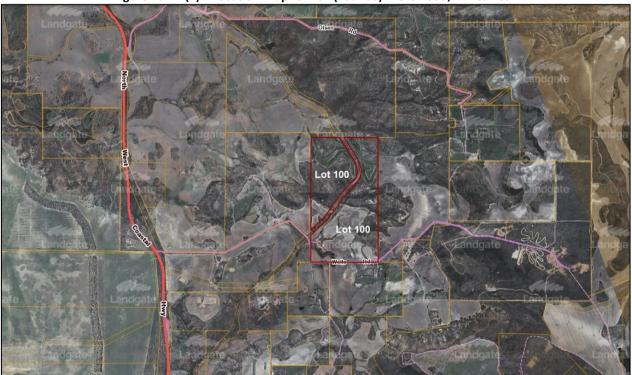


Figure 10.1.1(a) - Location Map for 261 (Lot 100) Wells Road, White Peak

Lot 100 gains access to the highway via a gravel access track referred to as 'Wells Road'. This alignment is not a road reserve rather a series of right of carriageway easements (with encumbrances placed on the titles of the lots along the alignment) that were created in 1980 to provide access to gravel extraction operations located in the Moresby Range upon Lot 6769 to the east of Lot 100. Since its construction the track has commonly been referred to as 'Wells Road' as the operating company that constructed the track was Wells Brothers Sand and Gravel Supplies, and the track was used by local residents to access their properties.

Lot 100 is an undulating property that contains two remnant vegetation covered hilltops rising to the 135 and 155m contour heights and lower cleared sections that are used for farming purposes between the 105m to 125m contour heights. Farm sheds are located towards the southern boundary, along which the 'Wells Road' right of carriageway easement runs. The property is also bisected by the former Geraldton-Northampton railway alignment.



Figure 10.1.1(b) - Aerial Photograph of 261 (Lot 100) Wells Road, White Peak

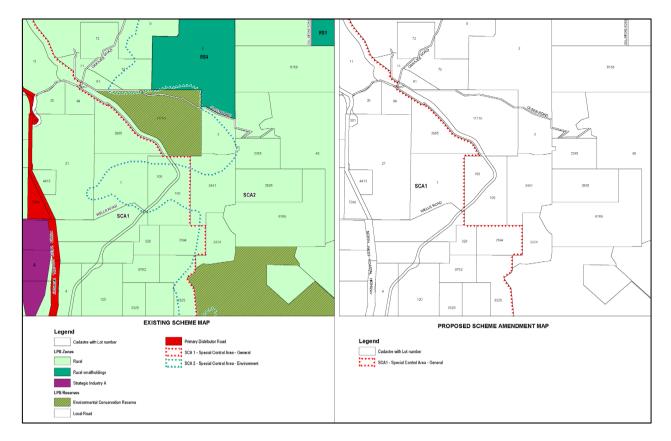
It has emerged during discussions concerning 'Wells Road' that Lot 100 whilst being zoned 'Rural' is also identified on the Local Planning Scheme Map as being within the 'Special Control Area 1-Oakajee Industrial Zone and Buffer (SCA1)' zoning.

Lot 100 should be zoned simply 'Rural' i.e. the 'Special Control Area 1' line should run along the property's western boundary and not its eastern boundary thereby putting Lot 100 outside the buffer.

Scheme Amendment No.18 to Shire of Chapman Valley Planning Scheme No.1 was the Oakajee Industrial Estate and Buffer rezoning document and this was approved by the Western Australian Planning Commission (WAPC) and gazetted on 29/6/04 and identified Lot 100 as being outside of the buffer/Special Control Area.

However, it appears that when the WAPC undertook the drafting on behalf of the Shire, for the Shire of Chapman Valley Scheme No.2 Map on 18/1/06 that Lot 100 was mistakenly identified as being within the buffer/Special Control Area and this was not picked up by the Shire or WAPC during the subsequent Scheme review and gazettal process.

A Scheme Amendment is therefore required to be prepared to correct this drafting error, and the WAPC have prepared the correcting maps for the Shire as illustrated in **Figure 10.1.1(c)** that will accompany the rezoning document that the Shire will prepare should Council initiate this Scheme Amendment.



STATUTORY ENVIRONMENT

261 (Lot 100) Wells Road, White Peak is zoned 'Rural' under the Shire of Chapman Valley Local Planning Scheme No.3. Table 2 of the Scheme lists the objectives for the 'Rural' zone as being:

- To provide for the maintenance or enhancement of specific local rural character.
- To protect broad acre agricultural activities such as cropping and grazing and intensive uses such
 as horticulture as primary uses, with other rural pursuits and rural industries as secondary uses in
 circumstances where they demonstrate compatibility with the primary use.
- To maintain and enhance the environmental qualities of the landscape, vegetation, soils and water bodies, to protect sensitive areas especially the natural valley and watercourse systems from damage.
- To provide for the operation and development of existing, future and potential rural land uses by limiting the introduction of sensitive land uses to the Rural zone.
- To provide for a range of non-rural land uses where they have demonstrated benefit and are compatible with surrounding rural uses."

In addition to its underlying 'Rural' zoning, Lot 100 is also located within the 'Special Control Area 1-Oakajee Industrial Zone and Buffer (SCA1)' zoning on the Scheme Map.

Table 6 of the Scheme sets out the following purpose, objectives and additional provisions for the Special Control Area 1 – Oakajee Industrial Zone and Buffer (SCA1) as follows:

Purpose and Objective Additional provisions The purpose of Special a) All development proposed must be in accordance with an approved structure plan or Control Area 1 is to: plans prepared in accordance with Part 4 of the deemed provisions. a) Provide for b) Notwithstanding any other provision contained within this Scheme, no residential use, temporary or permanent, including a single house, shall be permitted on land appropriate environmental and within the Special Control Area. Specific exception may be made to accommodate temporary camp accommodation for workers prior to the establishment of the first planning controls pertaining to the industry within the Strategic Industry zone. development of an c) All development applications considered by the local government to be of industrial estate environmental significance within the strategic industrial core (Area C) shall be housing industries referred to the Environmental Protection Authority.

- of strategic economic value to the State and Region, and which require separation from sensitive landuses; and
- b) Provide for a buffer surrounding the industrial estate within which landuses incompatible with the purpose of the industrial estate are not permitted.
- c) Support continued broad-acre agriculture on larger land holdings and the strategic placement and stockpiling of raw or manufactured materials (other than hazardous materials) subject to environmental and visual considerations.

- d) Prior to any clearing of remnant vegetation, searches shall be undertaken to identify significant flora on the site. Flora management strategies will be prepared for areas of significant flora.
- e) The Estate Manager will be required to establish a noise monitoring program before the establishment of the first industrial activity to monitor the cumulative impact of noise generated by industries in the estate, in consultation with the Department of Water and Environmental Regulation, to determine whether Environmental Protection Authority Regulations are being met within the special control area boundary.
- f) The Estate Manager will be required to review proponent air emissions modelling to confirm compatibility with air quality modelling used to define the buffer boundary and report results to the Department of Water and Environmental Regulation and Conservation and the Office of the Environmental Protection Authority.
- g) The Estate Manager will be required to establish a program before the establishment of the first industrial activity for collection of baseline data and undertake air quality monitoring for dust and particle emissions to the satisfaction of the Department of Water and Environmental Regulation.
- h) The Estate Manager will be required to review proponent quantitative risk assessment to confirm compatibility with quantitative risk assessment used to define the buffer boundary and report results to the Department of Water and Environmental Regulation and the Office of the Environmental Protection Authority.
- i) The Estate Manager will be required to establish a monitoring program, before the establishment of the first industrial activity, for groundwater to collect baseline data and to the satisfaction of the Department of Water and Environmental Regulation and the Office of the Environmental Protection Authority.
- j) The Estate Manager will be required to establish a rainfall monitoring program before the establishment of the first industrial activity and is to report results to the Department of Water and Environmental Regulation and the Office of the Environmental Protection Authority.
- k) Notwithstanding the provisions contained within Part 3, should the cumulative environmental impacts of incremental industrial development exceed the Environmental Protection Authority criteria, the Estate Manager is required to make suitable arrangements for occupants of residences within the Oakajee Industrial Zone buffer to vacate that residence.
- I) Individual industries will be required to provide drainage plans to the satisfaction of the local government prior to undertaking any construction.
- m) The Estate Manager will be required to prepare an overall Oakajee Landscape Master Plan with performance timetables to ensure nominated actions are completed within time. This Master Plan is to be prepared prior to commencement of construction of the first industry
- n) Individual industries will comply with Landscape Master Plan requirements and submit individual landscape plans and implementation timetables with their development applications. Landscape plans shall be designed and implemented to the satisfaction of the local government.
- o) Provisions shall be made for the protection and management of two European heritage sites illustrated on the structure plan. All development applications shall also be required to address aboriginal heritage issues in accordance with Aboriginal Heritage Management Plan/s approved by the state government agency responsible for the protection of aboriginal heritage.
- p) The following provisions apply to that part of Special Control Area 1 shown on the Scheme Maps as Industrial Zone (Area C):
 - All major development shall be subject to approved environmental management criteria governing layout, manner of development and ongoing management of proposed operations, including safety and satisfactory storage or disposal of noxious or hazardous materials or wastes.
 - ii. All major development shall be subject to an environmental impact statement if requested by the Local Government.
- q) The following provisions apply to that part of Special Control Area 1 shown on the Scheme Maps as Industrial Zone (Area B) –

- a. Prior to construction of the port:
 - a Coastal Management and Structure Plan will be prepared for Area B of the Industrial Zone by the State Government to the satisfaction of the Local Government and in consultation with the Environmental Protection Authority and the Western Australian Planning Commission; and
 - ii. a Structure Plan is to be prepared in accordance with Schedule 2, Part 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, to be adopted by the Local Government, and endorsed by the Western Australian Planning Commission. The Plans are to provide for the coordination and integration of intended land uses, transport and service corridors and sites of heritage and landscape significance, and shall depict public access to and along the ocean foreshore. The Plans are to address port and associated activities, transport and services corridors and rehabilitation of remnant vegetation and management of recreation.
- b. The Coastal Management and Structure Plan shall be consistent with relevant Western Australian Planning Commission policy, shall conform with conditions set by the Minister for the Environment for the Oakajee Deep Water Port Proposal

Scheme Amendment No.18 to Shire of Chapman Valley Planning Scheme No.1 was the Oakajee Industrial Estate and Buffer rezoning and identified Lot 100 as being outside of the Special Control Area.

Following the gazettal of Scheme Amendment No.18 on 29/6/04 the Shire of Chapman Valley Planning Scheme No.1 Map identified Lot 100 as being outside of the Special Control Area.

Section 88 of the *Planning & Development Act 2005* requires periodic review of Local Planning Schemes and during the drafting of the Shire of Chapman Valley Scheme No.2 Maps in 2006 a cartographic error was made and the alignment for the Special Control Area was drawn along the western, and not the eastern, boundary of Lot 100 thereby mistakenly placing the property within the buffer area.

Part 5 of the *Planning & Development Act 2005* provides for the amendment of a Scheme and it is recommended that a rezoning be undertaken to correct this drafting error.

POLICY/PROCEDURE IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

The preparation of the rezoning document will be undertaken by the Shire and the WAPC have assisted with the preparation of the rezoning mapping, and the Scheme Amendment process would be undertaken at no expense to the landowner.

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

The Shire of Chapman Valley Local Planning Strategy was endorsed by the WAPC on 20/11/07 and identified upon the Precinct No.6-Oakajee Strategy Map that Lot 100 was outside of the Oakajee Special Control Area. The proposed Scheme Amendment is therefore in accordance with this strategic planning document.

The Oakajee Industrial Estate Structure Plan prepared by Development WA and endorsed by Council and subsequently approved by the WAPC on 24/1/12 identified Lot 100 as being outside of the Oakajee Buffer and Structure Plan boundary. The proposed Scheme Amendment is therefore in accordance with this strategic planning document.

Due to Lot 100 being outside of the buffer area that was identified by technical assessment and cumulative emissions modeling for the proposed Oakajee Industrial Estate, the property was not acquired by Development WA during its 2004 land assembly phase that included the lots west of Lot 100 along Wells Road.

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

Should Council support this rezoning application then it is required to forward a copy of the Scheme Amendment documentation to the Environmental Protection Authority ('EPA') for its assessment as per Section 81 of the *Planning & Development Act 2005*. Should the EPA advise that the proposed rezoning does not warrant assessment under Part IV Division 3 of the *Environmental Protection Act 1986* then the Shire would forward a copy of the Scheme Amendment documentation to the WAPC seeking its consent to advertise the rezoning application as a standard scheme amendment.

Were the WAPC to grant consent to advertise the application as a standard scheme amendment, then the Shire would undertake the following actions of consultation, inviting comments and responses within a 42 day advertising period:

- erect a public notification sign upon the site;
- place a notice within a locally circulating newspaper;
- place a copy of the Scheme Amendment documentation on the Shire website;
- place a copy of the Scheme Amendment documentation in the Shire office/library for public viewing;
- write directly to all surrounding landowners; &
- write directly to all relevant government agencies and service authorities.

At the completion of the advertising period all received submissions must be presented for Council's consideration, and should the Scheme Amendment be given final approval at this point by Council then the rezoning documents would be forwarded to the WAPC seeking final assessment and approval.

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 pursuant to Part 5 of the *Planning and Development Act 2005* amend the Shire of Chapman Valley Local Planning Scheme No.3 by:

- (a) Deleting the 'Special Control Area 1-Oakajee Industrial Zone and Buffer (SCA1)' zone from Lot 100 (Volume 1655/Folio 187 DP302726); and
- (b) Modifying the Scheme Map accordingly.

Voting F8/A0 CARRIED

Minute Reference: 08/22-03

10.2 Manager of Finance & Corporate Services

10.2 AGENDA ITEMS

Nil Report

10.3 Chief Executive Officer

10.3 AGENDA ITEMS

10.3.1	Purchasing Policy – SCTZ Seroja Amendment
10.3.2	Notice of Council Meeting 2023
10.3.3	Strategic Community Plan

10.3.1 Purchasing Policy – SCT Seroja Amendment

PROPONENT:	Chief Executive Officer
SITE:	Shire of Chapman Valley
FILE REFERENCE:	411.01
PREVIOUS REFERENCE:	Not Applicable
DATE:	18 August 2022
AUTHOR:	Jamie Criddle , Chief Executive Officer

SUPPORTING DOCUMENTS:

Ref	Title	Attached to Report	Under Separate Cover
10.3.1(a)	Purchasing Policy (CP-024)	·	✓

DISCLOSURE OF INTEREST

Nil

BACKGROUND

At the August 2021 Ordinary Meeting of Council (OCM) and amendment to the Purchasing Policy (CO-024), to accommodate damage incurred by STC Seroja, was endorsed as follows:

MOVED: Cr Humphrey SECONDED: Cr Forth

COUNCIL RESOLUTION

Council endorse the following amendment to the Purchasing Policy (CO-024) to accommodate damage incurred by STC Seroja:

Amount of Purchase	Model Policy
Up to \$100,000	No quotations required prior to purchase if expenditure is solely related to damage caused by STC Seroja or where the expenditure relates to an insurance claim approved by Local Government Insurance Services or is recoverable from the Disaster Recovery Funding Arrangements WA.
\$100,000 - \$250,000	If expenditure is solely related to damage caused by STC Seroja, quotes be obtained if required under the direction and approval of Local Government Insurance Services or is recoverable from the Disaster Recovery Funding Arrangements WA.

This policy is to be brought back to council in the August 2022 OCM for review.

Voting F6/A0 CARRIED

Minute Reference: 08/21-11

Reason for Deviation from Staff Recommendation: Council felt it was necessary for this Policy Variation to be reconsidered in twelve months.

COMMENT

Expenditure relating to STC Seroja remains challenging to comply with procurement due to the difficulty in securing contractors, builders, tradesperson to undertake works in a timely manner and to obtain quotes for the required works as stipulated in the original Shire's Purchasing Policy.

The August 2021 OCM Purchasing Policy amendment remains relevant to carry out the works in compliance with procurement obligations for the continuation of the approximate \$281,000 asset repair works.

In addition to the above amended Purchasing Policy, it was suggested that from consultation with Senior Staff that the remaining Council Purchasing Policy also be reviewed because of the difficulty Council currently has in attracting quotations (particularly tradesmen) to carry out works on Council projects/repairs. The various supply chain issues, coupled with Cyclone Seroja recovery delays, Covid issues and a state-wide housing boom have contributed to an unwillingness to quote/work outside of the city limits.

Already this year, Staff have had to make detailed notes on Purchase Orders in order to comply with current legislation and Council's Purchasing Policy.

Management are suggesting a modification of the existing policy (below), suggested changes are in RED

	Amount of Purchase	Purchase Conditions	Recording Conditions	
Α	Up to \$10,000	Direct purchase from suppliers	Standard Purchase Order	
B	\$10,001 \$25,000	Seek two verbal quotations.	Endorse Purchase Order verbal quotes obtained or sought	
В	\$10,001 - \$35,000	Seek one verbal or written quotation	Endorse Purchase Order verbal or written quotes obtained or sought	
E	\$25,001-\$249,999	Seek at least three written quotations containing price and specification of goods and services (with procurement decision based on all value for money considerations).	Written Quotes – Copies attached to Purchase Order or evidence of quotes being sought.	
С	\$35,001-\$85,000	Seek at least two written quotations containing price and specification of goods and services (with procurement decision based on all value for money considerations).	Written Quotes – Copies attached to Purchase Order or evidence of quotes being sought.	
D	\$85,001- \$249,999	Seek at least three written quotations containing price and specification of goods and services (with procurement decision based on all value for money considerations).	Written Quotes – Copies attached to Purchase Order or evidence of quotes being sought.	
E	\$250,000 and above	Conduct a public tender process or use the WALGA Preferred Suppliers process.	Tender Register Requirements & Filing of Tender Documents	
F	Emergency Purchases (Within Budget)	Where goods or services are required for an emergency response and are within scope of an established Panel of Pre-qualified Supplier or existing contract, the emergency supply must be obtained from the Panel or existing contract using relevant unallocated budgeted funds. If there is no existing Panel or contract, then clause Supplier Order		
		of Priority will apply wherever practicable. However, where due to the urgency of the situation; a contracted or tender exempt supplier is unable to provide the emergency		

		supply <u>OR</u> compliance with this Purchasing Policy would cause unreasonable delay, the supply may be obtained from any supplier capable of providing the emergency supply. However, an emergency supply is only to be obtained to the extent necessary to facilitate the urgent emergency response and must be subject to due consideration of best value and sustainable practice. The rationale for policy non-compliance and the purchasing decision must be evidenced in accordance with the Shire's Record Keeping Plan.
G	Emergency Purchases (No budget allocation available)	Where no relevant budget allocation is available for an emergency purchasing activity then, in accordance with s.6.8 of the <i>Local Government Act 1995</i> , the President must authorise, in writing, the necessary budget adjustment prior to the expense being incurred. The CEO is responsible for ensuring an authorised emergency expenditure under s.6.8 is reported to the next ordinary Council Meeting. The Purchasing Practices prescribed for Emergency Purchases (within budget) above, then apply.
Н	LGIS Services Section 9.58(6)(b) Local Government Act	The suite of LGIS insurances are established in accordance with s.9.58(6)(b) of the <i>Local Government Act 1995</i> and are provided as part of a mutual, where WALGA Member Local Governments are the owners of LGIS. Therefore, obtaining LGIS insurance services is available as a member-base service and is not defined as a purchasing activity subject to this Policy. Should Council resolve to seek quotations from alternative insurance suppliers, compliance with this Policy is required.

STATUTORY ENVIRONMENT

Local Government Act 1995 and the Local Government (Functions and General) Regulations, 1996.

Regulation 11A of the *Local Government (Functions & General) Regulations 1996* requires local governments to prepare or adopt, and to implement, a purchasing policy in relation to contracts for other persons to supply goods or services where the consideration under the contract is, or is expected to be, \$250 000 or less or worth \$250 000 or less.

A purchasing policy must make provision in respect of —

- the form of quotations acceptable; and
- the minimum number of oral quotations and written quotations that must be obtained; and
- the recording and retention of written information, or documents, in respect of
 - (i) all quotations received; and
 - (ii) all purchases made.

POLICY/PROCEDURE IMPLICATIONS

Purchasing Policy (CP-024) is provided at **Attachment 10.3.2(a)** for Council information.

FINANCIAL IMPLICATIONS

Some of the costs associated with repair and preplacement works resulting from STC Seroja will be covered by insurance (yet there is an excess amount of \$100,000 payable under the insurance policy, which was budgeted for in 21/22 from the Building Reserve).

Long Term Financial Plan (LTFP):

The need to fund the \$100,000 insurance excess amount from the Building Reserve will have an effect on the overall financial status of the LTFP regarding future building capital works.

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

Senior Staff

RISK ASSESSMENT

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

COUNCIL RESOLUTION/STAFF RECOMMENDATION

RECOMMENDATION 1:

MOVED: Cr Batten SECONDED: Cr Humphrey

Council endorse the continuing amendment to the Purchasing Policy (CO-024) to accommodate damage incurred by STC Seroja and review in August 2023:

Amount of Purchase	Model Policy
Up to \$100,000	No quotations required prior to purchase if expenditure is solely related to damage caused by STC Seroja or where the expenditure relates to an insurance claim approved by Local Government Insurance Services or is recoverable from the Disaster Recovery Funding Arrangements WA.

\$100,000 - \$250,000	If expenditure is solely related to damage caused by STC Seroja, quotes be obtained if required under the direction and approval of Local Government Insurance Services or is recoverable from the Disaster
	Recovery Funding Arrangements WA.

RECOMMENDATION 2:

Council adopt the amendment to the Purchasing Policy (CO-024) to reflect the difficulty in obtaining suitable quotations for Council projects:

	Amount of Purchase	Purchase Conditions	Recording Conditions
Α	Up to \$10,000	Direct purchase from suppliers	Standard Purchase Order
В	\$10,001 - \$35,000	Seek one verbal or written quotation	Endorse Purchase Order verbal or written quotes obtained or sought
С	\$35,001- \$85,000	Seek at least two written quotations containing price and specification of goods and services (with procurement decision based on all value for money considerations).	Written Quotes – Copies attached to Purchase Order or evidence of quotes being sought.
D	\$85,001- \$249,999	Seek at least three written quotations containing price and specification of goods and services (with procurement decision based on all value for money considerations).	Written Quotes – Copies attached to Purchase Order or evidence of quotes being sought.
E	\$250,000 and above	Conduct a public tender process or use the WALGA Preferred Suppliers process.	Tender Register Requirements & Filing of Tender Documents
F	Emergency Purchases (Within Budget)	Where goods or services are required for an emergency response and are within scope of an established Panel of Pre-qualified Supplier or existing contract, the emergency supply must be obtained from the Panel or existing contract using relevant unallocated budgeted funds. If there is no existing Panel or contract, then clause Supplier Order of Priority will apply wherever practicable. However, where due to the urgency of the situation; a contracted or tender exempt supplier is unable to provide the emergency supply OR compliance with this Purchasing Policy would cause unreasonable delay, the supply may be obtained from any supplier capable of providing the emergency supply. However, an emergency supply is	

		only to be obtained to the extent necessary to facilitate the urgent emergency response and must be subject to due consideration of best value and sustainable practice. The rationale for policy non-compliance and the purchasing decision must be evidenced in accordance with the Shire's Record Keeping Plan.	
G	Emergency Purchases (No budget allocation available)	Where no relevant budget allocation is available for an emergency	
н	LGIS Services Section 9.58(6)(b) Local Government Act	budget) above, then apply. The suite of LGIS insurances are established in accordance with s.9.58(6)(b) of the <i>Local Government Act 1995</i> and are provided as part of a mutual, where WALGA Member Local Governments are the owners of LGIS. Therefore, obtaining LGIS insurance services is available as a member-base service and is not defined as a purchasing activity subject to this Policy. Should Council resolve to seek quotations from alternative insurance suppliers, compliance with this Policy is required.	

Voting F8/A0 CARRIED

Minute Reference: 08/22-04

10.3.2 Notice of Council Meeting 2023

PROPONENT:	Chief Executive Officer
SITE:	Shire of Chapman Valley
FILE REFERENCE:	401.09
PREVIOUS REFERENCE:	NA
DATE:	18 th August 2022
AUTHOR:	Jamie Criddle, Chief Executive Officer

SUPPORTING DOCUMENTS:

Ref	Title	Attached to Report	Under Separate Cover
	NIL	кероп	Cover

DISCLOSURE OF INTEREST

Nil

BACKGROUND

Council is required under the Local Government Act 1995 to at least once a year set and advertise meeting dates, times and venues for Ordinary Council meetings for the next 12 month period.

Council has previously resolved to reach out to the community, with one of the proposals being to move the Ordinary Monthly Council Meeting(s) around the shire. In 2022 Council originally resolved to hold ALL OCM at the Nabawa Administration Building due to the feeling of Council that over past few years the practice of holding meeting away from Nabawa to encourage residents to attend the Council Meetings was not a success

MOVED: Cr Royce SECONDED: Cr Forth

Council Ordinary Meeting time, dates and locations for the next Calendar Year as listed below be adopted and advertised in accordance with the Local Government (Administration) Regulations:

DATE	MEETING LOCATION
16 February	Nabawa Chambers
16 March	Nabawa Chambers
20 April	Nabawa Chambers
18 May	Nabawa Chambers
15 June	Nabawa Chambers
20 July	Nabawa Chambers
17 August	Nabawa Chambers
21 September	Nabawa Chambers
19 October	Nabawa Chambers
16 November	Nabawa Chambers
14 December	Nabawa Chambers

Note: All Ordinary Council Meetings are to commence at 9am.

Voting F5/A1
CARRIED

Minute Reference: 08/21-10

Following the Annual Electors meeting held in February 2022 at the Bill Hemsley Community Centre, it was recommended that Council consider holding at least one meeting at the Bill Hemsley Community Centre per year, and was raised at the March 2022 OCM:

ELECTED MEMBER RECOMMENDATION 1 (Absolute Majority)

1 REVOKES Council resolution OCM08/21-10 made at the Ordinary Council Meeting on 18 August 2021;

Voting F8/A0 CARRIED BY ABSOLUTE MAJORITY

Minute Reference: 03/22-12

MOVED: Cr Eliott-Lockhart SECONDED: Cr Forth

ELECTED MEMBER RECOMMENDATION 2 (Simple Majority)

2. That Council hold Ordinary Council Meetings & Concept Forums for the remainder of 2022 on the third Thursday of the month and give public notice as per s 5.25(G) of the Local Government Act 1995.

Voting F6/A2

CARRIED

Minute Reference: 03/22-13

MOVED: Cr Eliott-Lockhart SECONDED: Cr Batten

ELECTED MEMBER RECOMMENDATION 3 (Simple Majority)

3. That Council commence the Ordinary Council Meeting at 8.30am with the Concept Forum to follow for the remainder of 2022 and give public notice as per s 5.25(G) of the Local Government Act 1995.

Voting F6/A2 CARRIED

Minute Reference: 03/22-14

MOVED: Cr Warr SECONDED: Cr Low

ALTERNATIVE COUNCIL RESOLUTION/STAFF RECOMMENDATION 4 (Simple Majority)

4. One meeting this year be held at the Bill Hemsley Community Centre in the month of August and give public notice as per s 5.25(G) of the Local Government Act 1995.

Voting F8/A0 CARRIED

Minute Reference: 03/22-15

It is being recommended Council maintain this activity in 2023.

COMMENT

Council meetings days were changed at the March 2022 OCM and are now held at Nabawa on the third Thursday of the month and Bill Hemsley Community Centre in August, commencing at 8.30am with the exception of January when no Ordinary Council Meeting is held.

The meeting date for December has occasionally been brought forward to the second Thursday of the month to avoid clashes with Christmas/New Year break period. This may be necessary in 2023 as the third Thursday is the 21st December. Therefore; this meeting can be brought forward to the 14th December 2023 if Council wishes to do so. This would result in a four week period between the November 2023 OCM (16/11/22) and an earlier December 2022 (14/12/2021). It is being recommended to change the December 2023 OCM date.

The other issue which at times has affected the Ordinary Council Meetings being held on the third Thursday of each month is where the Easter period fall during the year. In 2023 the Easter dates are as follows:

- 7 April Good Friday
- 10 April Easter Monday
- 11 April Easter Tuesday
- School Holidays 7th 23rd April
- 25 April ANZAC Day

Therefore, as the 2023 April OCM is scheduled for the 20th April it is not being recommended this date be changed. As Staff will be able to have the April 2022 OCM Agenda completed the week before the meeting (as usual) and be back in time to attend the meeting.

Below are recommended meeting locations and dates for the 2023 Ordinary Council Meeting (OCM) with the start time for these OCM's remaining at 8.30am:

DATE	MEETING LOCATION
16 February	Nabawa Chambers
16 March	Nabawa Chambers
20 April	Nabawa Chambers
18 May	Nabawa Chambers
15 June	Nabawa Chambers
20 July	Nabawa Chambers
17 August	Bill Hemsley Community Centre
21 September	Nabawa Chambers
19 October	Nabawa Chambers
16 November	Nabawa Chambers
14 December(changed from 21st)	Nabawa Chambers

STATUTORY ENVIRONMENT

Local Government (Administration) Regulations 1996 Clause 12 (1) states: Public notice of Council or Committee meetings – s 5.25(G)

At least once each year a local government is to give local public notice:

- 1. Of the dates, time and place of the ordinary council meetings;
- 2. The committee meetings that are required under the Act to be open to the members of the public or that are proposed to be open to members of the public are to be held in the next 12 months.

POLICY/PROCEDURE IMPLICATIONS

No Policy or Procedure affected.

FINANCIAL IMPLICATIONS

No additional costs envisaged.

Long Term Financial Plan (LTFP):

No effect on the LTFP is envisaged.

STRATEGIC IMPLICATIONS

It is important for Council to include and engage all sectors of our community and the concept of structuring meeting times, dates and location to reach out to the community is one means of improving this.

Strategic Community Plan/Corporate Business Plan:

Ref	Objective	Strategy	Action
5.1	_	Review policy categories and set ongoing accountability for review processes	

CONSULTATION

The practice of relocating the Council Meetings has previously been discussed in the past and I believe this has proven to be successful as it portrays a clear indication Council will continue to reach out to the community.

RISK ASSESSMENT

There is a risk of Council being perceived as not engaging the community by insisting OCMs are always held at Nabawa.

Measures of Consequence							
Rating (Level)	Health	Financi al 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	Inconsequen tial or no damage.	Contained, reversible impact managed by on site response

VOTING REQUIREMENTS

Simple Majority.

MOVED: Cr Humphrey SECONDED: Cr Low

- 9.01am, That as per part 17.1 of the Shire of Chapman Valley Standing Order Local Laws 2016, Council suspend the operation of the following clauses to allow sufficient discussion of item 10.3.2:
- 8.5 Priority when speaking,
- 8.7 Relevance,
- 8.8 Speaking twice,
- 8.9 Duration of speeches

Voting F8/A0 CARRIED

Minute Reference: 08/22-05

Discussion was undertaken on the item

MOVED: Cr Low SECONDED: Cr Humphrey

9:08am, That as per part 17.1 of the Shire of Chapman Valley Standing Order Local Laws 2016, Council reinstate the operation of the following clauses to allow sufficient discussion of item 10.3.2:

- 8.5 Priority when speaking,
- 8.7 Relevance,
- 8.8 Speaking twice,
- 8.9 Duration of speeches

Voting F8/A0 CARRIED

Minute Reference: 08/22-06

MOVED: Cr Royce SECONDED: Cr Eliott-Lockhart

COUNCIL RESOLUTION / STAFF RECOMMENDATION

Council Ordinary Meeting time, dates and locations for the next Calendar Year as listed below be adopted and advertised in accordance with the Local Government (Administration) Regulations, to be reviewed in the February 2023 Ordinary Council Meeting:

DATE	MEETING LOCATION		
16 February	Nabawa Chambers		
16 March	Nabawa Chambers		
20 April	Nabawa Chambers		
18 May	Nabawa Chambers		
15 June	Nabawa Chambers		
20 July	Nabawa Chambers		
17 August	Bill Hemsley Community Centre		
21 September	Nabawa Chambers		
19 October	Nabawa Chambers		
16 November	Nabawa Chambers		
14 December	Nabawa Chambers		

Note: All Ordinary Council Meetings are to commence at 8.30am.

Voting F8/A0 CARRIED

Minute Reference: 08/22-07

10.3.3 Strategic Community Plan

PROPONENT:	Chief Executive Officer
SITE:	Shire of Chapman Valley
FILE REFERENCE:	411.05
PREVIOUS REFERENCE:	Nil
DATE:	16 June 2021
AUTHOR:	Jamie Criddle, Chief Executive Officer

SUPPORTING DOCUMENTS:

Ref	Title	Attached	Under
		to	Separate
		Report	Cover
10.3.1 (a)	SCP for Public Consultation		✓

DISCLOSURE OF INTEREST

Nil

BACKGROUND

The Strategic Community Plan (SCP) represents the highest level of strategic planning undertaken by local governments. It is a legislative requirement as part of the Integrated Planning and Reporting Framework under the Local Government Act 1995.

Its purpose is:

- Ensuring the community is involved in the setting of a long term vision;
- Providing Council with a clear understanding of the community's wellbeing, priorities, aspirations, needs and wants; and
- Guiding the priority setting within the Shires Corporate Business Plan.

The Strategic Community Plan – Chapman Valley 2022 - 2032 is a shared vision that draws on the wisdom of our community. It outlines our community's vision and aspirations for the next 10 years. It is the result of the major review of the Community Strategic Plan 2011-2021. At the July meeting, Council resolved to:

MOVED: Cr Davidson SECONDED: Cr Royce

COUNCIL RESOLUTION/STAFF RECOMMENDATION

That Council:

- 1. ENDORSE the Strategic Community Plan -Shire of Chapman Valley 2022 2032 as a draft for the purpose of public advertising.
- 2. Give discretion to the Chief Executive Officer to make minor editorial changes to the Strategic Community Plan that does not affect the intent of its content.

Voting F7/A0 CARRIED

Minute Reference: 07/22-05

COMMENT

The document has been subject to a high level of public comment, exceeding our legislative requirements and actively seeking to develop a document which reflects the views of our community and stakeholders.

Council is now required to collate any feedback on the Strategic Community Plan and present to Council. At the time of publication, one (1) community submissions was made.

The Plan will now go to Council for adoption at the 18 August 2022 Ordinary Meeting of Council incorporating the community submissions (where appropriate). Once adopted, the next step is operationalisation of the plan through the 4-year Corporate Business Plan.

STATUTORY ENVIRONMENT

Local Government Act 1995

- 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.

Local Government (Administration) Regulations 1996

- 19C. Strategic community plans, requirements for
- (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/PROCEDURE IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil; this item is already budgeted for.

The outcomes of this process will inform the future Corporate Business Plan and budgets.

Long Term Financial Plan (LTFP):

The outcomes of this process will inform the LTFP and budgets

STRATEGIC IMPLICATIONS

Strategic Community Plan/Corporate Business Plan:

The outcomes of this process will inform the future Corporate Business Plan.

CONSULTATION

There has been significant consultation with internal and external stakeholders through the development of this Plan. In addition to providing the opportunity for feedback on the draft strategy, meetings and workshops have been held with the community and internal team representatives.

Presentations and updates were provided to Councillors at the March 2022 and May 2022 Concept Forums as well as the July OCM. The attached version is a result of consultation and feedback from various sources.

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 Royce SECONDED: Cr Forth

COUNCIL RESOLUTION / STAFF RECOMMENDATION

That Council by Absolute Majority pursuant to Section 5.56 of the Local Government Act 1995 RESOLVES to:

- 1. Adopt the Shire of Chapman Valley Strategic Community Plan 2022-2032; and
- 2. Give public notice of the adoption of the Shire of Chapman Valley Strategic Community Plan 2022-2032.

Voting F8/A0

CARRIED

Minute Reference: 08/22-08

11.0 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

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

13.0 DELEGATES REPORTS

Delegate	Reports
Cr Warr	20th July - DFES meeting to discuss recovery progress and outcomes. DFES Recovery Meeting 2nd-4th August - ICPA Federal Conference Perth, observer, Issues and opportunities in education for geographically isolated children and families, while attending took the time to chat with Boyd Brown and Eva from Telstra to highlight current telecom issues in the shire.
Cr Batten	Attendance at local events: Artist in Residence, MW Drought Resilience Roundtable Discussion (YFIG hosted)
Cr Davidson	15th August: Special Budget Meeting. 17th August: BLEMC Meeting.
Cr Eliott-Lockhart	28 th July – FABCV Event Yuna Artist in residence
Cr Forth	1st August CVAS Meeting 15th August CVAS meeting 15th August Special Budget meeting

14.0 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

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

16.0 CLOSURE

The President thanked Elected Members, Staff and especially those community members in the public gallery for attending and closed the meeting at 9:25am.