

# BUILDING AND DISABILITY SERVICES COMMITTEE

## Agenda



Meeting Date Friday 8 March 2024

Meeting Time 1:00 pm

To be held at Chapman Valley  
Administration Office

3270 Chapman Valley Road, Nabawa WA  
6532, Council Chambers.



SHIRE OF

**Chapman Valley**

*love the rural life!*

## ACKNOWLEDGEMENT OF COUNTRY

The Shire of Chapman Valley would like to respectfully acknowledge the Naaguja peoples who are the traditional owners and first people of the land on which we stand.

We would like to pay our respect to the elders past, present and emerging for they hold the memories, the traditions, the culture and hopes of the Naaguja peoples.

## DISCLAIMER

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

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

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

## COMMITTEE PURPOSE & DELEGATIONS

Will meet at least annually to inspect all Shire Buildings/Properties and then subsequently to:

- Review preliminary costings for proposed works for consideration in draft Council Budget;
- Review the Capital & Building Works Program;
- Disability Access & Inclusion Plan; and
- Any other building/property items referred to the Committee by Council
- Delegations – Nil

The Building and Disability Services Committee is comprised of:

Cr Royce

Cr Blakeway

Cr Elliott-Lockhart

Cr Warr

CEO

Building Surveyor/Projects

|           |  |           |
|-----------|--|-----------|
| <b>1</b>  | <b>Declaration of Opening &amp; Announcements of Visitors .....</b>                                | <b>5</b>  |
| <b>2</b>  | <b>Announcements from the Presiding Member.....</b>  | <b>5</b>  |
| <b>3</b>  | <b>Record of Attendance.....</b>   | <b>5</b>  |
|           | <b>3.1 Attendees .....</b>   | <b>5</b>  |
|           | <b>3.2 Apologies .....</b>   | <b>5</b>  |
| <b>4</b>  | <b>Disclosure of Interest .....</b>  | <b>5</b>  |
| <b>5</b>  | <b>Petitions/Deputations/Presentations .....</b>   | <b>6</b>  |
|           | <b>5.1 Petitions .....</b>   | <b>6</b>  |
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|           | <b>5.3 Deputations .....</b>   | <b>6</b>  |
| <b>6</b>  | <b>Confirmation of Minutes from previous meetings .....</b>  | <b>6</b>  |
| <b>7</b>  | <b>Items to be dealt with En Bloc .....</b>  | <b>6</b>  |
| <b>8</b>  | <b>Officers Reports .....</b>  | <b>7</b>  |
|           | <b>8.1 Review of Operating &amp; Capital Building Programs.....</b>                                | <b>7</b>  |
|           | <b>8.2 Review of Disability Access &amp; Inclusion Plan.....</b>                                   | <b>10</b> |
| <b>9</b>  | <b>Urgent Business Approved by the Presiding Member or by a Decision<br/>of the Committee.....</b> | <b>14</b> |
| <b>10</b> | <b>Closure .....</b>   | <b>14</b> |

## 1 Declaration of Opening & Announcements of Visitors

The Presiding member will welcome elected members and staff to the committee meeting and declare the meeting open.

*“The Shire of Chapman Valley would like to respectfully acknowledge the Naaguja peoples who are the traditional owners and first people of the land on which we stand.*

*We would like to pay our respect to the elders past, present and emerging for they hold the memories, the traditions, the culture and hopes of the Naaguja peoples.”*

## 2 Announcements from the Presiding Member

## 3 Record of Attendance

### 3.1 Attendees

The following are anticipated to attend the Building Committee Meeting:

#### Elected Members

Cr Kirrilee Warr (President)

Cr Philip Blakeway

Cr Elizabeth Elliott-Lockhart

Cr Trevor Royce

#### Officers

Jamie Criddle, Chief Executive Officer

Anthony Abbott, Building Surveyor & Project Officer

### 3.2 Apologies

## 4 Disclosure of Interest

### Local Government Act 1995

### Administration Part 5

### Disclosure of financial interests and gifts Division 6

### s. 5.59

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.”

## **5 Petitions/Deputations/Presentations**

### **5.1 Petitions**

The Council has not received any petitions at the time of writing this report

### **5.2 Presentations**

The Council does not anticipate any presentations at the time of writing this report.

### **5.3 Deputations**

The Council has not received any deputations at the time of writing this report.

## **6 Confirmation of Minutes from previous meetings**

### **Recommendation**

That the Minutes of the Building and Disability Services Committee Meeting held on 9 March 2023 be confirmed as true and accurate.

## **7 Items to be dealt with En Bloc**

## 8 Officers Reports

|                      |  |
|----------------------|--|
| <b>8.1</b>           | <b>Review of Operating &amp; Capital Building Programs</b>   |
| <b>Department</b>    | Development Service<br>Building  |
| <b>Author</b>        | Jamie Criddle  |
| <b>Reference(s)</b>  | 403.02   |
| <b>Attachment(s)</b> | <ol style="list-style-type: none"> <li>1. C R 2425278 - R E_ Annual Building Inspection [8.1.1 - 2 pages]</li> <li>2. CV Golf Club [8.1.2 - 2 pages]</li> <li>3. Letter to CV Shire 2024 Annual Maintenance List [8.1.3 - 1 page]</li> <li>4. Draft Operating Capital Building Programs 2024/25 [8.1.4 - 8 pages]</li> </ol> |

### Voting Requirements

Simply Majority

### Staff Recommendation

That 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 2024/2025 Budget:

| Location | Amendments & New Items for Consideration |
|----------|--|
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### Disclosure of Interest

No officer declared an interest under the Local Government Act 1995, Subdivision 1 (LGA 1995) in the preparation of this report.



## Background

The purpose of this Agenda Item is for the Committee to discuss the items to be specifically added to the Operating & Capital Building Programs for future budgets.

Council resolved the following at the March 2023 OCM:

### ***BDS COMMITTEE/STAFF RECOMMENDATION***

The Committee recommends Council consider the draft “*Operating & Capital Building Programs*” as presented and this be used as a basis to develop the Draft 2023/2024 Budget:

**For** Cr Darrell Forth, Cr Nicole Batten and Cr Peter Humphrey

**Against** Nil

**3 / 0**

**CARRIED UNANIMOUSLY**

**Minute Reference BDSC 2023/03-4**

The above resolution was the basis of forming the Draft 2023/2024 Budget for Council consideration at Budget Workshops. However; it must be understood there may have been variations to the above resolution by the time Council finally adopted the current year Budget.

Council adopted the 2023/2024 Budget at a Special Meeting in August 2023 where the Building Operating & Capital items were finalised and included in the Adopted Budget (***Minute Reference:SCM 2023/08-3***)

## Comment

Discussion on items identified by Councillors, staff, tenants and users of Council owned/controlled building is designed to determine future budget items for staff to cost.

The Draft Operating & Capital Building Program is provided under separate cover at ***Draft Operating & Capital Building Programs*** for Committee information.

Councillors should also refer to the “*List of Additional Requests for Consideration*” at ***List of Additional Requests for Consideration*** for items requested for consideration.

Correspondence from the CV Historical Society is provided at ***CV Historical Society Correspondence and Chapman Valley Golf Club***

## Statutory Environment

No Financial Implications Identified.

## Policy/Procedure Implications

A Policy or Procedure is affected:

Building & Projects Policy & Procedures

## **Financial Implications**

No Financial Implications Identified.

## **Strategic Implications**

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

#### **PHYSICAL & DIGITAL INFRASTRUCTURE**

4.1 Develop, manage, and maintain built infrastructure.

4.1.2 Development Projects.

## **Consultation**

Council staff continually monitors buildings and facilities owned/controlled by the Shire. Staff also continually liaises with tenants/users of these facilities. Correspondence was sent out to tenants/user groups of Council owned/controlled buildings in late January 2024, requesting feedback by 24 February 2022. Responses are listed at ***List of Additional Requests for Consideration***.

## **Risk Assessment**

An Insignificant Financial Impact Risk of Level 1 - Which will likely be less than \$1,000.

An Insignificant Service Disruption Risk of Level 1 - Which will likely resulting in no material service disruption.

An Insignificant Reputational Risk of Level 1 - Which will likely result in unsubstantiated, low impact, low profile or 'no news' item.

|                      |   |
|----------------------|---|
| <b>8.2</b>           | <b>Review of Disability Access &amp; Inclusion Plan</b> |
| <b>Department</b>    | Development Service<br>Building                         |
| <b>Author</b>        | Jamie Criddle   |
| <b>Reference(s)</b>  | 403.02  |
| <b>Attachment(s)</b> | 1. Disability Access Inclusion Plan [8.2.1 - 27 pages]  |

## Voting Requirements

Simply Majority

## Staff Recommendation

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

## Disclosure of Interest

No officer declared an interest under the Local Government Act 1995, Subdivision 1 (LGA 1995) in the preparation of this report.

## Background

A review of the Shire's Disability Access Inclusion Plan (DAIP) forms part of the annual Building & Disability Services Committee (Committee) agenda for consideration and recommendation to Council. This review is a legislative requirement in accordance with Disability Services Act (1993).

Council reviewed the DAIP as part of the 2023 Building Committee process with the following being resolved at the March 2023 OCM:

*Minute Reference: BDSC 2023/03-5*

*That Council initiate a full review of the Disability Access & Inclusion Plan in 2023 and budget accordingly in the 2023/24 financial year.*

## Comment

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

28. Disability access and inclusion plans

(5) A public authority may review its disability access and inclusion plan at any time.

(6) After reviewing its disability access and inclusion plan, a public authority must lodge a report of the review with the Commission in accordance with subsection (7).

(7) Not more than 5 years is to elapse —

(a) between the day on which a public authority first lodges its disability access and inclusion plan with the Commission and the day it lodges a report of a review of the plan with the Commission; or

(b) between the lodgement of the report of one review of a plan and the lodgement of the report of another review of the plan.

The purpose of this Agenda Item is for the Committee to recommend staff undertake a review (in-house/desk-top or full review) of the Plan and recommend any amendments to Council for consideration.

A full review was conducted and adopted in April 2021, so it is suggested that Council recommend to conduct a Desktop during the 2024/25 financial year.

A copy of the current DAIP is provided under separate cover at **Disability Access Inclusion Plan** for Committee information and review.

## Statutory Environment

No Financial Implications Identified.

Disability Services Act (1993).

28. Disability access and inclusion plans

(1) Each public authority must have a disability access and inclusion plan to ensure that in so far as its functions involve dealings with the general public, the performance of those functions furthers the principles in Schedule 1 and meets the objectives in Schedule 2.

(2) A disability access and inclusion plan must meet any prescribed standards.

(3) A public authority must lodge its disability access and inclusion plan with the Commission

—  
(a) if the authority was established before the commencement of the Disability Services Amendment Act 2004, without delay;

(b) if the authority is established after the commencement of the Disability Services Amendment Act 2004, within 12 months after the day on which it is established.

(4) A public authority may amend its disability access and inclusion plan at any time.

- (5) *A public authority may review its disability access and inclusion plan at any time.*
- (6) *After reviewing its disability access and inclusion plan, a public authority must lodge a report of the review with the Commission in accordance with subsection (7).*
- (7) *Not more than 5 years is to elapse —*
- (a) *between the day on which a public authority first lodges its disability access and inclusion plan with the Commission and the day it lodges a report of a review of the plan with the Commission; or*
- (b) *between the lodgement of the report of one review of a plan and the lodgement of the report of another review of the plan.*
- (8) *After reviewing its disability access and inclusion plan, a public authority may amend the plan or prepare a new plan.*
- (9) *If at any time a public authority amends its disability access and inclusion plan or prepares a new plan, whether after a review or not, it must lodge the amended or new plan with the Commission as soon as practicable after doing so.*
- (10) *A public authority must undertake public consultation in accordance with the procedure specified in the regulations when preparing, reviewing or amending a disability access and inclusion plan.*

#### Disability Services Regulation 2004

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

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

### **Policy/Procedure Implications**

A Policy or Procedure is affected:  
Building & Projects Policy & Procedures

The DAIP become a statutory policy required by Council in accordance with the Disability Services Act (1993) which is reported on annually.

## **Financial Implications**

No Financial Implications Identified.

## **Strategic Implications**

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

#### **COMMUNITY HEALTH & LIFESTYLE**

1.1 Nurture the sense of community and unity across the Shire, while supporting towns and their volunteers in local issues.

1.1.1 Development of plans and strategies relevant to emerging population needs.

## **Consultation**

There is a consultation process Council need to adhere to in accordance with the Disability Services Act (1993) which will be implemented as part of the DAIP review.

## **Risk Assessment**

An Insignificant Health Risk of Level 1 - Which could result in negligible injuries.

An Insignificant Compliance Risk of Level 1 - Which will likely result in no noticeable regulatory or statutory impact.

**9 Urgent Business Approved by the Presiding Member or by a Decision of the Committee**

**10 Closure**