

# UNCONFIRMED MINUTES

## BUILDING AND DISABILITY SERVICES COMMITTEE

**7<sup>th</sup> March 2018  
9:00am  
COUNCIL CHAMBERS NABAWA**

### Committee Purpose & Delegations

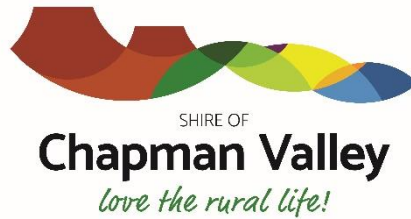
- Will meet at least annually to inspect all Shire Buildings/Properties and then subsequently to:
- ~ Review preliminary costings for proposed works for consideration in draft Council Budget;
  - ~ Review the Capital & Building Works Program;
  - ~ Disability Access & Inclusion Plan; and
  - ~ Any other building/property items referred to the Committee by Council.
- ~ Delegations – Nil

### **The Building and Disability Services Committee is comprised of:-**

**Cr Anthony Farrell (President)**  
**Cr Pauline Forrester**  
**Cr Peter Humphrey**  
**Cr Ian Maluish**  
**Cr Darrell Forth**

<b>Chief Executive Officer</b>	<b>(Observer)</b>
<b>Building/Project Officer</b>	<b>(Observer)</b>
<b>Manager of Finance &amp; Corporate Services</b>	<b>(Observer)</b>
<b>Executive Services Administrator</b>	<b>(Minute Taker)</b>

# DISCLAIMER



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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.

A handwritten signature in black ink, appearing to read "M. Battilana", is written over a faint, light-colored circular watermark or background.

Maurice Battilana  
**CHIEF EXECUTIVE OFFICER**



**BUILDING & DISABILITY SERVICES COMMITTEE MEETING TO BE HELD  
IN THE COUNCIL CHAMBERS NABAWA ON 7<sup>th</sup> MARCH 2018 COMMENCING  
AT 9:00am**

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**Note:** The Committee Meeting can be adjourned as required to travel to any location needed to be visited as part of the deliberation process.

No specific meetings have been scheduled with tenants/users of Council buildings/facilities. However; all tenants/users have been requested to submit any items they would like the Committee and Council to consider.

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**ORDER OF BUSINESS**

**1.0 Election of Presiding Member (and Deputy Presiding Member if considered necessary)**

The CEO, Mr Maurice Battilana welcomed Councillors and Staff and opened the meeting at 9.00am.

Mr Battilana called for the Election of Presiding Member of Shire of Chapman Valley Building & Disability Services Committee (*S5.12 Local Government Act*).

Cr Maluish nominated Cr Farrell as Presiding Member.

There being no further nominations and with Cr Farrell accepted the nomination he was declared Presiding Member of the Shire of Chapman Valley Building & Disability Services Committee.

There were no nominations for Deputy Presiding Member.

**2.0 Declaration of Opening / Announcements of Visitors**

Nil

**3.0 Announcements from the Presiding Member**

Nil

**4.0 Record of Attendance**

Present

a. Councillors

Member
Cr Anthony Farrell (President) – Presiding Member
Cr Ian Maluish
Cr Pauline Forrester
Cr Darrell Forth

b. Staff

Officer	Position
Mr Maurice Battilana	Chief Executive Officer
Mr Anthony Abbott	Building Surveyor / Project Officer – from 9.04am
Mrs Dianne Raymond	Manager of Finance & Corporate Services
Mrs Karen McKay	Executive Services Administrator (Minute Taker)

c. Visitors

Name	
Nil	

3.2 Apologies

Name	
Cr Peter Humphrey	

**5.0 Disclosure of Interest - Nil**

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.”*

**6.0 Petitions / Deputations / Presentations**

Nil

**7.0 Confirmation of Minutes from previous meetings**

**MOVED: CR FORRESTER**

**SECONDED: CR MALUISH**

That the minutes of the Building & Disability Services Committee of the Shire of Chapman Valley held on 3<sup>rd</sup> March 2017 be confirmed as a true and accurate record of proceedings. *(Supplied under separate cover)*

**CARRIED**  
**Voting 4/0**  
**Minute Reference: 03/18-1**

**8.0 Items to be dealt with En Bloc**

Nil

## **9.0 Agenda Items**

9.1 Review of Operating Building Maintenance Program

9.2 Review of Capital Building Works Program

9.3 Review of Disability Access & Inclusion Plan

<b>AGENDA ITEM:</b>	<b>9.1</b>
<b>SUBJECT:</b>	<b>REVIEW OF OPERATING BUILDING MAINTENANCE PROGRAM</b>
<b>PROPONENT:</b>	<b>BUILDING &amp; DISABILITY SERVICES COMMITTEE</b>
<b>SITE:</b>	<b>COUNCIL CHAMBERS</b>
<b>FILE REFERENCE:</b>	<b>403.02</b>
<b>PREVIOUS REFERENCE:</b>	<b>N/A</b>
<b>DATE:</b>	<b>7<sup>th</sup> MARCH 2018</b>
<b>AUTHOR:</b>	<b>MAURICE BATTILANA</b>

#### SUPPORTING DOCUMENTS:

Ref	Title	Attached to Report	Under Separate Cover
9.1(a)	Operating Building Maintenance Program		√

#### DISCLOSURE OF INTEREST

Nil

#### BACKGROUND

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

#### 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 Proposed Operating Building Maintenance Program is provided under separate cover at **Attachment 9.1(a)** for Committee information.

#### STATUTORY ENVIRONMENT

Not applicable

#### POLICY IMPLICATIONS

None applicable

#### FINANCIAL IMPLICATIONS

The long term financial viability of the Shire is of importance for future service delivery levels provided to the Shire's constituents.

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

Operating maintenance will have a minimal effect on the LTFP.

#### STRATEGIC IMPLICATIONS

The annual inspection of buildings and review of building works programs(s) is important to ensure these programs are current and Shire resources are allocated where the highest priorities are.

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

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

## CONSULTATION

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

## RISK ASSESSMENT

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

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

## COMMITTEE / STAFF RECOMMENDATION

**MOVED: CR FORTH**

**SECONDED: CR FARRELL**

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

**CARRIED**  
**Voting 4/0**  
**Minute Reference: 03/18-2**

<b>AGENDA ITEM:</b>	<b>9.2</b>
<b>SUBJECT:</b>	<b>REVIEW OF CAPITAL BUILDING WORKS PROGRAM</b>
<b>PROPONENT:</b>	<b>BUILDING &amp; DISABILITY SERVICES COMMITTEE</b>
<b>SITE:</b>	<b>COUNCIL CHAMBERS</b>
<b>FILE REFERENCE:</b>	<b>403.02</b>
<b>PREVIOUS REFERENCE:</b>	<b>N/A</b>
<b>DATE:</b>	<b>7<sup>th</sup> MARCH 2018</b>
<b>AUTHOR:</b>	<b>MAURICE BATTILANA</b>

#### SUPPORTING DOCUMENTS:

Ref	Title	Attached to Report	Under Separate Cover
9.2(a)	Capital Building Works Program		√

#### DISCLOSURE OF INTEREST

Nil

#### BACKGROUND

The purpose of this Agenda Item is for the Committee to review the Shire 5 Year - Capital Building Works Program

#### COMMENT

A copy of the existing Shire 5 Year - Capital Building Works Program is provided under separate cover at **Attachment 9.2(a)** for the Committee to review and present any recommended amendments to Council for consideration.

#### STATUTORY ENVIRONMENT

Not applicable

#### POLICY IMPLICATIONS

The Shire's 5 Year - Capital Building Works Program forms part of the Shire's integrated Planning & Reporting structure.

#### FINANCIAL IMPLICATIONS

The long term financial viability of the Shire is of importance for future service delivery levels provided to the Shire's constituents.

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

The Shire's 5 Year - Capital Building Works Program forms part of the Shire's Integrated Planning & Reporting structure and any recommended amendments will affect the LTFP.

#### STRATEGIC IMPLICATIONS

The annual inspection of buildings and review of the Shire's Five (5) Year - Capital Building Works Program is important to ensure this program is current and Shire resources are allocated where the highest priorities are.

- **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 monitor buildings owned/controlled by the Shire. Staff also continually liaise with tenants/users of these facilities.

## RISK ASSESSMENT

There is a risk of buildings and facilities deteriorating if adequate resources are not allocated to address capital upgrades to buildings. However; in this instance, I believe the risk is currently **Minor** 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

## COMMITTEE / STAFF RECOMMENDATION

**MOVED: CR FORTH**

**SECONDED: CR FORRESTER**

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

**CARRIED**  
**Voting 4/0**  
**Minute Reference: 03/18-3**

## COMMITTEE RECOMMENDATION

**MOVED: CR MALUISH**

**SECONDED: CR FORRESTER**

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

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

<b>AGENDA ITEM:</b>	<b>9.3</b>
<b>SUBJECT:</b>	<b>REVIEW OF DISABILITY ACCESS &amp; INCLUSION PLAN</b>
<b>PROPOSER:</b>	<b>BUILDING &amp; DISABILITY SERVICES COMMITTEE</b>
<b>SITE:</b>	<b>COUNCIL CHAMBERS</b>
<b>FILE REFERENCE:</b>	<b>403.02</b>
<b>PREVIOUS REFERENCE:</b>	<b>03/17-20</b>
<b>DATE:</b>	<b>7<sup>th</sup> MARCH 2018</b>
<b>AUTHOR:</b>	<b>MAURICE BATTILANA</b>

#### SUPPORTING DOCUMENTS:

Ref	Title	Attached to Report	Under Separate Cover
9.3(a)	Disability Access Inclusion Plan		√

#### DISCLOSURE OF INTEREST

Nil

#### 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 2017 Committee process with the following being resolved at the March 2017 OCM:

*"Council advertise advertised requests for public comments and submissions on the draft Disability Access & Inclusion Plan in accordance with legislation.*

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

Voting 7/0  
CARRIED  
Minute Reference 03/17-21"

No public submissions were received so the DAIP was accepted as published.

#### COMMENT

The purpose of this Agenda Item is for the Committee to review the Plan and recommend any amendments to Council for consideration.

A copy of the current DAIP is provided under separate cover at **Attachment 9.3(a)** for Committee information and review.

#### STATUTORY ENVIRONMENT

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 lodgment of the report of one review of a plan and the lodgment 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 IMPLICATIONS**

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 significant financial implications are anticipated.

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

No significant implications anticipated on the LTFP.

#### **STRATEGIC IMPLICATIONS**

It is sound to ensure people with disabilities are given every opportunity to gain access to Council facilities and be included in Council and community activities.

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

Ref	Objective	Strategy	Action
1.1	Nurture the sense of community	Development of plans relevant to population needs	Review existing plans and develop new plans as required

**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**

There is a high risk of excluding a sector of the community if the DAIP is not reviewed and improved on a regular basis. However; I believe the risk in this instance is *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

**STAFF RECOMMENDATION – Option 1**

Council endorse the Shire's Disability Access Inclusion Plan (DAIP) as presented without changes.

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**STAFF RECOMMENDATION – Option 2**

1. Council endorse the following amendments to the Shire's Disability Access Inclusion Plan (DAIP) and for this amended draft to be advertised for public comments and submissions in accordance with legislation:

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~

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

**COMMITTEE/STAFF RECOMMENDATION**

**MOVED: CR FORRESTER**

**SECONDED: CR FORTH**

Council endorse the Shire's Disability Access Inclusion Plan (DAIP) as presented without changes.

**CARRIED**  
**Voting 4/0**  
**Minute Reference: 03/18-5**

**COMMITTEE/STAFF RECOMMENDATION**

**MOVED: CR FORRESTER**

**SECONDED: CR FORTH**

Council advertise advertised requests for public comments and submissions on the draft Disability Access & Inclusion Plan in accordance with legislation.

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

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

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

Nil

*Meeting adjourned at 11.10am to visit the Chapman Valley Tennis Club*

*Meeting recommenced at 11.40am*

**11.0 Closure**

The chairman thanked the Committee members and staff for their attendance and declared the meeting closed a 11.44am.