

ORDINARY COUNCIL MEETING

CONFIRMED MINUTES

9:00am Wednesday
21/07/2021

Nabawa Council Chambers

JULY 2021

SHIRE OF CHAPMAN VALLEY

Maurice Battilana

CHIEF EXECUTIVE OFFICER



SHIRE OF

Chapman Valley

Love the rural life!

*"A 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.

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 9:01 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)	9:01am	10:11am
Cr Kirrilee Warr (Deputy President)	9:01am 9:55am	9:03am 10:11am
Cr Peter Humphrey	9:01am	10:11am
Cr Darrell Forth	9:01am	10:11am
Cr Beverley Davidson	9:01am	10:11am
Cr Nicole Batten	9:01am	10:11am
Cr Trevor Royce	9:01am	10:11am

Officers	In	Out
Maurice Battilana, Chief Executive Officer	9:01am	10:11am
Simon Lancaster, Deputy Chief Executive Officer	9:01am	10:11am
Dianne Raymond, Manager Finance & Corporate Services	9:01am	10:11am
Beau Raymond (Minute Taker)	9:01am	10:11am

Visitors	In	Out
Nil		

3.2 Apologies

Elected Members
Nil

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

Elected Members
Cr Warr – August OCM

4.0 PUBLIC QUESTION TIME

4.1 Response to Previous Public Questions on Notice

Nil

4.2 Public Question Time

Nil

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

MOVED: Cr. Forth

SECONDED: Cr. Warr

Cr Davidson – September 2021 OCM

Voting F7/A0

CARRIED

Minute Reference: 07/21-01

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
10.2.2	Cr Forth	Impartiality	Member of FABCV
10.2.2	Cr Warr	Impartiality	Member of FABCV

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. Davidson

8.1 Ordinary Meeting of Council held on Wednesday 16th June 2021

The Minutes of the Ordinary Meeting of Council held Wednesday 16th June 2021 be confirmed as true and accurate.

Voting F7/A0

CARRIED

Minute Reference: 07/21-02

Cr Warr left to chambers at 9:03am

9.0 ITEMS TO BE DEALT WITH EN BLOC

MOVED: Cr. Batten

SECONDED: Cr. Davidson

Council resolves to move the following items En bloc:
10.2.1, 10.3.1, 10.3.2

Voting F6/A0

CARRIED

Minute Reference: 06/21-03

10.0 OFFICERS REPORTS

10.2

Manager of Finance & Corporate Services

10.2 AGENDA ITEMS

- 10.2.1** Financial Management Report for June 2021
- 10.2.2** For A Better Chapman Valley (FABCV) – Fee Waiver Application

10.2.1

Financial Management Report for June 2021

PROPOSER:	Shire of Chapman Valley
SITE:	Shire of Chapman Valley
FILE REFERENCE:	307.00
PREVIOUS REFERENCE:	Nil
DATE:	21 July 2021
AUTHOR:	Dianne Raymond, Manager Finance & Corporate Services

SUPPORTING DOCUMENTS:

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

Nil

FINANCIAL IMPLICATIONS

As presented in the Financial Management Report for June 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. Forth

SECONDED: Cr. Davidson

COUNCIL RESOLUTION/STAFF RECOMMENDATION

That Council receives the financial management report supplied under separate cover for the months of June 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

Council En Bloc Resolution
Voting F6/A0
CARRIED
Minute Reference: 06/21-03

10.2.2 For a Better Chapman Valley (FABCV) – Fee Waiver Application

PROPONENT:	Shire of Chapman Valley
SITE:	Whole of Shire of Chapman Valley
FILE REFERENCE:	205.02.10
PREVIOUS REFERENCE:	Nil
DATE:	21 July 2021
AUTHOR:	Dianne Raymond, Manager Finance & Corporate Services

SUPPORTING DOCUMENTS:

Ref	Title	Attached to Report	Under Separate Cover
10.2.2(a)	FABCV Waiver of Fees & Charges Application		✓
10.2.2(b)	Facility Use Analysis		✓

DISCLOSURE OF INTEREST

Nil

BACKGROUND

An application has been received from the community group For A Better Chapman Valley (FABCV) (*see Attachment 10.2.2(a)*) requesting financial assistance by the waiver of fees/charges and bond for the following venues:

- Nabawa Community Centre;
- Yuna Community Centre; and
- Bill Hemsley Park Community Centre

The application list various dates for the use of the venues and approximately twenty events throughout the year i.e.

- Ten (10) FABCV Meeting per annum; and
- Ten (10) Community Events

Council has already resolved to assist FABCV at the November 2020 OCM i.e.

MOVED: Cr. Batten

SECONDED: Cr. Davidson

1. Waive fees and charges for the venue hire of Nabawa Community Centre for 2020/2021
2. Waive the bond fee required for the venue hire of Nabawa Community Centre for 2020/2021
3. Cover agreed Public and Associations Liability, as well as Volunteer Insurance for the first year of FABCV operation as determined by the CEO.
4. Investigate annual online meeting platform subscription for Chapman Valley not for profit organisations to utilise, including FABCV to bring back to council for further consideration.

Voting F6/A0

CARRIED

Minute Reference: 11/20-07

Estimated annual costs incurred by the Shire associated with the Council resolution to assist FABCV are as follows:

Insurance Quote from Local Community Insurance Services

~ Public Liability	\$640
~ Associations and Liability	\$420
~ Volunteer Workers	\$550

Venue Hire Fee not Received

~ Annual Fee for Nabawa Community Centre only	\$586
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(Note: one-off venue hire fees for Local Community Groups is \$50/hire)

COMMENT

As reported to the November 2020 OCM, as the FABCV is of a local nature Corporate Management Procedure CMP-064 is relevant to determine financial assistance (see **Policy Implications** section of this report).

There are several avenues for this community group to seek financial assistance under CMP-064 including a cash donation (maximum \$200) which is governed by Delegation 3005 Donations & Grants; a waiver of fees & charges (maximum \$1,000) which is governed by Delegation 3008 Write Off Debts; Community Growth Fund application; interest free & self-supporting loans.

Council does support other community organisations, usually as part of a Management Licence between the Shire and the Group/Club. This assistance does vary and previous discussions have occurred at a Concept Forum level on how to balance some of the inequities with such support. An updated analysis of what various Clubs/Groups pay for the use of Shire venues is provided at **Attachment 10.2.2(b)**.

All financial assistance must be reported annually in the annual financial statement notes.

STATUTORY ENVIRONMENT

Council has legal process to follow regarding wavering fees and charges:

Local Government Act, 1995 – Section 6.12 – Power to Defer, Grant Discount, Waive or Write off Debts

- (1) *Subject to subsection (2) and any other written law, a local government may –*
 - (a) *when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money; or*
 - (b) waive or grant concessions in relation to any amount of money; or**
 - (c) *write off any amount of money,*

which is owed to the local government.

** Absolute majority required.*

- (2) *Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.*
- (3) *The grant of a concession under subsection (1)(b) may be subject to any conditions determined by the local government.*
- (4) *Regulations may prescribe circumstances in which a local government is not to exercise a power under subsection (1) or regulate the exercise of that power.*

POLICY/PROCEDURE IMPLICATIONS

Corporate Management Procedure CMP-064 specifies conditions and guidelines for financial assistance to community organisations and individuals in the local community.

CMP-064 Financial Assistance

MANAGEMENT PROCEDURE No.	CMP-064
MANAGEMENT PROCEDURE	FINANCIAL ASSISTANCE
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY No.	NA
RELEVANT DELEGATIONS	3008

OBJECTIVES:

To set the categories, type and amount of Financial Assistance that shall be provided by the Shire to Community Organisations and individuals in the local community. To provide guidelines for the application, assessment and determination of requests received for financial assistance and to ensure expenditure of all funds are appropriately accounted for and reported on.

MANAGEMENT PROCEDURE STATEMENT/S:

This Procedure provides an overarching framework for the Shire of Chapman Valley to provide Financial Assistance to Community Organisations and individuals within our local Community to enhance community values and aspirations.

In determining the requests for Waiver of Fees and Charges under this Procedure, the approval is governed by the Delegation No 3008 Write Off Debts.

Delegation No 3008 Write Off debts

The exercise of powers and the discharge of duties under section 6.12 of the Local Government Act 1995 to waive or grant concessions (excluding rate concessions) and to write off debts not exceeding \$1000. In cases where the request for Fee Waivers exceed \$1,000 a report needs to be submitted to an Ordinary Council Meeting for Council's consideration and approval.

Strategy

- The Shire receives a number of requests throughout the year for financial assistance from Community Organisations and Individuals. A Procedure for the assessment of the applications ensures:
- Transparency and accountability to the Community;
- Fairness and equity to all applicants;
- Eligibility criteria is applied to each type of Financial Assistance;
- The amount of Financial Assistance available;
- Guidelines are in place to assist applicants in completion and lodgement of forms;
- Applications are assessed by a Delegated Officer;
- Effective reporting mechanisms and administrative procedures advise the Shire of the type and total value of financial assistance provided for the financial year.

Scope

- This Procedure applies to requests for financial assistance towards:
- An activity, event, competition, project or celebration;
- Programs with a charitable or community service oriented purposes;
- Disaster relief funds for humanitarian reasons;
- An organisation's development;
- Provision of services and maintenance of facilities within the Shire;
- The establishment of new facilities or improvements to existing facilities of a capital nature.

Each application for financial assistance is considered on its individual merits. The Shire of Chapman Valley reserves the right to determine eligibility for financial assistance based on information provided in the application.

Recipients of support will be asked to assess their performance in line with this Procedure and requirements set out in Shire Corporate Management Procedures CMP-065 Donations, CMP-066 Waiver of Fees & Charges, CMP-067 Community Growth Fund Grants and CMP 068 Self Supporting Loans.

Failure to satisfactorily complete the performance valuation requirements may disqualify recipients from future funding assistance from the Shire and or require the funds to be returned.

Implications

The implementation of this Procedure is supported by funds allocated through the Shire's annual budget of each financial year. The Shire has demonstrated a long-term commitment to the provision of financial assistance to eligible Community Organisations who operate as a not-for-profit organisation and individual Community members chosen to represent the shire.

Acquittal of Funding

Recipients of financial assistance for the categories of Community Development Grants, Shire Contributions and Interest Free Loans must complete an acquittal process, including provision of requested supporting information, within one (1) month of the completion of the projects, or by the date detailed in the guidelines.

Funding acquittal requirements applicable to the Financial Assistance category will be detailed in the category guidelines and may incorporate:

- A completed Acquittal Form (if applicable);
- Copies of all relevant invoices and receipts;
- Copies of promotional materials and/or other supporting information to show how the Shires funding was acknowledged.

Failure to fully complete and lodge the required acquittal will result in a demand for the return of the funds, and will result in ineligibility for future funding rounds. Until all existing grants or funds are acquitted the organisation is not eligible to apply for an additional grant or funding from the Shire.

An organisation that cannot demonstrate that funds have been expended in accordance with the purpose for which the funds were granted, will be required to return the funds to the Shire within six months of the proposed completion date, and will be subject to an ineligibility period for future grants if funds are judged to have been misused.

Table 1 Financial Assistance Categories

Please note that each category of financial assistance must meet specific eligibility criteria which are provided in the Guidelines accompanying the application form.

TYPE OF FINANCIAL ASSISTANCE	AMOUNT OF ASSISTANCE	DETERMINATION
Sponsorship	\$200 per School, Association or Club per annum	Chief Executive Officer
Donation	Maximum of \$200	Chief Executive Officer

Waiver of Fees and Charges	A maximum of 50% of the applicable fees & charges	\$1,000 or less – Chief Executive Officer Over \$1,000 – Council
Community Development Fund Grants	As determined by CGF Guidelines	Committee Recommendation to Council for decision
Council Contribution	Council consideration	Council
Interest Free Loan	Maximum of \$20,000	Council
Self-Supporting Loans	Council consideration	Council

Dispute Resolution

All disputes in regard to this Procedure will be handled according to the Shire's Complaint Handling Procedures

Application

Responsibility for the implementation of this Procedure rests with the Chief Executive Officer. The Procedure is to be reviewed as part of Council periodical review of all Policies & Procedures.

LEGISLATION

LGA s5.42 Delegation of some powers and duties to CEO

A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under this Act other than those referred to in section 5.43

*Absolute majority required

A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation

LGA s6.12 Power to defer, grant discounts, waive or write off debts

Subject to subsection (2) and any other written law, a local government may –

When adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money

Waive or grant concessions in relation to any amount of money; or

Write off any amount of money, which is owed to the local government.

*Absolute majority required

Subsection (1) (a) and (b) do not apply to an amount of money owing in respect of rates and service charges

	<p>The grant of a concession under subsection (1) (b) may be subject to any conditions determined by the local government</p> <p>Regulations may prescribe circumstances in which a local government is not to exercise a power under subsection (1) or regulate the exercise of that power</p>
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DEFINITIONS

Charitable Organisation	Is a not-for-profit organisation that has a charitable purpose for the sole benefit of the public (e.g. religious groups, aged care homes, homeless shelters, disability services, universities and colleges, animal welfare societies and artistic or cultural groups).
Community Organisation	A group of people that come together to pursue a common cause or interest for the benefit of the Community and may include an Association, Centre, Club, Committee, Group, Incorporated Body or Society.
Council Contribution	An amount of money given to Community Organisations by the Shire in return for acknowledgement of assistance in the operation of Shire facilities.
Donation	A gift given by the Shire, typically for charitable purposes and/or to benefit a cause. A Donation may take various forms, including cash offering, services, new or used goods. It may also consist of emergency, relief or humanitarian aid items.
Fee and Charge	Is a set monetary amount levied by the Shire for the use of Shire owned facilities and resources or the staging of a particular event or activity as adopted by Council.
Grant	Contribution, gift, or subsidy (in cash or kind) bestowed by the Shire (grantor) for specified purposes to an eligible recipient (grantee). Grants are usually conditional upon certain qualifications as to the use, maintenance of specified standards, or a proportional contribution by the grantee or other grantor(s).
In Kind Support	<p>In-kind support can be defined as:</p> <p>Monies / financial assistance which is not a loan, and does not need to be paid back;</p> <p>Administration support;</p> <p>Equipment support;</p> <p>Infrastructure support;</p>

	Venue hire; Office supplies support; Fees and charges for Icon Events.
Interest Free Loan	Means of borrowing where no interest is charged on repayment to the Shire.
Not-for-Profit Organisation	An organisation that is not operating for the profit or gain of its individual members, whether these gains would have been direct or indirect whilst in operation.
Self-Supporting Loans	Means of borrowing where loans are repaid to Shire (See CMP-068)
Schools	Primary or Secondary educational institutions.
Shire Facility	Means all Shire owned and operated facilities and reserves across the Shire that are included as available for hire or use in the Shire's Annual Schedule of Fees and Charges as adopted by Council.
Sponsorship	A cash and/or in-kind fee paid to a person, organisation or group (typically in sports, arts or entertainment) in return for acknowledgement and recognition of the Shire during the Activity or Event.
Legislation	Local Government Act 1995

FINANCIAL IMPLICATIONS

The Draft Budget Fees & Charges for the 2021/2022 sets the amount of \$50 per use (GST Inclusive) for venue hire of Nabawa Community Centre Local Community Member and the option for Annual Booking Fee of \$586, which allows for 2 uses per week only. There has been an allowance made at other venues to annualise the 2 uses per week to provide some flexibility.

The Fees & Charges also have Bonds applicable for the requested hire use - All Venues Bond \$530 (events without Liquor License) and \$700 (events with liquor). All Venues Bond – Long Term Key Bond \$50.

The revenue loss to Council based upon the Annual Fee for all three venues requested is \$1,758 (i.e. 3 x \$586 annual fee). The Bond of \$530 or \$700 per would also not be held by the Shire in the event of damage, loss, uncleanliness, etc. resulting is the Shire carrying this risk.

In the situation of the FABV opting for the one-off hire fee of \$50 per event/function for the twenty hire events being requested would equate to \$1,000 across all three venues. Again the non-payment of Bond remains relevant.

Long Term Financial Plan (LTFP):

No significant effect on LTFP

STRATEGIC IMPLICATIONS

Strategic Community Plan/Corporate Business Plan:

Ref	Objective	Strategy	Action
1.1	Nurture the sense of community	Determine a whole of Shire community integration approach	Advocate a sense of community when opportunity arises.

CONSULTATION

The only consultation has been by the FABCV Application for waiver. No other dialogue has occurred.

RISK ASSESSMENT

As set out in the Risk Management Governance Framework Procedures there are appropriate processes and internal controls for the management of this type of operational risk. The actual impact on total revenue and expenditure would be deemed **Minor**.

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

Absolute Majority

MOVED: Cr Humphrey

Suspend standing orders at 9:07am.

Motion lapsed due to lack of seconder.

SECONDED:

LAPSED

MOVED: Cr. Forth

SECONDED: Cr. Davidson

COUNCIL RESOLUTION/STAFF RECOMMENDATION

Council advise For A Better Chapman Valley (FABCV) of the following regarding their application to waiver fees, charges and bond relevant to the hire of the Nabawa, Yuna & Bill Hemsley Park Community Centres for the 2021/2022 financial year only:

1. Full waiver of fees, charges and bond for all venues, as requested, is not agreed to;
2. An annual fee equivalent to the hire of one venue, as set by the Shire's adopted annual budget, is to be paid, yet all three venues can be used for a combined maximum of twelve meetings/events held at all venues. Any use in excess of the twelve events per annum will incur the budgeted one-off local community event hire fee;
3. The full bond equivalent to the hire of one venue, as set by the Shires adopted budget is to be paid, yet the bond will be relevant to all three venues used.

**Voting F6/A0
CARRIED
Minute Reference: 07/21-04**

10.3

Chief Executive Officer

10.3 AGENDA ITEMS

- 10.3.1 COVID-19 Financial Hardship Procedure (CMP-039)**
- 10.3.2 Donations & Community Events Sponsorship Procedure (CMP-065)**
- 10.3.3 Change Venue – August 2021 Ordinary Council Meeting**

10.3.1

COVID19 Financial Hardship Procedure (CMP-039)

PROPONENT:	Chief Executive Officer
SITE:	Shire of Chapman Valley
FILE REFERENCE:	411.01
PREVIOUS REFERENCE:	Minute References: 05/20-17 & 03/21-10
DATE:	21 st July 2021
AUTHOR:	Maurice Battilana, Chief Executive Officer

SUPPORTING DOCUMENTS:

Ref	Title	Attached to Report	Under Separate Cover
10.3.1(a)	Revised CMP-039 – COVID19 Financial Hardship Procedure		✓
10.3.1(b)	Dept. Local Government –LG (COVID19) Amendment Order 2021		✓
10.3.1(c)	Dept. Local Government – Explanatory Notes to LG (COVID19) Amendment Order 2021		✓

DISCLOSURE OF INTEREST

Nil

BACKGROUND

Council adopted the COVID 19 Financial Hardship Procedure (CMP-039) in May 2020 (Minute Reference 05/20-17) as directed by the Minister for Local Government; Heritage; Culture & the Arts (at the times) and in accordance with the Ministerial Order under the *Local Government Amendment (COVID-19 Response) Act 2020*.

Council requested COVID 19 Financial Hardship Procedure (CMP-039) be reviewed at the July 2021 OCM at the time the Full Review of the Shire's Policies and Procedures was undertaken at the March 2021 OCM (Minute Reference 03/21-10).

COMMENT

Since the March 2021 OCM the Minister for Local Government has issued an Order extending specific aspect of the COVID 19 Order issued in May 2020. One area which does affect the CMP-039 is the extension of the rate assistance as a result of hardship being experienced by ratepayers (see **Attachments 10.3.1(b) & (c)**).

It remains a requirement under the Minister's latest Order for an LGA to continue to have a COVID19 Hardship Policy/Procedure in place to be able to implement the higher interest rates associated with instalments and/or non-payment of rates, which is how the Draft 2021/2022 Budget has been developed.

There will be a need to amend the Shire's existing COVID 19 Financial Hardship Procedure (CMP-039) to reflect the additional financial year (i.e. 2021/2022). The revised Procedure, with tracked changes, is provided at **Attachment 10.3.1(a)** for Council consideration.

STATUTORY ENVIRONMENT

Local Government Amendment (COVID-19 Response) Act 2020; and

Local Government Amendment (COVID-19 Response) Act 2021

POLICY/PROCEDURE IMPLICATIONS

Council has a current Policy (CP-022) for *Rate/Debt Recovery – Management of Debts Owning to the Shire*. This Policy will need to work in parallel with the revised COVID19 - Financial Hardship Procedure (CMP-039) as it did during 2020/2021 without any issues.

FINANCIAL IMPLICATIONS

It is anticipated there will continue to be a reduction in the income received from penalty and instalment interest on rates in comparison to pre-COVID19 (i.e. pre 20/21), which could affect the Shire's cashflow. However; the COVID19 Financial Hardship Procedure did not have any major effect of rate payments in 20/21 financial year and is not expected to do so in 21/22.

In 20/21 the Shire had two (2) outstanding rates debtors provided with the Financial Hardship Application Form, yet neither actually applied for assistance (one property sold & the other remains on our watch list).

Long Term Financial Plan (LTFP):

It is not anticipated there will be any effect on the Shire's LTFP.

STRATEGIC IMPLICATIONS

As stated in the May 2020 Agenda Report on this matter, the health and economic wellbeing of our community is equally (if not more) important as the financial wellbeing of the Shire. Implementing specific measure to deal with helping both the community and the Shire through the COVID-19 pandemic remains important, with the proposed *COVID19 - Financial Hardship Procedure* being one of these measures.

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

There has been no consultation undertaken by the Minister or the Department of Local Government regarding the decision to extend the *Local Government Amendment (COVID-19 Response) Act* conditions into the 2021/2022 financial year.

RISK ASSESSMENT

Based on the requests for financial assistance with rate payments in 2020/2021 through the Shire's COVID19 - Financial Hardship Procedure (CMP-039) being minimal it is anticipated the risk will be *insignificant/minor*:

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
Minor (2)	First aid injuries	\$1,001 - \$10,000	Short term temporary interruption –	Some temporary non compliances	Substantiated, low impact, low news item	Localised damage rectified by routine	Contained, reversible impact

			backlog cleared < 1 day			internal procedures	managed by internal response
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VOTING REQUIREMENTS

Simple Majority.

MOVED: Cr. Batten

SECONDED: Cr. Davidson

COUNCIL RESOLUTION/STAFF RECOMMENDATION

Council endorse the revised *COVID19 - Financial Hardship Procedure (CMP-039)* as presented without change.

Council En Bloc Resolution
Voting F6/A0
CARRIED
Minute Reference: 07/21-03

10.3.2 Donations & Community Events Sponsorship Procedure (CMP-065)

PROPONENT:	Chief Executive Officer
SITE:	Shire of Chapman Valley
FILE REFERENCE:	403.10
PREVIOUS REFERENCE:	Concept Forum – April & May 2021
DATE:	21 st July 2021
AUTHOR:	Maurice Battilana, Chief Executive Officer

SUPPORTING DOCUMENTS:

Ref	Title	Attached to Report	Under Separate Cover
10.3.2(a)	CMP-065 Revised		✓

DISCLOSURE OF INTEREST

Nil

BACKGROUND

An item was presented to both the April & May 2021 Concept Forums regarding amendments to the existing *Donations (CMP-065) Corporate Management Procedure*. The direction given was for an appropriate amount to be included in the Draft 21/22 Budget and for the Draft Revised Corporate Management Procedure (CMP-065) to be presented to Council for formal consideration and adoption.

COMMENT

As reported to Concept Forums, Council requested a draft Community Events Sponsorship Procedure be developed and presented for consideration. The basis of this request was to separate the existing Community Growth Fund process with a process specific to events within the community.

Council currently has a Corporate Management Procedure, which deals with Donations (CMP-365). Rather than creating a totally new Procedure, specific to Event Sponsorship, it was considered more appropriate to revise CMP-065 and incorporate both Donation & Community Event Sponsorship in the one Procedure as these can crossover.

A revised CMP-065 has been provided as separate **Attachment 10.3.2(a)** for Council consideration and adoption. This will be the basis upon which the amount included in the adopted 21/22 Budget (and future Budgets) for donations and event sponsor will be made.

An indicative amount has been included in the Draft 21/22 Budget which Council can amend during the budget consideration and adoption process for the this financial year. The Draft Procedure also stipulates the Council will determine what the annual budget allocation will be (i.e. this is not to be considered a set annual amount):

“Included in the Shire’s annual financial budget will be a specific line item amount for Community Activities Event Donations/Sponsorship. The budgeted amount will be determined by Council as part of the annual budget preparation process and may vary depending on affordability.”

STATUTORY ENVIRONMENT

There is no specific legislative requirement for a Local Government Authority to have a Donations & Community Events Sponsorship Policy or Corporate Management Procedure, nor is a local government authority committed to allocating a budget line item for this purpose.

POLICY/PROCEDURE IMPLICATIONS

As previously mentioned, Council currently has a Corporate Management Procedure, which deals with Donations (CMP-365). Rather than creating a totally new Procedure, specific to Event Sponsorship, it was considered more appropriate to revise CMP-065 and incorporate both Donation & Community Event Sponsorship in the one Procedure as these can crossover.

A revised CMP-065 has been provided as separate **Attachment 10.3.2(a)** for Council consideration and adoption.

FINANCIAL IMPLICATIONS

Though the amount to be placed into the Draft 21/22 Budget was not noted in the May 2021 Concept Forum Notes, staff have indicated this figure could be around \$10,000 and was to be included in the Draft Budget for Donation & Community Event Sponsorship. It is understood this allocation will be in addition to the Community Growth Funds allocation, the budget line item of \$5,000 made to the Chapman Valley Agricultural Society for the Annual Show and the donations made to the Parent & Citizen Associations for the School prizes at the Schools Presentation Nights.

Council can obviously amend any the aforementioned Draft Budget allocation(s) as it works through its Budget Workshops and eventual Budget Adoption processes.

Long Term Financial Plan (LTFP):

If the additional amount of \$10,000 is endorsed as part of the Adopted 21/22 Budget for Donation & Community Event Sponsorship this will have an effect on the LTFP though should not be significant. Once Council has determined an amount for this purpose the LTFP will be amended to recognise the additional expenditure.

STRATEGIC IMPLICATIONS

Nurturing and supporting community events is important and is reflected in the Shire's Strategic Community Plan.

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
		Determine a whole of Shire community integration approach	Advocate a sense of community when opportunity arises.

CONSULTATION

The notion of establishing a Donation & Community Event Sponsorship Management Procedure separate to the existing Community Growth Fund Program has been discussed on numerous occasions over the past few years and more recently at both the April and May 2021 Concept Forums.

It is based upon these discussions and feedback received the Community Development Officer, in consultation with the CEO and other Senior Staff, has developed the Draft Corporate Management Procedure presented to Council for formal consideration and adoption.

It is important a Corporate Management Procedure is established before the funds allocated by the Shire contributing to Donations & Community Event Sponsorship to ensure all parties are clear on the process, conditions & criteria associated with such contributions. Without a Procedure in place the process become more subjective, disjointed, adhoc and challengeable.

It is also understood the original Procedure will need a period of exposure testing to ensure it covers all contingencies. Therefore it will no doubt need to be brought back to Council for adjusting as issues arise. This was exactly what happened (and continues to happen) with the Community Growth Fund Corporate Management Procedure.

RISK ASSESSMENT

Based on the indicative Draft Budget allocation mentioned at the May 2021 Concept of \$10,000 the overall consequence would be considered **Minor**.

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
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 endorsed amended Corporate Management Procedure CMP-065 as presented, without amendment and an amount of \$10,000 be placed into the Draft 2021/2022 Budget for further consideration and determination.

Council En Bloc Resolution
Voting F6/A0
CARRIED
Minute Reference: 07/21-03

PROPONENT:	Chief Executive Officer
SITE:	Nabawa Chambers
FILE REFERENCE:	401.09
PREVIOUS REFERENCE:	Minute Reference: 08/20-08
DATE:	21 July 2021
AUTHOR:	Maurice Battilana, Chief Executive Officer

SUPPORTING DOCUMENTS:

Ref	Title	Attached to Report	Under Separate Cover
	NIL		

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 (OCM) for the next 12-month period.

Therefore, the following resolution was carried at the August 2020 OCM for the 2021 Ordinary Council Meetings:

“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
17 February	Nabawa Chambers
17 March	Bill Hemsley Park Community Centre
21 April	Nabawa Chambers
19 May	Nabawa Chambers
16 June	Nabawa Chambers
21 July	Nabawa Chambers
18 August	Yuna Multipurpose Community Centre
15 September	Nabawa Chambers
22 October	Nabawa Chambers
17 November	Nabawa Chambers
15 December	Nabawa Chambers

Ordinary Council Meetings are to commence at 9am.

Voting 7/0
CARRIED
Minute Reference: 08/20-08”

COMMENT

It has been brought to my attention Blaze Aid will still be using the Yuna Community Centre in August 2021 making this venue unavailable for the August 2021 OCM as has been resolved and advertised.

It is therefore being recommended the August 2021 OCM venue be changed to the Council Chambers, Nabawa.

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 remains 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. However, due to the Blaze Aid use of the Yuna Community Centre building it is not practicable to hold the August 2021 OCM at this location as previously resolved.

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

At the time of writing the report it was understood the Yuna Community Centre would be unavailable for the August 2021 OCM due to Blaze Aid using the facility to assist the community in repair works resulting from TC Seroja. Therefore, due to the statutory requirement to advertise meeting dates, times and venues this matter needed to be presented to the July 2021 OCM for consideration.

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	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

Item withdrawn by Chief Executive Officer as venue is now available to hold the August 2021 Ordinary Meeting of Council at the Yuna Community Centre.

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

COUNCIL RESOLUTION

MOVED: Cr Batten

SECONDED: Cr Forth

Council agrees to deal with the late item presented regarding BlazeAid acknowledgement.

Voting 6/0

CARRIED

Minute Reference: 07/21-05

COUNCIL RESOLUTION

MOVED: Cr Batten

SECONDED: Cr Royce

Suspend standing orders at 9:17am.

Voting 6/0

CARRIED

Minute Reference: 07/21-06

Discussion was undertaken on the item.

COUNCIL RESOLUTION

MOVED: Cr Davidson

SECONDED: Cr Forth

Reinstate standing orders at 9:35am.

Voting 6/0

CARRIED

Minute Reference: 07/21-07

COUNCIL RESOLUTION

MOVED: Cr Batten

SECONDED: Cr Davidson

Council agrees to donate the amount of \$5,000 and a certificate of appreciation to BlazeAid for their assistance to the community during TC Seroja recovery.

Voting 6/0

CARRIED

Minute Reference: 07/21-08

Maurice Battilana left chambers at 9:39am.

Maurice Battilana returned to chambers at 9:41am.

13.0 DELEGATES REPORTS

Delegate	
Cr Forth	For a Better Chapman Valley Meeting, Chapman Valley Agricultural Society Meeting.
Cr Batten	Rockwell Pipeline Meeting.
Cr Farrell	Meeting with LG Minister, Rockwell Pipeline Meeting.
Cr Royce	Meeting with LG Minister.
Cr Warr	Meeting with LG Minister, Rockwell Pipeline Meeting.

Cr Warr returned to chambers at 9:55am.

14.0 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Nil

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

15.1 Confidential Item

15.1 Lease Agreement – Nabawa Fuel Facilities

PROPONENT:	Searange Holdings Pty Ltd
SITE:	Lot 1 (3554) Chapman Valley Rd, Nabawa
FILE REFERENCE:	708.00
PREVIOUS REFERENCE:	Minute Reference 10/14-14
DATE:	21 st July 2021
AUTHOR:	Maurice Battilana, Chief Executive Officer

COUNCIL RESOLUTION

MOVED: Cr Forth

SECONDED: Cr Davidson

Council close the meeting to the public at 9.57am for the following Agenda Item in accordance with:

Section 5.23(2)(c) - Item relates to contracts entered into, or which may be entered into, by the local government and which relates to matters to be discussed at the meeting.

Voting 7/0

CARRIED

Minute Reference: 07/21-09

COUNCIL RESOLUTION

MOVED: Cr Forth

SECONDED: Cr Davidson

STAFF RECOMMENDATION/COUNCIL RESOLUTION

Council endorse transferring the Lessor named in the current lease agreements the Shire of Chapman Valley has for the provision of the fuel facilities located at the Nabawa Tavern from the previous owner (RE & AM Western Family Trust) to new owner (Searange Holdings Pty Ltd).

Voting 7/0

CARRIED

Minute Reference: 07/21-10

COUNCIL RESOLUTION

MOVED: Cr Forth

SECONDED: Cr Warr

Reopen the meeting to the public at 10:10am.

Voting 7/0

CARRIED

Minute Reference: 07/21-11

16.0 CLOSURE

The President thanked Elected Members and Staff for their attendance and closed the meeting at 10:11am.