



Agenda

Ordinary Council Meeting Thursday 26 September 2024

4.30 pm in Council Chambers, Nannup

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A G E N D A

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS/ACKNOWLEDGMENT OF COUNTRY:

The Shire President is to declare the meeting open and welcome the public gallery.

The Shire President to acknowledge the traditional custodians of the land, the Wardandi and Bibbulmun people, paying respects to Elders past, present, and emerging.

2. ATTENDANCE/APOLOGIES:

2.1 ATTENDANCE

Shire President	Anthony (Tony) Dean
Deputy Shire President	Vicki Hansen
Councillor	Lynette Curtis
Councillor	Patricia Fraser
Councillor	Cheryle Brown
Councillor	Timothy Sly
Councillor	Ian Gibb
A/Chief Executive Officer	Kim Dolzadelli
Development Services Coordinator	Jane Buckland
Executive Support Officer	Lisa Atkinson

2.2 APOLOGIES

Chief Executive Officer	David Taylor
Executive Manager Infrastructure	Damon Lukins

3. PUBLIC QUESTION TIME:

4. MEMBERS ON LEAVE OF ABSENCE AND APPLICATIONS FOR LEAVE OF ABSENCE:

4.1 APPROVED LEAVE OF ABSENCE:

Nil.

4.2 APPLICATION FOR A LEAVE OF ABSENCE:

Nil.

5. CONFIRMATION OF MINUTES:

- 5.1 Warren Blackwood Alliance of Councils – Climate Change Action Plan Implementation Reference Group Meeting 31 July 2024

EXECUTIVE RECOMMENDATION:

That the Minutes from the Warren Blackwood Alliance of Councils held on 31 July 2024 be received (attachment 5.1).

- 5.2 Bush Fire Advisory Committee Annual General Meeting – 5 August 2024

EXECUTIVE RECOMMENDATION:

That the Minutes from the Bush Fire Advisory Committee Annual General Meeting held on 5 August 2024 be received (attachment 5.2).

- 5.3 Bush Fire Advisory Committee – 5 August 2024

EXECUTIVE RECOMMENDATION:

That the Minutes from the Bush Fire Advisory Committee held on 5 August be received (attachment 5.3).

- 5.4 Local Emergency Management Committee– 7 August 2024

EXECUTIVE RECOMMENDATION:

That the Minutes from the Local Emergency Management Committee held on 7 August 2024 be confirmed as a true and correct record (attachment 5.4).

- 5.5 Shire of Nannup Ordinary Council Meeting – 22 August 2024

EXECUTIVE RECOMMENDATION:

That the Minutes from the Shire of Nannup Ordinary Council Meeting held on 22 August 2024 be confirmed as a true and correct record (attachment 5.5).

5.6 South West Country Zone – 23 August 2024

EXECUTIVE RECOMMENDATION:

That the Minutes from the South West Country Zone meeting held on 23 August 2024 be confirmed as a true and correct record (attachment 5.6).

5.7 Shire of Nannup Special Council Meeting 29 August 2024

EXECUTIVE RECOMMENDATION:

That the Minutes from the Shire of Nannup Special Council Meeting held on 29 August 2024 be confirmed as a true and correct record (attachment 5.7).

6. ANNOUNCEMENTS FROM PRESIDING MEMBER:

7. DISCLOSURE OF INTEREST:

Division 6: Sub-Division 1 of the *Local Government Act 1995*. Care should be taken by all Councillors to ensure that a financial/impartiality interest is declared and that they refrain from voting on any matter, which is considered to come within the ambit of the Act.

Where a member has disclosed a financial or proximity interest in an item, they must leave the Chamber for consideration of that item.

Where a member has disclosed an impartiality interest in an item, they may remain in the Chamber. The member is required to bring an independent mind to the item and decide impartially on behalf of the Shire of Nannup and its community.

The Shire of Nannup Disclosure of Interest Register is on our website [here](#).

8. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN:

Nil.

9. PRESENTATIONS/DEPUTATIONS/PETITIONS:

Nil.

10. REPORTS BY MEMBERS ATTENDING COMMITTEES:

11. REPORTS OF OFFICERS:

AGENDA NUMBER & SUBJECT:	11.1 – Delegated Planning Decisions for August 2024
LOCATION/ADDRESS:	Various
NAME OF APPLICANT:	Various
FILE REFERENCE:	TPL18
AUTHOR:	Erin Gower – Development Services Officer
REPORTING OFFICER:	Kim Dolzadelli – Acting Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	12 September 2024
PREVIOUS MEETING REFERENCE:	Nil
ATTACHMENTS:	11.1.1 – Register of Delegated Development Approvals

BACKGROUND:

To ensure the efficient and timely processing of planning related applications, Council delegates authority to the Chief Executive Officer to conditionally approve Applications for Development Approval that meet the requirements of both Local Planning Scheme No.4 (LPS4) and adopted Council policy.

Delegated planning decisions are reported to Council monthly to ensure that Council has an appropriate level of oversight on the use of this delegation. A Register of Delegated Development Approvals, detailing those decisions made under delegated authority in August 2024 is presented in Attachment 11.1.1.

COMMENT:

As shown in the attachment, each application has been advertised in accordance with LPS4 and Council's adopted Local Planning Policy *LPP5 Consultation* as detailed in the Policy Implications section of this report.

During August 2024, two (2) development applications were determined under delegated authority. The table below shows the number and value of development applications determined under both delegated authority and by Council for August 2024 compared to August 2023:

	August 2023	August 2024
Delegated Decisions	6 (\$253,250.00)	2 (\$165,000.00)
Council Decisions	0	0 (\$0)
Total	6 (\$253,250.00)	(\$165,000.00)

100% of all approvals issued in the month of August were completed within the statutory timeframes of either 60 or 90 days.

STATUTORY ENVIRONMENT:

Planning and Development Act 2005, Local Government Act 1995 and LPS4.

Regulation 19 of the *Local Government (Administration) Regulations 1996* requires that a written record of each delegated decision is kept.

POLICY IMPLICATIONS:

Applications for Development Approval must be assessed against the requirements of LPS4 and Local Planning Policies adopted by Council. These Policies include Local Planning Policy *LPP5 Consultation* which details the level and scope of advertising required for Applications for Development Approval.

Each application processed under delegated authority has been processed and advertised and has been determined to be consistent with the requirements of all adopted Local Planning Policies.

FINANCIAL IMPLICATIONS:

The required planning fees have been paid for all applications for Development Approval processed under delegated authority.

RISK MANAGEMENT MATRIX

The Shire, through its adopted Risk Management Framework, has identified a number of risk areas that need to be assessed and where necessary treated, like, but not limited to:

Audit risks	Financial and credit risks
Operational risks	Technological and IT risks
Compliance and regulatory risks	Environmental risks
Legal risks	Strategic risks
Political risks	Sustainability and security risks

Failure to report statistics on delegations to Council would result in the Shire not meeting best practice by keeping Council informed of planning decisions.

No risks have been identified.

STRATEGIC IMPLICATIONS:

Nil

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council receives the report on Delegated Development Approvals for August 2024 as per Attachment 11.1.1.

AGENDA NUMBER & SUBJECT:	11.2 – Minor Change to Council Resolution 24073: Resolution to Adopt Amendment No.1 to the Shire of Nannup Local Planning Scheme No. 4
LOCATION/ADDRESS:	Lots 125, 301 and 566 Cundinup-Dudinyillup Rd, Nannup
NAME OF APPLICANT:	Shire of Nannup
FILE REFERENCE:	TPL2-01
AUTHOR:	Jane Buckland – Development Services Coordinator
REPORTING OFFICER:	Kim Dolzadelli – Acting Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	19 September 2024
PREVIOUS MEETING REFERENCE	27 June 2024
ATTACHMENTS:	11.2.1 – Copy of original report to Council 27 th June 2024 11.2.2 – Email from Department of Planning, Lands and Heritage

BACKGROUND:

At its meeting of 27th June 2024 Council considered a request to adopt Amendment 1 to Local Planning Scheme No.4 and resolved as follows:

COUNCIL RESOLUTION 24073

MOVED: CR HANSEN

SECONDED: CR GIBB

That Council,

1. In accordance with Section 75 of the Planning and Development Act 2005 resolve to adopt Amendment 1 to the Shire of Nannup Local Planning Scheme No.4, including the modification in part 'b' as follows:

- a) Amend the Scheme map to remove Lots 125, 301 and 566 Cundinup-Dudinyillup Road, Nannup from Additional Site Requirement No.4.
- b) Amend Table 2 Additional Site Requirements to include the localities of East Nannup and Nannup in the description of land for ASR 4 as follows:

No.	Description of Land	Requirement
ASR 4	As shown on the Scheme maps land zoned Priority Agriculture – Biddelia, Carlotta, Cundinup, East Nannup, and Nannup localities.	Tree farms will not be supported by the Local Government.

2. **In accordance with Regulation 35 of the Planning and Development (Local Planning Schemes) Regulations 2015, determines that Amendment No. 1 of the Shire of Nannup Local Planning Scheme No. 4 is a standard amendment for the following reasons:**
 - a) **The amendment relates to a zone that is consistent with the objectives identified in the scheme for that zone;**
 - b) **The amendment is consistent with a local planning strategy for the scheme that has been endorsed by the Commission;**
 - c) **The amendment would have minimal impact on land in the scheme area that is not the subject of the amendment;**
 - d) **The amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area; and**
 - e) **The amendment is not a complex or basic amendment.**
3. **Following the amendment documentation being suitable updated to reflect point 1, refer Scheme Amendment 1 to the Environmental Protection Authority in accordance with Section 81 of the Planning and Development Act 2005.**
4. **Submit Scheme Amendment 1 to the Western Australian Planning Commission for approval to advertise in accordance with Section 83A of the Planning and Development Act 2005.**
5. **Advertise Scheme Amendment 1 in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015, Section 47(2) for a period of 42 days.**

In accordance with Council's resolution, the Shire administration requested that the applicant modify the scheme amendment documents and on receipt of the modified documents, subsequently referred the amendment to both the Environmental Protection Authority (EPA) and Western Australian Planning Commission (WAPC) for approval to advertise.

Following assessment by the WAPC, it was identified that there was an error in the original report and Council resolution (Attachment 11.2.1) whereby the incorrect table from LPS4 was referenced in point 1(b) of the Council resolution. The text of the resolution incorrectly refers to modifications being made to Table 2 however the table, which is shown correctly, is Table 5.

In order for the WAPC to approve Amendment 1 to LPS4 for advertising they require that the Council resolution correctly references Table 5 of LPS4.

The Shire administration has received advice from the Department of Planning, Lands and Heritage (DPLH) that the modification to the Council resolution can be made without the original decision to adopt being revoked and reconsidered as shown in Attachment 11.2.2 however this would not correct the public record of Council's decision.

COMMENT:

The modification to the scheme amendment documents as requested by the WAPC is considered minor and will fix a clerical error rather than materially changing the intent of Council's decision.

While the Shire administration can go ahead and modify the amendment documents in accordance with the instructions from DPLH under the *Planning and Development (Local Planning Schemes) Regulations 2015*, the public record of Council's decision would no longer be consistent with what is written in the amendment.

It is recommended that Council resolve to correct resolution 24073 to by changing the reference to Table 2 in part 1(b) to Table 5 as shown in green highlight below thereby ensuring that all documents associate with Amendment 1 to LPS4 are consistent:

1. In accordance with Section 75 of the Planning and Development Act 2005 resolve to adopt Amendment 1 to the Shire of Nannup Local Planning Scheme No.4, including the modification in part 'b' as follows:
 - a) Amend the Scheme map to remove Lots 125, 301 and 566 Cundinup-Dudinyillup Road, Nannup from Additional Site Requirement No.4.
 - b) Amend **Table 5** Additional Site Requirements to include the localities of East Nannup and Nannup in the description of land for ASR 4 as follows:

No.	Description of Land	Requirement
ASR 4	As shown on the Scheme maps land zoned Priority Agriculture – Biddelia, Carlotta, Cundinup, East Nannup, and Nannup localities.	Tree farms will not be supported by the Local Government.

STATUTORY ENVIRONMENT:

Planning and Development Act 2005, Planning and Development (Local Planning Scheme) Regulations 2015 and LPS4.

POLICY IMPLICATIONS:

Nil at this stage.

FINANCIAL IMPLICATIONS:

Nil.

RISK MANAGEMENT MATRIX:

The Shire, through its adopted Risk Management Framework, has identified a number of risk areas that need to be assessed and where necessary treated, like, but not limited to:

Audit risks	Financial and credit risks
Operational risks	Technological and IT risks
Compliance and regulatory risks	Environmental risks
Legal risks	Strategic risks
Political risks	Sustainability and security risks

Officers have undertaken a Risk Assessment with respect to the item before Council and advise that no risks have been identified.

STRATEGIC IMPLICATIONS:

4.2 Our Location

4.2.1 Balance community, environment and economic development in our Shire through appropriate planning frameworks and strategies

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council correct Part 1(b) of Council resolution 24073 to the following:

“That Council,

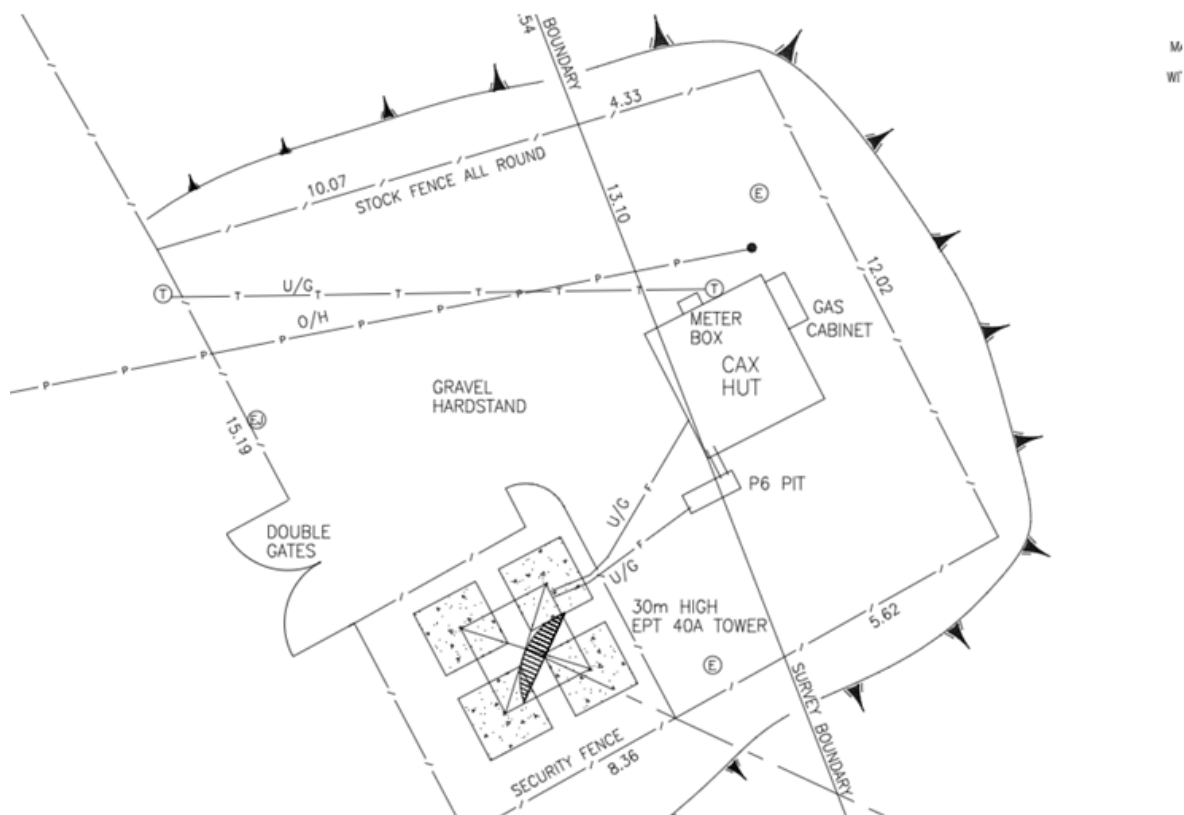
1. In accordance with Section 75 of the Planning and Development Act 2005 resolve to adopt Amendment 1 to the Shire of Nannup Local Planning Scheme No.4, including the modification in part ‘b’ as follows:
 - b) Amend Table 5 Additional Site Requirements to include the localities of East Nannup and Nannup in the description of land for ASR 4 as follows:

No.	Description of Land	Requirement
ASR 4	As shown on the Scheme maps land zoned Priority Agriculture – Biddelia, Carlotta, Cundinup, East Nannup, and Nannup localities.	Tree farms will not be supported by the Local Government.

AGENDA NUMBER & SUBJECT:	11.3 – Telecommunication Encroachment Permit – 1056 Cundinup South Road
LOCATION/ADDRESS:	Various
NAME OF APPLICANT:	Various
FILE REFERENCE:	TEN
AUTHOR:	Damon Lukins – Executive Manager Works and Services
REPORTING OFFICER:	Kim Dolzadelli – Acting Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	13 September 2024
PREVIOUS MEETING REFERENCE:	Nil
ATTACHMENTS:	11.3.1 -Draft Permit to Occupy Cundinup Exchange WA

BACKGROUND:

The Shire of Nannup has been made aware that a portion of telecommunication infrastructure has encroached the road reserve at 1056 Cundinup South Road. The infrastructure is operated by Amplitel as the related body corporate of Telstra Corporation Limited. The below diagram and images illustrate the extent of the encroachment.





The Shire of Nannup has a duty to ensure that the community's interest is not compromised by an enclosure encroaching on the road reserve. In this case, both the Cundinup-Dudinyillup and Cundinup South Road alignments deviate outside the road reserve and therefore the encroachment is on unconstructed road reserve.

Amplitel already has an existing lease with the owner of Lot 5 on Deposited Plan 64239, adjacent the road reserve, which has been in place for as long as the tower has been there.

COMMENT:

Given that it is unlikely that the Cundinup-Dudinyillup and Cundinup South Road intersection will ever be realigned from what it currently is, it is the Executive Manager of Works and Services view that the encroachment will never cause permanent or reasonable obstruction that is otherwise prohibited under the Local Government Act 1995.

Legal advice has been sought regarding this matter and it is clear that the Shire has the power to grant a permit to Amplitel for the encroachment under r 17 of the Local Government (Uniform Local Provisions) Regulations 1996. Amplitel and the Shire have developed a draft permit for Council endorsement. The permit has been devised to be granted for the life of the facility.

STATUTORY ENVIRONMENT:

Local Government Act 1995

Local Government (Uniform Local Provisions) Regulations 1996 – Regulation 17

Section 55(2) Land Administration Act 1997

POLICY IMPLICATIONS:

RM 1 Risk Management

FINANCIAL IMPLICATIONS:

Amplitel have agreed to pay the Shire's legal fees of \$19,871.65.

RISK MANAGEMENT MATRIX

The Shire, through its adopted Risk Management Framework, has identified a number of risk areas that need to be assessed and where necessary treated, like, but not limited to:

Audit risks	Financial and credit risks
Operational risks	Technological and IT risks
Compliance and regulatory risks	Environmental risks
Legal risks	Strategic risks
Political risks	Sustainability and security risks

Whilst there have been no risks identified to the Shire; not issuing the permit may impair Amplitel's operation of the communications site which would then potentially impact the residents of the area.

STRATEGIC IMPLICATIONS:

Aligns with Strategic Community Plan element 3.4 " Our Communications" - We will advocate to increase the coverage of our communication systems.

VOTING REQUIREMENTS:

Absolute Majority

OFFICER RECOMMENDATION:

That Council:

Delegates power and authority to the Chief Executive Officer to issue a permit, in accordance with Regulation 17 of the Local Government (uniform Local Provisions) Regulations 1996, to Amplitel to allow the encroachment of telecommunication infrastructure into 1056 Cundinup South Road Reserve.

AGENDA NUMBER & SUBJECT:	11.4 – 2024 Sponsorship of the Blackwood Valley Wine Show
LOCATION/ADDRESS:	Nannup Shire
NAME OF APPLICANT:	Shire of Nannup
FILE REFERENCE:	ASS 5
AUTHOR:	Nicole Botica – Economic & Community Development Coordinator
REPORTING OFFICER:	Kim Dolzadelli – Acting Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	10 September 2024
PREVIOUS MEETING REFERENCE:	Nil
ATTACHMENTS:	11.4.1 – Letter to Chief Executive Officer 11.4.2 – 2024 NP Shire Wine Show Costs

BACKGROUND:

The Blackwood Valley Wine Industry Association covers four Shires in the region including Nannup, Donnybrook Balingup, Boyup Brook and Bridgetown. For the past 21 years, they have conducted an annual wine show, which Nannup sponsored in 2015 and 2020 through the Community Grant Scheme.

Over the last three years, the Shire of Nannup has increased its sponsorship, securing naming rights for the two most prestigious trophies and hosting the event. The wine show provides a platform to showcase premium wines produced by small wineries and growers across the state, while promoting the Blackwood Valley Wine Region.

The event has been successfully held at the Nannup Community Meeting Room and Function Centre, with the venue, facilities, and local services receiving high praise. As a result, the committee wishes to continue with this format in Nannup. The sponsorship request for 2024 is \$3,040; however, based on the updated fees and charges approved for the 2024–2025 budget, the total sponsorship value has been adjusted to \$2,960.

COMMENT:

The Blackwood Valley Wine Industry Association is an industry driven association representing grape growers and wine producers within the Blackwood Valley Region. Their main purpose is to showcase the premium wines being tailor made by boutique producers and offer the public the chance to taste them.

They are seeking space to host the event that will cater to the event program and includes a judging room, storage space with access to glass washer and a kitchen space. Their request is for the following:

1. Use of the Community Meeting Room for four days
2. Accommodation for seven judges for two days
3. Accommodation for two associate judges for two days

The Sponsorship proposition includes:

- Naming rights of two prestigious trophies, these being:
 - Shire of Nannup Most Successful Blackwood Valley Exhibitor; and
 - hire of Nannup Best Blackwood Valley Red Wine.
- Naming rights to the Judges dinner “Experience Nannup Judges Dinner” with an invitation to attend the event.
- 3 x mixed carton of show wines.
- Use of Shire logo on event promotional material, as well as entry forms.
- Use of Shire promotional banners, #ExperienceNannup.
- Trophy presentation videos with Shire logos in background, with the social media tags featured as a closing image.
- Exclusive promotional opportunities within the Shire of Nannup.
- #Nannup will be used for wine show posts and promotional posts

STATUTORY ENVIRONMENT:

Nil.

POLICY IMPLICATIONS:

FNC 3 – Community Groups and Donations

FINANCIAL IMPLICATIONS:

The booking fee for four-day hire of the facilities and accommodation equates to \$2,960 and includes:

Community Meeting Room, four days:	\$100 p/day ~ \$400
Accommodation for judges: (Holberry House for seven judges for two nights)	\$140 p/night ~ \$1960
Accommodation for associate judges: (Nannup Caravan Park for two associate judges for two nights)	\$150 p/night ~ \$600
Total Sponsorship value ~ \$2,960	

RISK MANAGEMENT MATRIX

The Shire, through its adopted Risk Management Framework, has identified a number of risk areas that need to be assessed and where necessary treated, like, but not limited to:

Audit risks	Financial and credit risks
Operational risks	Technological and IT risks
Compliance and regulatory risks	Environmental risks
Legal risks	Strategic risks
Political risks	Sustainability and security risks

No risks have been identified.

STRATEGIC IMPLICATIONS:

Extract from the 2021-2036 Nannup Community Strategic Plan

*Our Community**1.1 Who we are*

We will retain our pride in being small, unique and friendly town that is a vibrant and engaging place to live

*Our Economy**2.2 Tourism and attraction*

We will work together to attract people, investment and innovation to our Shire

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council support the request to sponsor the Blackwood Valley Wine Industry Association Annual Wine Show in Nannup to the amount of \$2,960 (ex GST).

AGENDA NUMBER & SUBJECT:	11.5 - Revitalising Nannup's Early Years Precinct: A Community Driven Approach
LOCATION/ADDRESS:	Shire of Nannup
NAME OF APPLICANT:	Nicole Botica
FILE REFERENCE:	FNC 6
AUTHOR:	Nicole Botica, Economic & Community Development Coordinator
REPORTING OFFICER:	Kim Dolzadelli, Acting Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	10 September 2024
PREVIOUS MEETING REFERENCE:	N/A
ATTACHMENTS:	11.5.1 - Financial Assistance Agreement for the Community Small Grant Fund 11.5.2-Business Case Early Years Precinct

BACKGROUND:

The Nannup Early Years Precinct is centred at the historic "Old Kindy Building" (or Nannup Pre-Primary Centre) in Nannup. The project is a visionary initiative aimed at creating an Early Years precinct for the community. This site, adjacent to the Shire Offices at 15 Adam St, has a rich history of serving the educational needs of Nannup's youngest residents.

The Shire of Nannup's decision to support the development of an Early Years Precinct came in response to an identified lack of facilities in the area to service growing families. The commitment and vision demonstrated by the Nannup Family Collective Inc has enabled the allocation of Shire funds to upgrade the facility to be fit for purpose.

COMMENT:

Recognising the importance of providing a nurturing and stimulating environment for early childhood development, the Shire has committed significant resources towards the precinct's realisation. This includes building and playground safety inspections, resulting in \$90,000 allocation for essential infrastructure repairs and improvements, underscoring a shared commitment to the project's success.

The \$90,000 upgrade funds have been approved through the Shire reserves (\$30,000) and the Local Roads and Community Infrastructure Fund (LRCIF) Phase 4 Part A (\$60,000), an additional \$10,000 from LRCIF Ph 4 has been allocated through the endorsement of the 2024 2025 Annual Budget which has a remaining expenditure Budget of \$73,842.

The total allocation of funds demonstrates the Shires commitment to continue to promote, support and activate family friendly spaces as outlined in the Corporate Business Plan.

In April 2024 a business plan was developed to update the space with input from the Nannup Family Collective. This was used to attract additional funding for the project and a grant application was developed through the Community Small Grant Fund Round 2, under the Native Forest Timber Transition Grants Program. See Attachment 11.4.2 for more detail. In August 2024, the Shire was notified of the successful grant application with an additional \$99,733 to fund the following items:

- The creation of a nature play environment
- The inclusion of a Toy Library with a mural on external walls of the existing shed
- Hardscaping and landscaping

In summary, these infrastructure enhancements significantly contribute to creating a safe, accessible, and welcoming environment for the Early Years Precinct, aligning with the project's overarching goals of fostering community engagement, supporting child development, and enhancing the quality of life for families in Nannup.

STATUTORY ENVIRONMENT:

Local Government (Financial Management) Regulations 1996

POLICY IMPLICATIONS:

Policy FNC 6 - Acceptance of Grant Funding

FINANCIAL IMPLICATIONS:

The 2024 2025 budget allocation for the Pre-School Centre Nannup - Building (Capital) is \$73,842.

An additional allocation of \$99,733 from the Grant will increase the budget to \$173,575.

Overall, once the project is complete, the total investment will be \$199,733 including improvements from the \$26,158 expensed in the 2023 2024 Financial Year.

RISK MANAGEMENT MATRIX:

The Shire, through its adopted Risk Management Framework, has identified a number of risk areas that need to be assessed and where necessary treated, like, but not limited to:

Audit risks	Financial and credit risks
Operational risks	Technological and IT risks
Compliance and regulatory risks	Environmental risks
Legal risks	Strategic risks
Political risks	Sustainability and security risks

Risk is LOW; acceptable with adequate controls, managed by routine procedures and subject to annual monitoring.

STRATEGIC IMPLICATIONS:

The Shire of Nannup Corporate Business Plan 2022 -2028

- Strategic Theme 1: Our Community
- Focus point 1.3; Our Youth - youth and young families are important and we will focus on making Nannup a great place to grow up where families can thrive.

Revitalising Nannup's early years through a community driven approach, upgrading the facilities at the Old Kindy Building will enable vibrancy through services that support young families.

VOTING REQUIREMENTS:

Absolute Majority

OFFICER RECOMMENDATION:

That Council:

1. Accepts the signed Financial Assistance Agreement between the State of Western Australia and the Shire of Nannup for the Revitalising Nannup's Early Years Precinct: "A Community – Driven Approach" in the amount of \$99,733, and
2. Amends the 2024/2025 Budget as follows:

COA	JOB	Description	Current Budget	Change in Budget	Amended Budget
4080114	BC8101	Pre-School Centre Nannup - Building (Capital)	73,842	99,733	173,575
3080110		Pre-School Grant Funding	- 70,000	- 99,733	- 169,733
9673503		Asset Management Reserve	- 3,842	-	- 3,842
Net Impact			-	-	-

AGENDA NUMBER & SUBJECT:	11.6 – Local Government Elections – Review of WALGA Advocacy Positions
LOCATION/ADDRESS:	Various
NAME OF APPLICANT:	WALGA
FILE REFERENCE:	ADM 2
AUTHOR:	Lisa Atkinson – Executive Support Officer
REPORTING OFFICER:	Kim Dolzadelli – Acting Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	18 September 2024
PREVIOUS MEETING REFERENCE:	Nil
ATTACHMENTS:	11.6.1 - Advocacy Positions for a New Local Government Act 11.6.2 - WALGA Submission – Local Government Reform Proposal (February 2022)

BACKGROUND:

The *Local Government Amendment Act 2023* introduced a range of electoral reforms that came into effect prior to the 2023 Local Government ordinary elections:

- the introduction of Optional Preferential Voting (OPV);
- extending the election period to account for delays in postal services;
- changes to the publication of information about candidates;
- backfilling provisions for extraordinary vacancies after the 2023 election;
- public election of the Mayor or President for larger Local Governments;
- abolishing wards for smaller Local Governments; and
- aligning the size of councils with the size of populations of each Local Government (change to representation).

Following requests from several Zone's, WALGA undertook a comprehensive review and analysis of 5 ordinary election cycles up to and including the 2023 Local Government election against the backdrop of these legislative reforms. The review and report focused on postal elections conducted exclusively by the Western Australian Electoral Commission (WAEC), with the analysis finding evidence of the rising cost and a reduction in service of conducting Local Government elections in Western Australia.

COMMENT:

The Elections Analysis Review and Report was presented to State Council 4 September 2024, with State Council supporting a review of WALGA's Local Government Elections Advocacy Positions.

WALGA is requesting Councils consider the current and alternative Elections Advocacy Positions and provide a response back to WALGA for the December 2024 State Council meeting.

2.5.15 ELECTIONS

Position Statement	<p>The Local Government sector supports:</p> <ol style="list-style-type: none"> 1. Four year terms with a two year spill 2. Greater participation in Local Government elections 3. The option to hold elections through: <ul style="list-style-type: none"> • Online voting • Postal voting, and • In-person voting 4. Voting at Local Government elections to be voluntary 5. The first past the post method of counting votes <p>The Local Government sector opposes the introduction of preferential voting, however if 'first past the post' voting is not retained then optional preferential voting is preferred.</p>
Background	<p>The first past the post (FPTP) method is simple, allows an expression of the electorate's wishes and does not encourage tickets and alliances to be formed to allocate preferences.</p>
State Council Resolution	<p>February 2022 – 312.1/2022</p> <p>December 2020 – 142.6/2020</p> <p>March 2019 – 06.3/2019</p> <p>December 2017 – 121.6/2017</p> <p>October 2008 – 427.5/2008</p>
Supporting Documents	<p>Please refer to attachments 11.5.1 and 11.5.2.</p>

2.5.16 METHOD OF ELECTION OF MAYOR

Position Statement	<p>Local Governments should determine whether their Mayor or President will be elected by the Council or elected by the community.</p>
State Council Resolution	<p>February 2022 – 312.1/2022</p> <p>March 2019 – 06.3/2019</p> <p>December 2017 – 121.6/2017</p>

2.5.17 CONDUCT OF POSTAL ELECTIONS

Position Statement	The <i>Local Government Act 1995</i> should be amended to allow the Australian Electoral Commission (AEC) and any other third party provider including Local Governments to conduct postal elections.
Background	Currently, the WAEC has a legislatively enshrined monopoly on the conduct of postal elections that has not been tested by the market.
State Council Resolution	May 2023 – 452.2/2023 March 2019 – 06.3/2019 December 2017 – 121.6/2017 March 2012 – 24.2/2012

WALGA has requested the following advocacy positions be considered by Councils:

1. PARTICIPATION

- (a) The sector continues to support voluntary voting at Local Government elections.
- OR
- (b) The sector supports compulsory voting at Local Governments elections.

2. TERMS OF OFFICE

- (a) The sector continues to support four-year terms with a two year spill;
- OR
- (b) The sector supports four-year terms on an all in/all out basis.

3. VOTING METHODS

- (a) The sector supports First Past the Post (FPTP) as the preferred voting method for general elections. If Optional Preferential Voting (OPV) remains as the primary method of voting, the sector supports the removal of the 'proportional' part of the voting method for general elections
- OR
- (b) The sector supports Optional Preferential Voting (OPV) as the preferred voting method for general elections.

4. INTERNAL ELECTIONS

(a) The sector supports First Past the Post (FPTP) as the preferred voting method for all internal elections.

OR

(b) The sector supports Optional Preferential Voting (OPV) as the preferred voting method for all internal elections.

5. VOTING ACCESSIBILITY

The sector supports the option to hold general elections through:

- (a) Electronic voting; and/or
- (b) Postal voting; and/or
- (c) In-Person voting.

6. METHOD OF ELECTION OF MAYOR

The sector supports:

- (a) As per the current legislation with no change – Class 1 and 2 local governments directly elect the Mayor or President (election by electors method), with regulations preventing a change in this method.
- (b) Return to previous legislated provisions – all classes of local governments can decide, by absolute majority, the method for electing their Mayor or President.
- (c) Apply current provisions to all Bands of Local Governments – apply the election by electors method to all classes of local governments.

OFFICER RECOMMENDATION 1:

That Council considers its position with respect to the following Local Government Election Advocacy Positions and make formal recommendation to WALGA:

1. PARTICIPATION – Council support advocacy position
2. TERMS OF OFFICE - Council support advocacy position
3. VOTING METHODS - Council support advocacy position
4. INTERNAL ELECTIONS - Council support advocacy position
5. VOTING ACCESSIBILITY - Council support advocacy position
6. METHOLD OF ELECTION OF MAYOR - Council support advocacy position

OFFICER RECOMMENDATION 2:

Having considered its position with respect to the following Local Government Election Advocacy Positions makes the following formal recommendation to WALGA:

1. PARTICIPATION – Council support advocacy position ____
2. TERMS OF OFFICE - Council support advocacy position ____
3. VOTING METHODS - Council support advocacy position ____
4. INTERNAL ELECTIONS - Council support advocacy position ____
5. VOTING ACCESSIBILITY - Council support advocacy position ____
6. METHOLD OF ELECTION OF MAYOR - Council support advocacy position ____

AGENDA NUMBER & SUBJECT:	11.7 - Financial Activity Statement – July & August 2024
LOCATION/ADDRESS:	Shire of Nannup
NAME OF APPLICANT:	Shire of Nannup
FILE REFERENCE:	FNC 15
AUTHOR:	Robin Lorkiewicz – Finance Coordinator
REPORTING OFFICER:	Kim Dolzadelli –Acting Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	19 September 2024
PREVIOUS MEETING REFERENCE:	Nil
ATTACHMENT:	11.7.1 – Financial Activity Statement – July 2024 11.7.1 – Financial Activity Statement – August 2024

BACKGROUND:

The financial statements are presented to Council in accordance with the *Local Government Act 1995* and the *Local Government (Financial Management) Regulations 1996*.

Regulation 34 of the *Local Government (Financial Management) Regulations 1996*, stipulate that a Local Government is to prepare each month a statement of financial activity reporting on the sources and applications of funds.

Section 6.4 of the *Local Government Act 1995* requires that financial reports be prepared and presented in the manner and form prescribed in the *Local Government (Financial Management) Regulations*.

The requirement is for a Statement of Financial Activity with a report detailing material variances. The Financial Report presented includes this as well as other statements and supplementary information.

As the process of finalising the 2023/24 financial year is still underway at the time of writing this report, figures shown in the attached statements are subject to change until the 2023/24 Annual Financial Statements are completed and audited

COMMENT:

The Financial Statements for the period ending 31 July 2024 and 31 August 2024 present the financial performance of the Shire for the 2024/25 financial year and compare year to date expenditure and revenue against the corresponding year to date budget.

Attached for consideration is the completed Monthly Financial Report as per Attachment 11.7.1. and 11.7.2

The document attached includes Statement of Financial Activity by Nature or Type, Notes to the financial statements and an explanation of material variances.

STATUTORY ENVIRONMENT:

Local Government Act 1995, Section 6.4.

Local Government (Financial Management) Regulations 1996, Regulation 34.

POLICY AND CONSULTATION IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Nil

RISK MANAGEMENT MATRIX:

The Shire, through its adopted Risk Management Framework, has identified a number of risk areas that need to be assessed and where necessary treated, like, but not limited to:

Audit risks	Financial and credit risks
Operational risks	Technological and IT risks
Compliance and regulatory risks	Environmental risks
Legal risks	Strategic risks
Political risks	Sustainability and security risks

Officers have undertaken a Risk Assessment with respect to the item before Council and concludes by Council receiving these Statements of Financial Position, that no risks have been identified.

STRATEGIC IMPLICATIONS:

Nil

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council, in accordance with Regulation 34 of the *Local Government (Financial Management) Regulations 1966*, receives the Financial Activity Statements for the period ending 31 July 2024 and 31 August 2024 as per Attachments 11.7.1 and 11.7.2

AGENDA NUMBER & SUBJECT:	11.8 - Payment of Accounts – July and August 2024
LOCATION/ADDRESS:	Shire of Nannup
NAME OF APPLICANT:	N/A
FILE REFERENCE:	FNC 8
AUTHOR:	Robin Lorkiewicz – Finance Coordinator
REPORTING OFFICER:	Kim Dolzadelli – Acting Chief Executive Office
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT	19 September 2024
PREVIOUS MEETING REFERENCE:	Nil
ATTACHMENT:	11.8.1 Payment of Accounts – July 2024 11.8.2 Payment of Accounts – August 2024

BACKGROUND:

To advise Council of payments made for the period 1 July to 31 August 2024.

COMMENT:

Payments of \$610,932.88 as detailed in the payment of accounts listing for the period 1 July to 31 July 2024 as per Attachment 11.8.1 have been approved under delegated authority.

Municipal Account

Accounts paid by EFT	17337 - 17449	\$481,965.99
Accounts paid by cheque	20633 - 20634	\$1,415.15
Accounts paid by Direct Debit	13327.1 – 13512.21	\$127,551.74
<i>Sub Total Municipal Account</i>		<u>\$610,932.88</u>

Trust Account

Accounts paid by EFT	-	\$0.00
<i>Sub Total Trust Account</i>		<u>\$0.00</u>
Total Payments		<u>\$610,932.88</u>

Payments of \$391,998.98 as detailed in the payment of accounts listing for the period 1 August to 31 August 2024 as per Attachment 11.8.2 have been approved under delegated authority.

Municipal Account

Accounts paid by EFT	17450- 17570	\$238,764.62
Accounts paid by cheque	-	\$0.00

Accounts paid by Direct Debit	13400.1 – 13515.19	\$153,234.36
<i>Sub Total Municipal Account</i>		<u>\$391,998.98</u>
Trust Account		
Accounts paid by EFT	-	\$0.00
<i>Sub Total Trust Account</i>		<u>\$0.00</u>
Total Payments		<u><u>\$391,998.98</u></u>

STATUTORY ENVIRONMENT:

Regulation 13(2) of the *Local Government (Financial Management) Regulations 1996*, requires a local government to prepare a list of accounts approved for payment under delegated authority showing the payee's name; the amount of the payment; and sufficient information to identify the transaction, and the date of the payment; this list is to be presented to council at the next ordinary meeting of the Council after the list is prepared.

Regulation 13A of the *Local Government (Financial Management) Regulations 1996*, requires a local government to prepare a list of payments made using the purchasing cards showing the payee's name; the amount of the payment; and sufficient information to identify the transaction and the date of the payment; this list is to be presented to council at the next ordinary meeting of the Council after the list is prepared.

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

As indicated in Payment of Accounts

RISK MANAGEMENT MATRIX:

The Shire, through its adopted Risk Management Framework, has identified a number of risk areas that need to be assessed and where necessary treated, like, but not limited to:

Audit risks	Financial and credit risks
Operational risks	Technological and IT risks
Compliance and regulatory risks	Environmental risks
Legal risks	Strategic risks
Political risks	Sustainability and security risks

Officers have undertaken a Risk Assessment with respect to the item before Council and concludes by Council receiving these reports of payment of accounts, that no risks have been identified.

STRATEGIC IMPLICATIONS:

Nil.

VOTING REQUIREMENT:

Simple majority.

OFFICER RECOMMENDATION:

That Council notes the payment of accounts totalling \$610,932.88 for the period 1 July to 31 July 2024 as per Attachment 11.8.1 and payment of accounts totalling \$391,998.98 for the period 1 August to 31 August 2024 as per Attachment 11.8.2.

12 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN:

Nil.

13. MEETING MAY BE CLOSED:

Nil.

14. CLOSURE OF MEETING:

Attachments

Item #	Attachment #	Title
5.1	1	Warren Blackwood Alliance of Councils Climate Change Action Plan Implementation Reference Group
5.2	1	Bush Fire Advisory Committee- Annual General Meeting – 5 August 2024
5.3	1	Bush Fire Advisory Committee – 5 August 2024
5.4	1	Local Emergency Management Committee – 7 August 2024
5.5	1	Shire of Nannup Ordinary Council Meeting– 22 August 2024
5.6	1	Shire of Nannup South West Country Zone– 23 August 2024
5.7	1	Shire of Nannup Special Council Meeting – 29 August 2024
11.1.1	1	Register of Delegated Development Approvals
11.2.1	1	Copy of original report to Council 27 th June 2024
11.2.2	2	Email from Department of Planning, Lands and Heritage
11.3.1	1	Draft Permit to Occupy Cundinup Exchange WA
11.4.1	1	Letter to Chief Executive Officer
11.4.2	1	2024 NP Shire Wine Show Costs
11.5.1	1	Financial Assistance Agreement for the Community Small Grant Fund
11.5.2	1	Business Case Early Years Precinct
11.6.1	1	Advocacy Positions for a New Local Government Act
11.6.2	2	WALGA Submission – Local Government Reform Proposal (February 2022)
11.7.1	1	Financial Activity Statement –31 July 2024
11.7.2	2	Financial Activity Statement – 31 August 2024
11.8.1	1	Payment of Accounts – July 2024
11.8.2	1	Payment of Accounts – August 2024